



Conway Planning Commission
STAFF REPORT

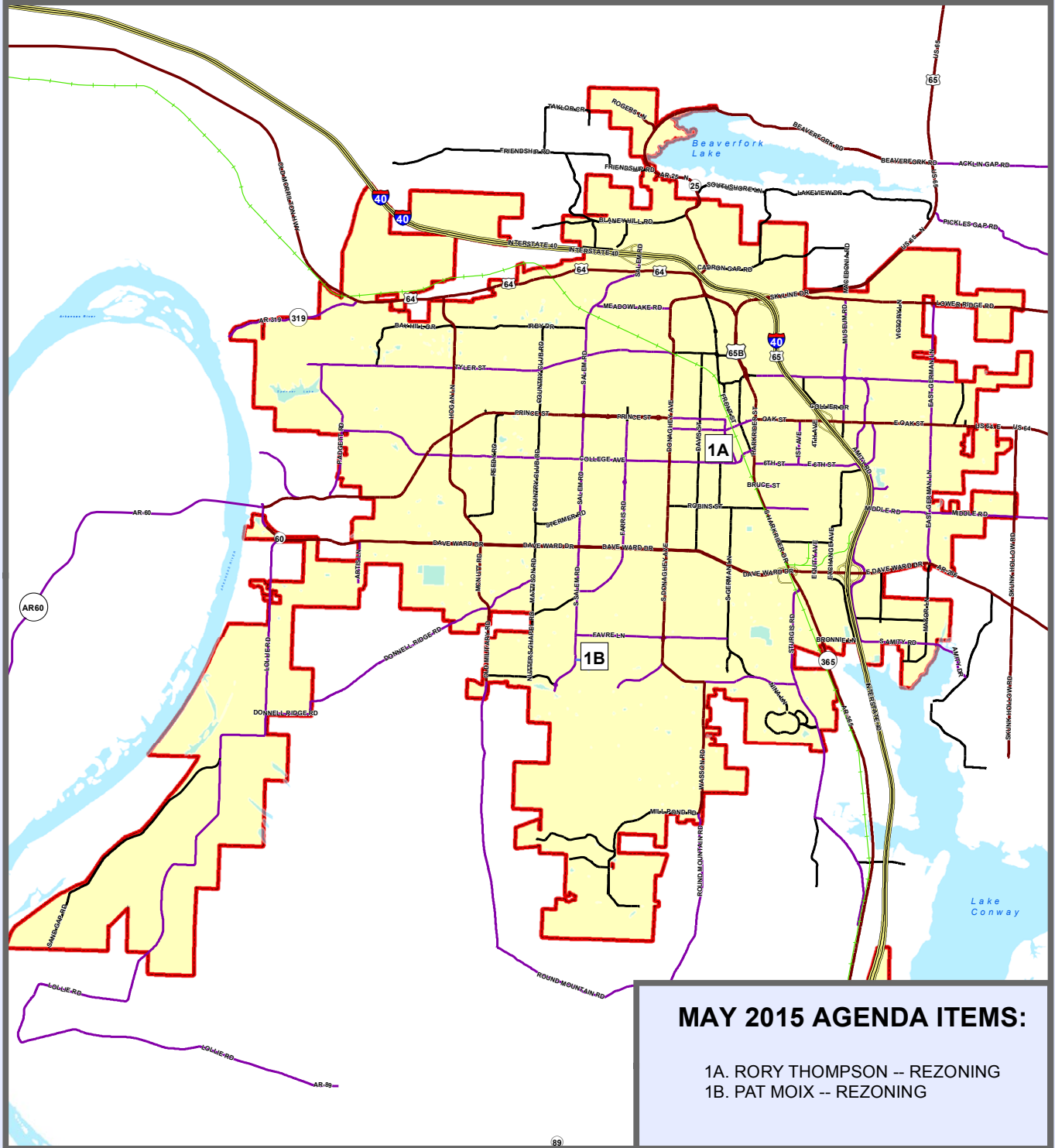
May 2015

7:00pm
Monday, May 18, 2015
810 Parkway Avenue

This page intentionally left blank

CITY OF CONWAY

MAY 2015 PLANNING COMMISSION ITEMS



MAY 2015 AGENDA ITEMS:

- 1A. RORY THOMPSON -- REZONING
- 1B. PAT MOIX -- REZONING

Tab Thomas - Mayor
 Andy Hawkins & David Grimes - Aldermen Ward 1
 Wesley Proff & Shafiq Maki - Aldermen Ward 2
 Mark Ledbetter & Mary Smith - Aldermen Ward 3
 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4
 Christ Cleveland - City Attorney
 Michael Gamble - City Clerk

