

OCTOBER

Conway Planning Commission Staff Report



7:00pm • October 15, 2018 • 810 Parkway Avenue

CONWAY PLANNING COMMISSION

Jerry Rye, Chairman

Justin Brown, Vice-Chairman

Wendy Shirar, Secretary

Brooks Freeman

Dalencia Hervey

Arthur Ingram

Bryan Quinn

Brandon Ruhl

Anne Tucker

Rhea Williams

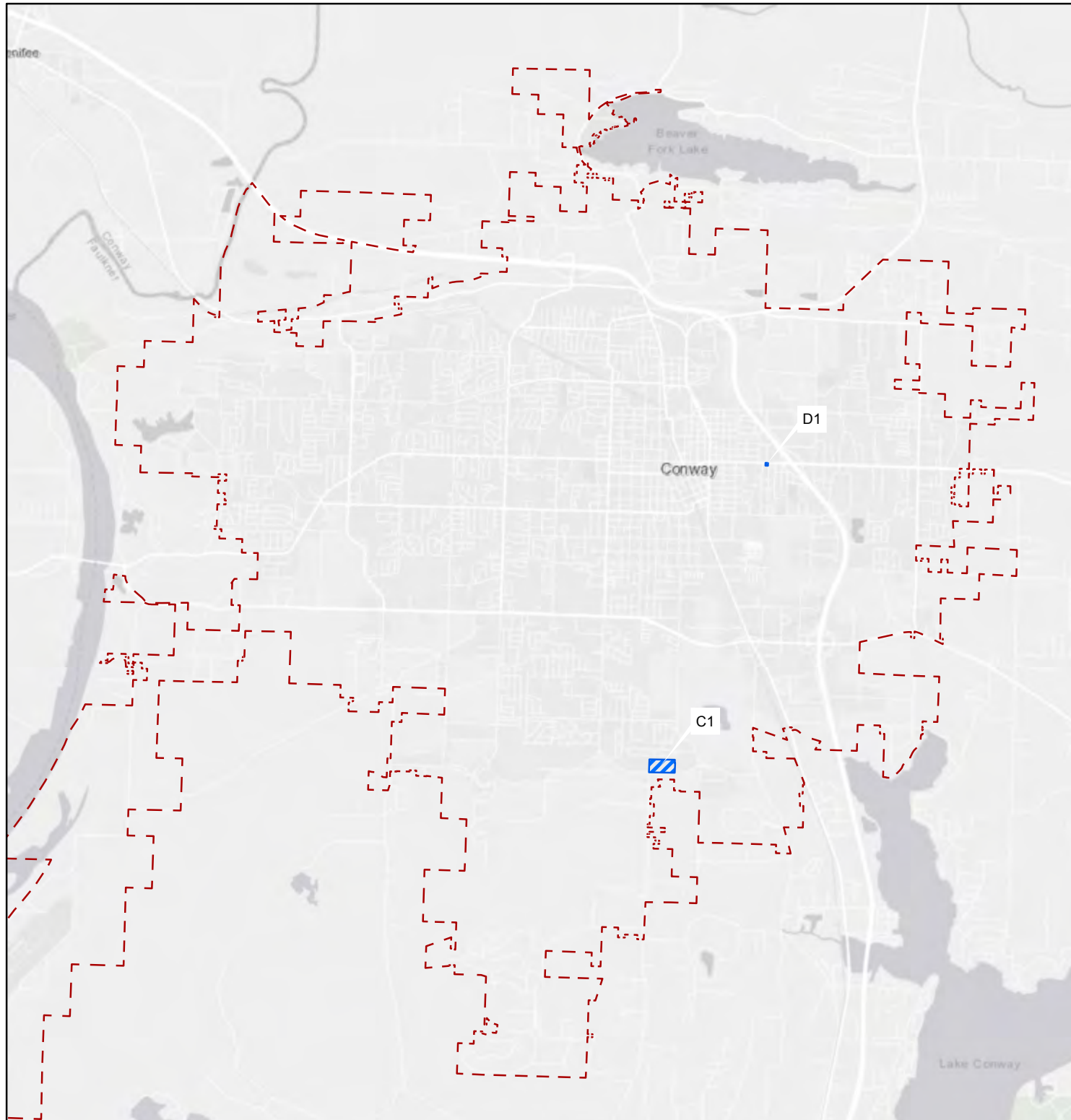
Contact the Conway Planning Commission at planningcommission@cityofconway.org

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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 reviewed at tonight's Planning Commission meeting may be considered by the City Council as early as **October 23, 2018**.

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 and a public notice will be placed on the City's website: www.cityofconway.org.

Decisions made by the Planning Commission acting as the Board of Zoning Adjustment are final. No appeal may be made to the City Council. Any aggrieved party may pursue litigation should they feel the decision is unfair.



