



JUNE

Conway Planning Commission Staff Report

7:00pm • June 17, 2019 • 810 Parkway Avenue

CONWAY PLANNING COMMISSION

Justin Brown, Chairman

Brandon Ruhl, Vice-Chairman

Dalencia Hervey, Secretary

Brooks Freeman

Arthur Ingram

Bryan Quinn

Latisha Sanders-Jones

Brian Townsend

Anne Tucker

Rhea Williams

Contact the Conway Planning Commission at planningcommission@cityofconway.org

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 **June 25, 2019**.

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, conwayarkansas.gov.

CONWAY PLANNING COMMISSION AGENDA

June 17, 2019 • 7:00 pm • 810 Parkway Street

Call to Order. Chairman, Justin Brown

Approval of Minutes. May 20, 2019

- I. **Subdivision Committee Report** *Subdivision Committee will meet prior to the Planning Commission at 6:30 pm in City Hall*
 - A. Request for Preliminary Plat Approval of North View Estates, Phase I (SUB2019APR04)
- II. **Public Hearings - Rezoning, Conditional Use Permit, Zoning Variance, etc.**
 - A. Request to rezone from O-1 to PUD - 3725 College Avenue
- III. **Discussion**
 - A. Additional items as decided by the Planning Commission

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:

Development Reviews

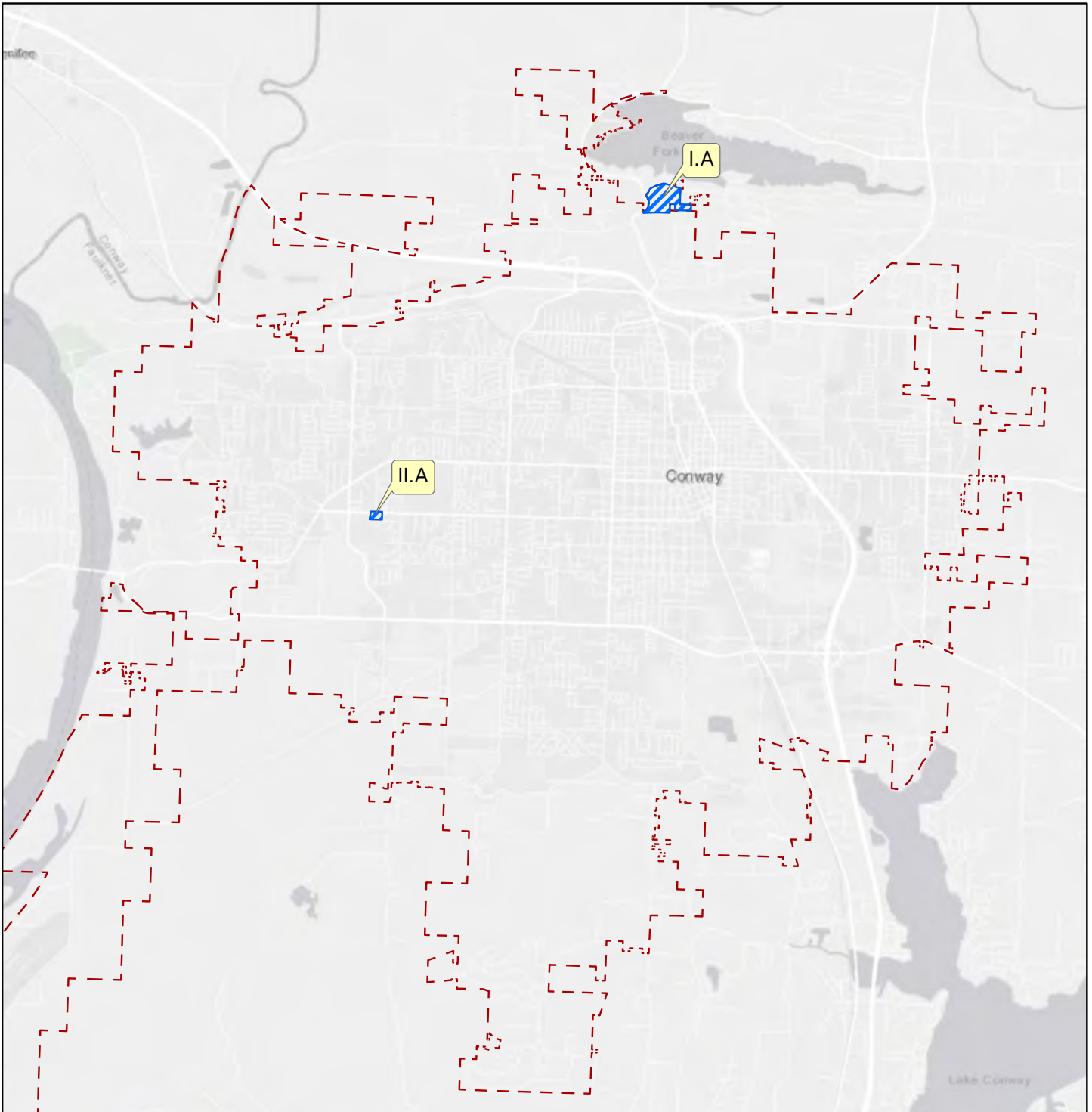
- I-40 Storage Expansion, 400 S. Amity Rd. (SIT2019MAR02)
- Sissy's Log Cabin, 820 Elsinger Blvd. (SIT2019MAY01)

