



CONWAY PLANNING COMMISSION

PLANNING COMMISSION MEETING

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

May 21, 2018, 7:00 pm

The regular meeting of the Conway Planning Commission was held Monday, May 21, 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, Brooks Freeman, Dalencia Hervey, Bryan Quinn, Brandon Ruhl, Wendy Shirar, and Anne Tucker. Arthur Ingram and Rhea Williams were absent.

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 June 12, 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.

Minutes from the April meeting were approved unanimously on a motion made by Anne Tucker and seconded by Wendy Shirar.

I. SUBDIVISION COMMITTEE REPORT

The subdivision committee report was presented by Justin Brown.

A. Request for preliminary plat approval - Cherry Hill Phase II

The preliminary plat for Cherry Hill Subdivision Phase II was reviewed and approved by the Subdivision Committee subject to the amended punch list. Punch list items that were amended are as follows:

Street Design Requirements

16. Compliance is required with all the footnotes in Table 2, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. ***Street Classification & Design Standards #5: Curb Cut/Traffic. Conflicts - For subdivisions and replats that abut collectors, minor arterials, and major arterials, the lots shall be configured to allow curb cuts on those streets only as a final option for providing access. Applicant requests curb cuts onto Favre Lane from Lots 1, 2, and 3. The Planning Commission approved a total of 2 curb cuts for the 3 lots.***

17. 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. ***The proposed turnaround exceeds 150' from the end of the dead end street and is not a cul-de-sac which requires Conway Fire Marshall approval. The Planning Commission approved this condition, pending Fire Marshall approval.***

Lot Design Requirements

21. All existing buildings must be shown to meet the minimum setback requirements from all lot lines or they must be modified or moved to meet those setback requirements. ***The existing house on Lot 4 now faces Proposed Road, so southern lot boundary becomes the rear setback. 25' minimum rear setback is required in R-1 zone. The Planning Commission approved minimum rear building setback of less than 25'.***

II. PUBLIC HEARINGS

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.

A. Request for zoning variance to allow reduced lot depth, reduced lot area, and reduced building setbacks for property located at 1117 Donaghey Avenue

Derek Sherwood, 1117 Donaghey Ave, presented the request. Mr. Sherwood explained his plan to subdivide his lot to create a second lot which he could sell so that another single-family home could be constructed. He described asking for an easement to continue to use half of the existing parking pad for his use. Jamie Moon, 24 Smoking Oaks Rd, spoke in favor of the request describing her plan to construct a 3-bedroom, 2-bath home with Hardie Board siding as she is currently doing for 2 other new construction homes in the Old Conway area. Scott Grummer, City Planner, offered the Planning & Development Department's recommendations for the request. He described an area trend/pattern of subdividing larger lots in Old Conway to create more buildable spaces in established areas. Mr. Grummer is in favor of the request concept. Bryan Patrick, Director of Planning, clarified some modifications that will be required to the applicant's submitted proposed plat, one of which is the 10 foot right of way dedication that will be required along Donaghey Ave during the replatting process. Additionally, Mr. Patrick was not in favor of keeping the existing parking pad and splitting the use as he thinks it will lend itself to pouring more concrete to increase parking for both properties which will result in a large concrete area. Instead he suggests pushing the new lot line dividing the 2 lots to the mid-point and removing the existing pad; then creating 2 new, separate pads more appropriately placed to serve each property independently.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Brandon Ruhl motioned that the zoning variances listed below be approved including the 3 staff suggested conditions. Dalencia Hervey seconded the motion. The motion passed 6-2 with Anne Tucker and Justin Brown voting in opposition.

Zoning Variances:

1. Setbacks. Reduced setbacks for the existing residence shall be allowed as shown on the the submitted plat as modified per condition #1 [to the North 9.5'; to the West 24.16'; to the South 6.5'; to the East 6.4', after additional 10' of right-of-way is dedicated]. The Historic District Commission shall determine appropriate setbacks for the new residence.
2. Lot Area. The property may be divided as shown on the Planning Staff sketch. The Planning Director may approved minor adjustments as necessary to create the most appropriate lots.
3. Lot Depth. Lot depths shall be allowed as shown on the Planning Staff sketch. The Planning Director may approve minor adjustments as necessary to create the most appropriate lots.