C. SUBDIVISION ITEMS

1. Furlow Subdivision Preliminary Plat Extension (1300-1500 Block Stanley Russ Rd)

D. PUBLIC HEARING ITEMS

1. Tropical Smoothie Board of Zoning Adjustment -- Front Setback (175 E. Oak St)

CONWAY PLANNING COMMISSION AGENDA

October 15, 2018 • 7:00 pm • 810 Parkway Street

- A. **Call to Order**
- B. **Approval of Minutes**
 1. September 17, 2018
- C. **Subdivision** *(Subdivision Committee will NOT meet prior to the Planning Commission meeting)*
 1. Furlow Subdivision request for preliminary plat approval extension
- D. **Public Hearings**
 1. Zoning Variance Request - Reduced front setback at 175 E Oak Street
- E. **Discussion**
 1. 2019 Planning Commissioner Nomination and Selection Update
 2. Additional items as decided by the Planning Commission

F. Adjourn

Planning Staff Review reports to the Planning Commission

The following items (development reviews, minor subdivisions, plats filed for record, etc) 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:

G. Development Reviews

- Covington Parking Expansion, 815 Exchange Ave

H. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)

- Lewis Ranch Phase II (P2018-00047)
- Robynmar Subdivision Phase I (P2018-00048)
- Cherry Hill Subdivision (P2018-00049)
- Haven House Estates (P2018-00050)
- South Sterling PUD Phase I (P2018-00051)
- Robynmar Replat Lots 1-6 (P2018-00053)

I. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals (submitted for review)

- Car Mart Subdivision (SEP2018SEP01)
- Round Mountain Replat (SUB2018SEP02)
- Conway Marketplace Phase 3, Lot 5 (SUB2018SEP03)
- Robynmar Replat Lots 1-6 (SUB2018SEP04)
- Salem Oaks Final (SUB2018SEP05)
- R.L. Hayes Replat Lots 1-5 (SUB2018SEP06)
- Integrity Subdivision (SUB2018SEP07)
- Hope Village Addition (SUB2018SEP08)
- Guardsmart Southwest Additions Corrections Plat (SUB2018SEP09)

C1 FURLOW SUBDIVISION PLAT EXTENSION

REQUEST FOR EXTENSION OF PRELIMINARY SUBDIVISION APPROVAL OF FURLOW SUBDIVISION

APPLICANT

Twin Creeks Surveying, LLC

STAFF REVIEW BY

Scott Grummer, City Planner
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 1318 - 1550 Stanley Russ Rd

Site Area. ±19.73 acres.

Current Zoning. R-1 (Single Family Residential District).

Existing Structures. 5 single-family residences plus associated accessory buildings.