Bryan Patrick - Director
 Wes Craiglow - Deputy Director
 Cheryl Schaefer - Planner
 Scott Grumbar - Planner
 Beth Elmore - Planning Tech
 Jason Lyon - GIS Coordinator

Conway Planning Commission
 Lee Washington - Chair
 Mark Lewis - Vice-Chair

<ul style="list-style-type: none"> INTERSTATE MAJOR ARTERIAL MINOR ARTERIAL COLLECTOR RESIDENTIAL PRIVATE ROAD INTERSTATE RAMP RAILROADS 	<ul style="list-style-type: none"> LOT LINE STREAMS LAKES & PONDS CITY LIMITS 	Residential R-1 R-2A R-2 R-3 HR SR	Commercial Office C-1 C-2 C-3 C-4	Industrial MF-1 MF-2 MF-3 RMH	Special SP S-1 S-2 A-1 PUD TJ
--	---	---	--	--	--

0 750 1,500 3,000 4,500 Feet
 1:100,000
 MAY 2015

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 (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org

Printing Date: 3/3/2015
 File: Monthly Maps/2015/3MARCH/3MARCH 2015_Overall Map.mxd
 Prepared By: Jason Lyon

This page intentionally left blank

CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA

7:00 pm • Monday • May 18, 2015

District Court Building • 810 Parkway

SUBDIVISION COMMITTEE WILL NOT MEET

Call to Order

Introduction & Chairperson Remarks

Minutes: April 20, 2015

1. **Annexation, Zoning and Conditional Use (Requires Public Hearing)**
 - A. Thompson Rezoning Request: R-2A to O-2
 - B. Moix Rezoning Request: A-1 to R-1
2. **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 Ordinances:

- A. **Development Reviews**
 - Andy's Frozen Custard, 2375 Dave Ward Drive
- B. **Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)**
 - Shaver's 1st Street Replat
 - Centerstone Phase IV Replat, Lots 5-7

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.

Items reviewed at tonight's Planning Commission meeting may be considered by the City Council as early as May 26, 2015.



1A THOMPSON REZONING REQUEST: R-2A TO O-2

RORY THOMPSON REQUEST FOR REZONING: R-2A (TWO-FAMILY RESIDENTIAL) TO O-2 (QUIET OFFICE)

APPLICANT

Rory Thompson
2415 Prince Street
Conway, AR 72034

OWNER

Wells Fargo Bank (Foreclosure)
West Palm Beach, FL 33409

STAFF REVIEW BY

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

SITE DATA

Location: 829 and 831 Faulkner Street. Property across the street from the Faulkner County History Museum.

Site Area: .17 acres +/-

Existing Structures: Duplex and driveways

Current Zoning: R-2A Large Lot Duplex

Requested Zoning: O-2 Quiet Office

Overlay District: Asa P. Robinson Historic District

Comprehensive Plan: The Comprehensive Plan shows this property as appropriate for single family residential. However, the property is currently zoned for, and used as a duplex. Abutting properties on the south are duplexes. Office zoning exists to the north and further south.

Projected Traffic Impact: With the existing duplex under R2-A zoning, around 20 vehicle trips per day could be expected. With a rezoning to O-2 and using the structure as an office space, 16 vehicle trips per day could be expected.

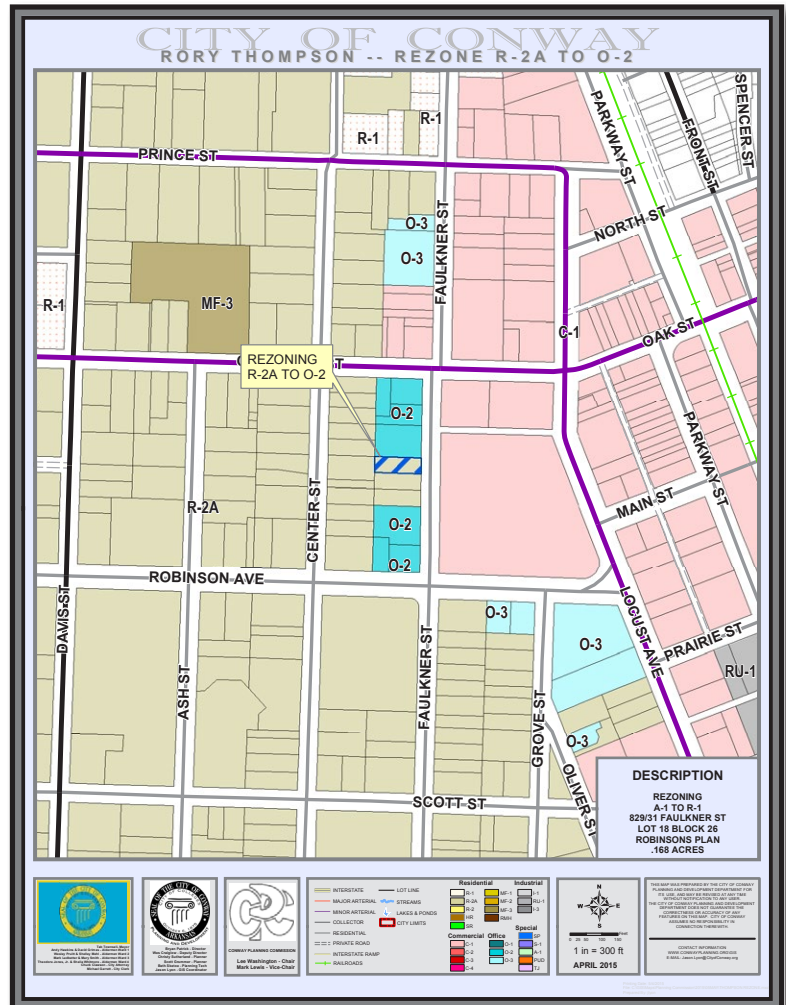
Utility Infrastructure: Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