Conditions attached to the variances:

1. The plat will be divided as shown on the Planning Staff sketch removing the proposed jogged property line around the existing concrete parking pad.
2. The existing concrete parking pad shall be demolished and a new, more appropriately located parking pad

shall be created to serve the existing residence. The Historic District Commission shall determine the most appropriate location for new driveway/parking pad on the newly created lot.

3. A sidewalk shall be constructed along the Weems Street frontage of the west lot as part of the new construction in the Old Conway Design Overlay District or an in-lieu fee may be paid if placement of the sidewalk is not appropriate due to trees, existing sidewalks, utilities, etc. This sidewalk construction or in-lieu fee must take place prior to issuance of a certificate of occupancy for the new residence.

B. Request for zoning variance to allow reduced rear building setbacks for property located at 855 Ellis Avenue

Chris Thornton, 1025 Reynolds Ave, presented the request. Mr. Reynolds explained his plan to construct a single-family home, but needing a little more area which is currently included in the rear utility easement. He noted that all of the utility providers have agreed and the utilities impacted have been moved.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Anne Tucker motioned that the request be approved. Brooks Freeman seconded the motion. The motion passed 8-0.

C. Request to rezone property located at 1350 Favre Lane from A-1 to R-1

Bobby French of Central Arkansas Professional Surveying, 1021 Front St, presented the request on behalf of Rush-Hal Development. Mr. French explained that the property to be rezoned is adjacent to Phase 1 of the Cherry Hill Subdivision and will become Phase 2.

Chairman Rye closed the public hearing. Bryan Quinn motioned that the request be forwarded to City Council for approval. Anne Tucker seconded the motion. The motion passed 8-0.

D. Request to rezone property located at 850 Simon Street from C-3 to PUD

Bill Adkisson, 711 Locust Ave, presented the request on behalf of Danny and Linda Linn. Mr. Adkisson explained the Linn's desire to expand [to the West] their existing metal recycling operation from their current location which is zoned PUD. Doris Hutchins, 22 Hummingbird Lane, expressed concern that the noise level not be any louder than it is currently. She also asked that the Linn's abide by the set hours of operation limitations and consider adding additional sound barrier. Robert Stone, Mockingbird Ln, expressed concern that expanding the recycling operation would create more noise, which he claims he can hear inside his garage and home. Joe Taylor, 25 Hummingbird Ln, noted that he can currently hear the noise from the recycling operation and requested the addition of a sound barrier wall and/or growing bamboo.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. In response to a question from the Commission Danny Linn described the area currently being used for car crushing and metal baling. He also explained the plan to switch to an electric bailer [from a diesel bailer] and to move the operation further West, away from nearby residences. He noted that another business [LKQ], adjacent to the Linn's property, also does car crushing, but at a higher frequency, which is contributing to the noise the area residents have described. Mr. Linn is willing to install the requested fence if it proves that it would reduce noise pollution, but not if it will not be effective as the fence will be costly. Mr. Patrick explained the City's noise ordinance and noted that he and Jason Lyon, Assistant Director of Planning & Development, visited the area that day and checked noise at multiple points in the neighboring subdivision. He confirmed that there is audible noise, but could not judge if it was a nuisance. Anne Tucker motioned that the request be forwarded to City Council with a recommendation for approval including the 12 suggested PUD Final Development Plan Conditions which were part of the initial PUD approved in 2012 [O-12-65]. Brooks Freeman seconded the motion. The motion passed 8-0.

Suggested PUD Final Development Plan Conditions [O-12-65]:

1. Hours of operation shall be from 7:00 am until 6:00 pm Monday through Friday and possibly 7:00 am to 1:00

pm on Saturday.