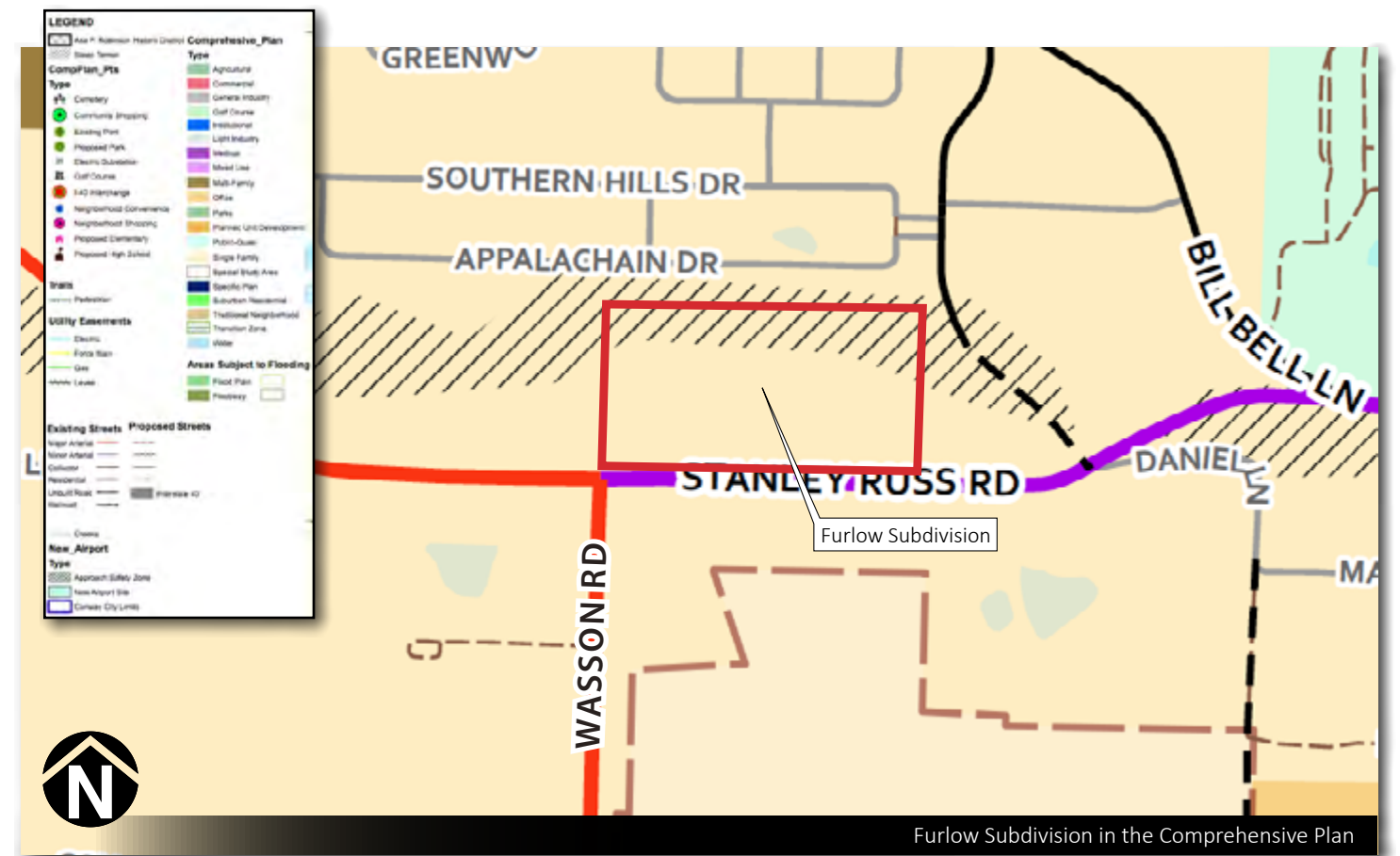
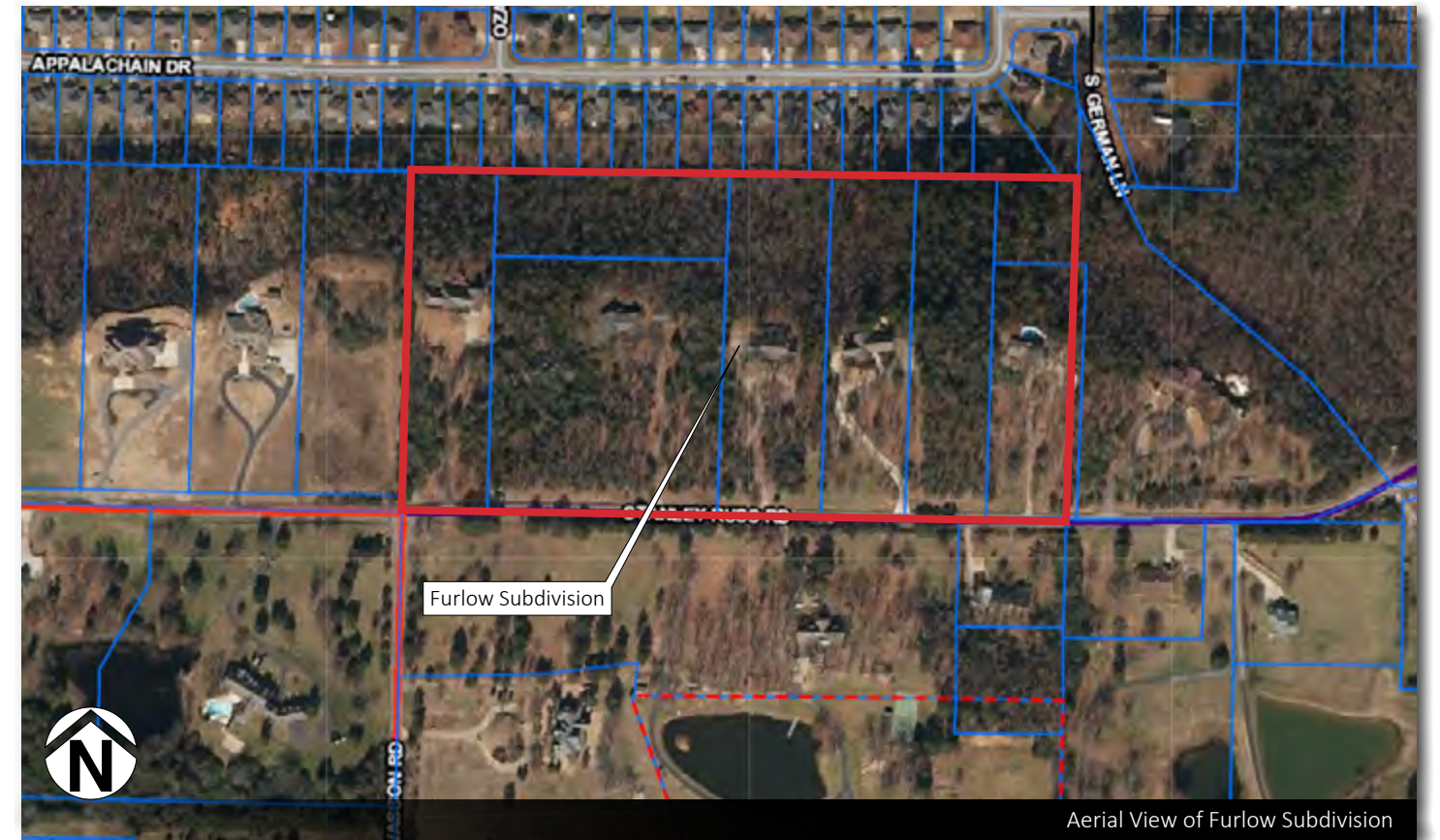
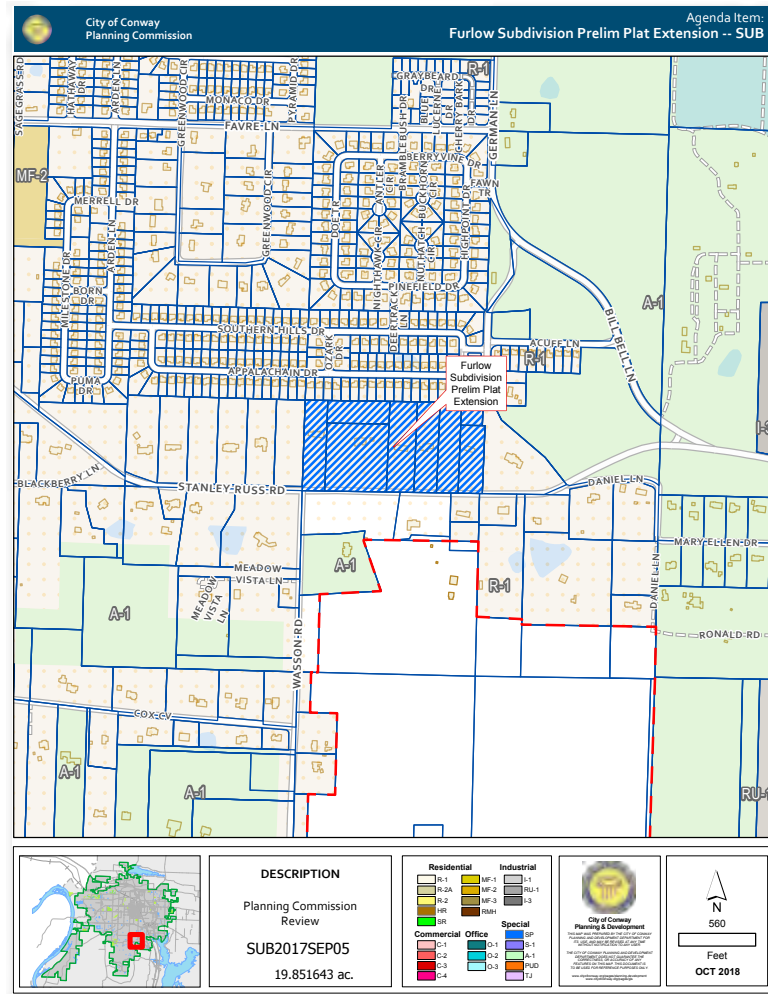
Overlay. None.

