

Conway  
Planning  
Commission  
STAFF REPORT



February  
2015



Tuesday\*, February 17th, 2015 • 7:00 pm • 810 Parkway Ave • Conway, AR



*Black History Month*

*Presidents' Day - February 16<sup>th</sup>*

*Groundhog Day - February 2<sup>nd</sup>*

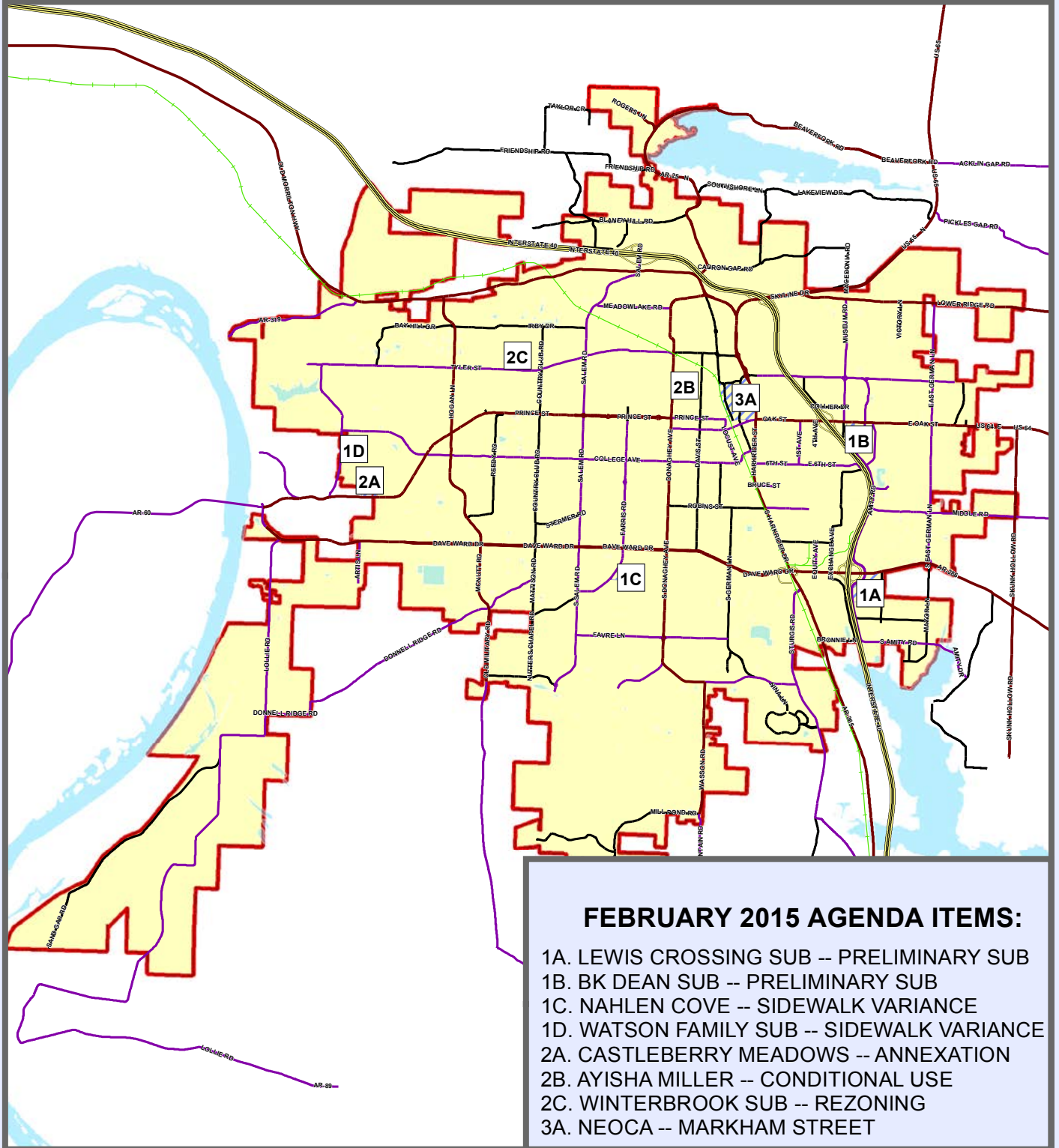
*Daisy Gatson Bates Day - February 16<sup>th</sup>*

*American Heart Month*

*Valentine's Day - February 14<sup>th</sup>*

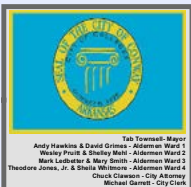
# CITY OF CONWAY

## FEBRUARY 2015 PLANNING COMMISSION ITEMS

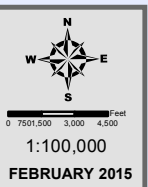


### FEBRUARY 2015 AGENDA ITEMS:

- 1A. LEWIS CROSSING SUB -- PRELIMINARY SUB
- 1B. BK DEAN SUB -- PRELIMINARY SUB
- 1C. NAHLEN COVE -- SIDEWALK VARIANCE
- 1D. WATSON FAMILY SUB -- SIDEWALK VARIANCE
- 2A. CASTLEBERRY MEADOWS -- ANNEXATION
- 2B. AYISHA MILLER -- CONDITIONAL USE
- 2C. WINTERBROOK SUB -- REZONING
- 3A. NEOCA -- MARKHAM STREET



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	I-1
MINOR ARTERIAL	LAKES & PONDS	R-2	I-2
COLLECTOR	CITY LIMITS	R-3	I-3
RESIDENTIAL		SR	
PRIVATE ROAD		Commercial Office	Special
INTERSTATE RAMP		C-1	SP
RAILROADS		C-2	S-1
		C-3	RU-1
		C-4	I-3
		O-1	SP
		O-2	S-1
		O-3	RU-1
		PUD	I-3
		TJ	



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION  
 LANDMARK IMS WEBSITE:  
[gis.cityofconway.org](http://gis.cityofconway.org) (UNDER DEVELOPMENT)  
 E-MAIL: [Jason.Lyon@CityOfConway.org](mailto:Jason.Lyon@CityOfConway.org)



# CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA

7:00 pm • Tuesday • February 17\*, 2015

District Court Building • 810 Parkway

## SUBDIVISION COMMITTEE WILL MEET AT 6:00 PM

### Call to Order

### Introduction & Chairperson Remarks

Minutes: December 15, 2014 and January 20, 2015

## SUBDIVISION COMMITTEE WILL MEET AT 6:00 PM

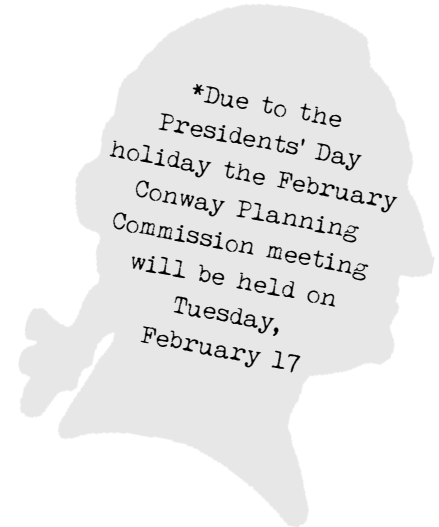
1. **Subdivision and Replat**
  - A. Lewis Crossing Preliminary
  - B. BK Dean PUD Preliminary
  - C. Nahlen Cove Subdivision - Final
  - D. Watson Family Subdivision - Final
2. **Annexations, Zoning and Conditional Use (Requires Public Hearing)**
  - A. Annexation (for Castleberry Meadows Subdivision)
  - B. Miller Conditional Use Permit Request (Restricted Office)
  - C. Rush-Hall Rezoning: A-1 to R-1 (for Winterbrook Subdivision)
3. **A. Northeast Old Conway Area Specific Plan Amendment (Requires Public Hearing)**
4. **Discussion**
  - A. Items as decided by the Planning Commission

### Adjourn

### Planning Staff Development Review/ Minor Subdivision Reports to the Planning Commission

The following items have been reviewed and approved by the Director of Planning and Development and are being reported to the Planning Commission as required by the Zoning and Subdivision Ordinance:

- A. **Development Reviews**
  - None
- B. **Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)**
  - Freyaldenhoven Replat
  - Central Arkansas Medical Park



*The Conway Planning Commission makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the Planning Commission recommendations as a guide.*

*Items not approved by the Planning Commission may be appealed to the City Council within 30 days after Planning Commission denial. If an item is appealed to the City Council, a public notice sign will be placed on the property at least 7 days prior to the City Council meeting. A public notice will also be placed on the City's website: [www.cityofconway.org](http://www.cityofconway.org).*

*Denied Items may be considered by the City Council as early as March 10, 2015. Approved Items will be considered by the City Council on February 24, 2015*



# 1A LEWIS CROSSING PRELIMINARY SUBDIVISION

## LEWIS CROSSING PRELIMINARY SUBDIVISION

### APPLICANT/OWNER

Collett Properties  
1111 Metropolitan Avenue, Suite 700  
Charlotte, NC 28204

### STAFF REVIEW BY

Christy Sutherland, Planner  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: Southeast corner of Dave Ward Drive and I-40

Legal Description: On file

Site Area: 41.697 acres

Existing Structures: None (Former site of Lewis Livestock Auction Sale Barn)

Current Zoning: C-3

Overlay District: None

### STAFF COMMENTS

This plat creates the commercial subdivision for the upcoming Lewis Crossing Shopping Center.

### STAFF RECOMMENDATIONS

*The Planning Commission must consider items 26, 29, and 36.*

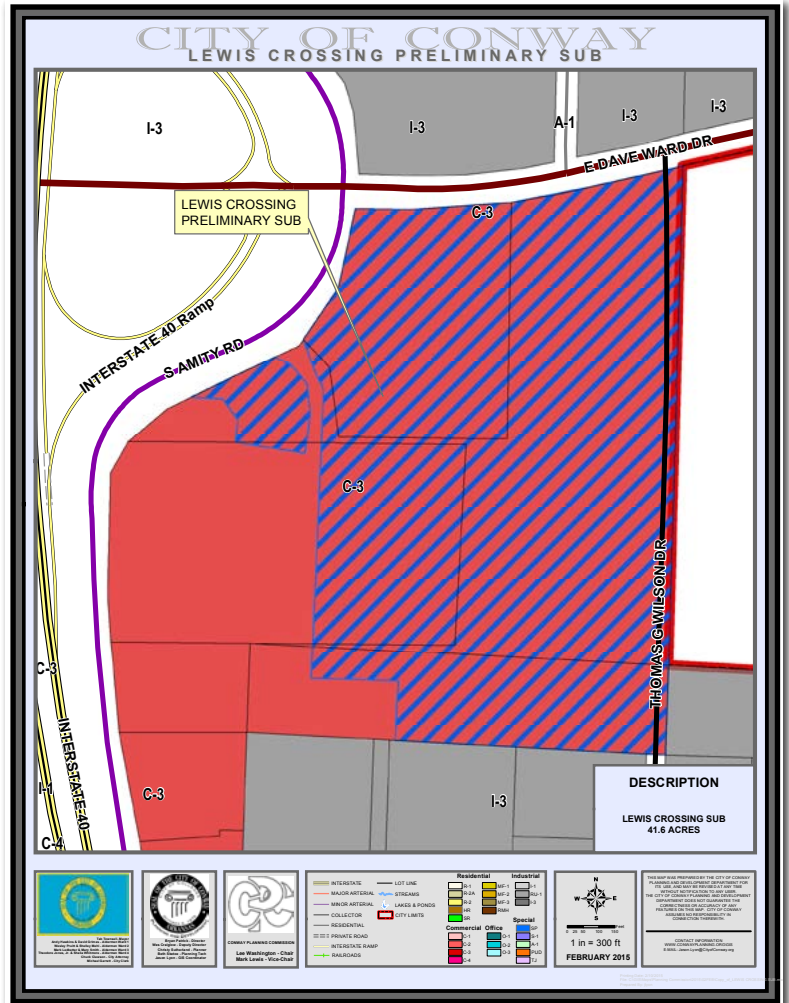
Planning Staff recommends approval of this subdivision subject to the amended punch list.

## CONWAY CITY PLANNING DEPARTMENT REVIEW LEWIS CROSSING PRELIMINARY PLAT SUBMITTED BY: COLLETT PROPERTIES FEBRUARY, 2015

This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for preliminary plat approval.

### BASIC INFORMATION NEEDED ON THE PLAT

1. The name and address of all the owners of record are needed.
2. A vicinity map showing the location and acreage of the subdivision must be shown. The plat boundary and acreage must not include the Sam's Tract.
3. A legal description of the property with exact boundary lines, bearings and distances is needed. The legal description must show the boundary of all ten lots of the subdivision.
4. The present zoning classification of the adjoining land contiguous to the boundary of the proposed subdivision is needed. The east side of Thomas G. Wilson Drive is in the County and the south side of the subdivision is I-3. The Sam's Property is zoned C-3.