2. Ingress/egress. A curb cut shall be allowed on East Oak Street as presented. A drive access from Simon Street is also allowed.
3. Outdoor sound system must comply with Conway codes.
4. Metal buildings shall be allowed as part of this PUD.
5. Green space. 20% of the PUD area shall be set aside as green space/buffer as shown on the submitted site plan.
6. Signage. Any new signage shall conform with current Conway sign regulations.
7. Sidewalks, common space, and a property owner's association shall not be required.
8. An existing metal canopy can use used elsewhere on the site.
9. Driveway shall be allowed within 100 feet of the property line.
10. Site is to be used for the recycling of metal and non-ferrous materials, and the necessary and related handling of these materials as defined in the PUD application.
11. Landscaping shall be limited to 20% green space only; no further is required.
12. Parking Lot Ordinance shall not be enforced; gravel is permitted.

E. Request to rezone property located at 1550 East Dave Ward Drive from A-1 to RU-1

Mark Redder, Holloway Engineering, 200 Casey Drive, presented the request on behalf of Conway Maly Properties. Greg Smith, 28 Southerland Rd, asked the Commission to consider conditions favorable to neighboring residences when making it's decision, including a landscape border, variation of building materials, fencing, location of property entrances, and utility easement planning for ease of future development. Fred Langford, 1500 E Dave Ward Dr, owns the office buildings adjacent to the subject property to the West. Mr. Langford remarked on the design and construction process he had to go through with the City which produced "Class A" buildings. He would like the same consideration for the proposed mini-storage development, including masonry along the West facade, increased perimeter landscaping, and no fencing. Bob Leslie, 6 Southerland Rd, spoke in opposition to the request. He asked about the status of the previously proposed roundabout at E German Ln and Dave Ward Dr and echoed the requests for design consideration of previous speakers.

Chairman Rye closed the public hearing. Justin Brown motioned that the request be forwarded to City Council for approval. Anne Tucker seconded the motion. The motion passed 8-0.

F. Request for conditional use permit to allow mini-storage in an RU-1 zoning district for property located at 1550 East Dave Ward Drive

Mark Redder, Holloway Engineering, 200 Casey Drive, presented the request on behalf of Conway Maly Properties. Mr. Redder didn't have any formal plans for the proposed development, but assured the Commission that the developer would make every effort to make it as attractive as possible.

Chairman Rye closed the public hearing. Bryan Quinn motioned that the request be held in committee until drawings of the proposed development could be provided at the July 16, 2018 Planning Commission meeting. Dalencia Hervey seconded the motion. The motion passed 8-0.

III. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. The following Development Reviews were completed since the last meeting

1. Old Conway Village, Pine Street area

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

1. Bradley Place Subdivision Replat Lot 19 (P2018-00011)
2. Tree Farm Addition Correction Plat (P2018-000013)
3. Candlewood Suites Replat (P2018-000014)
4. Cadron Valley Estates Replat (P2018-00015)

- 5. Westin Estates Replat Lot 6-R (P2018-00016)

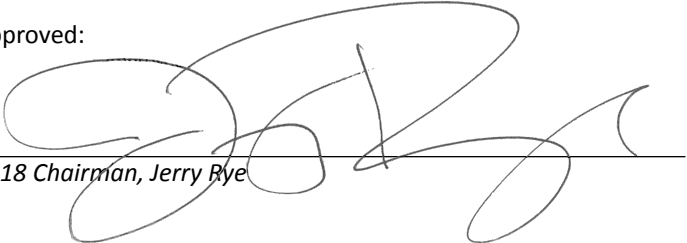
C. Lot Splits, Lot Mergers, and Minor Subdivisions were submitted for review since the previous meeting.

- 1. Westin Estates Replat Lot 6A (SUB2018APR02)
- 2. Elry's Addn Replat (SUB2018APR03)
- 3. Guardsmart SW Addition (SUB2018APR04)
- 4. Audobon Place Replat (SUB2018APR05)
- 5. Shelton Subdivision (SUB2018APR06)
- 6. Allens Subdivision (SUB2018APR07)
- 7. South Sterling PUD Final (SUB2018MAY01)
- 8. Tyler Manor Subdivision (SUB2018MAY02)
- 9. Mayor's Place Replat Lot 3 (SUB2017DEC08)

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 Justin Brown.

Approved:



2018 Chairman, Jerry Rye