



CONWAY PLANNING COMMISSION

PLANNING COMMISSION MEETING

Russell L. "Jack" Roberts District Court Building • 810 Parkway Street • Conway, Arkansas 72034

January 17, 2017, 7:00 pm

The regular meeting of the Conway Planning Commission was held Tuesday, January 17, 2017 in the Russell L. "Jack" Roberts District Court Building. Present: Chairman Anne Tucker, Vice-Chairman Jerry Rye, Brooks Freeman, Dalencia Hervey, Marilyn Armstrong, Bryan Quinn, Brandon Ruhl, Arthur Ingram, Wendy Shirar, and Justin Brown.

Chairman Tucker called the meeting order. Ms. Tucker asked the Planning Commissioners to introduce themselves to the audience and welcomed new commissioners, Brandon Ruhl and Arthur Ingram.

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's recommendation as a guide. Items not approved by the Planning Commission may be appealed to the City Council within 30 days after the Planning Commission'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. Items reviewed by the Planning Commission on this agenda may be considered by the City Council as early as January 24, 2017.

Minutes from the December meeting were approved unanimously on a motion made by Wendy Shirar and seconded by Jerry Rye.

The procedure followed for the 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.

I. SUBDIVISION

- A. The preliminary plat for Fox Ridge Addition Subdivision, which was reviewed at the December 2016 meeting and held in committee, was again reviewed and approved by the Subdivision Committee subject to the amended punch list.

STREET DESIGN REQUIREMENTS

10. 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. *The required Right of Way is 40' as recommended by the Street Department. **A variance has been requested for a reduced Right of Way of 20'. The Planning Commission approved this variance request, but reduced only to 25'.***
11. The width of all streets must conform to the Mast Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. *The*

- minimum street width for a residential street is 27'. A variance request for a street width of 20' has been received. The Planning Commission approved this variance request.*
16. State Fire Code 503.0.5 states that dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Anything other than the following cul-de-sac requirement must be approved by the Conway Fire Marshall. ***A variance request has been received for a hammerhead built into the driveway of Lot 1 in lieu of a cul-de-sac. The Planning Commission approved this variance request pending approval by the Fire Department.***

LOT DESIGN REQUIREMENT

22. 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. ***Lots 1 thru 7 are platted as double frontage lots. The Planning Commission approved this variance request.***

SIDEWALK DESIGN REQUIREMENTS

26. Sidewalks are required along both sides of all streets within all zoning districts within Conway city limits and within the Conway Territorial Jurisdiction. ***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.***
- a) The existence of a sidewalk network in the area.***
 - b) The amount of pedestrian traffic likely to be generated by the proposed development.***
 - c) The design of the subdivision such that utilities, the location of structures, rights-of-way, easements, etc., create conditions making sidewalks impractical.***
 - d) The overall need for a sidewalk to be constructed on the lot.***
- The Planning Commission approved the request to pay in-lieu of constructing sidewalks.***

- B. The preliminary plat for Winterbrook Subdivision, Phase 2 was reviewed by the Subdivision Committee and approved contingent upon rezoning from A-1 to R-1.

II. BOARD OF ZONING ADJUSTMENT

- A. HAVEN's request for a zoning variance to allow reduced front and side building setbacks and a reduced landscape buffer for property located at 3225 Tyler Street, was approved unanimously on a motion made by Bryan Quinn and seconded by Justin Brown. Rik Sowell, Sowell Architects, 1315 North Street, Suite 100, presented the request. Mr. Sowell described challenges that the shape and topography of the site pose. There was some discussion regarding trees planted along the street and the required clear view zone, but it was determined that it would not be an issue due to the grade of the site.
- Staff recommended variance conditions attached to this variance are:
1. Setbacks on the side (southwest) and rear (south) shall be reduced from the required 25 feet to allow the structure and porches to encroach up to 16 feet into the required setback.
 2. Landscaping buffer along Tyler Street may be reduced from the required 10 feet to 7 feet as shown on proposed site plan.

III. PUBLIC HEARINGS

- A. *As a result of a motion, made by Jerry Rye, to suspend the planned order of the agenda, the Van Pelt Rezoning request public hearing was conducted first. Tony Van Pelt's request, on behalf of*

Karl and Connie Warnick, to rezone property located at 129 Eve Lane from A-1 to R-1 was approved unanimously on a motion made by Dalencia Hervey and seconded by Wendy Shirar. Mr. Van Pelt, 208 Caney Creek Road, presented the request explaining Mr. and Mrs. Warnick's desire to split their 0.78 acre lot into two lots which would require a rezoning to R-1 to allow for smaller lot sizes.

- B. Mt. Carmel Community's request for a conditional use permit to allow a nursing facility/senior living community for property located at 2505 Salem Road (address will be assigned via plat) was approved 9-1, subject to the conditions listed below, on a motion made by Justin Brown and seconded by Dalencia Hervey with Jerry Rye voting in opposition. Jimmy Elrod, 3505 Boone Road, Benton, CEO of Mt. Carmel Community presented the request. Mr. Elrod described other similar facilities Mt. Carmel operates or is building in Benton, Hot Springs Village, Rogers, and Bentonville, Arkansas. He explained Mt. Carmel Community's wish to locate a Class A, luxury senior living community including 46 independent living, 1,400-1,500 square feet garden homes and a 75-unit assisted living center on the 17.7-acre site. Following the public hearing portion of the request, Bryan Patrick, the Planning Director, and Finley Vinson, the City Engineer, required the addition of condition number 4 [below] that will provide future access to the remaining property to the west.

