



# CONWAY PLANNING COMMISSION

## PLANNING COMMISSION MEETING

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

**August 20, 2018, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, August 20, 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, Arthur Ingram, Bryan Quinn, Brandon Ruhl, Wendy Shirar, Anne Tucker, and Rhea Williams.

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 August 28, 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](http://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 July meeting were approved unanimously on a motion made by Bryan Quinn and seconded by Wendy Shirar.

### **I. SUBDIVISION COMMITTEE REPORT**

The subdivision committee report was presented by Justin Brown.

#### **A. Request for preliminary plat approval extension - Zion Replat**

A one-year extension of the preliminary plat for Zion Temple was approved by the Subdivision Committee. The plat will now expire 8/2/19.

#### **B. Request for preliminary plat approval extension - North View Estates PUD, Phase 1**

A one-year extension of the preliminary plat for North View Estates PUD, Phase 1 was approved by the Subdivision Committee. The plat will now expire 4/17/19.

#### **C. Request for preliminary plat approval - Winterbrook Phase III**

The preliminary plat for Winterbrook Subdivision Phase III was reviewed and approved by the Subdivision Committee subject to the completed punch list.

### **II. PUBLIC HEARINGS**

**A. Request for conditional use permit to allow religious activities in R-2A zoning district for property located at 615 Faulkner Street**

Steve Norris, 2018 Caldwell St, presented the request. Mr. Norris explained that Robinson & Center Church of Christ had acquired the property, adjacent to the Church's property, and hoped, in the future, to restore the house and use it for church offices. Additionally, the rear of the property is currently being considered as a location for a free-standing carport to house a church van which would require both a conditional use permit and Historic District Commission approval.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be forwarded to the City Council for approval, with the conditions listed below. Anne Tucker seconded with the motion. The motion passed 9-0.

Conditions attached to the motion:

1. The residence may not be demolished without seeking Historic District Commission approval.
2. Large passenger van/bus parking must be at the rear of the property.

**B. Request to rezone property located South of Irby Dr and North of Winterbrook Phase II 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 II of the Winterbrook Subdivision and will become Phase III. Mary Humphreys, 1745 Penny St, asked where the entrances and exits for the new phase would be located. Winterbrook Phase III will connect directly to Irby Dr, to St. John's Subdivision via Bison Dr, and to Winterbrook Phase II by extension of Briley Dr and Winterbrook Dr.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Brandon Ruhl motioned that the request be forwarded to City Council for approval. Wendy Shirar seconded the motion. The motion passed 9-0.

**C. Request to rezone +/-2.16 acres located at the NE corner of the intersection of Trison Ln and Bill Lucy Dr**

Larry Freyaldenhoven, 1595 Trison Ln, presented the request.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. Arthur Ingram motioned that the request be forwarded to City Council with a recommendation for approval. Anne Tucker seconded the motion. The motion passed 9-0.

**D. Request to rezone property located at 1295 E German Ln from R-1 to R-2**

Chris Siler, 1513 E German Ln, presented the request on behalf of property owner, Geraine Lackey. Mr. Siler noted that several properties on E German Ln are being developed with duplexes and that this property would be a good fit for similar development.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. There was some discussion regarding traffic and additional drives onto E German Ln as duplexes require individual lots whereas multi-family allows multiple units on one lot. Bryan Quinn motioned that the request be forwarded to City Council for approval. Brandon Ruhl seconded the motion. The motion passed 7-1-1. Anne Tucker voted in opposition and Rhea Williams abstained.

**E. Request to rezone property located at 364 and 375 Denison St from R-2 to MF-3**

Stan Stapleton, 908 Otto Rd, presented the request. Mr. Stapleton noted the property's proximity to UCA and the recent rezoning of adjacent property to the North to MF-3. It is his opinion that the property is ideal for an apartment community, especially if it could be developed in conjunction with the property immediately to the North. Mr. Stapleton recalled the failed rezoning attempt of the same property in 2017 due to fear of flooding concerns by neighbors. He explained that he, along with The Tyler Group, has developed a site plan for a

potential development that addresses the drainage concerns. David White with the Tyler Group spoke in favor of the request. He explained that the proposed site design exceeds the City of Conway's minimum stormwater detention requirement. Building multiple story units provides more space for more detention. Spencer Pearson, 831 Ash Street, shared concerns about area drainage problems on behalf of his father, Rod Pearson, 2620 Bruce Street. Mr. Pearson read a letter prepared by Rod Pearson that stated additional high-density development in the area without sufficient drainage improvements would aggravate existing drainage problems. Through the years new developments in the area have been raised above existing properties, creating drainage issues and flooding concerns for lower lying, pre-existing properties. Marcus Maltbia, 2623 W Martin St, also shared concerns regarding area drainage problems. Both gentleman shared photos showing the properties during periods of heavy rain. There was discussion regarding cleaning of the ditches on W Martin Street, but Mr. Maltbia said that culvert replacements were also needed to solve the problem. Neil Reed with the City of Conway Street & Engineering Department, stated the he was not aware of any planned street or drainage improvements in the area. He explained the City of Conway's post-development drainage requirement as no more than the 10-year storm level pre-development. He said that the drainage ordinance is being updated to increase development requirements, but it will likely not be in effect until early 2019. Mr. Reed noted that the need to increase downstream capacity is separate from the need to keep area drainage ditches clean and open. Mr. Stapleton shared a booklet of weather data and photos from a period of recent heavy rainfall, October 11-17, 2017 to show how his property handles stormwater. Mr. Maltbia asked that a plan to solve the area drainage problems be developed. Mr. Stapleton agreed to pay to have the ditches on both sides of W Martin Street, between Denison St to Hubbard Rd, cleaned out.

Chairman Rye closed the public hearing and brought the item back before the Planning Commission for discussion. The Commission noted that the area drainage problems were more the responsibility of the City than that of the property owner so long as any developer does not increase post-development discharge from his site. Bryan Quinn motioned that the request be forwarded to City Council for approval. Brandon Ruhl seconded the motion. The motion passed 6-3 with Rhea Williams, Arthur Ingram, and Justin Brown voting in opposition.

### III. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

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

1. Keller Johnson Offices, 810 N Creek Dr
2. Zion Temple Church, 850 Pine St

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

1. Boulevard Addition Replat (P2018-00041)
2. Elry's Addition Replat (P2018-00042)

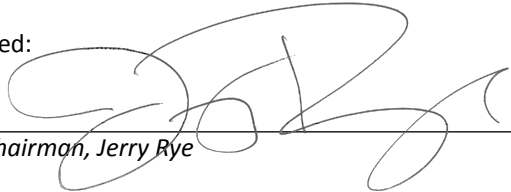
#### C. Lot Splits, Lot Mergers, and Minor Subdivisions were submitted for review since the previous meeting.

1. Willow Oak Manor Final (SUB2008JUL01)
2. Princetone Replat (SUB2018JUL02)
3. Lenderman Addition (SUB2018JUL03)
4. Landmark Medical (SUB2018JUL04)
5. Carmichael Place Finale (SUB2018JUL05)

### 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:

  
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 2018 Chairman, Jerry Rye