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

- Replat Lot 4, Lewis Ranch Phase 2 (P2019-00022)
- Quality Subdivision (P2019-00023)
- Replat Tommy Lewis Addition, Phase 1 (P2019-00024)
- Candlewood Cove Subdivision (P2019-00025)
- Crow Estates (P2019-00026)
- Lot 1, Ridgemere Addition (P2019-00028)
- Replat Lots 121-124, 247, Fildar's Addition (P2019-00029)

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

- The Plaza at Centerstone (SUB2019MAY05)



I. Subdivision Committee Report Subdivision Committee will meet prior to the Planning Commission at 6:30 pm in City Hall
A. NorthView Estates Prelim Plat (SUB2019APR04)

II. Public Hearings - Rezoning, Conditional Use Permit, Zoning Variance, etc.
A. Fifty Cent LLC rezone to O-1 to PUD (2019REZJUN01)

I.A REQUEST FOR PRELIMINARY PLAT APPROVAL - NORTH VIEW ESTATES PUD

REQUEST FOR PRELIMINARY PLAT APPROVAL OF NORTH VIEW ESTATES PUD, PHASE I

APPLICANT

Tyler Group
240 Skyline Drive, Suite 300
Conway, AR 72032

OWNER

Hawks Investment Company

STAFF REVIEW BY

Levi Hill, Assistant Director

SITE DATA

Location. Southeast corner of Friendship Road and Southshore Lane.

Site Area. 49.53 acres

Current Zoning. PUD (Planned Unit Development).

Existing Structures. None.

Overlay. None.

Request. The applicant is requesting preliminary approval of an 18 lot subdivision located at the southeast corner of Friendship Road and Southshore Lane. The proposed lots would range from 1.81 acres to 4.12 acres, consistent with the approved PUD. Access would be provided via Southshore Lane and a new private road extending east from Friendship road along with two proposed public access easements.