STAFF COMMENTS

The applicant has requested a one-year extension of the approval of the preliminary plat, granted 9/6/17. If approved, the plat will expire on 9/6/19.

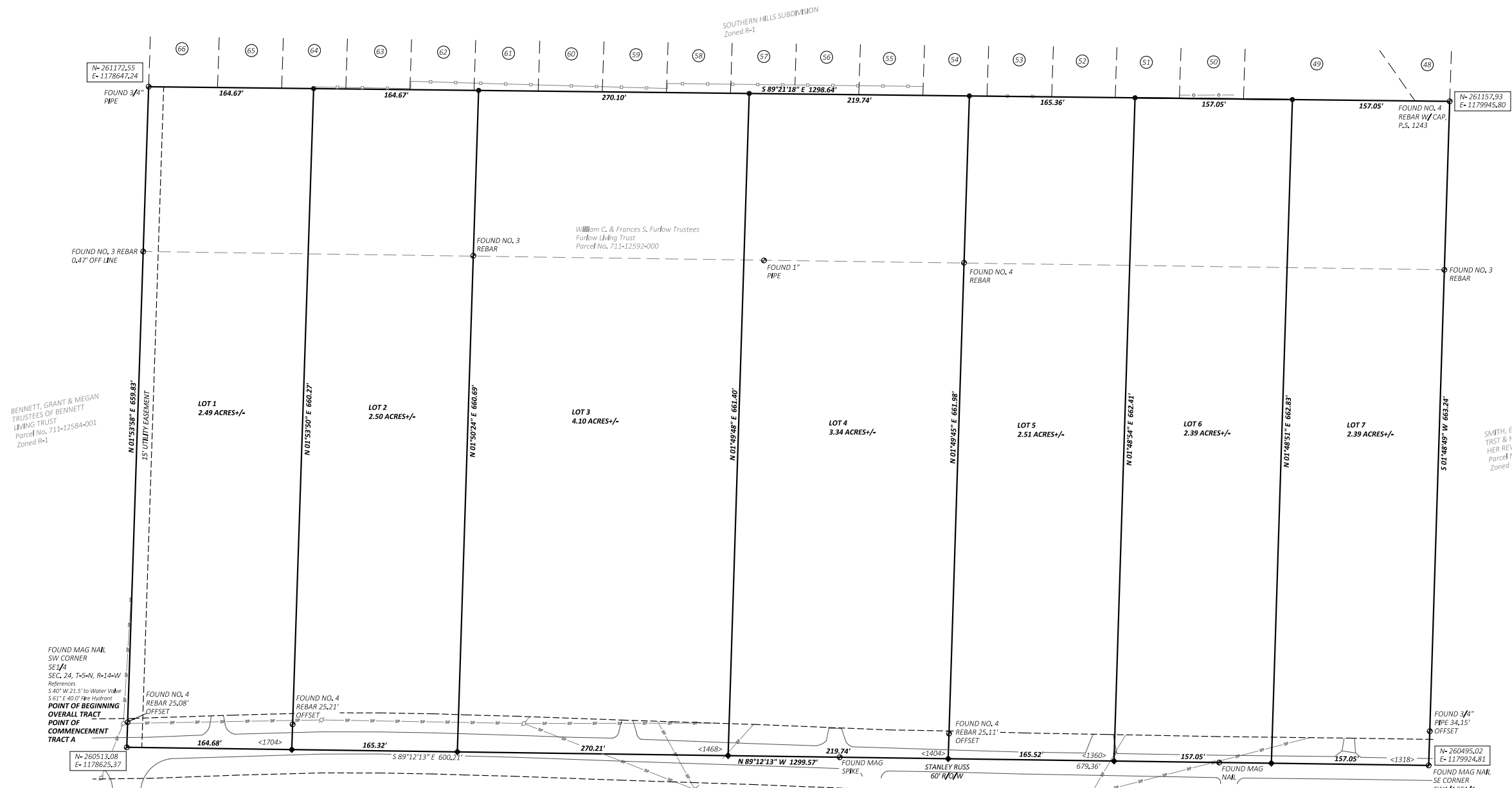
STAFF RECOMMENDATIONS

Staff recommends approval of this extension request.



