



# CONWAY PLANNING COMMISSION

## PLANNING COMMISSION MEETING

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

**March 13, 2017, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, March 13, 2017 in the Russell L. "Jack" Roberts District Court Building. The following members being a quorum were present and acting: Chairman Anne Tucker, Vice-Chairman Jerry Rye, Brooks Freeman, Dalencia Hervey, Marilyn Armstrong, Bryan Quinn, Wendy Shirar, Justin Brown, and Brandon Ruhl. Arthur Ingram was not present.

Chairman Tucker called the meeting order and asked the Planning Commissioners to introduce themselves to the audience.

Chairman Tucker informed the audience that 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](http://www.cityofconway.org). Items reviewed by the Planning Commission on this agenda may be considered by the City Council as early as March 28, 2017.

Minutes from the February meeting were approved 8-0-1 on a motion made by Jerry Rye and seconded by Marilyn Armstrong. Dalencia Hervey abstained.

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

Marilyn Armstrong presented to Subdivision Committee report to the Planning Commission.

#### A. Request for Preliminary Plat Approval - Covington Commercial, Phase 2

The preliminary plat for Covington Commercial Subdivision, Phase 2 was reviewed and approved by the Subdivision Committee subject to the amended punch list. The punch list items that were amended are as follows:

##### **Street Design Requirements**

14. The proposed street layout should be integrated with the street system in the adjoining subdivisions. *With the absence of Master Street Planning for this area, City staff recommends approval of the preliminary plat contingent upon agreements with the Street Department on street alignment with adjacent property and property ROW dedication for streets. **The Planning Commission approved this request contingent upon approval by the Street Department.***

15. *The layout of streets shall conform to existing and proposed land uses for the area. Street 1/Dave Ward Drive intersection location conflicts with the Dave Ward Drive median. Street 1 location should be removed so as to not*

*conflict with the Dave Ward Drive median or the median must be extended to prevent a left hand turn. **The Planning Commission requires Street 1/Dave Ward Drive intersection to be located so as not to create a left hand turn conflict.***

17. The Planning Commission may authorize a new boundary street when the subdivider agrees to dedicate the entire right-of-way and construct all the required improvements. *Street 3 is a boundary street. **The Planning Commission approved the boundary street.***

18. Proper access in the form of stub streets or temporary dead end streets shall be provided to adjacent unplanted property unless, in the judgment of the Planning Commission, topographic conditions or physical constraints preclude reasonable provision of such access or alternate routes are or will be available in the future. *City Staff recommends Street 4 provide a stub street to the west. **The Planning Commission does not require this stub street.***

#### **Lot Design Requirements**

24. Double frontage lots other than corner lots fronting two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission. *Lots 1-4 are double frontage lots. **The Planning Commission approved Lots 1-4 as double frontage lots.***

## **II. PUBLIC HEARINGS**

### **1. Salter Properties request to rezone property located at 1912 and 1918 Robinson Avenue from R-2A to [Robinson Court] Planned Unit Development**

*This item was held in committee at the February meeting.* Brent Salter, representing Salter Properties, 201 Lee Andrew Lane, presented the revised request. Mr. Salter explained that Salter Properties was pursuing the PUD zoning to increase transparency with the public and that their goal is to enhance the Historic District and allow more people to experience it. He addressed several concerns that were expressed at the public input meeting held February 16, 2017 and the public hearing held February 21, 2017. Some of these concerns include building preservation, tree preservation, green space, parking, number of residents, and historical context. In response, Salter Properties amended the proposal to preserve the three existing residences on the lot. Additionally, he explained that no tree would be removed that was not required for construction. A courtyard/garden area has been added to the design to meet green space concerns. The revised proposal includes 5 garages plus additional parking spaces for the 7, 1-bedroom units. The new 2-unit building is designed as a carriage house to be historically appropriate. Marianne Black, 1146 Davis Street, spoke in opposition on behalf of the Old Conway Preservation Society. Ms. Black reminded the Planning Commission of the design standards that govern the Robinson Historic District and the Old Conway Design Overlay District. She noted that the developer [Salter Properties] was fully aware of these standards and drew attention to their projects in another historic area, the Argenta Historic District of North Little Rock, but also noted that tourism is the primary driver of that development which is not the case with the Robinson Historic District. Ms. Black pointed out that the existing duplexes at 1912 and 1918 Robinson Avenue would not be allowed by current standards and are only permitted because of their “grandfathered” status, and therefore, additional multi-dwelling units are not appropriate for the largely single-family oriented 1900 Block of Robinson Avenue. Steve Hurd, 607 Davis Street, spoke in opposition. Mr. Hurd called the Planning Commission’s attention to the request to ‘spot zone’ the subject property and the inappropriate scale and density of the proposed carriage house-style structure. Kevin McKay, 605 Watkins Street, spoke in opposition expressing concerns about narrow side building setbacks and appropriate space for vehicles to maneuver. Jay Bernard, 1905 Caldwell Street, spoke in opposition by reminding the Planning Commission that the proposed structure does not conform to the core value of the Robinson Historic District of single-family residences. Jerry Adams, 1822 Robinson Avenue, spoke in opposition. Mr. Adams feels the proposed structure will dilute the character of the Historic District. Dawn Mathis, 1620 Mill Street, spoke in opposition sharing her opinion that the zoning should remain the same. Cindy Williams, 619 Mitchell Street, spoke in opposition stating her belief that the developer purchased the property with the intent to rezone it. She was also concerned about the number of trees that would be removed as well as the size and scale of the