5. The zoning must be shown on the plat.
6. The layout of all proposed streets are needed, along with relevant dimensions and bearings.
7. Street names that are not similar to existing street names are needed for all proposed streets. The new public street must be shown as Amity Road and (Industrial Boulevard) must be changed to (East Dave Ward Drive).
8. Lot lines with appropriate dimensions are needed. Dimensions are needed on all lot lines.

### ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

9. Improvement plans, including typical cross sections and centerline profiles for any new street system, are needed.
10. Improvement plans for any new drainage system, including location, size and construction of drainageways and structures and typical cross sections and centerline profiles are needed.
11. The Certificate of Preliminary Engineering Accuracy is needed on each set of street and drainage plans.
12. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat is needed.
13. Where a subdivision involves property other than entire lots that have already been through the subdivision process, copies of a deed or deeds dated on a date no less than ten years prior

to the filing of the plat are needed to assure that no parcels less than five acres in area are being created through this platting.

#### GENERAL DESIGN REQUIREMENTS

13. The development plans shall include and identify a prepared and dedicated flowage path or floodway that will accommodate a one hundred (100) year frequency storm event across and through the development. The floodway shall be uniformly graded along the length of the floodway such that water will not pond or accumulate on the surface due to humps or depressions along the route. Computations for the quantity of storm water runoff, sizing of the floodway and elevation of the one hundred (100) year flood shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer. A floodway will not be required where less than five (5) acres of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.
14. An easement of adequate width to accommodate the required floodway shall be provided on the plat. The easement shall clearly identify the easement as a "100-year Floodway". The plat shall have a note that reads as follows: "No structures, fill or obstructions shall be placed in the 100 year Floodway easement. No reshaping of the surface within the 100 year Floodway easement shall be made without the approval of the City Engineer. No fences shall be in the floodway easement."
15. Minimum floor elevations shall be placed on the plat for all lots less than three (3) feet above the computed one hundred (100) year flood elevation. The minimum finished flood elevation shall be established at one (1) foot above the computed one hundred (100) year flood elevation.
16. Storm water detention or another storm water flow reduction measures shall be provided where existing downstream subdivisions or developments have storm drainage systems with a capacity of less than a ten (10) year frequency storm. The requirement does not apply to the inadequate natural streams or creeks flowing through undeveloped areas. The storm water detention facilities shall be designed to provide a holding area such that storm water runoff can be accumulated and released through at an outlet structure. The required storage volume and outlet structure shall be sized to release the storm water at a rate that does not exceed the capacity of the downstream storm drainage system or a computed runoff rate equal to that of the pre-development conditions of the proposed development, whichever is the greater. The detention facilities shall be based on a twenty-five (25) year frequency storm event. Computations for the sizing of the detention facilities and outlet structure shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer.
17. Detention basins may be either wet basins having a permanent pool of water for aesthetic purposes or a dry basin that retains no water other than that required during the storm event. A dry basin shall be graded and shaped

to provide for the positive drainage of surface water from all portions of the basin. A concrete paved channel may be required from the inlet pipe to the outlet pipe to provide a maintainable bottom area.

18. An easement shall be placed around the high water limits of the detention area.

#### STREET DESIGN REQUIREMENTS

19. The rights-of-way of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance.
20. The width of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. The width of the new Amity Road must be shown in the street & drainage plans.
21. The minimum horizontal radii of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. The Arkansas State Highway Department project continues on Amity Road just past the first turn south of the Dave Ward Amity roundabout.
22. Property line corners at street intersections shall be rounded with a radius of at least 28 feet. A 28 foot radius must be provided at the intersection of East Dave Ward Drive and Thomas G Wilson Drive.

#### EASEMENT DESIGN REQUIREMENTS

23. Utility easements as required by Conway Corporation are needed.
24. Drainage easements as required by the City Engineer are needed.
25. Access, utility, drainage and storm water detention easements are difficult to follow. Please change the line type or hatch. Dimensions are required on all easements.

#### LOT DESIGN REQUIREMENTS

26. Lots must abut upon a public street except where private streets are approved by the Planning Commission in Planned Unit Developments or where a dedicated access easement 25' in width in C-1, C-3 or O-1 zones has been approved by the Planning Commission. A request for variance has been received to allow Lots 1, 4 & 5 to be platted without street frontage. A 25' public access will be provided to these lots. **The Planning Commission must approve this request or this condition must be corrected.**
27. The minimum building setback (building line) shall be no less than 40 feet from the right-of-way of the front street as required by the Zoning Ordinance in a C-3 Zone.
28. Corner lots shall have a setback of 40 feet from the front lot line and 15 feet from the exterior side lot line as required by the Zoning Ordinance in a C-3 Zone.
29. Double frontage lots other than corner lots fronting on two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission. A request for variance has been received to allow Lots 2, 3, 8 & 9 to be approved as double frontage lots. **The Planning Commission must approve this request or this condition must be corrected.**

- 30. Building lines shall be established for both front and rear lot lines for double frontage lots.
- 31. On double frontage lots, a planting screen easement of at least 10 feet shall be provided along the portion of the lot abutting a traffic artery or other use where screening is required. There shall be no right of access across the planting screen easement and such restriction shall be clearly designated on the plat and within any Bill of Assurance. A planting screen easement must be shown along the north side of Lots 8 & 9.
- 32. Every lot must slope to a street or to a drainage easement.

**UTILITY DESIGN REQUIREMENTS**

- 33. Fire hydrants shall be placed so that the furthest point of a lot in a commercial subdivision is no more than 400 feet from the nearest hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
- 34. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

**SIDEWALK DESIGN REQUIREMENTS**

- 35. Sidewalks are required along both sides of all streets within all zoning districts within Conway city limits and within the Conway Territorial Jurisdiction. The sidewalk on the north side of Lot #7 must extend east to the proposed access road.
- 36. The City Engineer has suggested payment in lieu instead of sidewalk construction adjacent to Thomas G. Wilson Drive and south of the Amity Road roundabout where street improvements will not be done by the developer. Any constructed sidewalk at this location by the Developer would likely be torn up when street improvements are done. If a waiver is granted, the developer shall contribute an amount of money in lieu of construction equal to \$15 per linear foot of the required sidewalk. *The Planning Commission must approve the payment in lieu at these locations only or sidewalks must be built.*
- 37. All sidewalks shall be handicapped accessible to public streets at street corners and at designated mid-block public service drives/alleyways. Sidewalks shall meet American Disability Act Standards.
- 38. Sidewalk elevation. The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach.
- 39. Driveway approach. The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk.
- 40. Sidewalks As Part of Commercial, Multi-Family, and Mixed Use Developments: Sidewalks along streets in commercial, multi-family, and mixed use subdivisions shall be constructed concurrently with building construction as part of site development review. Sidewalks shall be the responsibility of the builder/owner and not the developer. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy.
- 41. When a developer created double frontage lots with one side along a street classified as a collector or above, the

- developer shall construct sidewalks along the collector or greater street frontage.
- 42. Any developer required sidewalk shall be constructed concurrently with other subdivision infrastructure. Such construction shall be completed or assurance for construction shall be required along with other infrastructure improvements prior to filing of the final plat.
- 43. All sidewalk construction location, and responsibility for construction shall be clearly identified on the final plat. Detailed sidewalk construction drawings coordinating sidewalks with other street/lot/easement infrastructure shall be shown on or included with the final plat.
- 44. Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous "ribbon" of pedestrian access throughout the community. Sidewalks must connect on the east side of Lot #3 and the south side of Lot #8.
- 45. If, during the construction of a building or any other improvements upon a lot or by any other actions, the sidewalk(s) are damaged, the party responsible for the construction or other actions shall repair the sidewalk(s) to the satisfaction of the City.

**EXPIRATION OF PLAT**

- 46. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. Lewis Crossing will expire on February 17, 2015.

**AUTHORIZATION TO PROCEED**

- 47. Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.







Submitted Variance Letter

5323 SOUTH LEWIS AVENUE  
TULSA, OKLAHOMA 74105-6539  
OFFICE: 918.745.9929

January 30, 2015

City of Conway

Re: Lewis Crossing  
Preliminary Plat  
Request for Waiver of Subdivision Regulations

On behalf of the developer, Collett Properties, I am requesting the following variances to the subdivision regulations:

Variance One – to allow Lots 3, 8 and 9 to be double frontage lots.

Variance Two – to allow Lots 1, 4 and 5 to be platted without public street access. The plat will provide a 25' public access easement.

Respectfully,

1-30-2015



Dan E. Tanner, PE, PLS

Arkansas Certificate  
of Authorization 2661  
Expires 6-15-2015

# 1B BK DEAN PUD PRELIMINARY SUBDIVISION

## BK DEAN PUD PRELIMINARY SUBDIVISION

### APPLICANT/OWNER

915 East Oak Street, LLC  
 Ryan McNeill  
 405 E. 119th Street  
 Jenks, OK 74037

### STAFF REVIEW BY

Christy Sutherland, Planner  
 1201 Oak Street  
 Conway, AR 72032

### SITE DATA

Location: 915 East Oak Street

Legal Description: On file

Site Area: 7.6 acres +/-

Existing Structures: Former Superior Chevrolet

Current Zoning: PUD (Planned Unit Development)

Overlay District: None

### STAFF COMMENTS

BK Dean Planned Unit Development was approved in December 2014. This plat completes the subdivision phase of this PUD commercial development.

### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this subdivision subject to the completion of the punch list.

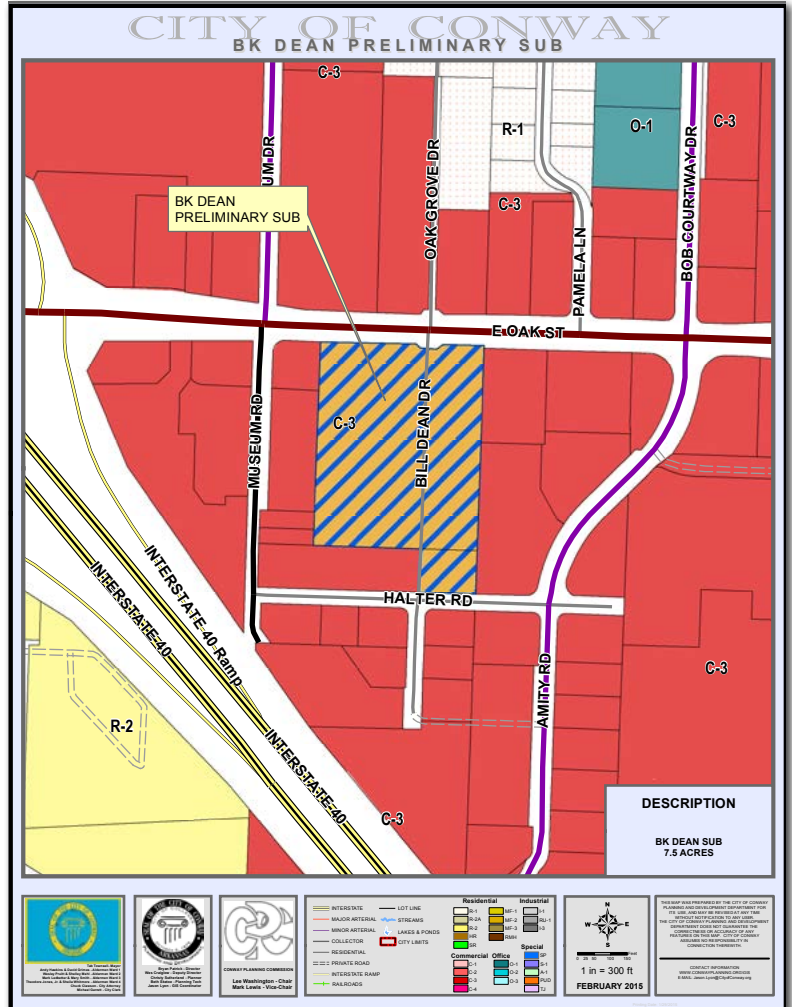
### CONWAY CITY PLANNING DEPARTMENT REVIEW

BK. DEAN SUBDIVISION PRELIMINARY PLAT  
 SUBMITTED BY: 915 EAST OAK STREET, LLC  
 FEBRUARY, 2015

This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for preliminary plat approval.

### BASIC INFORMATION NEEDED ON THE PLAT

1. The name and address of all the owners of record are needed. The owner for the southern portion of Lot 5 must be shown.
2. The vicinity map must show the acreage of the subdivision.
3. The date of the survey is needed.
4. The boundary of the subdivision must be in a solid bold line with clear dimensions on the outside of the plat.
5. The present zoning classification of the adjoining land contiguous to the boundary of the proposed subdivision is needed.
6. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings.



### ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

7. Where a subdivision involves property other than entire lots that have already been through the subdivision process, copies of a deed or deeds dated on a date no less than ten years prior to the filing of the plat are needed to assure that no parcels less than five acres in area are being created through this platting.

### GENERAL DESIGN REQUIREMENTS

8. The development plans shall include and identify a prepared and dedicated flowage path or floodway that will accommodate a one hundred (100) year frequency storm event across and through the development. The floodway shall be uniformly graded along the length of the floodway such that water will not pond or accumulate on the surface due to humps or depressions along the route. Computations for the quantity of storm water runoff, sizing of the floodway and elevation of the one hundred (100) year flood shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer. A floodway will not be required where less than five (5) acres of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.
9. An easement of adequate width to accommodate the required floodway shall be provided on the plat. The easement shall

clearly identify the easement as a “100-year Floodway”.

The plat shall have a note that reads as follows: “No structures, fill or obstructions shall be placed in the 100 year Floodway easement. No reshaping of the surface within the 100 year Floodway easement shall be made without the approval of the City Engineer. No fences shall be in the floodway easement.”

10. Minimum floor elevations shall be placed on the plat for all lots less than three (3) feet above the computed one hundred (100) year flood elevation. The minimum finished flood elevation shall be established at one (1) foot above the computed one hundred (100) year flood elevation.
11. Storm water detention or another storm water flow reduction measures shall be provided where existing downstream subdivisions or developments have storm drainage systems with a capacity of less than a ten (10) year frequency storm. The requirement does not apply to the inadequate natural streams or creeks flowing through undeveloped areas. The storm water detention facilities shall be designed to provide a holding area such that storm water runoff can be accumulated and released through at an outlet structure. The required storage volume and outlet structure shall be sized to release the storm water at a rate that does not exceed the capacity of the downstream storm drainage system or a computed runoff rate equal to that of the pre-development conditions of the proposed development, whichever is the greater. The detention facilities shall be based on a twenty-five (25) year frequency storm event. Computations for the sizing of the detention facilities and outlet structure shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer.
12. Detention basins may be either wet basins having a permanent pool of water for aesthetic purposes or a dry basin that retains no water other than that required during the storm event. A dry basin shall be graded and shaped to provide for the positive drainage of surface water from all portions of the basin. A concrete paved channel may be required from the inlet pipe to the outlet pipe to provide a maintainable bottom area.
13. An easement shall be placed around the high water limits of the detention area.

#### STREET DESIGN REQUIREMENTS

14. Additional street paving and right-of-way, in the form of turning lanes may, upon consultation with the City Engineer and/or the Planning Staff, be required at Bill Dean Drive. A traffic study will be required to determine the need for the turning lane onto Oak Street.
15. Property line corners at street intersections shall be rounded with a radius of at least 28 feet.

#### EASEMENT DESIGN REQUIREMENTS

16. Utility easements as required by Conway Corporation are needed.
17. Drainage easements as required by the City Engineer are needed. The method of drainage from the Hampton Inn property through this subdivision must be determined by an engineer and approved by the City Engineer and a drainage easement must follow this pathway.

#### LOT DESIGN REQUIREMENTS

18. All existing buildings must be shown to meet the minimum setback requirements from all lot lines or they must be modified or moved to meet those setback requirements. The existing structure from the old Superior Chevrolet Dealership must be removed before the filing of this plat.
19. Every lot must slope to a street or to a drainage easement.

#### UTILITY DESIGN REQUIREMENTS

20. Fire hydrants shall be placed so that the furthest point of a lot in a commercial subdivision is no more than 400 feet from the nearest hydrant located on the same street.

#### SIDEWALK DESIGN REQUIREMENTS


21. Sidewalks are required along both sides of all streets within all zoning districts within Conway city limits and within the Conway Territorial Jurisdiction. All existing and proposed sidewalks must be shown on the plat.
22. All sidewalks shall be handicapped accessible to public streets at street corners and at designated mid-block public service drives/alleyways. Sidewalks shall meet American Disability Act Standards.
23. Sidewalk elevation. The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach.
24. Driveway approach. The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk.
25. Sidewalks As Part of Commercial, Multi-Family, and Mixed Use Developments: Sidewalks along streets in commercial, multi-family, and mixed use subdivisions shall be constructed concurrently with building construction as part of site development review. Sidewalks shall be the responsibility of the builder/owner and not the developer. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy.
26. All sidewalk construction location, and responsibility for construction shall be clearly identified on the final plat. Detailed sidewalk construction drawings coordinating sidewalks with other street/lot/easement infrastructure shall be shown on or included with the final plat.
27. The Planning Commission granted a variance in the PUD zoning process on the east side of Bill Dean Drive south of the mid block crossing with Lot 5. In-lieu of building sidewalks south of mid block on the east side of Bill Dean Drive, the developer shall install a mid block crossing using a “Rapid Rectangular Flashing Beacon” or RRFB as specified by the City Engineer. Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous “ribbon” of pedestrian access throughout the community.
28. Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous “ribbon” of pedestrian access throughout the community.
29. If, during the construction of a building or any other improvements upon a lot or by any other actions, the sidewalk(s) are damaged, the party responsible for the construction or other actions shall repair the sidewalk(s) to the satisfaction of the City.

EXPIRATION OF PLAT

30. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. B. K. Dean Subdivision will expire on February 17, 2016.

AUTHORIZATION TO PROCEED


31. Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.



1000 N. RIVER ST. SUITE 200  
DALLAS, TEXAS 75201  
PHONE: 972.351.2217  
FAX: 972.351.2217

**STATE OF ARIZONA**  
**DEPARTMENT OF LAND**  
**DIVISION OF CONVEYANCE**

**915 EAST OAK STREET LLC  
B.K. DEAN SUBDIVISION  
CONWAY COMMERCIAL  
DEVELOPMENT  
CONWAY, AR**



- EXISTING PLAT RECORDS**
- NAME OF SUBDIVISION: BK DEAN SUBDIVISION
  - NAME AND ADDRESS OF OWNER, SURVEYOR, SURVEYOR'S OWNERS/BUYERS: BK DEAN SUBDIVISION, 915 EAST OAK STREET, LLC, 2000 N. RIVER ST., SUITE 200, DALLAS, TEXAS 75201
  - SURVEYOR: ARBETH LAWSON
  - NORTH ARROW/ GRAPHIC SCALE (DATE): SHOWN
  - VELOCITY MAP: SHOWN
  - LEGAL DESCRIPTION: SHOWN
  - CONTROLS: SHOWN
  - NATURAL FEATURES: SHOWN
  - FLOODING: SHOWN
  - PRESENT ZONING: R-10 (MAY BE SUBJECT TO A FUTURE CITY COUNCIL MEETING AND REZONING OF ADJACENT PROPERTIES E-C-1)
  - EXISTING IMPROVEMENTS: SHOWN
  - PROPOSED LOTS SHOWN
  - PROPOSED OPEN SPACES AS REQUIRED BY CITY OF CONWAY
  - SOURCE OF WATER SUPPLY: CONWAY CORPORATION
  - WASTEWATER DISPOSAL: CONWAY CORPORATION
  - HEALTH DEPT. APPROVAL: NA
  - MASTER SKETCH PLAN: NA
  - IMPROVEMENT PLANS: NA
  - CAUSE MONUMENTS: NA
  - ADDITIONAL DATA, BUILDING SETBACKS AND LANDSCAPING SETBACKS AS PER THE PUD AS APPROVED BY CITY OF CONWAY: SHOWN

**CERTIFICATE OF SUBDIVISION ACCURACY**

I, ARBETH LAWSON, RESPECCFULLY CERTIFY THAT THIS PUD CORRECTLY SHOWS THE BOUNDARIES, INTERSECTIONS, AND LOCATIONS OF ALL MONUMENTS, BOUNDARIES, AND FEATURES AS SHOWN HEREON, ACCORDING TO THE RECORDS OF THE PUBLIC RECORDS, AND THAT THE INFORMATION HEREON IS TRUE AND CORRECT.

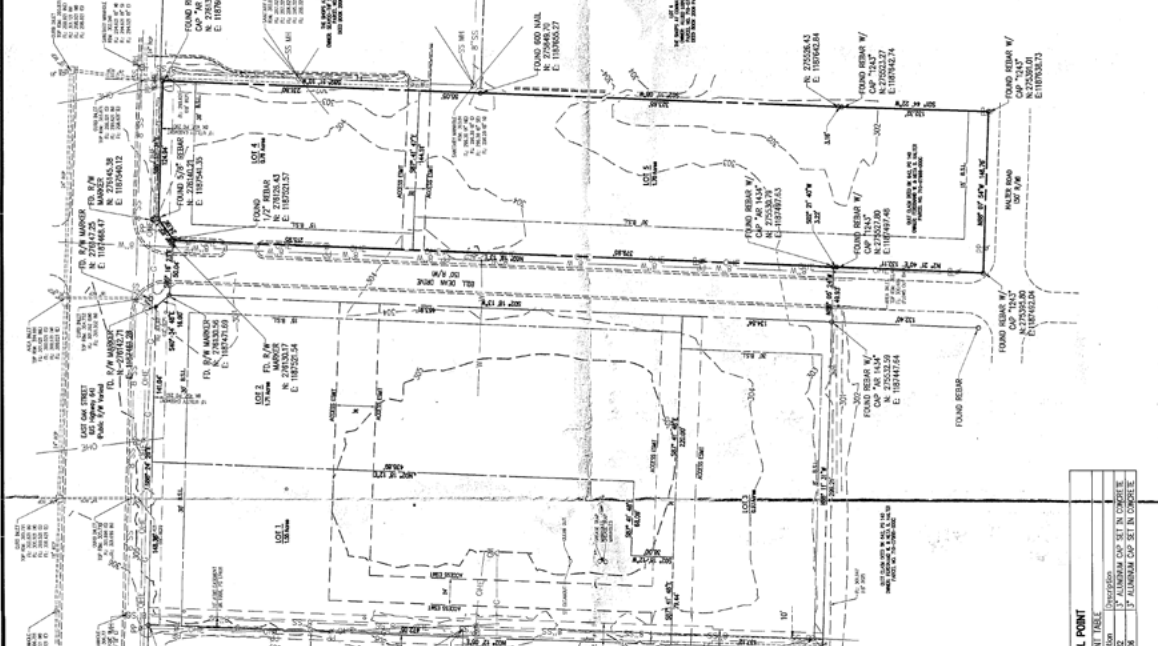
DATE OF EXECUTION: 09/03/2019

SIGNED: *Arbeth Lawson*  
No. 1231  
STATE OF ARIZONA

**CERTIFICATE OF PRELIMINARY PLAT APPROVAL**

THIS PLAT HAS BEEN GIVEN PRELIMINARY PLAT APPROVAL ONLY AND HAS NOT BEEN APPROVED FOR RECORDING PURPOSES AS A PUBLIC RECORD. DATE OF EXECUTION: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
CONWAY COMMERCIAL DEVELOPMENT  
COMMISSIONER



**CONTROL POINT TABLE**

POINT NO.	Northings	Eastings	Description
CONTROL POINT 1	1195514.297	1192381.429	1" ALUMINUM CAP SET IN CORNER
CONTROL POINT 2	1192381.129	1195514.297	1" ALUMINUM CAP SET IN CORNER

# 1C NAHLEN COVE PUD SUBDIVISION - SIDEWALK VARIANCE

## NAHLEN COVE PUD SUBDIVISION - SIDEWALK VARIANCE

### APPLICANT/OWNER

Hal Crafton  
Rush-Hal Properties  
3200 W. Tyler, Suite A  
Conway, AR 72034

### STAFF REVIEW BY

Christy Sutherland, Planner  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** 2595 Nutters Chapel Road. The east side of Nutters Chapel Road immediately north of Nahlen Drive.

**Legal Description:** On file

**Site Area:** 5.36 acres

**Existing Structures:** None

**Current Zoning:** PUD (Planned Unit Development)

**Overlay District:** None

### STAFF COMMENTS

This property was rezoned from R-1 to a residential PUD in August 2014. At this same meeting, a subdivision with 21 single family residential lots was approved. The developer has begun construction on the subdivision and would now like to request a review of the required sidewalk along Nutters Chapel Road. Due to complications with underground utilities, the developer is requesting that the Planning Commission grant a variance and allow a payment in-lieu for the required sidewalk along Nutters Chapel Road. All internal subdivision sidewalks will be constructed.