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: The following Conway 2025 statements could be seen as applicable to this request:

In 2025, Conway's commercial buildings are built to a scale that is consistent with nearby buildings.



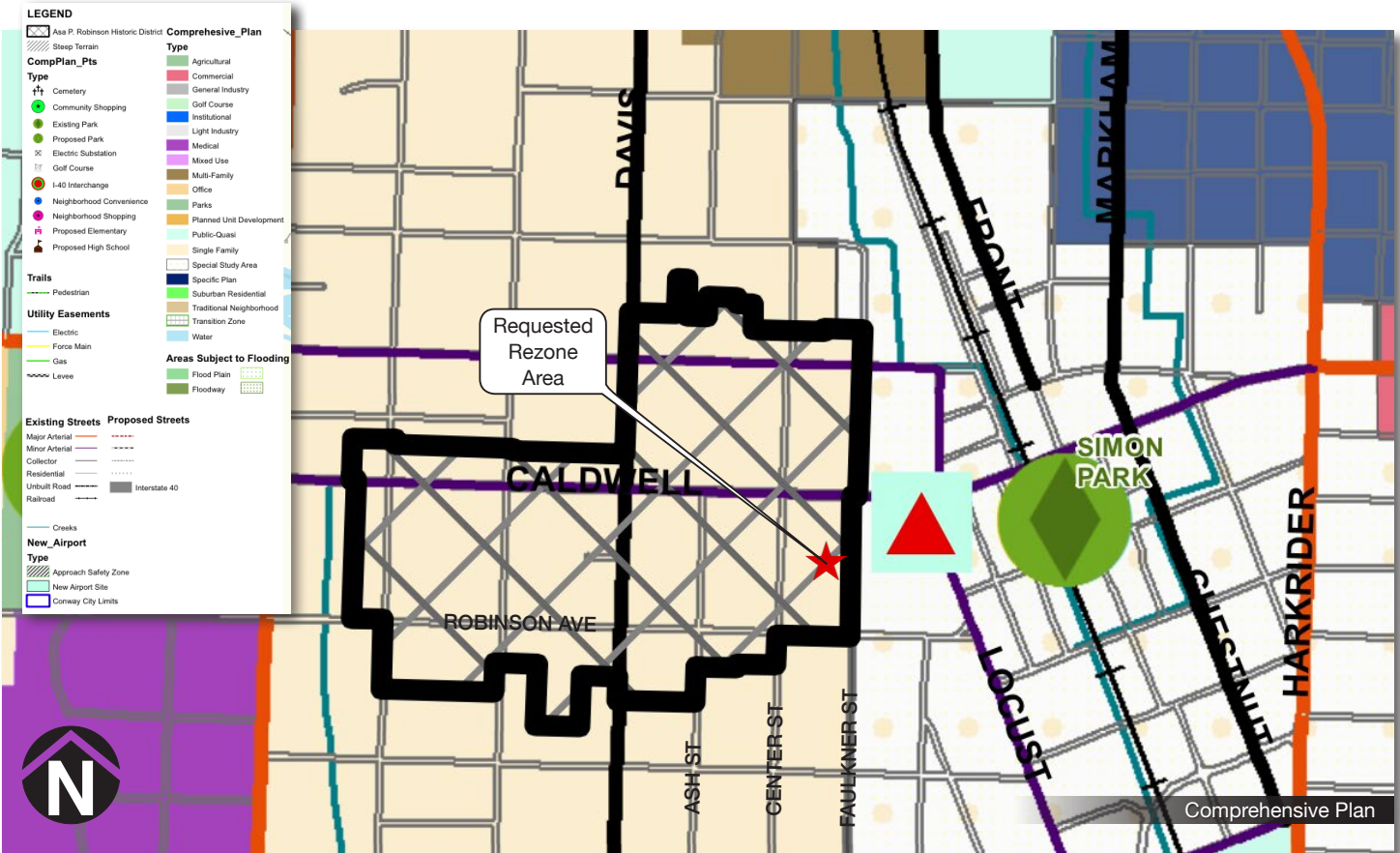
STAFF COMMENTS

The property is currently zoned for duplex residential use. The applicant would like to renovate the existing duplex into an office. The office space would be used by one realty and one property appraisal company. The property abutting on the north is zoned O-2. The two lots abutting on the south are zoned R-2A. One lot