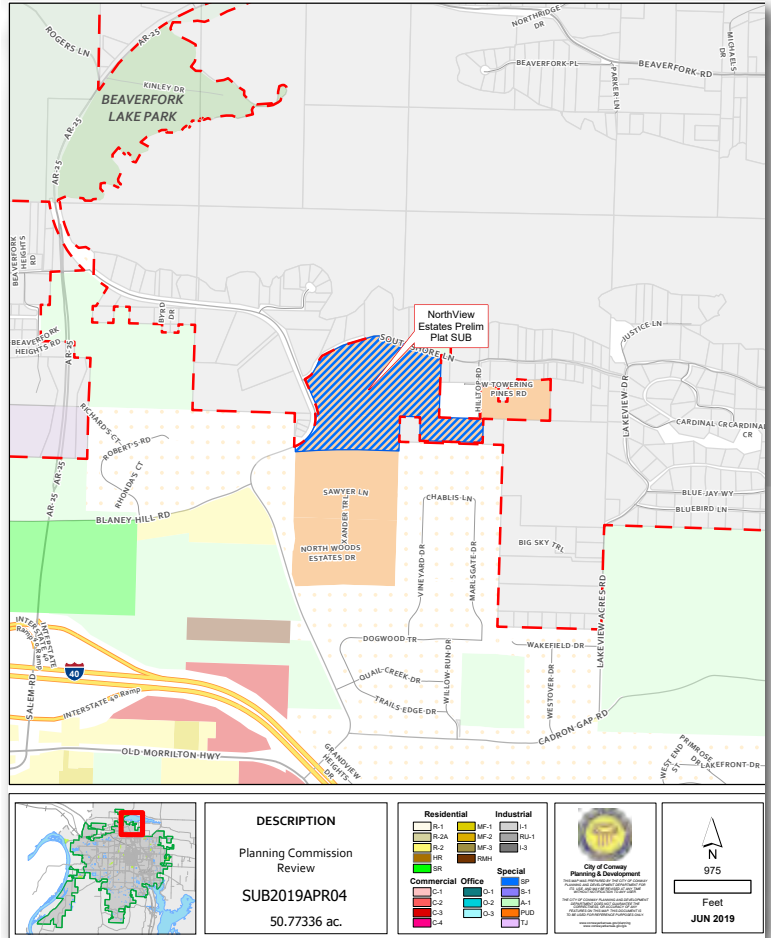
As proposed, the new private road would extend beyond the maximum allowed distance of 1,120 feet before terminating in a cul-de-sac. The applicant is requesting a waiver from the distance requirement and the preliminary plat currently proposes a road distance of 2,014 feet before terminating. Staff notes that Fire Department approval is required for any cul-de-sacs exceeding a length of 750 feet.

Waivers Requested; Planning Commission action is required for the following:

1. Cul-de-sac exceeding 1,120 feet. (Article IV: Sec. 5(a)(8)(b))
2. Block exceeding 1,500 feet. (Article IV: Sec. 5(e)(4))
3. Creation of double frontage lots. (Article IV: Sec. 7(f)(7))

STAFF RECOMMENDATIONS

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval. The proposed lot sizes and frontage widths are generally consistent with the requirements of the PUD zoning district.



CITY OF CONWAY PLANNING & DEVELOPMENT DEPARTMENT NORTH VIEW ESTATES PUD PHASE I

The following lists the items that are reviewed by the Conway Planning Department for the changes and/or additions as required by the applicable provisions of the Conway Subdivision Ordinance.

CORRECTIONS NEEDED ON THE PLAT

1. Show all hydrant locations.
2. Set two new CAGIS monuments.
3. Provide planting easement or wall for lots 1, 7, and 13.
4. Corrections as noted on Preliminary Plat.
5. Department of Health shall approve all Septic Systems prior to filing final plat.

CONDITIONS

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. Approved improvement plans for each new utility system shall be obtained prior to submission of final plat and authorization to proceed.