proposed carriage house. Mary Kay Crenshaw, 1203 Clifton Street, spoke in opposition. Ms. Crenshaw has recently moved back to Conway and chose to live in the Historic District. She would like the City of Conway's commitment to the Historic District standards be upheld. Molly Bernard, 1905 Caldwell Street, shared her opposition to the high-density rezoning of the subject property which is in the heart of the Historic District. She believes the proposed development will be a detriment to area. Kevin Hale, 1926 Caldwell Street, spoke in opposition. Mr. Hale cited property value studies and stated that the proposed development and final density will negatively impact the property value of the surrounding area. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Justin Brown commented that in light of the level of opposition to the request there was no need for discussion. Marilyn Armstrong motioned that the request be forwarded to the City Council with a recommendation for approval. Bryan Quinn seconded the motion. There was no discussion. The motion failed 0-8-1. Brandon Ruhl abstained.

**B. Bret Franks Construction request for a conditional use permit to allow MF-1 density in an R-2A zoning district for property located at 1907 Clifton Street**

Bret Franks, 4800 Peterson Cove, presented the request explaining his plan to renovate the existing single-family residence on the property and construct 2 new, approximately 1,000 sf single-family residences. He intends to demolish the additional outbuildings existing on the property. He hopes the thoughtfully placed "small increases in density to the urban infill areas" will set an example and start to upgrade the area. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Justin Brown expressed concern with small size of the proposed residences. Mr. Franks confirmed that the residences would be rental units and cited his success with other small dwellings, including *The Little House* in Little Rock, Arkansas and *The Charleston Side-Yard Project* in The Village at Hendrix. Chairman Tucker asked for clarification of where the new buildings would be located on the property. Justin Brown motioned that the request be forwarded to the City Council with a recommendation for approval including the four staff suggested conditions (listed below). Dalencia Hervey seconded the motion. There was no discussion. The motion passed 9-0.

Conditions attached to this motion are:

1. 3 single-family residential units maximum shall be allowed on property. All units must be detached single-family residences.
2. The primary building material must be brick or cement fiber board (i.e. Hardie board)
3. Driveway curb cuts shall have 12 feet maximum width. Wider parking pad areas are allowed further into the property.
4. Planting of trees at a ratio of 1 per 30 feet along Rushing Circle; 2" caliper at time of planting, per Development Review standards shall be required.

**C. Hambuchen Properties request to rezone property located at 1510 South Donaghey Avenue from R-1 to [South Sterling] PUD**

