



CONWAY PLANNING COMMISSION

PLANNING COMMISSION MEETING

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

March 12, 2018, 7:00 pm

The regular meeting of the Conway Planning Commission was held Monday, March 12, 2018 in the Russell L. "Jack" Roberts District Court Building. The following members, being a quorum, were present and acting: Chairman Jerry Rye, Vice-Chairman Justin Brown, Rhea Williams, Dalencia Hervey, Brooks Freeman, Bryan Quinn, Wendy Shirar, and Anne Tucker. Arthur Ingram and Brandon Ruhl were absent.

Chairman Rye called the meeting order at 7:03 pm.

Chairman Rye 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 reviewed by the Planning Commission on this agenda may be considered by the City Council on March 27, 2018. 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.

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 public hearing will be closed and the item will be brought back into commission for discussion. Items decided by the Planning Commission, acting as the Board of Zoning Adjustment, are final. They do not require approval by City Council, nor can the applicant appeal a denial to City Council.

I. PUBLIC HEARING - BOARD OF ZONING ADJUSTMENT

A. Request for zoning variance to allow reduced lot width at building line for property located at 2400 Robinson Avenue

Jason Covington, 4630 Bay Hill Dr, presented the request. Mr. Covington explained the need for a minimum lot width variance to allow a narrow lot, with street frontage to be used only for a driveway to access a larger lot without street frontage farther north. He plans to build a single-family residence on the larger lot.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be approved. Anne Tucker seconded the motion. The motion passed 7-0.

II. PUBLIC HEARINGS

A. Request for conditional use permit to allow religious activities for property located at 1272 Sutton Street

Bobby French, Central Arkansas Professional Surveying, 1021 Front Street, presented the request. Mr. French explained that the church has several [4] conditional use permits for several properties in the area, but has acquired some additional property and would like to "clean up" their conditional use permits. Their plan is to

build a new church facility and he shared a site plan with the Commission. He described that the church building would face Harkrider St with primary access off Clayton St plus parking in the rear. Leona Walton [Factory St] asked a question on behalf of her mother, Helen Ticey, 1318 Clayton St. Ms. Walton asked for clarification regarding access to the new building and if it would be only from Clayton St? Bryan Patrick, Director of Planning & Development, explained that the Clayton St entrance would be the primary entrance, but not the only access.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Anne Tucker motioned that the request be forwarded to City Council for approval, including combining all the existing conditional use permits into one, with the conditions listed below. Wendy Shirar seconded the motion. The motion passed 6-1. Justin Brown voted in opposition.

Conditions

1. No external sound systems are permitted due to the site's proximity to residences.
2. Any exterior lighting must be directed inward and downward and installed in such a way that it prevents light trespass onto adjacent properties.
3. Hours of external construction are limited to 7:00am to 7:00pm due to the site's proximity to residences.
4. The Conway Historic District Commission must review and approve architecture/design and landscaping through a Certificate of Appropriateness.
5. All signage must comply with current Conway Sign Ordinance regulations.

B. Request for conditional use permit to allow Restricted Office in MF-1 zoning district for property located at 402 6th Street

Jordan Easley, 1570 Edgestone Cir, presented the request. Mrs. Easley explained that she planned to purchase the subject property and operate a newborn photography studio from the single-family residence. However, foundation concerns were discovered upon inspection and Ms. Easley withdrew her offer. As a result she asked to withdraw her request for a conditional use permit for restricted office. Bryan Patrick noted that the public hearing must be held since a written request to withdraw the item was not received within the required timeframe, but that the item could be withdrawn following that.

Chairman Rye closed the public hearing. Since the applicant requested to withdraw the item no Planning Commission action was required.

C. Request to rezone +/-51.72 acres east of Hwy 25N and south of Southshore Lane from A-1 to PUD

Jim Hawks, 123 W Cadron Ridge Rd, Greenbrier, presented the request. He stated his request to rezone the subject property, but acknowledged there were some discrepancies with proposed property boundaries. Bryan Patrick referred the Commission to his recommendation in the Staff Report that Mr. Hawks' request be held in committee until the time he could correct the property boundaries, but that the public hearing must be held. Mr. Hawks explained that the development would be similar to the North Woods subdivision immediately to the south with large, 2 to 4 acre lots; 3000 square foot homes; private drives in lieu of public streets; etc. Linda Schmidt, 14 Southshore Lane, asked about the property north of Southshore Ln that was annexed and possible city maintenance of Southshore Ln. She also requested that no driveways be allowed to access properties directly from Southshore Ln. Barbara Satterfield, 48 Southshore Ln asked about which city services will be provided to the development. Bryan Patrick clarified that the new development will be eligible for Conway Corporation power plus fire and police service, but not water or sewer. Ms. Satterfield asked to whom grievances/issues pertaining to the new development could be addressed and what codes the structures would have to meet? Mr. Patrick stated that the buildings must conform to current building codes, but beyond that, regarding covenants and restrictions, the City has no jurisdiction. Jeff Hardy, 44 Southshore Ln, described how the hillside being cleared has caused problems with water washing out driveways and filling ditches south and east of the property. He asked who is responsible for controlling/monitoring this. Bryan Patrick confirmed that silt fences are required and that the ADEQ monitors projects like this. Mr. Hawks noted that he has arrange to

