

The regular meeting of the Conway Planning Commission was held Tuesday, February 18, 2020 in the Russell L. "Jack" Roberts District Court Building. The following members, being a quorum, were present and acting: Rebekah Fincher, Brooks Freeman, Dalencia Hervey, Arthur Ingram, Brandon Ruhl, Latisha Sanders-Jones, Brian Townsend, Anne Tucker, and Rhea Williams. Drew Gainor was absent.

Minutes from the January meeting were approved 8-0 on a motion made by Rebekah Fincher and seconded by Rhea Williams.

I. PUBLIC HEARINGS

A. Request to annex 18.93 acres +/- in Cedar Park Estates along Tollantusky Lane and Cadron Settlement Lane

This item was tabled in January and withdrawn by the applicant prior to the public hearing.

B. Request for zoning variance for reduced side setback for property located at 705 Davis St

Levi Hill, Assistant Director of Planning, explained that the site is currently developed for a single-family residence and that the applicant is proposing to build a 216 sf cabana. Applicant wants to eliminate the side setback requirement where a 5 foot setback is typically required. Applicant didn't identify any unusual topographical constraints or special conditions. Property is 15,000 sf with no size constraints. Arkansas Fire Prevention Code requires 10 ft separation between all buildings; allowing this setback would create an unnecessary hardship on the neighboring property owner to meet requirements in the future. Staff recommends denial of variance. Discussion of layout of backyard and where proposed cabana would be built. The current brick wall meets city standards for building, but the cabana would not due to being too close to or tied into the wall and would not adhere to Fire Code. Niki Thompson (2759 Carl Stuart Dr) appeared to speak in favor of the project and is the contractor/designer. There were no questions for Mrs. Thompson. No one spoke in opposition to the project. Brought back into Commission for discussion. Mrs. Thompson was asked if she had spoken to neighbors and she informed the Commission that when she completed the original project last summer that the neighbors had no issues. The Commission asked about the size of the cabana being smaller or reconfigured, she replied that it works better from that design standpoint. When asked about an alternate design if this one wasn't approved, she replied that she would try but this design was to help the owner with shade for his pool. Levi Hill was asked to explain the burden this would place on neighboring property owners. He replied there must be 10 ft separation between buildings and any future building would have to be backed off a further 5 feet if this proposal was built. When asked about trying to get the owner to sign off on that Levi Hill replied that isn't something the Planning Department does due to not being able to control property ownership; the brick wall is the property line and is already within that 5 ft setback. It was suggested to change the depth from 9 ft to 7 ft. She replied she didn't think about it, but she could look into it.

The public hearing was closed and presented to the Commission for discussion. A motion to approve the variance, made by Rebekah Fincher and seconded by Rhea Williams, failed 3-4-2. Brian Townsend, Dalencia Harvey and Brooks Freeman voted for and, Arthur Ingram, Latisha Sanders-Jones, Anne Tucker, and Rhea Williams voted in opposition; Rebekah Fincher and Brandon Ruhl abstained.

C. Request for zoning variance for reduced side and rear setbacks and reduced minimum lot depth for property located at 237 Locust Ave

Levi Hill explained that the lot is currently a duplex and the applicant is wanting to split the lot to create an additional buildable lot to the west of the duplex. Many variances are needed. Applicant is requesting a reduced rear setback from 20 ft to 6 ft for the existing duplex, a reduced exterior setback from 25 ft to 13 ft from the Bruce St frontage of existing duplex, and a reduced lot depth from 100 ft to 65 feet for the proposed Lot A. The location of the property is in the Old Conway Design Overlay District and the lot is a corner lot. The staff recommend approval of the request with conditions as

granting the variance request will not harm adjacent property owners and meets code standards. Commission asked is intent of split was for more duplexes or a single family due to the zoning classification change. Levi Hill replied that at this time it could be either and traffic impact would be normal. Aaron Knight (1110 Neal St) spoke in favor of the request answering that it would be for a single-family structure. Larry Naysmith (1369 Bruce St) is the property owner bordering to the west who is not speaking for or in oppose but had a question. He wanted to understand before he had a position, how would traffic flow be impacted. He spoke to the stop sign helping reduce wrecks and mentioned drainage. He wanted to know about traffic impact coming off of Bruce St and sharing driveways. Discussion of cutting the curb off of the entrance on Bruce St and a shared drive was mentioned by the Council. The detached garage on the property will be destroyed immediately per Mr. Knight.

The public hearing was closed and presented to the Commission for discussion. The request was approved, with 3 conditions, 8-0 on a motion made by Brian Townsend and seconded by Rhea Williams; the chairman did not vote.

Conditions:

1. The applicant shall be required to replat the property for the variance to become effective.
2. The property must be rezoned to R-2 for the variance to become effective.
3. The applicant must remove the detached garage from the property for the variance to become effective.

D. Request for zoning variance for reduced side and rear setbacks and reduced minimum lot depth for property located at 237 Locust Ave

Levi Hill explained the rezone request from R-2A to R-2. Primary changes would be reduced lot area and frontage requirements. This will allow the variances to be in effect. Staff recommend approval of the zoning stating it will not cause harm to surrounding properties.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, 8-0 on a motion made by Latisha Sanders-Jones and seconded by Rebekah Fincher; the chairman did not vote.

II. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

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

1. Orso Vista Apartments, 345 Denison St.
2. Conway Housing Authority Office Renovation, 335 S Mitchell St.
3. Hambuchen Industrial Building, 1170 Dons Ln.
4. June Beene Apartments, Phase 4, 2535 Donaghey Ave.

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

1. Addi's Place Replat [county] (P2020-00001)
2. Coyote Ridge, Phase 2 [county] (P2020-00002)
3. Replat Lot 17R, Timbercrest Addition [county] (P202000003)
4. Lenderman Dental Addition (P2020-00004)
5. Replat Lot 1, Miss Toby's County Corner (P2020-00005)
6. Bell Urban Farm Subdivision (P2020-00006)
7. Replat Lots 1-5, Block 1, R.L. Hayes Addition (P2020-00008)
8. Eugene S. Gaxiola, Sr. Subdivision (P2020-00009)

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

1. Linn's Subdivision Replat (SUB2020JAN03)
2. Replat Lot 11, Block 7, Davies & Garvins (SUB2020FEB01)
3. Waterworks Subdivision (SUB2020FEB02)
4. Replat Lot 2, Hickory Ridge Subdivision (SUB2020FEB03)
5. Ingram Village Replat (SUB2020FEB04)

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 Brooks Freeman.

Approved:



2020 Chairman, Brandon Ruhl