Frank Shaw, 1315 Main Street, presented the request on behalf of the applicant. Mr. Shaw explained the Applicant's desire to rezone the, approximately, 3 acres to a Planned Unit Development in order allow a slight increase in density. The current R-1 zoning allows 15 dwelling units; Hambuchen Properties is proposing 18 dwelling units. In exchange for the increased density through the PUD the Applicant is allowing the Planning Commission to place design conditions on the development. Mr. Shaw explained the connection of Sterling Drive through to South Donaghey Avenue and how this should redirect some traffic directly west that currently has to travel south then west then north to exit the adjacent subdivision. There was some discussion regarding if South Donaghey Avenue is capable of handling the additional traffic turning left into the new development. Mr. Shaw explained that he could not answer in place of the Street Department, but that there would be sidewalks within the subdivision. Due to the current open ditch design along South Donaghey Avenue, the developer would likely pay a fee in-lieu of constructing sidewalks along South Donaghey Avenue and let the City build sidewalks at a later date when the road is improved. Richie Hambuchen, 86 Richland Hills, spoke in favor of the request. He explained that the increased density would make the project more financially feasible, due to the cost of infrastructure, and allow him to build nicer, higher-quality homes. Marilyn Armstrong asked about the size of the

homes. Mr. Hambuchen replied the homes would be approximately 1,200 to 1,500 sf. Doug Christiansen, 1930 Sterling Drive, posed questions regarding required green space in a PUD and the left turn from South Donaghey Avenue issue. Planning Director, Bryan Patrick, clarified that a PUD requires 20% of the total space developed to be 'green space' or permeable. The developer plans to achieve this requirement through front and rear lawns. There was no clear answer regarding the left turn concern. Rick Klein, 1950 Sterling Drive, spoke in opposition to the request. Mr. Klein expressed concern with the connection of Sterling Drive to South Donaghey Avenue, the speed at which people drive through the neighborhood, and multiple cars parked along the curb. Juanita Darkis, 1425 Hathaway Drive, spoke in opposition to the request. Ms. Darkis expressed concern for the increased traffic and the many children that walk to the nearby elementary school. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. There was some discussion regarding the reduced ROW proposed for the Sterling Drive extension and the possibility that the proposed homes will become rental properties. This led to a discussion of the targeted selling price of the homes. It was also noted that the proposed plan shown in the staff report is conceptual and that the Sterling Drive connection will be modified to flow better. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval including the 11 applicant suggested conditions and the 4 staff suggested conditions (listed below). Dalencia Hervey seconded the motion. There was a question regarding which agency would give permission for requested variances. Bryan Patrick explained that, since the current plan is conceptual, the Planning & Development Department will finalize the PUD requirements with the developer. Then the development will have to go through the subdivision process which will include a Planning Commission Subdivision Committee review. The motion passed 7-2. Jerry Rye and Justin Brown voted in opposition. Following the completion of the motion an audience member asked an additional question about the orientation of the proposed homes.

Applicant suggested Final Development Plan conditions:

1. Exterior composed of brick, rock, or cement fiber board (i.e. Hardie board).
2. No vinyl siding. Vinyl shingles and fascia allowed on gables and dormers only or cement fiber board.
3. 8/12 roof pitch or greater unless porches.
4. Garages cannot protrude past front of house more than 7 feet unless side entry.
5. Architectural shingles or metal roofing only.
6. Heavy landscaping on fronts.
7. Brick/rock walls and entrances on South Donaghey Avenue.
8. Highlight front porches as much as possible.
9. Minimum 9 foot ceilings throughout; 10 foot preferred.
10. Granite or solid surface countertops required.
11. Each home to be different.

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. Additional review of street alignments by the City Engineering and Planning Departments will be needed to create an efficient intersection. Street alignments must be reviewed and approved by the Planning Commission during the platting process.
3. 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 South Donaghey Avenue shall be dedicated as part of the platting process.
4. Setbacks, utility/pedestrian easements, public rights of way, etc. shall be defined in the final development plan, plat, and PUD documents.

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

#### **A. The following Development Reviews were completed since the previous meeting.**

1. Stoby's, 805 Donaghey Ave
2. Fellowship Bible Church Parking Lot, 1501 Hogan Ln
3. Freddy's Frozen Custard, 820 E Oak St
4. PrimceCare Medical Clinic, 812 Oak St

**B. The following Lot Splits, Lot Mergers, and Minor Subdivisions were filed for record since the previous meeting.**

1. Central Tube and Bar Subdivision (L-320)
2. Nina's Replat (L-319)
3. Crow Replat (L-317)
4. Replat Lot 8A, Guy Murphy Industrial Park Phase 2, Correction (L-315)

**C. The following Lot Splits, Lot Mergers, and Minor Subdivisions were submitted for review since the previous meeting.**

1. Fidar's Survey Replat
2. Haven House Subdivision
3. Life Choices Subdivision

**Adjournment**

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

Approved:



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Chairman, Anne Tucker