is vacant, the other has a duplex structure very similar to the requested rezoning property structure. Across Faulkner Street, is the Faulkner County courthouse campus and particularly, the Faulkner County History Museum.

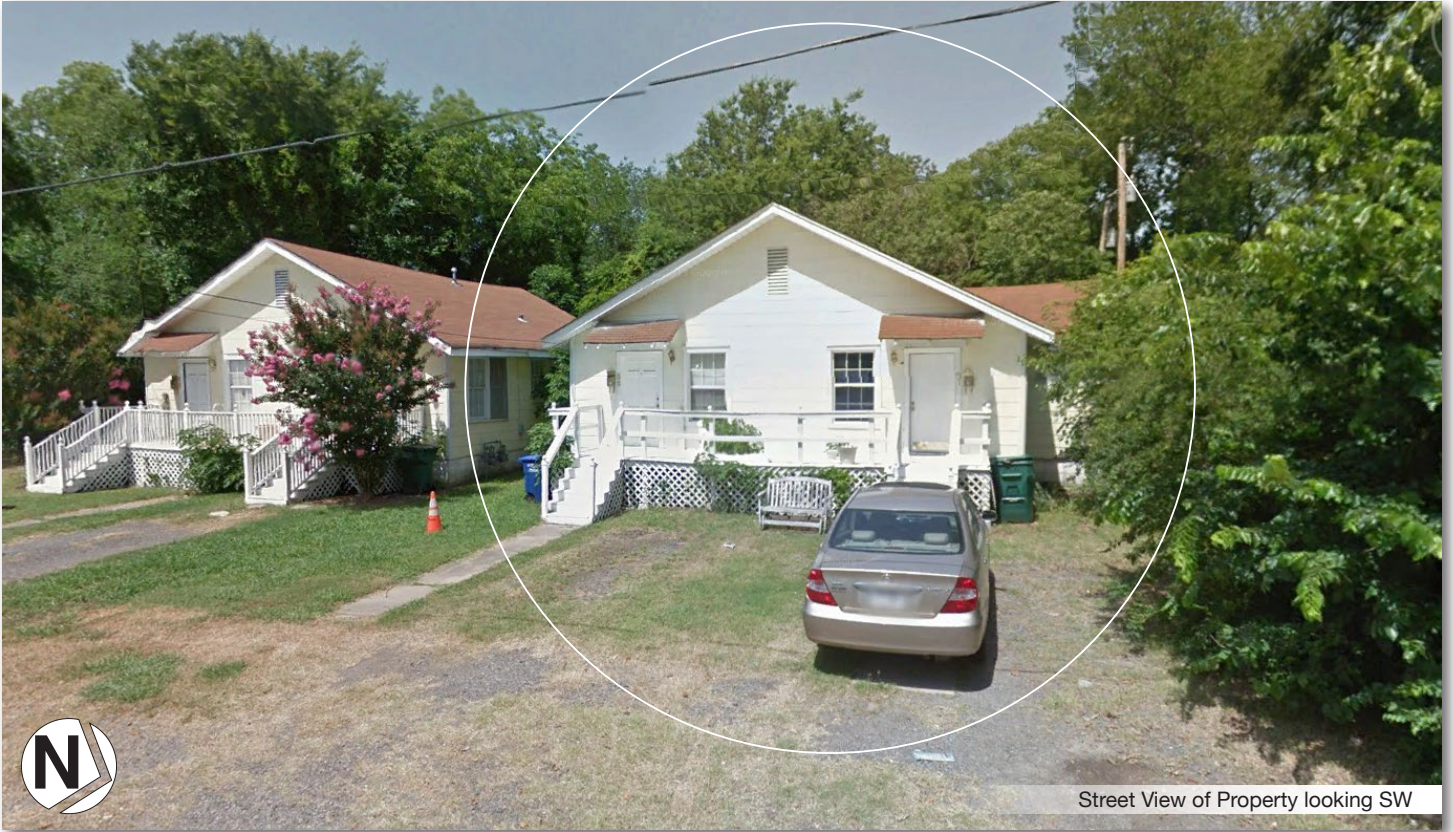
The requested property is within the Robinson Historic District. The structure is a “non-contributing” structure; one that has lost or does not have historic value. However, the property is still subject to Robinson Historic District regulations. Any exterior changes viewable from the public right of way will require Historic District Commission approval.