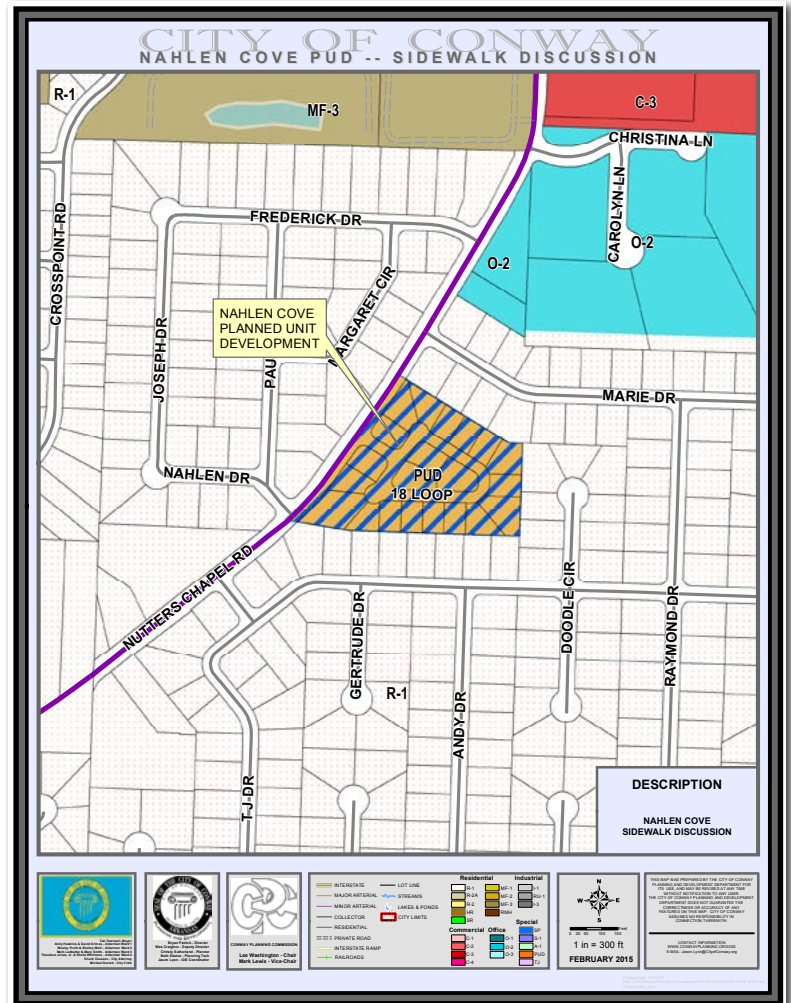
### STAFF RECOMMENDATIONS

Planning Staff and the City Engineer recommend approval of this sidewalk in-lieu request. The closest sidewalks on the east side of Nutters Chapel Road are one quarter mile to the north and south of the property. If approved, the sidewalk in-lieu fee is \$15 per linear foot with a length of approximately 560 feet of sidewalk along Nutters Chapel: total in-lieu fee ~\$8400.

This fee would go into the general sidewalk fund. This fund has been used to construct sidewalks close to schools and areas with the greatest need for sidewalk connectivity.

**The Planning Commission must consider item 15.**

Planning Staff recommends approval of this replat subject to the amended punch list.



## CONWAY CITY PLANNING DEPARTMENT REVIEW NAHLEN COVE SUBDIVISION FINAL PLAT SUBMITTED BY: HAL CRAFTON JANUARY, 2015

This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for final plat approval.

### NUMBER OF COPIES

1. After review, twelve copies and the original tracing or a reproducible mylar are needed for filing. Patching and pasting of paper or other attachments to the plat is not acceptable.

### COMPUTER SUBMISSION

2. The final plat must be submitted in a computer compatible media in a format as determined by the Planning Department.

### BASIC INFORMATION NEEDED ON THE PLAT

3. The signature and date of signature of all the owners of record are needed.
4. The source of title (book and page numbers) is needed.
5. A sidewalk easement must be shown along Nutters Chapel Road to accommodate the proposed sidewalk.
6. All subdivisions must all be tied to CAGIS Monumentation.
7. The true courses and distances to the two (2) nearest

established section corners or benchmarks or other recognized permanent monuments shall be accurately denoted. A second benchmark must be shown on the plat.

#### ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

8. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat is needed.
9. As-built drawings of infrastructure improvements shall be submitted to the Street Department no less than one year after improvements are installed.
10. Letters shall be submitted by the Conway Corporation and by each utility company which will have service lines in the proposed subdivision stating the utilities have been installed or assurances given by the utility company that improvements will be installed to the satisfaction of the City.

#### STREET DESIGN REQUIREMENTS

11. The rights-of-way of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. A request for variance has been received to allow a 35' right-of-way width with a sidewalk easement inside the lots instead of the required 50' right-of-way and sidewalks being constructed inside the right-of-way. *The Planning Commission approves this request.*
12. The minimum horizontal radii of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. A request for variance has been received to allow the minimum horizontal radii at C1 and C2 to be 4.25 instead of the minimum of 50' radii as in the Subdivision Ordinance. *The Planning Commission approves this request.*

#### LOT DESIGN REQUIREMENTS

13. Double frontage lots other than corner lots fronting on two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission. A request for variance has been received to allow lots 1-2, 16-18 and 21 to be double frontage lots. *The Planning Commission approves this request.*
14. Addresses for each lot as assigned are needed on the plat.

#### SIDEWALK DESIGN REQUIREMENTS

15. A request for variance has been received to allow payment in lieu for sidewalks along Nutters Chapel Road due to shallow drainage and utilities at the placement of the sidewalk. Sidewalks will be built inside the subdivision. **The Planning Commission must approve this request or sidewalks must be built along the curb of the street.**
16. Sidewalk elevation. The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach.

17. Driveway approach. The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk.
18. Garage Elevation. The elevation the garage or carport will need to be established to allow for the transition of the driveway from the street curb to the sidewalk, and from the sidewalk to the garage without adversely affecting the required 2% cross-slope of the sidewalk.

#### FEE REQUIREMENTS

19. The filing fee with the County must be paid.
20. Payment for any required street signs must be made to the Street Department prior to the filing of the plat.

#### ASSURANCE OF COMPLETION OF INFRASTRUCTURE

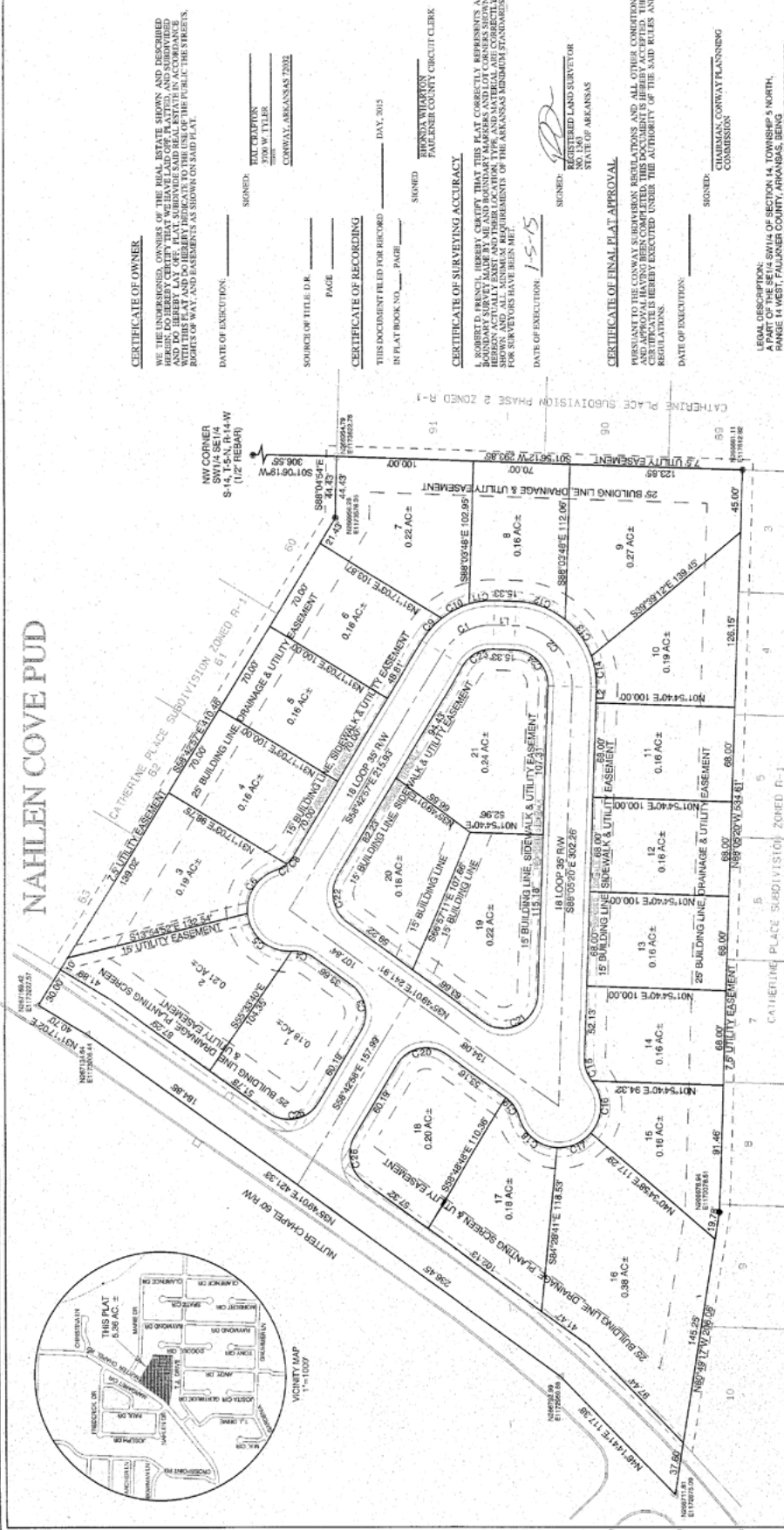
21. Street, drainage and sidewalk improvements must be completed or a performance bond, cash deposit, or irrevocable letter of credit must be submitted to the City to assure completion. Assurance of one year's maintenance by the developer must also be provided.

#### EXPIRATION OF PLAT

22. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. Nahlen Cove Subdivision will expire January 6, 2016 unless an extension is granted by the Planning Commission.



# NAHLEN COVE PUD



LINE	ARC	CURB BEARING	RADIUS	CHORD	CHORD BEARING
C1	11.32014	N01°26'14"E	42.20000	42.20000	42.20000
C2	68.72664	N49°30'25"E	42.20000	60.00078	60.00078
C3	37.26044	N19°20'12"E	25.00000	33.92648	33.92648
C4	17.10774	N10°07'05"E	25.00000	18.82608	18.82608
C5	39.76266	N67°17'31"E	30.00000	58.11408	58.11408
C6	3.26566	N67°55'59"W	25.00000	9.41288	9.41288
C7	7.82604	N47°33'59"W	25.00000	7.82608	7.82608
C8	21.82604	S49°22'29"E	60.00000	21.82608	21.82608
C9	22.82604	S67°05'12"E	60.00000	22.82608	22.82608
C10	22.82604	S67°05'12"E	60.00000	22.82608	22.82608
C11	32.41616	S61°20'34"W	60.00000	32.41616	32.41616
C12	38.71060	S20°25'11"W	60.00000	38.71060	38.71060
C13	22.82604	S67°05'12"E	60.00000	22.82608	22.82608
C14	22.82604	S67°05'12"E	60.00000	22.82608	22.82608
C15	17.10774	S77°13'59"W	25.00000	18.82608	18.82608
C16	37.26044	N19°20'12"E	25.00000	33.92648	33.92648
C17	22.82604	N62°17'31"W	30.00000	24.41288	24.41288
C18	37.26044	N39°01'16"E	30.00000	35.42608	35.42608
C19	17.10774	N59°31'02"E	25.00000	18.82608	18.82608
C20	41.24788	N11°20'59"W	25.00000	38.72608	38.72608
C21	65.00611	S59°08'10"E	25.00000	61.12608	61.12608
C22	22.82604	N62°17'31"W	30.00000	24.41288	24.41288
C23	22.82604	N62°17'31"W	30.00000	24.41288	24.41288
C24	39.22688	N46°55'57"E	25.00000	35.31288	35.31288
C25	41.24788	S11°26'52"E	25.00000	38.72608	38.72608
C26	37.22604	S79°33'11"W	25.00000	33.92608	33.92608

**CERTIFICATE OF OWNER**  
 WE, THE UNDERSIGNED OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SUBDIVISION OF SAID REAL ESTATE INTO LOTS AND BLOCKS IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEPRICATE TO THE USE OF THE PUBLIC THE STREETS, ROADS, WATER, AND EASEMENTS AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
 SOURCE OF TITLE D.R. \_\_\_\_\_ PAGE \_\_\_\_\_  
 CERTIFICATE OF RECORDING \_\_\_\_\_ DAY, 2013  
 THIS DOCUMENT FILED FOR RECORD IN PLAT BOOK NO. \_\_\_\_\_

**CERTIFICATE OF SURVEYING ACCURACY**  
 I, ROBERT D. HERBERT, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SUBDIVISION OF SAID REAL ESTATE INTO LOTS AND BLOCKS IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEPRICATE TO THE USE OF THE PUBLIC THE STREETS, ROADS, WATER, AND EASEMENTS AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: 1-5-15 SIGNED: \_\_\_\_\_  
 REGISTERED LAND SURVEYOR NO. 1343 STATE OF ARKANSAS

**CERTIFICATE OF FINAL PLAT APPROVAL**  
 PURSUANT TO THE CONVA SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS PRESCRIBED BY THE CONVA SUBDIVISION REGULATIONS, THE SAID PLAT IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
 CHAIRMAN, CONWAY PLANNING COMMISSION

**CERTIFICATE OF EXECUTION**  
 I, BRONDA WILKINSON, FACEDR COURT CIRCUIT CLERK, DO HEREBY CERTIFY THAT THIS PLAT IS CORRECTLY FILED FOR RECORD IN PLAT BOOK NO. \_\_\_\_\_ PAGE \_\_\_\_\_ DAY, 2013.

