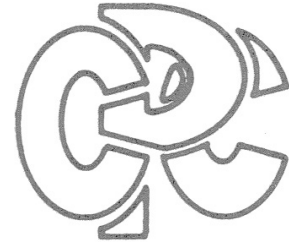




## PLANNING COMMISSION MEETING

District Court Building  
810 Parkway Street  
Conway, AR 72034



Conway Planning Commission

**December 21, 2015, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, December 21, 2015 in the Russell L. "Jack" Roberts District Court Building. Present: Chairman Lee Washington, Vice-Chairman Mark Lewis, Marilyn Armstrong, Bryan Quinn, Wendy Shirar, and Justin Brown. Anne Tucker, Jerry Rye, and Stan Hobbs were absent.

Chairman Washington called the meeting order.

The Conway Planning Commission (PC) makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the PC's recommendation as a guide. Items not approved by the PC may be appealed to the City Council within 30 days after the PC's denial. If an item is appealed to the City Council a public hearing sign must be placed on the property no less than 7 days prior to the City Council meeting and a public notice will be placed on the City's website at [www.cityofconway.org](http://www.cityofconway.org). Items reviewed by the PC on this agenda may be considered by the City Council as early as January 12, 2016.

Chairman Washington requested that the Commission members introduce themselves to the audience present.

Minutes from the November meeting were approved unanimously on a motion made by Bryan Quinn and seconded by Justin Brown.

The procedure followed for public hearing portion of the meeting is to allow the first representative to speak in favor of a request for ten minutes and each subsequent favorable speaker for two minutes each. Then, if there is any opposition, the first speaker opposed to the request may speak for ten minutes and each subsequent opposed speaker for two minutes each. Anyone wishing to speak either for or against an item may do so on any public hearing issue presented. Once all public parties have spoken the item will be brought back into committee for discussion.

Matthew Brown presented the subdivision committee report.

### **I. SUBDIVISION**

- A. The PC voted unanimously to approve the Subdivision Committee report.
  1. The preliminary plat for Freeway Business Park, Phase IV subdivision was approved subject to the amended punch list. The punch list item that was amended is as follows:

#### **Street Design Requirements**

9. 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. Additional right-of-way will not be required in the C-1 Central Business District where buildings would be in the right-of-way. ***A variances has been received for reduced ROW width of United Drive from 60', as required by the Master Street Plan, to 50'. The Planning Commission approves this request.***

## II. PUBLIC HEARINGS

- A. The Central Baptist Church Development Review denial appeal was denied 4-3 on a motion made by Matthew Brown and seconded by Lee Washington, with commissioners Marilyn Armstrong, Justin Brown, Mark Lewis, and Bryan Quinn voting in opposition. Barry Hoffman, 102 N. Spring Street, Searcy, the architect for the project, presented the appeal request. Mr. Hoffman explained that Central Baptist Church would like to appeal the Planning & Development Department's denial of the variance request to allow a reduction in the required percentage of exterior masonry [per O-94-54, section 1101.7.C. 3.a.ii] for the planned Children's Education Building addition to the east end of the existing building. He described that the request was for aesthetic purposes to help blend the addition with the existing structure which is primarily metal with brick accents. The PC discussed the matter and referenced staff recommendations which suggest a compromise between the required development review standards and the requested variance for the proposed design. Mr. Hoffman went on to describe another future expansion to the west end of the existing building and stated that they were considering that as well in their current variance request.
- B. Allen Shaver's request for a conditional use permit to allow MF-1 density in an R-2A zoning district was approved, with suggested conditions, 6-0 on a motion made by Bryan Quinn and seconded by Marilyn Armstrong. Allen Shaver, 1261 Harkrider Street, presented the requested explaining that he proposes a mixed development of single-family homes and duplexes along a new private drive with the required fire-apparatus turnaround. He explained with one existing home to remain, there will be a total of 28 units on the two lots, approximately 1500 sf in size and primarily brick exterior. Statler Strange, 1025 Mitchell Street, spoke in favor of the request. As a nearby landowner, he feels further development of these properties would increase overall value in the area. Nishad Karekar, 1612 Jones Drive, spoke in opposition to the request. He stated that while he is not opposed to the development, he is concerned about the drainage problems in the area and requests that the development does not cause additional water to come onto his property and asked that Mr. Shaver coordinate closely with the City of Conway Engineering Department to ensure this does not happen. Mr. Karekar is also concerned about the high density planned for these lots as well as the possibility of multi-story structures, which he noted Mr. Shaver had already confirmed would not be built. He questioned if there was another configuration of the fire apparatus turnaround that could be installed. Ping Fong, 31 Meadowbrook Drive, spoke in opposition to the request. Mr. Fong also explained that he was not really opposed to the planned development, but shared two concerns, the first being the precedent set by so much multi-family housing in an area that is largely single-family, and the second being the drainage issues already mentioned. He would like a better understanding of the buildings planned for the development. Jerry Wilson, 33 Meadowbrook Drive, spoke in opposition to the request. He explained that he would like more information about what