FURLOW SUBDIVISION

North Arrow
 Bearings are based on NAD83
 State Plane Coordinates-AR North
 Gage Monument No. 1015



LINE BEARING	DISTANCE
L1 N 89°12'13\"/>	

Certificate of Survey Accuracy
 I, Alex Cooke, hereby certify that this plat correctly represents a boundary survey made by me and all monuments shown hereon actually exist and their location, size, type and material are correctly shown.
 Registered Land Surveyor State of Arkansas Registration No. 1708
 Date of Execution: 11/1/17

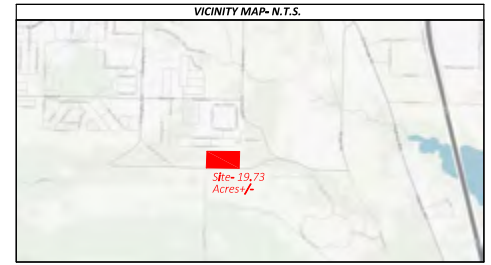
Certificate of Final Plat Approval
 Pursuant to the Conway Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.
 Date of Execution: _____
 Signed: _____
 Anne Tucker, Planning Commission Chair

Certificate of Recording
 This document filed for record _____ day, 2017 in
 Plat Book No. _____ page _____
 Signed: _____
 Crystal Taylor, Circuit Clerk

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 subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public (the streets, alleys, drives, easements, etc.) as shown on said plat.
 Date of Execution: _____

Name	Address	Source of Title	Signed
Curry, David and Barbara	_____	Instrument No. 2005-7772	_____
Furlow, William and Frances	_____	Instrument No. 2010-14766	_____
Stone, Phil and Jan	_____	Instrument No. 2015-13397	_____
McVee, Jan	_____	Instrument No. 2015-8640	_____
King, Buck and Cheryl	_____	Instrument No. 2012-6322	_____

OVERALL TRACT
 Part of the Southwest Quarter of the Southeast Quarter of Section 24, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows:
 Beginning at the Southwest corner of the Southeast Quarter, thence, along the West line of said Southeast Quarter, North 01 degrees 53 minutes 58 seconds East a distance of 658.83 feet, thence, leaving said West line, South 89 degrees 21 minutes 18 seconds East a distance of 1298.64 feet to the East line of the Southwest Quarter of the Southeast Quarter, thence, along said East line, South 01 degrees 48 minutes 49 seconds West a distance of 663.24 feet to the Southeast corner of the Southeast Quarter, thence, along the South line of Section 24, North 89 degrees 12 minutes 13 seconds West a distance of 1299.57 feet to the Point of Beginning, containing 19.73 acres, more or less.



SURVEYOR'S NOTES
 1. Javad TRAMP-TRK GPS was used to perform the survey.
 2. All distances shown are measured unless otherwise noted.
 3. According to FEMA Map Panel Number 05045C0290H, effective date of 12/19/2006, the subject property lies within Flood Zone "X".
 4. Improvements are not shown.
 5. It is the responsibility of the current land owner to correct any non-conforming structures.



LEGEND

- Found Monument As Shown
- Set Mag Nail
- ◆ Set No. 4 Rebar W/ Cap
- ▲ Computed Point
- Address
- Power Pole
- Overhead Electric
- Wire Fence
- Wood Fence



TWIN CREEKS SURVEYING, L.L.C.

DRAWN BY: A. COOKE
 APPROVED BY: A. COOKE
 DATE: 11/1/17
 SHEET NO. 1 OF 1

Alex Cooke
 P.O. Box 456
 Villalba, AR 72173
 Phone: 501.425.3808
 twincreekssurveying@gmail.com
 State Code 500-05N-14W-024-230-23-1708

D1 REQUEST FOR ZONING VARIANCE FOR REDUCED FRONT SETBACK - 175 E OAK ST

TROPICAL SMOOTHIE REQUEST FOR BOARD OF ZONING ADJUSTMENT VARIANCE TO ALLOW REDUCED FRONT SETBACK FOR PROPERTY AT 175 EAST OAK STREET

APPLICANT

Crafton Tull & Associates
10825 Financial Centre Parkway, Suite 300
Little Rock, AR 72211

STAFF REVIEW BY

Jason Lyon, Assistant Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 175 E Oak Street

Site Area. ±0.433 acres. **Note: With ROW dedication at time of platting lot size will be smaller*

Current Zoning. C-3 (Highway Service & Open Display District).

Requested Zoning Variance. To allow reduced front setback along Oak St for a proposed commercial development.

Existing Structures. Vacant (old gas station demolished and cleared).