**LEGAL DESCRIPTION:**  
 A PART OF THE SE1/4 SW1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 12 WEST, MERIDIAN 10 WEST, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SW1/4 AND RUNNING THENCE S80°10'10"W 306.95 FEET TO THE POINT OF BEGINNING; THENCE S80°10'10"W 200.00 FEET TO THE NORTHEAST CORNER OF LOT 3 OF CATHERINE PLACE PHASE 1; THENCE RUN N89°02'29"W ALONG THE LINE OF NUTTER'S CHAPEL ROAD, THENCE RUN ALONG SAID CENTERLINE OF NUTTER'S CHAPEL ROAD, THENCE LEAVING SAID CENTERLINE N81°17'02"E 40.70 FEET, THENCE LEAVING SAID CENTERLINE N59°42'57"E ALONG THE SOUTH LINE OF SAID CATHERINE PLACE SUBDIVISION, THENCE LEAVING SAID CENTERLINE N44°48'57"E TO THE POINT OF BEGINNING CONTAINING 6.39 ACRES MORE OR LESS.

**GENERAL NOTES:**  
 1. THIS PROPERTY SURVEYED ON 06/06/14 WITH A CLOSURE ERROR OF 1/31/34.  
 2. THIS PROPERTY SURVEYED BY CONWAY CORPORATION UTILITIES - WATER AND SEWER.  
 3. THIS PROPERTY SURVEYED BY CONWAY CORPORATION UTILITIES - WATER AND SEWER.  
 4. 1/2" REBAR WID CAPS SET AT ALL LOT CORNERS AND POINTS OF CURVE OF LOTS.  
 5. TO A DRAINAGE EASEMENT.

**NAHLEN COVE PUD**  
 CITY OF CONWAY  
**PRELIMINARY PLAT**  
 SHEET NO. 1 OF 1  
 SCALE 1"=50'  
 DATE 11/04/14

REGISTERED ARCHITECT  
 STATE OF ARKANSAS  
 No. 1331  
 APR 28 2015

REGISTERED LAND SURVEYOR  
 STATE OF ARKANSAS  
 No. 1343

**Christy Sutherland**

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**From:** Meg Hawkins  
**Sent:** Thursday, February 05, 2015 2:52 PM  
**To:** Christy Sutherland  
**Subject:** Nahlen Cove

Christy,

In regards to Nahlen cove, Finley's recommendation is for the developer to pay the in-lieu fee.

He wasn't sure if he let you know that or not so he wanted me to pass that along.

Hope your day is going well!

Thanks,

**Meg Hawkins**

City of Conway  
Street & Engineering Department  
100 E Robins  
Conway, AR 72032  
Office: 501.450.6165  
Fax: 501.513.3566  
[Meg.hawkins@cityofconway.org](mailto:Meg.hawkins@cityofconway.org)

# 1D WATSON FAMILY SUBDIVISION - SIDEWALK VARIANCE

## WATSON FAMILY SUBDIVISION - SIDEWALK VARIANCE

### APPLICANT/OWNER

Tom Watson  
Watson Children's Trust  
700 Padgett Road  
Conway, AR 72034

### STAFF REVIEW BY

Christy Sutherland, Planner  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** 2595 Nutters Chapel Road. The east side of Nutters Chapel Road immediately north of Nahlen Drive.

**Legal Description:** On file

**Site Area:** 5.33 acres

**Existing Structures:** None

**Current Zoning:** R-1 and RU-1

**Overlay District:** None

### STAFF COMMENTS

The applicant is requesting a sidewalk payment in-lieu fee so that the wrought iron/brick column fence will not have to be relocated. This property was annexed into the City in 2003. The existing structures and brick/wrought iron fence might have been in place at this time. However, Padgett Road right of way dedication by deed had occurred at this time. The property is now being subdivided. Construction of a sidewalk is triggered by the creation of new lots when subdividing. The Master Street Plan shows Padgett Road as a minor arterial requiring an 80 foot right of way. This places the existing fence in the path of the required sidewalk.

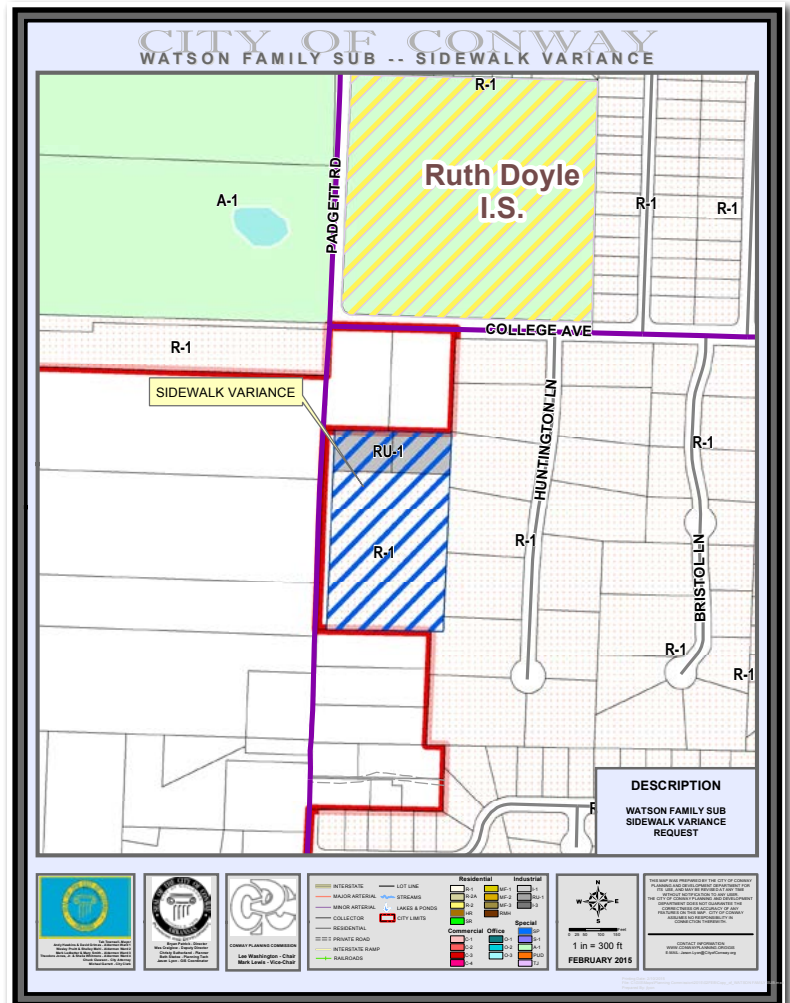
The street is an open ditch rural street. It is likely that the City will improve the street and construct sidewalks in the not too distant future. The city would be responsible for relocating the fence if it is not moved now. A compromise could be the granting of the sidewalk in-lieu fee with an on plat note stating that the City will not relocate the fence in the future when the road is improved.

### STAFF RECOMMENDATIONS

**The Planning Commission must consider item 16.**

Planning Staff recommends approval of this replat subject to the amended punch list.

CONWAY CITY PLANNING DEPARTMENT REVIEW  
WATSON FAMILY SUBDIVISION FINAL PLAT  
SUBMITTED BY: TOM WATSON TRUSTEE WATSON  
CHILDREN'S TRUST  
FEBRUARY, 2015



This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for final plat approval.

### NUMBER OF COPIES

1. After review, twelve copies and the original tracing or a reproducible mylar are needed for filing. Patching and pasting of paper or other attachments to the plat is not acceptable.

### COMPUTER SUBMISSION

2. The final plat must be submitted in a computer compatible media in a format as determined by the Planning Department.

### BASIC INFORMATION NEEDED ON THE PLAT

3. The signature and date of signature of all the owners of record are needed.
4. The signature and date of signature of the surveyor are needed.
5. A legal description of the property with exact boundary lines, bearings and distances is needed. The legal description should not include the 30' right-of-way dedication since it was dedicated by deed 2003-24331.
6. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings.

# 1D WATSON FAMILY SUBDIVISION - SIDEWALK VARIANCE

## ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

7. Improvement plans for any new drainage system, including location, size and construction of drainageways and structures and typical cross sections and centerline profiles are needed.
8. The Certificate of Preliminary Accuracy is needed on each set of street and drainage plans.
9. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat is needed.

## GENERAL DESIGN REQUIREMENTS

10. The development plans shall include and identify a prepared and dedicated flowage path or floodway that will accommodate a one hundred (100) year frequency storm event across and through the development. The floodway shall be uniformly graded along the length of the floodway such that water will not pond or accumulate on the surface due to humps or depressions along the route. Computations for the quantity of storm water runoff, sizing of the floodway and elevation of the one hundred (100) year flood shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer. A floodway will not be required where less than five (5) acres of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.
11. An easement of adequate width to accommodate the required floodway shall be provided on the plat. The easement shall clearly identify the easement as a "100-year Floodway". The plat shall have a note that reads as follows: "No structures, fill or obstructions shall be placed in the 100 year Floodway easement. No reshaping of the surface within the 100 year Floodway easement shall be made without the approval of the City Engineer. No fences shall be in the floodway easement."
12. Minimum floor elevations shall be placed on the plat for all lots less than three (3) feet above the computed one hundred (100) year flood elevation. The minimum finished flood elevation shall be established at one (1) foot above the computed one hundred (100) year flood elevation.

## EASEMENT DESIGN REQUIREMENTS

13. Easements shall be provided for utilities where a subdivision is traversed by a water course, drainageway, channel or stream, or there shall be provided a storm water easement conforming substantially with the lines of the water course and shall be adequate for such intended purpose.
14. Drainage easements as required by the City Engineer are needed.

## LOT DESIGN REQUIREMENTS

15. Addresses for each lot as assigned are needed on the plat.

## SIDEWALK DESIGN REQUIREMENTS

16. The property owner/developer may request a waiver from the required sidewalk construction. The Planning Commission should grant this money in-lieu of sidewalk construction only in extreme circumstances. The Planning

Commission shall review the following factors to determine whether or not to grant this waiver:

- Pedestrian traffic generators such as parks and schools in the area.
- The existence of a sidewalk network in the area.
- The density of current and future development in the area.
- The amount of pedestrian traffic likely to be generated by the proposed development.
- Whether the terrain is such that a sidewalk is physically practical and feasible, and the extent to which trees, ground cover, and natural areas would be adversely impacted by the construction of the sidewalk.
- The design of the subdivision such that utilities, the location of structures, rights-of-way, easements, etc., create conditions making sidewalks impractical
- The overall need for a sidewalk to be constructed on the lot.
- If a waiver is granted, the subdivider/developer shall contribute an amount of money in lieu of construction equal to \$15 per linear foot of the required sidewalk. This in-lieu fee shall be subject to a maximum fee equivalent to one hundred twenty five (125) feet per street frontage.

This money shall be deposited into a general sidewalk fund to be used solely for the addition of new sidewalks and maintenance of the existing sidewalk network. The dispersal of money from this sidewalk fund shall be at the discretion of the Conway City Council. Contributions to this fund are to be expended within two (2) years to serve a sidewalk project. This in-lieu fee shall be reviewed by the City Council at least every five (5) years. The Planning commission may also grant a waiver to construct an internal pedestrian trail system in lieu of the required sidewalks. The pedestrian trail right-of-way shall be clearly noted on the final plat. Specifications for the right-of-way width, trail pavement, and other specifications shall be determined by the City Engineer and Director of Planning and Development.