continued on page 5





Aerial View of North View Estates PUD Phase I

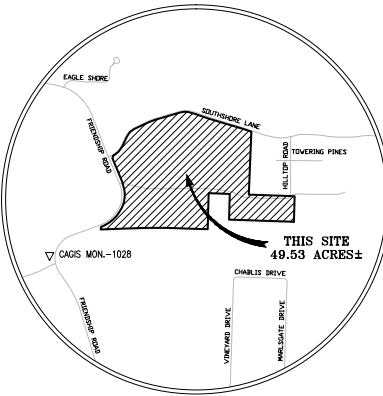


North View Estates PUD Phase I in the Comprehensive Plan

I.A REQUEST FOR PRELIMINARY PLAT APPROVAL - NORTH VIEW ESTATES PUD

LMN CHART

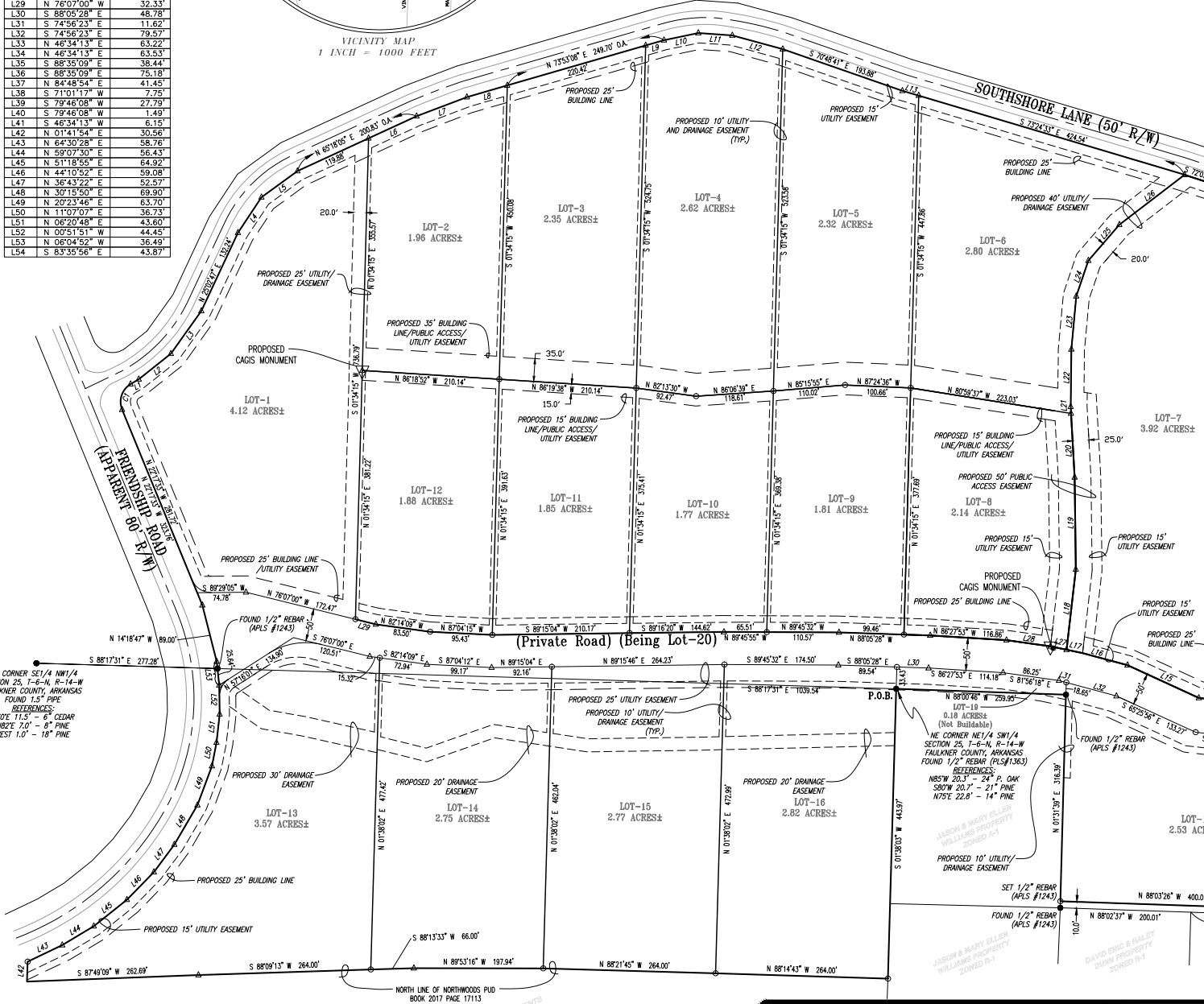
LINE	BEARING	DISTANCE
L1	N 59°09'02" E	14.53'
L2	N 51°31'14" E	62.89'
L3	N 35°28'22" E	86.39'
L4	N 33°30'06" E	65.13'
L5	N 53°58'02" E	68.23'
L6	N 65°18'05" E	80.95'
L7	N 69°09'53" E	82.37'
L8	N 74°07'24" E	64.21'
L9	N 73°53'08" E	29.28'
L10	N 78°15'15" E	53.71'
L11	S 85°00'21" E	52.20'
L12	S 74°43'39" E	79.96'
L13	S 73°26'27" E	26.11'
L14	N 83°35'56" W	31.94'
L15	N 65°20'51" W	120.04'
L16	N 74°26'23" W	71.29'
L17	N 78°09'37" W	25.11'
L18	N 06°35'24" E	123.93'
L19	N 00°45'13" W	140.95'
L20	N 03°10'43" W	97.98'
L21	N 03°10'43" W	10.23'