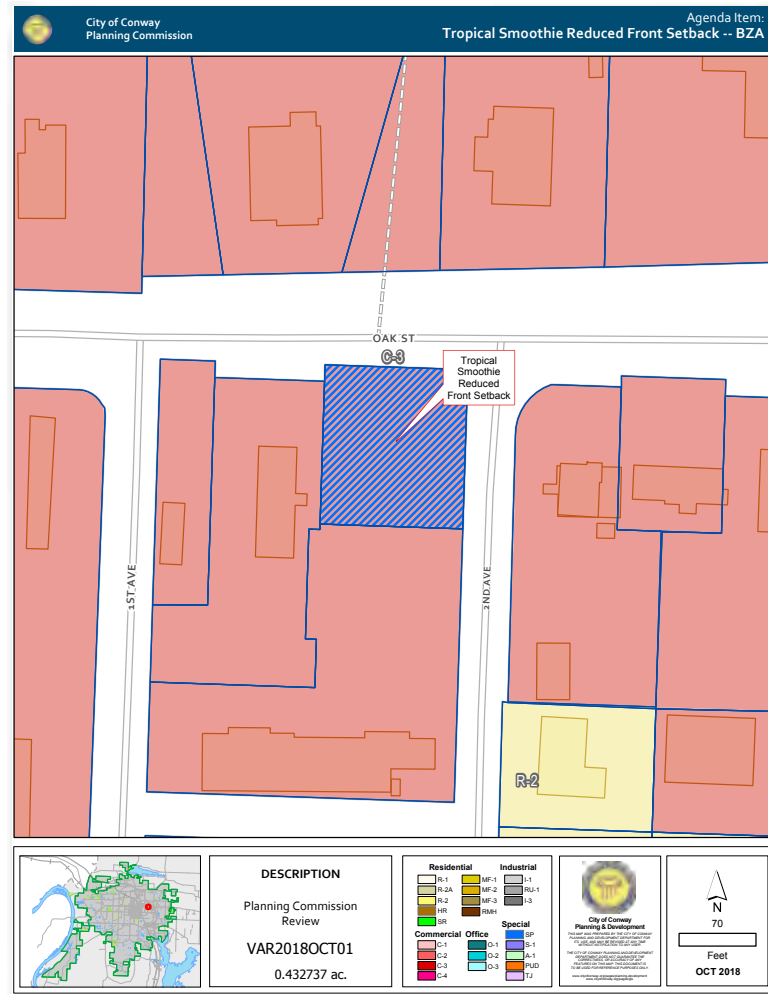
Overlay. None.

General Overview. Tropical Smoothie has submitted applications for platting of the property and development review for a proposed 1440 sq/ft drive-thru restaurant. The previous business on the property was a gas station that would be considered grand-fathered with current zoning regulations with regards to ROW and Setbacks in a C-3. In order to build the proposed restaurant with adequate traffic flow and parking, applicant needs the front setback reduced from 40 ft to 25 ft.

STAFF COMMENTS

The applicant is requesting a zoning variance to allow a reduced setback along E Oak St, platting of property requires 15 ft of right of way dedication, necessitating the reduced setback. Proposed development of drive-thru restaurant of approximately 1400 sq/ft, with both curb cuts along E Oak to be closed, while utilizing existing 2nd Ave curb cut and stub out for cross access to the larger property to the south. The previous gas station on the property had continuous curb cuts along E Oak St and 2nd Ave, proposed development brings curb cuts, green space, and setbacks into compliance with exception of the requested front setback variance.

Zoning Ordinance Regulations. The current plan is out of compliance with regards to front setback. The property is zoned C-3 allowing the proposed use by the applicant; however, with right of way dedication the current front setback regulation of 40 ft cannot be met.



DESCRIPTION	Residential	Commercial	Industrial	Special
Planning Commission Review	R-1, R-2, R-3, R-4, R-5	C-1, C-2, C-3, C-4	I-1, I-2, I-3, I-4	SP-1, SP-2, SP-3, SP-4
VAR2018OCT01				
0.432737 ac.				