Conditions attached to this permit are:

1. Right of way dedication at the Salem Road/Meadowlake Road intersection for a roundabout per City Engineer specifications shall be dedicated during platting/development review.
 2. The proposed development shall be generally constructed as presented.
 3. Single ownership of all property and structures is required.
 4. Right of way from roundabout to access residual Irby property to the south and west per City Engineer specifications shall be dedicated during platting/development review.
- C. Hal Crafton's request to rezone +/- 20 acres located south of Central Baptist Church, west of Mattison Road and north of Donnell Ridge Road from A-1 and R-1 to [Campbell Cove] PUD was approved unanimously subject to the Final Development Plan conditions listed below, on a motion made by Bryan Quinn and seconded by Justin Brown. Hal Crafton, 5460 Lost Canyon Drive, presented the request. Mr. Crafton described the plan to develop slightly smaller lots than are typically found in R-1 zones with some duplexes and some single-family homes. Initially Mr. Crafton planned to locate the duplexes closer to Donnell Ridge Rd, but after meeting with the nearby property owners he decided to reverse the location of the duplexes and move them to the northern end of the development and the single-family homes closer to Donnell Ridge Rd. The duplexes will all be owned and maintained by Rush-Hal Properties. In addition to covenants and restrictions that will be established for the subdivision, as a PUD, Mr. Crafton is able to incorporate the neighboring property owners concerns as conditions [listed below] to the Final Development Plan. Mr. Crafton spoke to the level of exterior and interior finish materials, planned roof pitch and ceiling height, and planned fencing along Mattison and Donnell Ridge Roads (brick) as well as along bordering property lines (wood privacy). He also clarified that each duplex will look different to resemble a single-family residence and each will have a double garage. Mr. Crafton described his desire to provide homes in the \$225,000-275,000 range, at a minimum, with high-end interior finishes, in order to meet the need for homes in this price range. Michael Bibs, 3380 London Road, spoke in opposition. Mr. Bibs expressed concerns that the majority of the subdivision will become rental property and as well as the proposed density of the PUD. Mr. Crafton stated that Rush-Hal Properties requires a 1-year minimum on their leases. Dwight Southerland, 3404 London Road, spoke in opposition. Mr. Southerland's primary concern was with the significant increase in traffic a subdivision of this size with this density will create, possibly onto London Rd. He cited the proximity of Carolyn Lewis Elementary School as a part of the cause of this traffic. Kent Mathis, 1050 Mattison Road, spoke in opposition. Mr. Mathis' concern involved the current condition and design of Mattison Rd as an open ditch road

lacking a shoulder, curb/gutter, and sidewalks. Lori Hofherr, 3360 London Road, spoke in opposition. Ms. Hofherr expressed her concern that the “ugly side of the fence” not be faced toward her property, located on London Rd. She also requested the wall be brick or wood with brick pillars. Mr. Crafton explained that to install brick pillars the tree line existing between the London Rd properties and the proposed PUD, which provides privacy, would have to be removed, but he agreed to face all wood privacy pickets outward toward London Rd and the church driveway. The Planning Commission discussed the merits of the staff suggested changes to the proposed conditions. The final conditions, as decided by the Planning Commission, are listed below.

Campbell Cove PUD Final Development Plan Conditions:

1. Exterior composed of brick, rock and hardie board/cement board. Hardie board limited to 60% of exterior less windows and doors.
2. No vinyl siding. Vinyl siding and fascia allowed on gables and dormers only.
3. 10/12 roof pitch or greater on main roof.
4. Garages cannot protrude past front of house unless side entry on single family houses.
5. Architectural shingles or metal roofing only.
6. Street trees of 2” caliper at time of planting to be provided by developer. Minimum of one per lot.
7. Brick/rock walls and entrances on Mattison Road and Donnell Ridge Road. 8’ wood privacy fence constructed on rear of lots bordering London Road and Church Drive Way with pickets facing outward.
8. Minimum 9’ ceilings throughout, finished floor to finished ceiling. No “boxed” or “tray/coffered” ceilings.
9. Granite or solid surface countertops required.
10. All Duplexes constructed with double garages.

Staff Suggested Conditions to allow the PUD:

1. PUD shall be generally developed as shown on site plan. Minor variations from the submitted plan shall be allowed for technical reasons. However, the density and intent of the site plan shall be followed.
2. Platting shall be required. Any additional rights of way, sidewalks, etc. as required by the Subdivision Ordinance shall be dedicated and constructed. Any additional right of way per the Master Street Plan along Mattison and Donnell Ridge Roads shall be dedicated as part of the platting process.
3. Setbacks, utility/pedestrian easements, public rights of way, etc. shall be defined in the final development plan, plat, and PUD documents.

IV. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

- A. Development Reviews
 1. The Reserve at Tucker Creek, 2820 College Avenue
- B. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)
 1. Hart Plat PUD, Lot 1C Replat
 2. The Reserve at Tucker Creek

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