STAFF RECOMMENDATIONS

Due to the civic/commercial/office use of adjoining property and property across Faulkner Street, Planning Staff recommends approval of this rezoning request.



1A THOMPSON REZONING REQUEST: R-2A TO O-2



Street View of Property looking SW



View from property looking NE



View from property looking SE

2A PATRICK MOIX REZONING REQUEST: A-1 TO R-1

PATRICK MOIX REQUEST FOR REZONING FROM A-1 (AGRICULTURAL) TO R-1 (RESIDENTIAL)

APPLICANT

Patrick Moix
1680 S. Salem Road
Conway, AR 72034

STAFF REVIEW BY

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

SITE DATA

Location: 1674 South Salem Road. Property is on the north side of Pulaski Drive and is immediately west of the new Salem Woods Subdivision.

Site Area: .9 acre +/-

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 property as appropriate for single family residential. The request is congruent with the Plan.

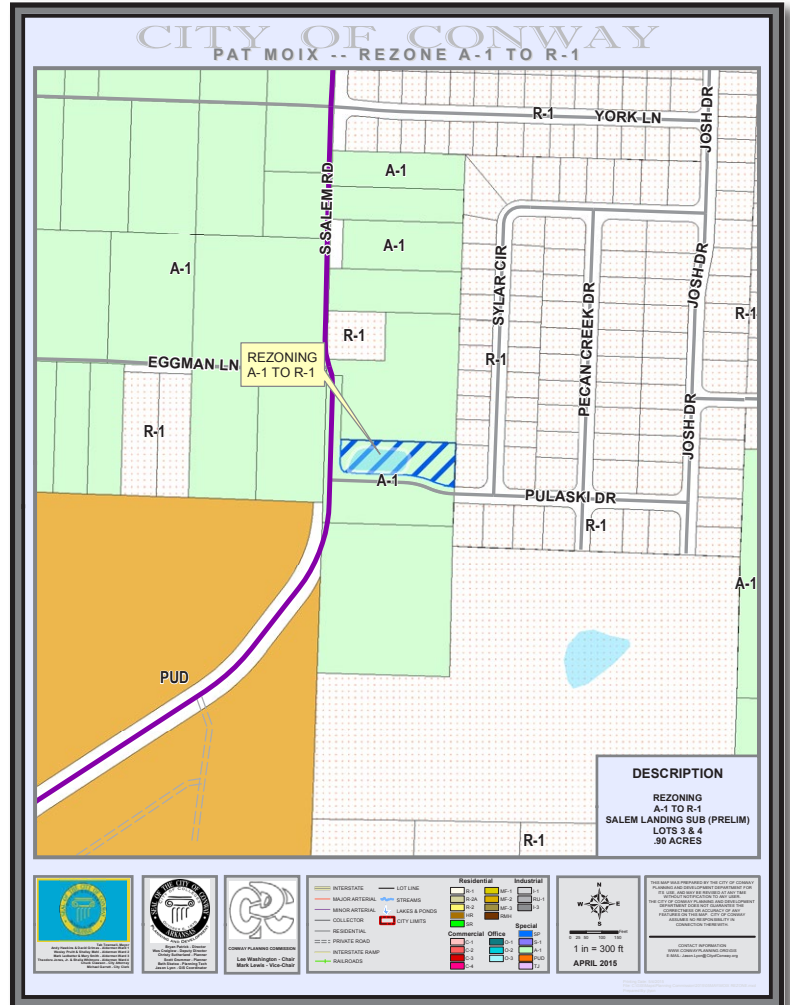
Projected Traffic Impact: Current A-1 zoning allows one single family residence per acre. With A-1 zoning this property could generate around 10 vehicle trips per day. There would be no change in traffic generation as the subdivided property will be .26 acres with one residence.

Utility Infrastructure: Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. 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. Pulaski Drive was recently constructed to serve the newly created Salem Woods Subdivision to the east and northeast of this property.