An subdivider/developer may appeal the sidewalk construction requirement/in-lieu fee to the City Council. The City Council shall use the above waiver factors to determine if an exception may be made. If the Council makes an exception, the subdivider/developer shall construct an equivalent amount of sidewalk in a location designated by the City Council.

A request for variance has been received to pay in lieu instead of building the sidewalk along Padgett Road because of the constructed wrought iron fence. This fence is currently built approximately 13' inside the dedicated right-of-way from a dedication deed dated back September 12, 2003. The Faulkner County Assessor's Office shows the house to be completed in 2004. There are no permits for fences. This property is in the middle of approximately 1700' from April Drive in Westin Park Subdivision to Ruth Doyle Elementary. **The Planning Commission must approve the payment in lieu for a total of 250' or the fence must be**

**moved outside of the right-of-way and the sidewalk must be constructed.**

17. Driveway approach. The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk.
18. Garage Elevation. The elevation the garage or carport will need to be established to allow for the transition of the driveway from the street curb to the sidewalk, and from the sidewalk to the garage without adversely affecting the required 2% cross-slope of the sidewalk.
19. Sidewalks As Part of Commercial, Multi-Family, and Mixed Use Developments: The subdivider/developer of commercial subdivisions/replats with pre-existing development shall be required to meet the sidewalk provisions of Article 1101 Development Review of the Conway Zoning Ordinance.
20. All sidewalk construction locations, and responsibility for construction shall be clearly identified on the final plat. Detailed sidewalk construction drawings coordinating sidewalks with other street/lot/easement infrastructure shall be shown on or included with the final plat.

**FEE REQUIREMENTS**

21. The filing fee with the County must be paid.

**ASSURANCE OF COMPLETION OF INFRASTRUCTURE**

22. Drainage and sidewalk improvements must be completed or a performance bond, cash deposit, or irrevocable letter of credit must be submitted to the City to assure completion.

**EXPIRATION OF PLAT**

23. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. Watson Family Subdivision will expire August 22, 2015 unless an extension is granted by the Planning Director.

Submitted Variance Letter

From: **Bobby** surveying@conwaycorp.net  
Subject: Watson Family subdivision  
Date: February 6, 2015 at 3:49 PM  
To: Bryan Patrick Bryan.Patrick@cityofconway.org

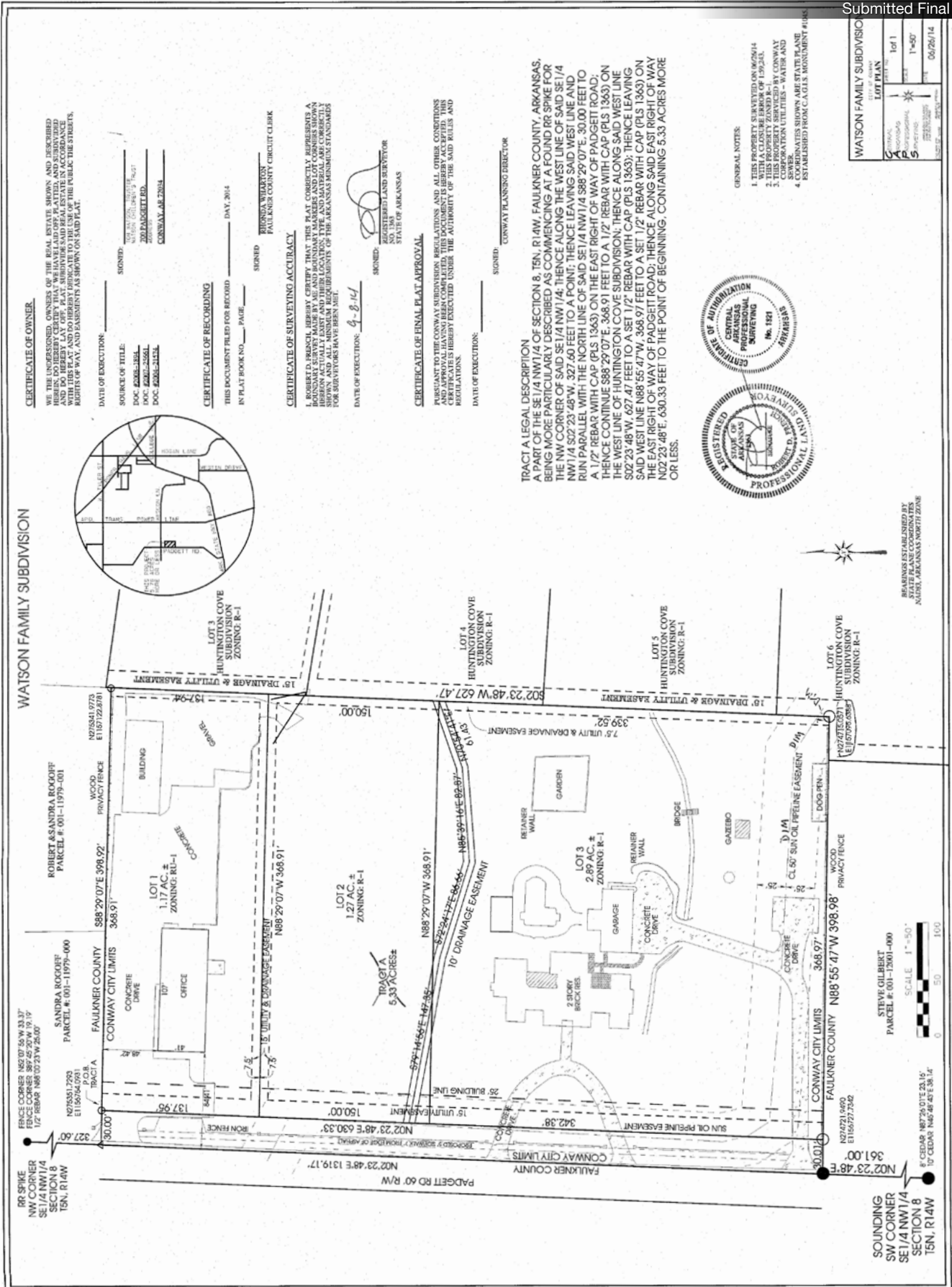


Caps would like to request a variance that the developer be allowed to pay in lieu of instead of building sidewalk on Watson Family subdivision

Robert French  
PLS #1363  
Central Arkansas Professional Surveying  
501.513.4800- Office  
501.472.2862- Mobile  
501.513.0900- Fax



View along Padgett Rd looking N



CERTIFICATE OF OWNER

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE Laid OFF, PLATTED, AND SUBMITTED FOR RECORD THIS PLAT AND THE EASEMENTS SHOWN THEREON AND THAT WE HAVE WITH THIS PLAT AND DO HEREBY INDICATE TO THE USE OF THE PUBLIC THE STREETS, RIGHTS OF WAY, AND EASEMENTS AS SHOWN ON SAID PLAT.

SOURCE OF TITLE: \_\_\_\_\_  
 DATE OF EXECUTION: \_\_\_\_\_  
 SIGNED: ROBERT SANDRA ROGOFF, REGISTERED PROFESSIONAL SURVEYOR, No. 15281, CONWAY, AR 72024

CERTIFICATE OF RECORDING

THIS DOCUMENT FILED FOR RECORD \_\_\_\_\_ DAY, 2014  
 IN PLAT BOOK NO. \_\_\_\_\_ PAGE \_\_\_\_\_

CERTIFICATE OF SURVEYING ACCURACY

I, ROBERT SANDRA ROGOFF, CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF ARKANSAS. I HAVE REVIEWED THE PLAT AND ALL EASEMENTS AND ERECTIONS ACTUALLY EAST AND WEST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ACCORD WITH THE REQUIREMENTS OF THE ARKANSAS PROFESSIONAL SURVEYING STANDARDS FOR SURVEYS THAT HAVE BEEN MET.

DATE OF EXECUTION: 4-8-14  
 SIGNED: \_\_\_\_\_  
 REGISTERED LAND SURVEYOR  
 No. 15301  
 STATE OF ARKANSAS

CERTIFICATE OF FINAL PLAT APPROVAL

PURSUANT TO THE CONWAY SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS CONTAINED HEREIN, THE CONWAY PLANNING DIRECTOR HAS REVIEWED THIS PLAT AND THE REGULATIONS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: \_\_\_\_\_  
 SIGNED: \_\_\_\_\_  
 CONWAY PLANNING DIRECTOR

TRACT A LEGAL DESCRIPTION  
 A PART OF THE SE 1/4 NW 1/4 OF SECTION 8, T8N, R14W, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT A FOUND RR SPIKE FOR THE NW CORNER OF SAID SE 1/4 NW 1/4; THENCE ALONG THE WEST LINE OF SAID SE 1/4 NW 1/4 S22° 48' W, 327.60 FEET TO A POINT; THENCE LEAVING SAID WEST LINE AND RUNNING PARALLEL WITH THE NORTH LINE OF SAID SE 1/4 NW 1/4 888.29' 07" E, 30.00 FEET TO A 1/2" REBAR WITH CAP (PLS 1363) ON THE EAST RIGHT OF WAY OF PADGETT ROAD; THENCE CONTINUE 888.29' 07" E, 368.91 FEET TO A 1/2" REBAR WITH CAP (PLS 1363) ON THE WEST LINE OF HUNTINGTON COVE SUBDIVISION; THENCE ALONG SAID WEST LINE S32° 23' 48" W, 627.47 FEET TO A SET 1/2" REBAR WITH CAP (PLS 1363); THENCE LEAVING SAID WEST LINE N88° 55' 47" W, 368.97 FEET TO A SET 1/2" REBAR WITH CAP (PLS 1363) ON THE EAST RIGHT OF WAY OF PADGETT ROAD; THENCE ALONG SAID EAST RIGHT OF WAY N02° 23' 48" E, 630.33 FEET TO THE POINT OF BEGINNING, CONTAINING 5.33 ACRES MORE OR LESS.

GENERAL NOTES:  
 1. THIS PROPERTY IS BOUNDARY ADJACENT TO PROPERTY OWNED BY A MEMBER OF THE WATSON FAMILY WITH A CLOSE RELATIONSHIP TO THE WATSON FAMILY.  
 2. THIS PROPERTY IS ZONED R-1 BY CONWAY CITY.  
 3. CORPORATION UTILITIES - WATER AND SEWER.  
 4. CONWAY UTILITY PLAN IS SHOWN AS STATE PLANE ESTABLISHED FROM C.A.G.L.S. MONUMENT MARKS.

CERTIFICATE OF AUTHORIZATION  
 CENTRAL ARKANSAS PROFESSIONAL SURVEYING  
 No. 15281

REGISTERED PROFESSIONAL SURVEYOR  
 STATE OF ARKANSAS  
 CONWAY, ARKANSAS

WATSON FAMILY SUBDIVISION	
LOT 1	1.17 AC. ± ZONING: R-1
LOT 2	2.89 AC. ± ZONING: R-1
LOT 3	2.89 AC. ± ZONING: R-1
LOT 4	2.89 AC. ± ZONING: R-1
LOT 5	2.89 AC. ± ZONING: R-1
LOT 6	2.89 AC. ± ZONING: R-1
TOTAL	17.50 AC.
DATE	04/26/14

# 2A TRINITY DEVELOPMENT ANNEXATION

## TRINITY DEVELOPMENT ANNEXATION

### APPLICANT/OWNER

Adam Harrison  
Trinity Development  
1307 Main Street  
Conway, AR 72034

### OWNER'S REPRESENTATIVE

Central Arkansas Professional Surveying  
1021 Front Street  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** North side of Prince Street west of Chapel Creek Subdivision

**Site Area:** 14.84 acres +/-

**Existing Structures:** None

**Current Zoning:** None - County.

**Requested Zoning:** R-1 (Single-Family Residential)

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this area is appropriate for single family residential.