L22	N 00°42'14" E	87.98'
L23	N 05°15'22" E	81.66'
L24	N 18°42'27" E	57.46'
L25	40°47'12" E	72.76'
L26	N 52°32'09" E	125.55'
L27	N 78°09'37" W	25.11'
L28	N 81°56'18" W	68.14'
L29	N 78°07'00" W	32.33'
L30	S 88°05'28" E	48.78'
L31	S 74°56'23" E	11.62'
L32	S 74°56'23" E	79.57'
L33	N 48°34'13" E	63.22'
L34	N 48°34'13" E	63.53'
L35	S 88°35'09" E	38.44'
L36	S 88°35'09" E	75.18'
L37	N 84°48'54" E	41.45'
L38	S 71°01'17" W	7.75'
L39	S 79°46'08" W	27.79'
L40	S 79°46'08" W	1.49'
L41	S 46°54'13" W	6.51'
L42	N 01°41'54" E	30.56'
L43	N 64°30'28" E	58.76'
L44	N 59°07'30" E	56.43'
L45	N 51°18'55" E	84.92'
L46	N 44°10'53" E	59.08'
L47	N 36°43'22" E	52.57'
L48	N 30°15'50" E	69.90'
L49	N 20°23'46" E	63.70'
L50	N 11°07'07" E	36.73'
L51	N 06°20'48" E	43.60'
L52	N 00°51'51" W	44.45'
L53	N 06°04'52" W	36.49'
L54	N 83°35'56" E	43.87'