Requested Variance

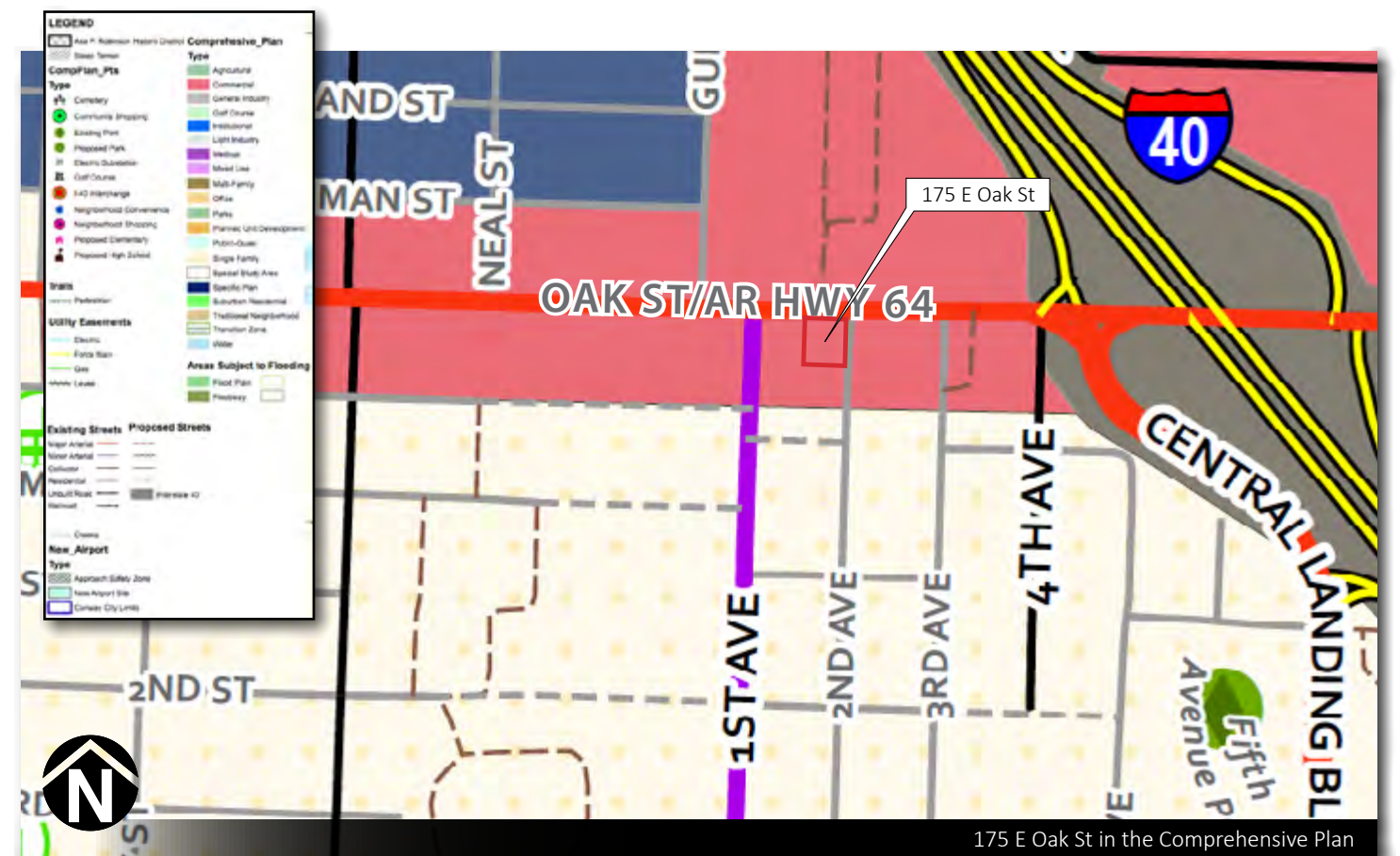
1. A 25 ft front setback along E Oak St

Suggested Variance

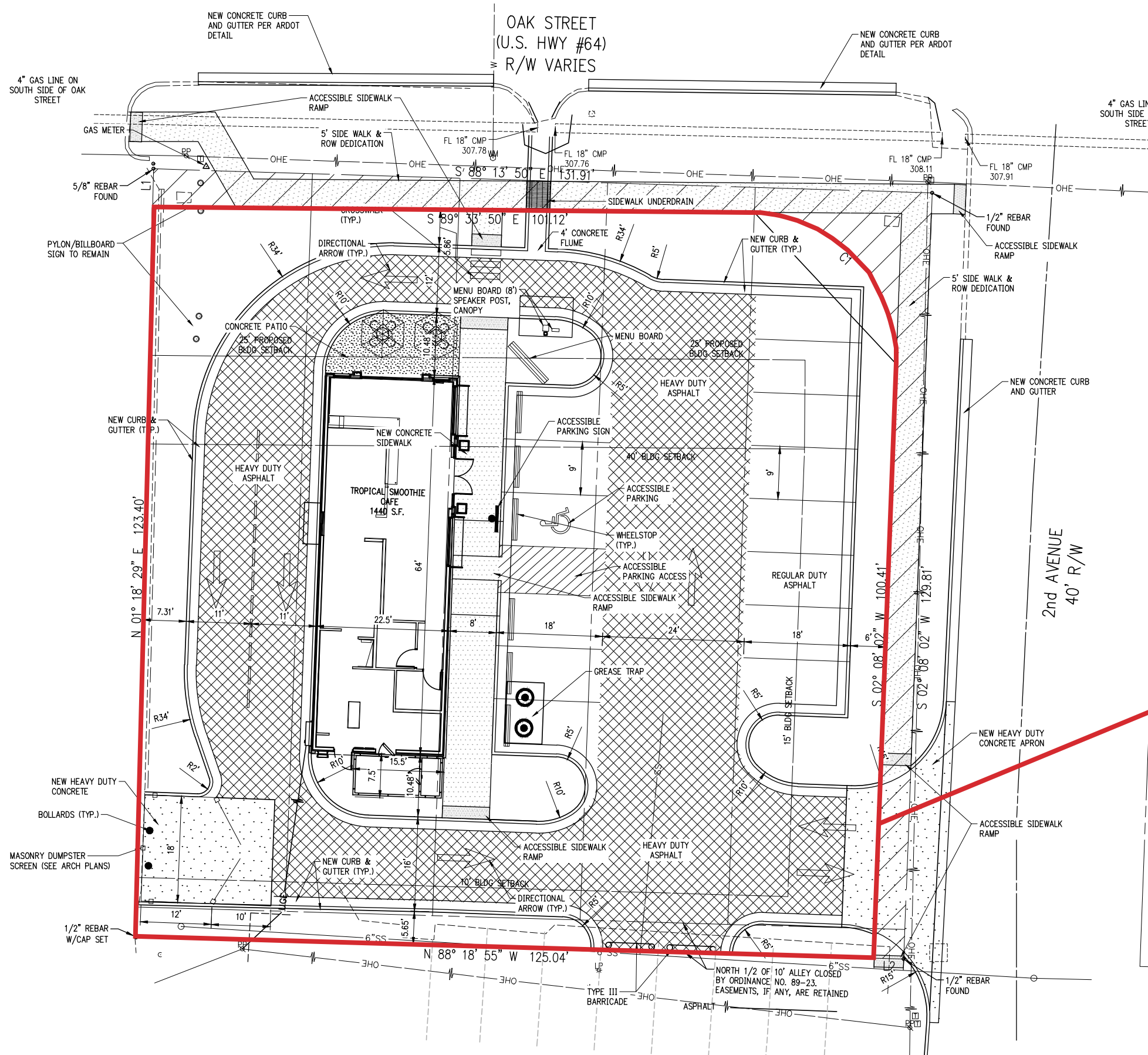
Due to the small size of the original parcel and the required platting of the property for right of way dedication along E Oak St and 2nd Ave, a reduced front setback should be allowed. With the reduced setback from 40 ft to 25 ft, the proposed structure will be 40-45ft from the curb line of E Oak St. The reduction of setback allows the property to be developed with a small drive through restaurant, while also cleaning up the multiple curb cuts along E Oak St for better overall traffic flow. Redevelopment of Oak St corridor is needed due to the overabundance of curb cuts. As smaller parcels along Oak Street redevelop, required 100 foot Oak Street right of way dedication will likely create non-compliance with the required 40 ft front setback from the property line. Oak Street redevelopment will also allow for a reduction of curb cuts and potential for cross access to surrounding properties.