**Projected Traffic Impact:** Currently, 39 new, single-family residences are planned. The lots range in size from 0.21 acres to 0.57 acres. If each buildable lot is built-out, upon completion, the development will generate approximately 390 vehicle trips per day.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure upon receipt of documentation. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

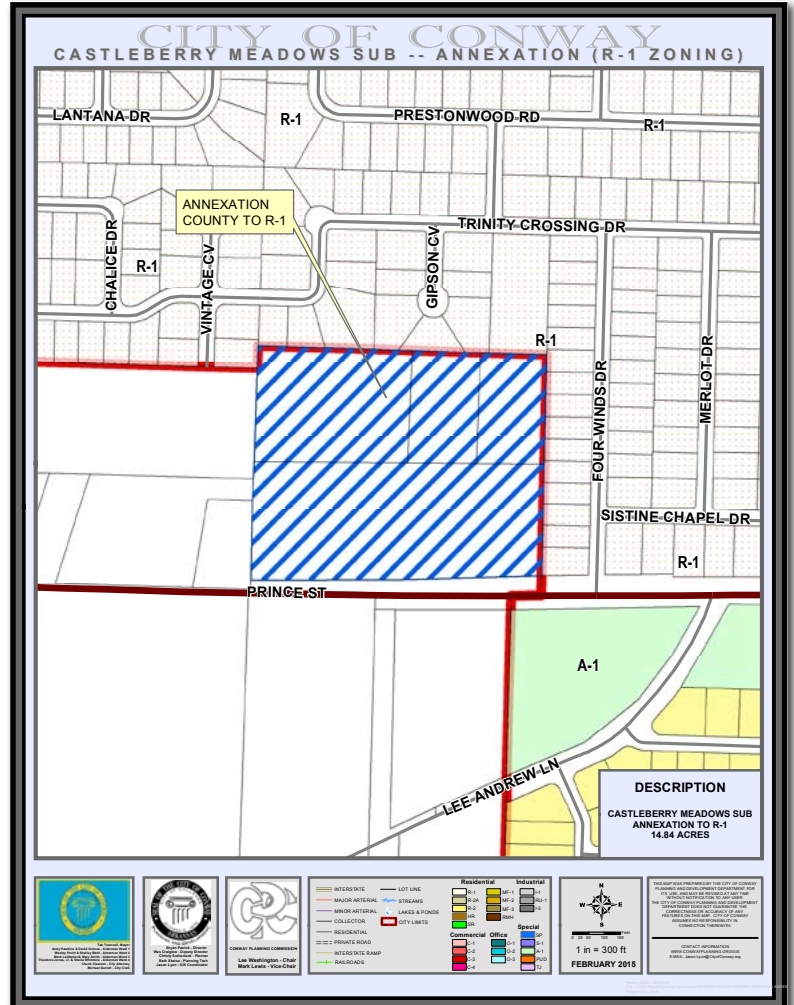
**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future.

**Conway 2025:** Not directly applicable

### STAFF COMMENTS

The applicant is requesting annexation and single family residential zoning for this property. The Planning Commission approved the subdivision design for the property in January 2015.



### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this annexation request.





# 2B MILLER CONDITIONAL USE PERMIT REQUEST FOR RESTRICTED OFFICE

## MILLER CONDITIONAL USE PERMIT REQUEST TO ALLOW A RESTRICTED OFFICE FOR A PRIVATE PRACTICE FOR MENTAL HEALTH SERVICES

### APPLICANT/OWNER

Ayisha Miller  
1312 Donaghey Avenue  
Conway, AR 72034

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: 1312 Donaghey Avenue

Site Area: .28 acre +/-

Existing Structures: Single family residence and accessory buildings

Current Zoning: R-2A

Requested Conditional Use Permit: Restricted Office

Overlay District: Old Conway Design Overlay District

Comprehensive Plan: The Comprehensive Plan shows this property as appropriate for single family residential.

Projected Traffic Impact: A one-person counseling office should be a very low traffic generator. Any additional employees would also have an impact. Assuming 5 patients per day and one employee, an additional 14 vehicle trips per day could be expected in addition to the typical 10 single-family vehicle trips.

Utility Infrastructure: There are existing utilities at the property.

Flood/Drainage: The property is not within any flood plain or flood way.

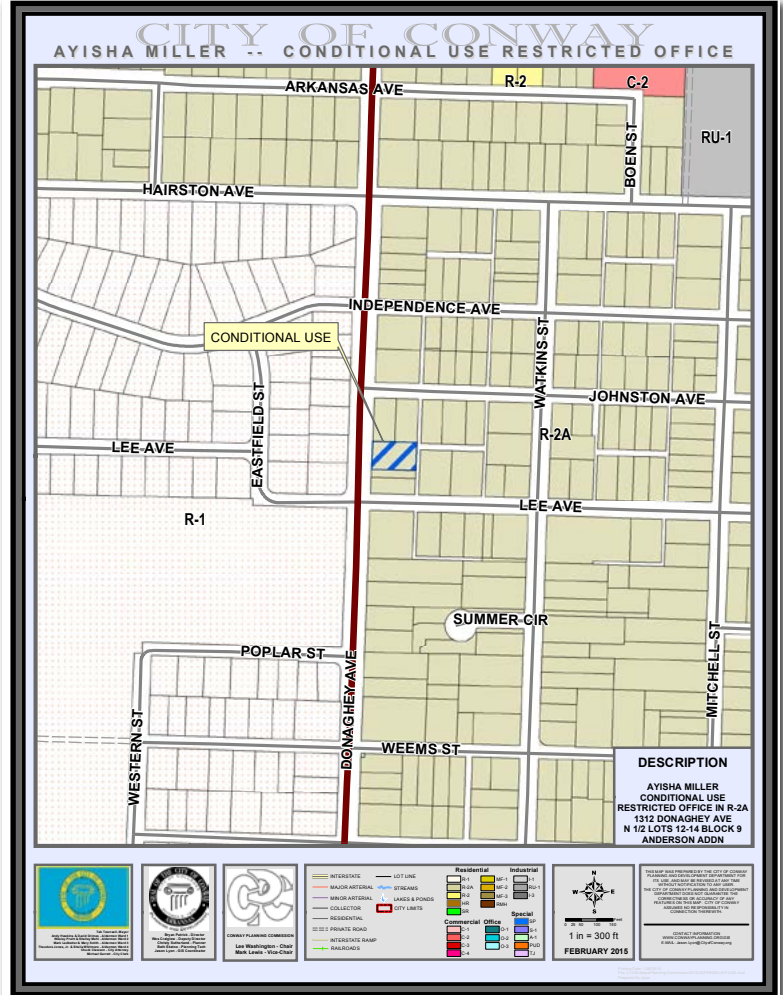
Street Improvements: There are no area street improvements planned in the near future.

Conway 2025: Not directly applicable.

### STAFF COMMENTS

The applicant is requesting a conditional use permit to allow a restricted office. A restricted office as defined by the Zoning Ordinance must meet the following criteria:

A conditional use may be granted to allow the conversion of older structures within residential districts that are no longer useful, serviceable, or desirable in their present use to Restricted Office use. Such offices will have minimal to no negative impact on the residential areas. The following conditions are required:



1. Hours of operation: Appropriate hours of operation must be determined.
2. Signage: Wall signage shall be limited to a non-illuminated faceplate attached to the structure no greater than 2 square feet in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide. A non-illuminated post and arm sign as defined by Conway sign regulations, may be substituted for a monument or two pole sign. No banners shall be permitted.
3. Architectural Compatibility: Any remodeling or new construction must be compatible with the surrounding architecture.
4. Within the Old Conway Design Overlay District, the Historic District Commission shall review and decide compatibility. This review shall include overall exterior appearance, materials, setbacks, height, lot coverage, etc. The setbacks, height, and lot coverage restrictions will be no greater than allowed by the lot regulations per zone, overlay, or historic district.
5. Term of the Conditional Use: Conditions are limited to the applicant. If the property is sold, the conditional use shall be void.
6. Lighting, parking, screening/buffering shall minimally match Conway Development Review Standards. Additional parking and/or screening/buffering requirements may be recommended by the Planning Commission and required by the City Council including, but not limited to, parking location and design, fencing or landscaping as required to provide an adequate buffer for neighboring properties.

- 7. Sidewalks: Construction and or repair of existing sidewalks, if necessary, is required as per Conway Development Review Standards.

These conditions are to insure the compatibility of the office use with any adjacent residential use.

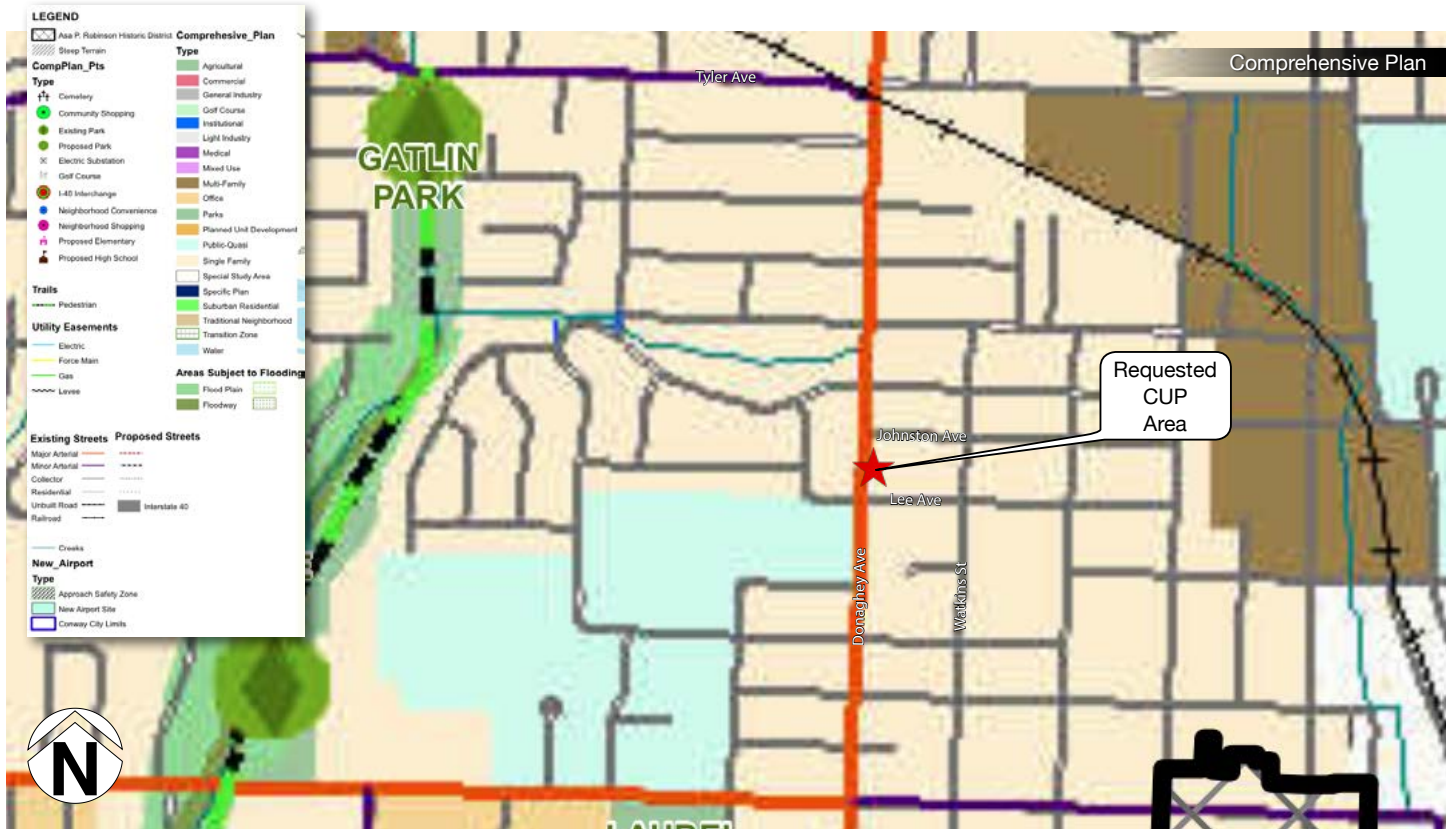
The applicant intends to continue to reside at the property but would like to open a consulting office. This use is similar to a home occupation, but with daily office operations and employee(s), this request exceeds the home occupation definition. The 2010 Donaghey Avenue Corridor Study examined Donaghey from Prince Street south to Dave Ward Drive. The study recommended that residences no longer viable for residential use be allowed to repurpose to office or commercial uses through the conditional use process. This property appears to be viable with a continued residential use and should not be allowed to transition to full office use. The applicant is basically seeking a "Home Occupation Plus" use. The applicant is asking to open a small scale office in the residence. With appropriate conditions, this use would seem to be non-harmful to the neighborhood and surrounding residential uses. The home is within the Old Conway Design Overlay District. Although the applicant is not planning an addition to the residence, additions in the Old Conway area require Historic District Commission approval.

**STAFF RECOMMENDATIONS**

Planning Staff recommends approval of this conditional use permit with appropriate conditions.

**SUGGESTED CONDITIONS**

- 1. Hours of operation be determined.
- 2. Number of employees could be limited.
- 3. The Conditional Use Permit is limited to Ayisha Miller/ Business Entity.
- 4. The existing structure shall be used for the restricted office. The character of the structure shall remain residential.
- 5. Parking is limited to the existing driveway and rear of the residence.
- 6. Signage is limited to a 2 foot by 2 foot non-illuminated sign attached to the structure and/or a post and arm sign as defined by the Conway Sign Ordinance. No freestanding signage or banners may be used.