Legal description for North View Estates P.U.D. Phase I
Being a part of the SE1/4 NW1/4, a part of the SW1/4 NE1/4, a part of the NW1/4 SE1/4, and a part of the NE1/4 SW1/4 all in Section 25, T-06-N, R-14-W, Faulkner County, Arkansas as follows:

Beginning at the NE corner of said NE1/4 SW1/4 Section 25, T-06-N, R-14-W, thence S01°38'03"W 443.97 feet; thence N88°14'43"W 264.00 feet; thence N88°21'45"W 264.00 feet; thence S88°13'33"W 66.00 feet; thence S88°09'13"W 264.00 feet; thence S87°49'09"W 262.69 feet; thence N01°14'54"E 30.56 feet to the Easterly right of way of Friendship Road; thence following the following courses: N64°30'28"E 58.76 feet; thence N59°07'30"E 56.43 feet; thence N51°18'55"E 84.92 feet; thence N44°10'52"E 59.08 feet; thence N36°43'22"E 52.57 feet; thence N20°23'46"E 63.70 feet; thence N11°07'07"E 36.73 feet; thence N06°20'48"E 43.60 feet; thence N00°51'51"W 44.45 feet; thence N06°04'52"W 36.49 feet; thence N14°18'42"W thence leaving said right of way of Friendship Road along a curve to the right with a radius of 31.50 feet, a chord bearing of N18°25'45"E, a chord length of 41.10 feet to the Lane; thence continuing along said right of way of Southshore Lane the following courses: N59°09'02"E 14.53 feet; thence N51°31'14"E 62.89 feet; thence N35°28'22"E 86.39 feet; thence N33°30'06"E 65.13 feet; thence N53°58'02"E 68.23 feet; thence N65°18'05"E 80.95 feet; thence N69°09'53"E 82.37 feet; thence N74°07'24"E 64.21 feet; thence N73°53'08"E 29.28 feet; thence N78°15'15"E 53.71 feet; thence S85°00'21"E 52.20 feet; thence S74°43'39"E 79.96 feet; thence S73°26'27"E 26.11 feet; thence S74°26'23"W 71.29 feet; thence S72°07'00"W 32.33 feet from a found chain leg; thence leaving said right of way S02°14'53"W 77.90 feet; thence S87°57'49"E 564.70 feet; thence S01°34'13"W 315.02 feet to a set 1/2" rebar (APLS #1243); thence N88°03'26"W 400.01 feet to a set 1/2" rebar (APLS #1243); thence N01°31'39"E 316.39 feet to a found 1/2" rebar (APLS #1243) point of beginning, having an area of 49.53 acres more or less.

Subject to all roadways, easements and reservations that are of record or physically in place.



COORDINATE CHART: (FOUND CAGIS MONUMENTS)
Adjusted Arkansas State Plane Coordinates
(NAD-83 (1997)) AS DETERMINED BY GPS.

CAGIS MONUMENT	NORTHING	EASTING	ELEVATION
1028	288723.76	117451.79	419.92

LEGEND

- FOUND IRON PIN
- SET 1/2" REBAR (APLS#1243)
- FOUND MONUMENT (AS NOTED)
- △ CALCULATED POINT
- ⊕ POWER POLE
- O—E OVERHEAD ELECTRIC

CURVE CHART

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	31.50'	44.78'	41.10'	N 18°25'45" E	81°26'35"
C2	50.00'	39.68'	38.64'	N 69°18'12" E	45°27'58"
C3	50.00'	32.38'	31.82'	N 65°07'26" E	37°06'26"
C4	60.00'	168.50'	120.00'	N 87°57'49" W	180°00'00"
C5	80.00'	237.37'	159.39'	N 87°57'49" W	170°00'25"

PROJECT TITLE: NORTH VIEW ESTATES P.U.D. PHASE I

BEING A PART OF THE SE1/4 NW1/4, A PART OF THE SW1/4 NE1/4, A PART OF THE NW1/4 SE1/4, AND A PART OF THE NE1/4 SW1/4, SECTION 25, T-06-N, R-14-W, FAULKNER COUNTY, ARKANSAS

INT.	DATE	DESCRIPTION
	8/29/17	REVISIONS BA
	4/5/18	REVISIONS BA
KTS	6/5/18	ADDED PHASIN
KTS	8/30/18	ADDED CUL-D
PBH	12/5/18	ADRESSED C

NORTH VIEW ESTATES P.U.D. P

Lying in Section 25, T-6-N, R-14-W
Faulkner County, Arkansas more particularly described

...00 feet; thence N89°53'16"W 197.94 feet;
thence continuing along said right of way
thence N30°15'50"E 69.90 feet; thence
89.00 feet; thence N22°17'33"W 323.76 feet;
to the Southern right of way of Southshore
feet; thence N25°02'47"E 132.24 feet; thence
249.70 feet; thence N78°15'15"E 53.71 feet;
03°01'E 94.85 feet to a point N02°14'53"E 5.60
feet (APLS #1243); thence N88°03'26"W 399.87
feet (APLS #1243); thence N88°00'46"W 259.95 feet to the

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 all streets shown are a private 50 foot wide access, drainage and utility easement owned by the property owners association.