Conway 2025: Not applicable.



STAFF COMMENTS

The property is currently zoned for agricultural use. The applicant has begun preliminary drawings to subdivide the property creating a residential lot less than 1 acre in area. Agricultural zoning requires that a lot must be 1 acre in size for each residence. The proposed lot will be around .26 acres in size. This lot will be on the north side of Pulaski Drive and immediately east of the Salem Woods Subdivision detention pond. This request fits with other area residential development and makes use of an otherwise unbuildable property. The proposed subdivision is proposed to be named Salem Landing Subdivision (refer to proposed preliminary plat on page 7). It consists of 4 residential lots and will be approved as a minor subdivision.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this rezoning.

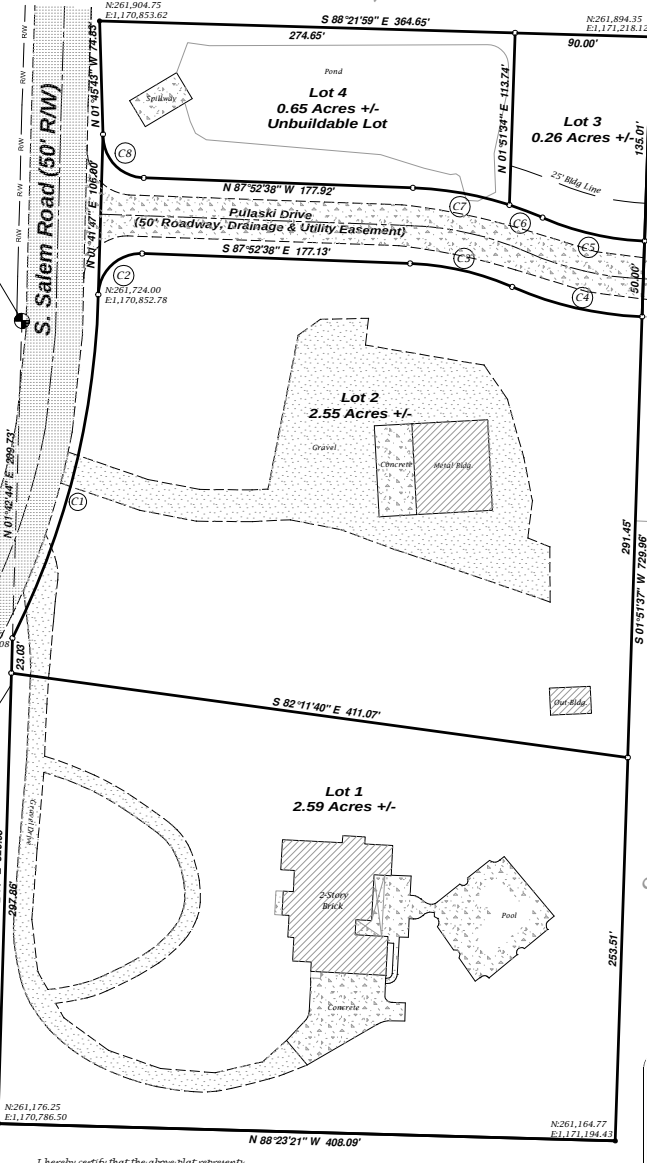




PRELIMINARY PLAT Salem Landing Addition

Home
Zoned R-3

Computed Position
NW Cor. S 3/4, S 1/2 SW 1/4,
Section 23, T-5-N, R-14-W
Faulkner Co., AR
As shown on The Green's at Nutter's
Chapel Subdivision plat, recorded in
Plat Bk. I Pg. 7, plat records of Faulkner
County, AR



Certificate of Owner's

I the undersigned, owner of the real estate shown and described herein do hereby certify that I have laid off, platted and subdivided, and do hereby lay off, plat and subdivide the real estate in accordance with the within plat, and do hereby dedicate to the use of the public, the streets as shown on said plat.

Date of execution _____
Patrick James Moix 1674 S. Salem Road, Conway, AR 72034

Source of Title: D.R. 428 Page 260
Source of Title: D.R. 622 Page 431

Certificate of Surveying Accuracy
I, Justin Dodd Harmon, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown herein actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveys have been met.

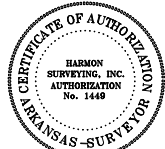
Date of Execution: 04/21/15
Justin Dodd Harmon, Arkansas Professional Land Surveyor No. 1336

Certificate of Final Approval
Pursuant to the Conway Subdivision Regulations, this document was given approval by the Planning Director of the City of Conway. All conditions of approval having been completed, this document is hereby accepted and this certificate executed under the authority of such regulations.