# 2C Rush-Hal Properties Rezoning A-1 to R-1

## RUSH-HAL PROPERTIES REZONING A-1 (AGRICULTURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL)

### APPLICANT/OWNER

Hal Crafton  
Rush-Hal Properties  
3200 West Tyler, Suite A  
Conway, AR 72034

### OWNER'S REPRESENTATIVE

Central Arkansas Professional Surveying  
1021 Front Street  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: 2200 West Tyler St.

Site Area: 14.78 acres +/-

Existing Structures: None

Current Zoning: A-1 (Agricultural)

Requested Zoning: R-1 (Single-Family Residential)

Overlay District: None

**Comprehensive Plan:** The Comprehensive Plan shows this area as appropriate for single family residential.

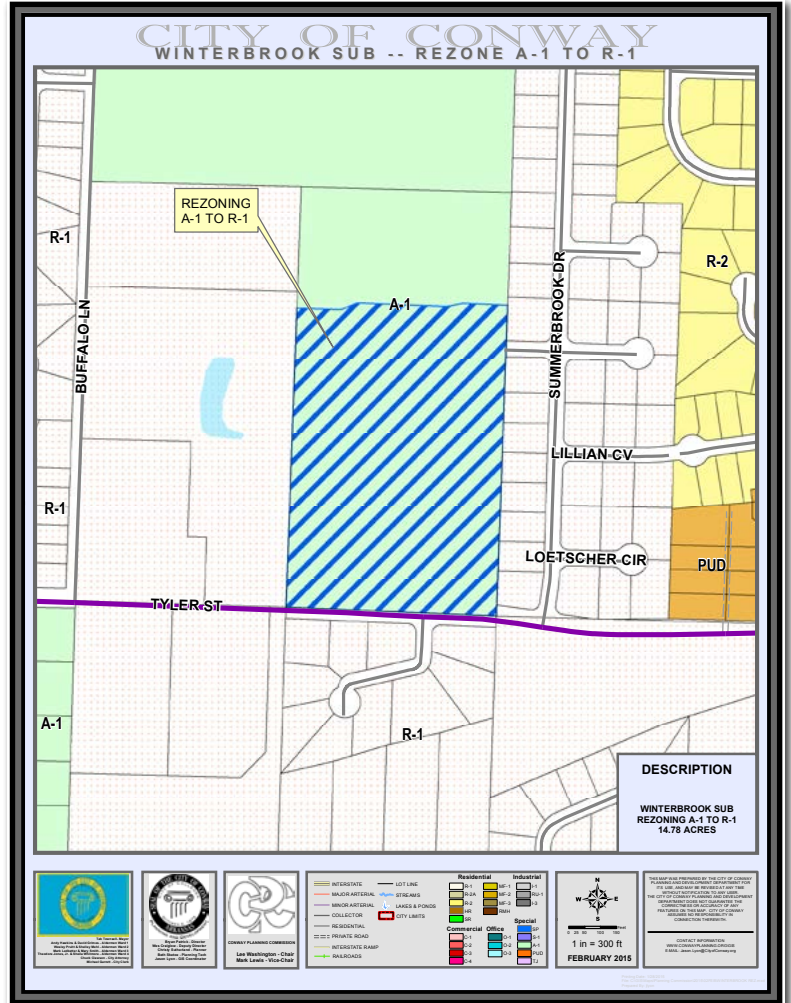
**Projected Traffic Impact:** With development as allowed under current A-1 zoning, around thirteen residences could be constructed generating 130 vehicle trips per day. With a rezoning to R-1 and developed as planned with thirty three single family homes, 330 vehicle trips per day could be expected.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure upon receipt of documentation. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future. However, residential streets will be constructed as per the approved Winterbrook Subdivision.

**Conway 2025:** Not directly applicable



### STAFF COMMENTS

The applicant is requesting a rezoning from agricultural to single family residential in order to subdivide the existing tract into thirty three parcels. A-1 requires one acre for each residence. A rezoning to R-1 is required to create the planned thirty lots. The Planning Commission approved the 33 lot subdivision, Winterbrook Subdivision in January 2015. This rezoning is congruent with the Conway Comprehensive Plan.

### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this rezoning request.



# 3A NORTHEAST OLD CONWAY AREA SPECIFIC PLAN AMENDMENT

## MARKHAM STREET NEIGHBORHOOD SPECIFIC PLAN: AN AMENDMENT TO THE NORTHEAST OLD CONWAY AREA SPECIFIC PLAN

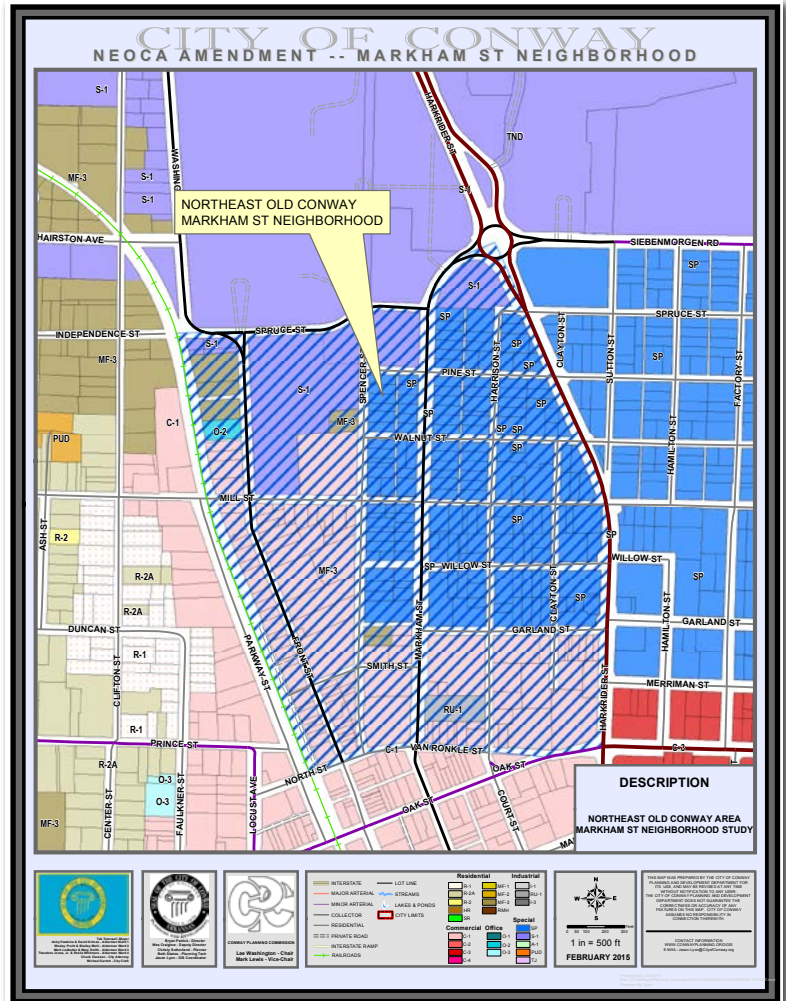
The Markham Street Neighborhood Specific Plan is an amendment to The Northeast Old Conway Area Specific Plan (NEOCA) and will be a new specific plan outside of the NEOCA Plan. The NEOCA Plan was created through a series of community input sessions throughout 2008 and 2009 and was adopted in August 2009. The NEOCA Plan is the first Specific Area Plan adopted by the City of Conway. See Planning 101 for more information on Conway's Specific Plan Zoning and Small Area Plans)

It was recognized during the creation of the NEOCA Plan that a more specific plan was needed for the Markham Street corridor. Markham Street is seen as an important corridor providing future growth area for downtown. It also serves as a link between downtown, Hendrix College and the Village at Hendrix. In 2013, the Markham Street corridor was selected as part of the Imagine Central Arkansas Jump Start Initiative Project administered by Metroplan. Gateway Planning of Dallas, TX was chosen to conduct a study of the Markham Street corridor and to create regulations to guide future growth in the area.

At the beginning of the study, the Markham Street Specific Plan was envisioned as only an amendment to the NEOCA Plan. Later, it was decided that the Markham Street Neighborhood Plan would not only regulate the Markham Street corridor, but also the entire Markham Street neighborhood. This fits into the scheme of the NEOCA Plan as it identifies 4 distinct neighborhoods covered by the NEOCA Plan. The Markham Street Neighborhood Specific Plan (MSN-SP) is not only an amendment to the Northeast Old Conway Area Specific Plan it is a new separate plan regulating the Markham Street Area. It also incorporates area between Spencer and Front Streets, and Van Ronkle and Garland that were previously not covered by the NEOCA Plan.

The Markham Street Neighborhood Plan is identified as the area bounded by Spruce Street on the north, Harkrider on the east, Van Ronkle on the south, and the railroad on the west. The MSN-SP expands on the transect zoning of the NEOCA-SP with a new Campus-Mixed Use Zone, Street classifications, and more deeply defined building form regulations.

Planning Staff invites the Planning Commission to review the proposed MSN-SP regulations, take public comments, and give a recommendation of approval to the City Council. The regulations will be presented to the Council at the February 24 or March 10 meeting. Planning Staff will present and answer any questions concerning the proposed regulations at both the Planning Commission and City Council meetings.



For a complete copy of the proposed plan/amendment (80 pages) please visit [http://www.cityofconway.org/media/government/planning-development/Markham\\_Street\\_Neighborhood\\_Specific\\_Plan.pdf](http://www.cityofconway.org/media/government/planning-development/Markham_Street_Neighborhood_Specific_Plan.pdf) -or- [http://www.conwayplanning.org/pdfs\\_and\\_docs/MSN-SP-Draft.pdf](http://www.conwayplanning.org/pdfs_and_docs/MSN-SP-Draft.pdf)



## Specific Plan - Small Area Plans Markham Street Plan

### Start with the Comprehensive Plan and Think Smaller

The City of Conway has a Comprehensive Plan that illustrates the desired land use patterns for the entire 46 square miles of city limits. At this scale, it is hard to determine specific land uses for areas with mixed uses. Starting in 2008, the Planning Department began studying smaller areas of the city to create "Small Area Plans". These plans examine a smaller segment of the City and through community participation create a finer grained vision and regulations for the growth of specific areas. Planning has studied and created plans and/or regulations for:

- Old Morrilton Highway Corridor
- Lower Ridge Road
- Northeast Old Conway Area
- Donaghey Avenue Corridor

The Old Morrilton Highway and Lower Ridge Road studies resulted in amendments to the Comprehensive Plan for those areas. The Donaghey Avenue Study has not been officially adopted by the City, yet serves as a guide for future growth. The Northeast Old Conway Study resulted in the adoption of a regulating plan for the area that not only control land uses, but the form that structures must take.

### Specific Plan Zone - Be More Specific

In order to create regulations for the NEOCA, a new zone was added to the Zoning Ordinance; the Specific Plan or SP zone. The SP zone is similar to a PUD in that specific regulations above and beyond typical zoning are created. Unlike a PUD, an SP zone is created by direct community interaction between the residents, area stakeholders, and the City.

### NEOCA Transect - Say What?

The SP zone is the overall zone for the Northeast Old Conway Area. This SP zone is further broken down into "Transect Zones" or form based zones with land use and structure form regulations.

Transect zones are based on a cross section of the natural progression of urban to rural land uses and forms. Zones corresponding to these zones are created; T5 - Urban = Vertical buildings, mixed uses such as commercial, office, and residential (downtown); T4 Transitional = Lower buildings with a more residential scale, uses include; light commercial, multi-family, office, town homes, single family, etc.; T3 - Suburban = Residential in nature; cottage homes, single family, etc.

These zones allow a more diverse mixture of land uses and through form regulation, create a more traditional, walkable, and ultimately pleasant place to live and work.

### Markham Street - Super Fine

The Markham Street Plan goes deeper into the Northeast Old Conway Area and details land uses, forms, and streetscapes for the Markham Street area. It changes the names of the transect zones to Commercial Mixed Use CM-U (equivalent of T5), Residential Mixed Use Zone R-MU (equivalent to T-4), and introduces a new zone, College Campus Mixed Use CC-MU. The CC-MU designation recognizes the unique needs of Hendrix College which is on the north side of the Markham Street area.

The Markham Street Neighborhood Plan also defines street cross sections, sidewalk details, and open space standards. going beyond the level of detail found in the NEOCA Plan.

The Conway Comprehensive Plan and Small Area Plans can be found at:

[http://www.conwayplanning.org/growth\\_plan/Growth.html](http://www.conwayplanning.org/growth_plan/Growth.html)