clear the ditch to its original depth which should help the problem. Homer Fleisher, 54 Southshore Ln, asked how City Council makes decisions regarding major developments like this and about notification of neighboring property owners. Bryan Patrick clarified that an annexation and subdivision does not require public notification, but rezoning does. He noted that public hearing signs were posted on the property, a notice of public hearing was placed in the newspaper, and letters of notification were mailed. Mr. Patrick further explained that there is no notification required for an owner to clear his property. Larry Cole, 5 E Towering Pines, described the septic systems he has installed on his property and expressed concern that the properties being developed may not 'perc' for a septic system and that there may not be adequate run off/leeching area. Gregory Garver, spoke as an heir to Juanita Burkhart, 3245 Lakeview Acres, expressed concern for drainage and how the water running off the subject property is being handled.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be held in committee until the applicant can clarify the property boundaries. Anne Tucker seconded the motion. The Commission discussed the merit of denying the request versus holding it in committee and what was required regarding additional public information meetings. The motion passed 6-1 with Justin Brown voting in opposition.

D. Request to rezone +/-3.84 acres located east of the termination of Allyson Lane from O-2 to PUD

Chris Thornton, 1025 Reynolds Ave, presented the request. Mr. Thornton presented the Commission with a revised site plan and brochure for his proposed rezoning to PUD. The general idea is to sell 1000 square foot "slivers"/lots as tenant spaces that will be owned, not leased, for the office portion of the development. Allyson Ln will be extended and duplexes will be constructed on 9 of the 10 lots on the south portion of the property. The building and related parking/infrastructure will be completed as each owner is ready to occupy the space in succession, with no gaps. The Commission asked about a timeline for completion and what would happen if there wasn't enough interest to complete the project in a timely fashion. Mr. Thornton said his estimated timeline is 3-4 years for completion, but if that doesn't happen he would complete the project then lease the remaining spaces. Mr. Thornton explained the motivation behind the project is that a business is more valuable when being sold if it is accompanied by real estate and this avenue gives business owners the ability to own real estate without all the associated singular property, development, and infrastructure costs. Lee Cox, 821 Hogan Lane, #500, is an optometrist that is poised to be the first tenant/owner, occupying 3200 square feet [Lot 1]. Ms. Cox is in favor of the development as she would like to own her own location, but currently rents with no room for expansion. Lance McGhee, 1310 Raymond Dr, explained the history of how the proposed PUD was created. Mr. McGhee works with JC Thornton & Co and had been looking for possible locations for Dr. Cox to relocate to. Not finding a suitable or affordable [to develop] site, he suggested the development of the unique PUD.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. The Commission discussed the merit of the duplex placement so near to the office development. Dalencia Hervey motioned that the request be forwarded to the City Council with a recommendation for approval with the final development plan conditions noted below. Brooks Freeman seconded the motion. The motion 7-0.

Conditions:

1. PUD shall be generally developed as shown on the submitted site plan. Minor modifications of the submitted plan shall be allowed for technical reasons. However, the density and intent of the site plan shall be followed.
2. The PUD may be developed in phases; the office structure may be developed as suite lots are sold, the duplex portion may be developed later following construction of the office structure.
3. O-2 (Quiet Office) zoning as detailed in the Conway Zoning Ordinance shall be allowed throughout the PUD.
4. Up to 18 residential units shall be allowed within the PUD on that portion south of the Allyson Lane extension.
5. A reduction in the Development Review required 20 foot green space on the north shall be allowed. The final dimension shall be determined during the development review process.
6. Reduced setbacks, as proposed, for the residential structures shall be allowed.

- 7. PUD shall meet the minimum required 20% green space.
- 8. A minimum of 2 commercial units, 2,000 square feet, is the smallest that may be sold.

III. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

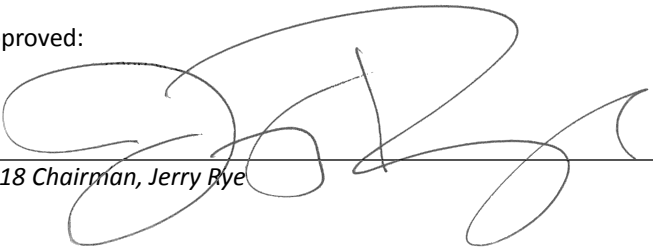
A. The following Lot Splits, Lot Mergers, and Minor Subdivisions were filed for record since the previous meeting.

- 1. Covington Commercial, Phase II (P2018-00004)
- 2. Salem Woods, Phase II (P2018-00005)

Adjournment

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

Approved:



2018 Chairman, Jerry Rye