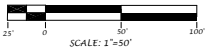
Date of Execution _____
Bryan Patrick
Planning Director

Certificate of Recording
This document filed for record _____ day, 2015 in Plat Book _____ Page _____
For Bill of Assurance see Deed Record Book 1998, Page 16678.

Rhonda Wharton, Faulkner County Circuit Clerk, Faulkner County, Arkansas.

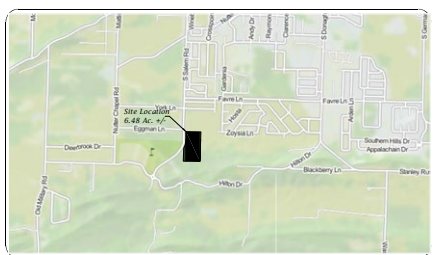


I hereby certify that the above plat represents a survey made by me on this day, and all encroachments, easements, and improvements disclosed by this survey are shown. No independent search for encroachments, encumbrances, or any other facts which an accurate title search may disclose was performed.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	533.50'	235.88'	233.97'	N 14°01'30" E
C2	28.00'	44.19'	39.75'	N 46°54'34" E
C3	184.75'	69.63'	69.22'	S 77°04'49" E
C4	234.75'	88.58'	88.06'	S 77°05'39" E
C5	184.75'	69.52'	69.11'	N 77°03'46" W
C6	234.75'	23.46'	23.45'	N 69°08'49" W
C7	234.75'	65.00'	64.79'	N 79°56'35" W
C8	28.00'	43.77'	39.45'	N 43°05'26" W

LEGEND
 * = Fd. No. 4 Rebar W/Cap
 Δ = Computed Position
 ○ = Set # Rebar W/Cap
 = Wooded Fence
 (A) = Actual Measurement
 (P) = Platted Measurement



Legal Description
 All that part of the West Half of the Southwest Quarter of Section 23, Township 5 North, Range 14 West, Faulkner County, AR being more fully described as follows: Commencing at the Southwest Corner of the Southwest Quarter of said Section 23 and run thence North 01 deg. 42 min. 44 sec. East along the West line of the said West Half of the Southwest Quarter for a distance of 461.47 feet to the Point of Beginning of the land herein described; run thence continuing North 01 deg. 42 min. 44 sec. East for a distance of 320.90 feet to the Point of Curvature of a curve to the right said curve having a radius of 533.50 feet and an arc length of 235.88 feet, run thence a chord bearing of North 14 deg. 01 min. 30 sec. East for a distance of 233.97 feet to the Point of Tangency of said curve to the right; run thence North 01 deg. 41 min. 47 sec. East for a distance of 106.00 feet, run thence North 01 deg. 45 min. 43 sec. West for a distance of 74.83 feet, run thence South 88 deg. 21 min. 59 sec. East for a distance of 364.65 feet to the West line of Salem Woods Subdivision; run thence South 01 deg. 51 min. 37 sec. West along said West line of Salem Woods Subdivision for a distance of 229.96 feet; run thence North 88 deg. 23 min. 21 sec. West for a distance of 408.09 feet to the Point of Beginning, containing 6.48 Acres, more or less.

Fd. No. 3 Rebar
SW Cor. SW 1/4, SW 1/4,
Section 23, T-5-N, R-14-W
Faulkner Co., AR
As shown on The Green's at Nutter's
Chapel Subdivision plat, recorded in
Plat Bk. I Pg. 7, plat records of Faulkner
County, AR

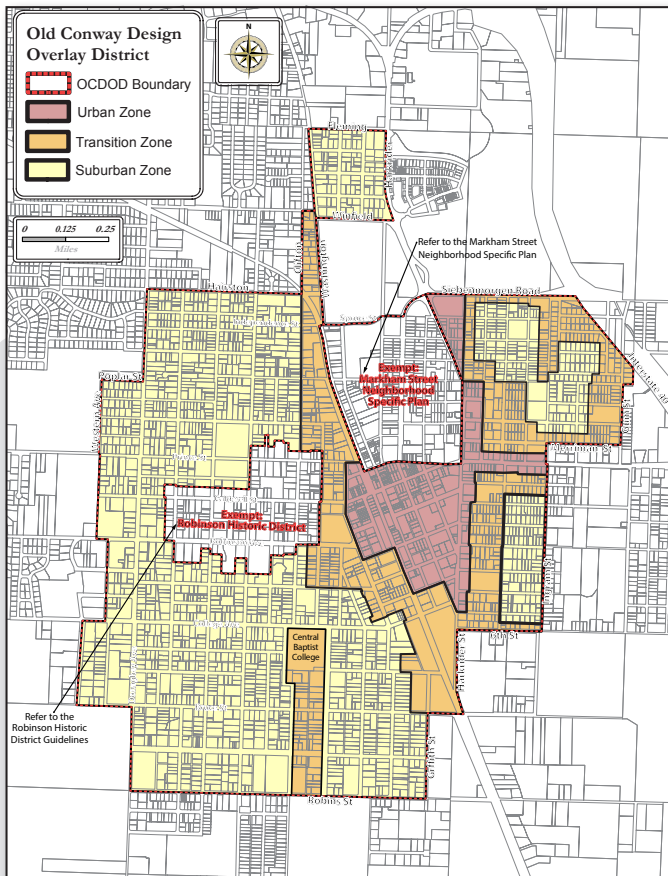
Drawn By: D. Harmon
Checked By: D. Harmon
SCALE: 1"=50'
DATE: 04-21-15