Due to the benefits of the proposed project along Oak St and the redevelopment of the old gas station property, Planning Staff recommends approval of the following variance:

1. Allow a 25 foot front setback along E Oak St for the RL Hayes Replat Lots 1-5 (Tropical Smoothie).



D1 REQUEST FOR ZONING VARIANCE FOR REDUCED FRONT SETBACK - 175 E OAK ST



E1 2019 PLANNING COMMISSIONER NOMINATION/SELECTION

Two new members will be needed in 2019 to fill Jerry Rye’s and Wendy Shirar’s positions, whose terms are expiring. The two new 5 year terms will expire in 2023.

City wide representation is a desirable trait of the Planning Commission. Not including the two outgoing members, the Planning Commission consists of:
 Ward 1: 1 member
 Ward 2: 3 members
 Ward 3: 2 members
 Ward 4: 1 members
 Territorial Jurisdiction: 1 member

Both Jerry Rye and Wendy Shirar reside in Ward 4.
 Ideally, one of the new members would represent Ward 1 and the Ward 4.
 The nomination schedule below shows a window for nominee interviews and selection available between November 1 and November 18, 2018.

STEP	DATE	ACTION	DAYS PRIOR TO TERM EXPIRATION	DAYS REQ'D PRIOR TO TERM EXPIRATION
1	October 1, 2018 (Monday)	Planning Commission advertises for nominations	92	90
2	October 15, 2018 (Monday) October Planning Commission Meeting	Planning Commission discusses nomination process and creates nomination committee(s)	78	N/A
3	October 31, 2018 (Wednesday)	Planning Commission closes nomination period	62	60
4	November 1, 2018 (Thursday)	All Planning Commission nomination forms received by the deadline are sent to current Planning Commissioners		
5	November 1 to November 18, 2018	Nominee interviews, discussion and selection		
6	November 19, 2018 (Monday) November Planning Commission Meeting	Planning Commission selects and submits nominees to the City Council. Nominee choices are released to the media	43	30
7*	December 11 to December ?, 2018	City Council takes under advisement for 14 Days	?	10
8*	Meeting date not yet set Second December City Council Meeting	City Council notifies Planning Commission of action	?	---

*Second City Council meeting in December would fall on Christmas Day and will be rescheduled, but the new meeting date has not been announced yet.

PLANNING 101



The Trick-or-Treat Test: Good Urban Planning?

Here are the qualities of a neighborhood that is good for trick-or-treating:

- Walkability
- Reasonable density
- Good visibility between the street and residences
- Easily found front door
- Tree-lined streets designed for walkers more than speeding cars
- Good visual surveillance through doors, windows, and porches; “Eyes on the street”
- Connected gridded street network that allows you “read” the neighborhood easily
- Community completeness - everything you need, nearby

A cul de sac neighborhood of 6 deep-set houses off a busy major street isn’t easily trick-or-treated. A walkable neighborhood of houses set closer to the street, with easily identified front doors, good sidewalks, and traffic calmed streets makes for a much more productive and enjoyable Halloween. These neighborhoods are inviting to the passersby.

The trick-or-treat test is an informal way of gauging whether an area has the characteristics vital to good, livable, healthy communities.

Neighborhoods that make for good trick-or-treating make for good places to live in general.

Along with other factors, bad suburban design may have led in recent decades to alternative trick-or-treating trends. Suburban shopping malls advertise themselves as a replacement to unsafe suburban streets and neighborhoods with Halloween events giving out candy. The “trunk-or-treat” trend; a parking lot filled with the back ends of vans and trucks decorated in a variety of themes with games and treats is an even more auto-centric event.

The real estate site Zillow.com (<http://www.zillow.com/blog/trick-or-treat/>) using walkability data from Walkscore.com, ranked America’s most Halloween-friendly cities. Their ranking shows that walkable cities pass the “Trick or Treat Test”. If your neighborhood passes the trick-or-treat test and is one of the popular places to trick-or-treat, it could be because of good urban design.