is planned and expressed concern that the area drainage problems would become worse. In response to questions from the PC, Mr. Shaver confirmed that he is coordinating with the City of Conway Engineering Department to properly design the drainage and that he had explored the option of a different fire-apparatus turnaround location, but the existing easement was not large enough to allow an alternate design. Mr. Bryan Patrick, Director of Planning and Development, confirmed that on the two lots, which total 2.4 acres, 28 units would be the maximum allowed with an MF-1 density classification. He also noted that this project must also go through the development review process which will require Street Department/Engineering approval. There was some further PC discussion regarding the maximum density planned as well as the high-quality of Mr. Shaver's other projects. Mr. Shaver commented that in order to make the development successful financially, the maximum number of units will be required to offset the cost of the new private drive.

The conditions attached to this motion are:

1. Planning Department development review is required. Particularly, drainage approval by the City Engineering Department.
2. Platting of the property is required. Platting will include additional street right of way as required.
3. The development is limited to a maximum of 28 units.
4. A 6-foot privacy fence is required along the south property line.
5. A 20-foot wide (or Fire Department approved width) private drive with approved fire apparatus turn-around will serve the development. The City will not maintain the private drive. On street parking is not allowed.
6. Setbacks as shown on the submitted site plan shall be allowed.
7. Sidewalks are required on both sides of the private street. Due to reduced setbacks, the sidewalk may be placed at back of curb.

- C. Last Chance Ministries request for conditional use permit to operate a shelter for the homeless in an RMH zoning district was approved, with an added condition, 7-0 on a motion made by Lee Washington and seconded by Bryan Quinn. Patricia Meeks, 3 Brown Street, presented the request. She described the services that Last Chance Ministries, a 501(c)(3), provides which include providing shelter and meals to the homeless in an area where crime and drug use are prevalent. The ministry is currently serving 39 people, but during times of inclement weather the number of people served can reach 80-100. The ministry serves all people (with the exception of "violent offenders and pedophiles") in all situations, but it's aim is to help them no longer be homeless. Those staying in the shelter must work to keep the facilities clean as well as search for employment and they have a time limit of how long they are allowed to stay. Some discussion between Ms. Meeks and the PC followed. Ms. Meeks stated that she has been operating at her current location for one year and that she was unaware a special permit was required to operate a homeless shelter. She went on to commend the volunteers that help Last Chance Ministries, namely St. Joseph Catholic Church, and described how Last Chance Ministries coordinates with other area ministries, such as The Ministry Center, City of Hope Outreach, etc. Ultimately, her goal is to move to a larger facility, hopefully outside the city limits. Ms. Meeks described the current set-up of her facilities, including sleeping arrangements, bathrooms, etc. She also noted that she has checked with the State Health Department regarding special permits required or codes that must be met and has been told that since she does not sell food that she does not fall under their regulation. Ms. Meeks described the structure of the program

and how domestic violence issues are handled. Background checks are not performed on residents due to the cost. The PC discussed the possibility of requiring a one-year review of the conditional use permit, but ultimately decided against that condition. The PC also discussed other conditions related to occupancy and building codes, but Mr. Patrick explained that regulation of those other elements would be done by other departments.

The condition attached to this motion is:

1. The conditional use permit is limited to applicant, Patricia Meeks/Last Chance Ministries.

### **III. DISCUSSION**

- A. The PC discussed and selected officers as follows for the 2016 calendar year.
  1. Chairman - Mark Lewis
  2. Vice-Chairman - Matthew Brown
  3. Secretary - Justin Brown
- B. The PC opted to wait until the City Council had approved the new commissioner selections before finalizing committee assignments. This will likely be done in the regular January meeting.
- C. The PC presented the out-going chairman, Lee Washington, with award of appreciation.
- D. The PC reviewed and discussed the proposed 2016 meeting date and submission deadline calendar. They opted to move the March meeting from March 21 to March 14 due to the Spring Break holiday. This also moves the March meeting submission deadline to February 26.

### **IV. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

- A. Development Reviews
  1. Chipotle, BK Dean PUD, 915 E. Oak St.
  2. Tucker Creek Vet Clinic, 2725 College Ave.
  3. Conway Corp, New Office Building, 1307 Prairie St.
- B. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)
  1. Conway Market Place Ease Replat 2C; minor plat
  2. Shaver Hayes Street Lot Merger; filed [L-266]
  3. Pediatrics Plus Subdivision; filed [L-267]
  4. Navistar Addition; filed [L-270]

There being no further business to conduct, the meeting was adjourned by a unanimous vote on a motion made by Wendy Shirar and seconded Lee Washington.