Harmon Surveying, Inc.
 2310 Ginger Kerry Lane
 Conway, AR 72034
 Office: (501)730-1518 Fax: (501)730-0637
 • land/boundary • boundary • ALTA • construction • topographic •

For Use and Benefit of:
Pat Moix
Property Address:
1674 S. Salem
Conway, AR 72034

Revisions



Old Conway Design Overlay?
 Robinson Historic District?
 Historic District Commission?
 National Register?

...I'm Confused



were combined. The Old Conway Design Overlay guidelines may be viewed at http://www.cityofconway.org/media/government/boards-commissions/historic-district-commission/2011_OCDOD_Revised_Pattern_Book_Final_Smaller.pdf

So What's the Difference Between the National Register of Historic Places, the Old Conway Design Overlay and the Robinson Historic District?

The National Register of Historic Places is an honorary designation administered by the National Park Service through State Preservation Offices. By state law, before an area may become a locally recognized historic district, it must first be placed on the National Register. There are 30+ structures and four areas in Conway on the National Register. The areas are; the Robinson District, part of UCA's campus, part of downtown, and the Hendrix Addition. Again, a National Register designation is only honorary, however it does make some preservation activities eligible for state and federal tax credits.

The Old Conway Design Overlay can be seen as "preservation light". A review for appropriateness is largely triggered by a building permit, such as; a new addition, a new accessory building, a new parking lot, etc. Fencing, window replacement, new roofing, new siding, etc. do not require building permits and do not require review by the HDC. Demolition is also permitted without review. Freestanding signage is also further regulated in the Old Conway Overlay.

The Robinson Historic District is a true "preservation district". Any changes to the exterior of a structure within the district and viewable from the public right of way must have HDC approval. This includes; window replacement, re-roofing, re-siding, changes of materials, etc. Interior modifications do not require approval. Any demolition must also be approved. Any signage also requires HDC approval.

Land Use Decisions. In both the Old Conway Overlay District and the Robinson District, land use decisions are left to the Planning Commission and the City Council. The Historic District Commission only reviews and issues certificates of appropriateness for structural modifications, not actual uses. For example, the HDC may not approve a residential structure to be used as a restaurant. However, if the Planning Commission and City Council did approve such a land use change, HDC approval would be needed for an addition to the structure or to place a freestanding sign.

Asa P. Robinson Historic District. The Robinson Historic District area was nominated to the National Register of Historic Places in 2003. Shortly thereafter, the Conway City Council ordained the Historic District Commission (HDC) and the Robinson District. By state law, the Historic District Commission oversees locally recognized historic districts. Any exterior changes to structures within a locally recognized historic district, viewable from the public right of way must be approved by the HDC. Interior renovations are not considered. The HDC hears requests for exterior modifications at its monthly meetings. If approved, the HDC issues a "Certificate of Appropriateness" to the applicant and any relevant building permits may be obtained. All HDC decisions are final. No appeal to the City Council is available. A set of guidelines was created to guide owners on appropriate preservation and renovations of the approximately 144 structures within the Robinson District. http://www.cityofconway.org/media/government/boards-commissions/historic-district-commission/Conway_HDC_Guidelines_Final_Low_Def.pdf

Old Conway Design Overlay District. The OCDOD was created by the City Council in 2006 in reaction to what was seen as inappropriate duplex design in the Old Conway area. Guidelines and regulations were created and along with the Old Conway Design Review Board to oversee the area. The Old Conway Design Overlay circles the Robinson District. Many cities have similar overlay districts called, "Historic Conservation Districts". Since there was a great deal of overlap and similarity between the two boards, in 2011 The Old Conway Design Review Board and the Historic District Commission