Date of Execution: _____

Owner/Developer:
Hawks Investments Company
2111 East German Lane
Conway, AR 72032

Source of Title: Book 2015 Page 14671

Certificate of Preliminary Surveying Accuracy

I Timothy P. Tyler, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

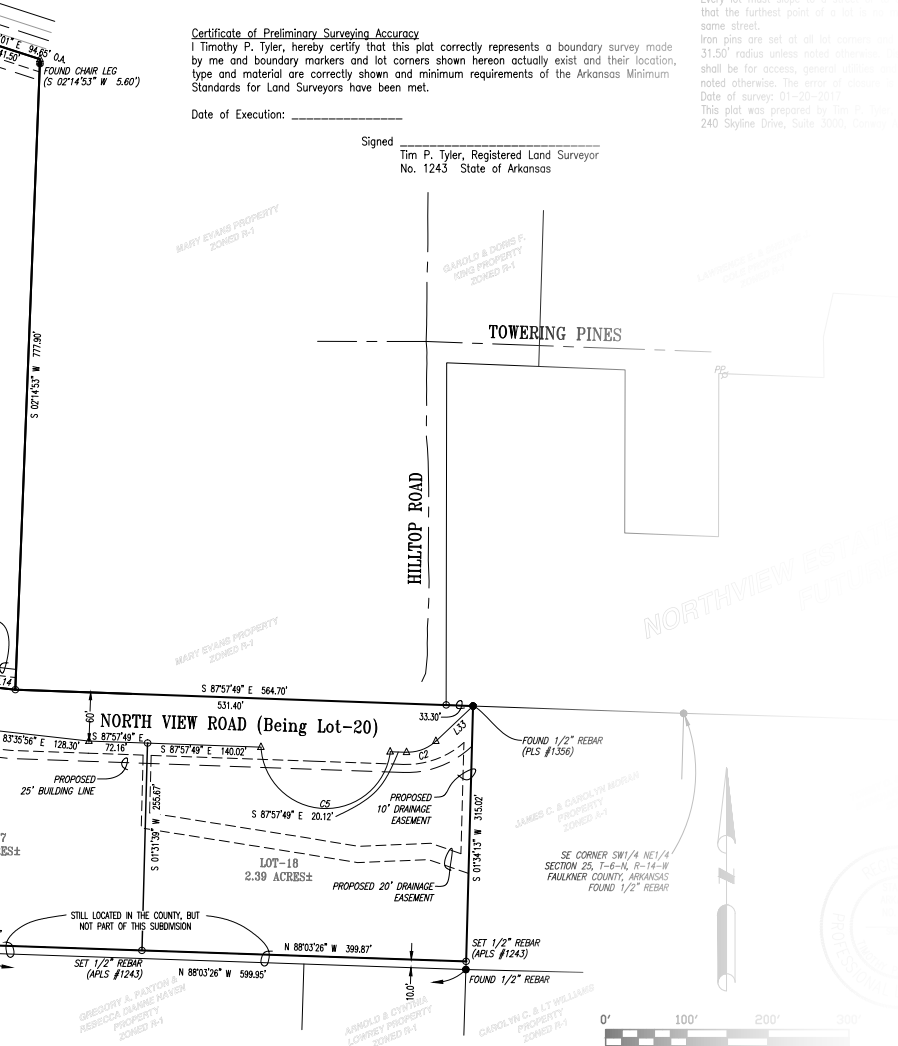
Date of Execution: _____

Certificate of Preliminary Plat Approval
This plat has been given preliminary approval for recording purposes as a preliminary plat.

Date of Execution: _____

This property is serviced by _____
Faulkner County. Sewer will be _____

Notes:
Every lot must slope to a street or easement so that the furthest point of a lot is within 100 feet of some street.
Iron pins are set at all lot corners.
31.50' radius unless noted otherwise.
This plat shall be for access, general information and not for record.
Date of survey: 01-29-2019
This plat was prepared by Tim P. Tyler
240 Skyline Drive, Suite 3000, Conway, AR 72032



DATE OF REVISION MADE	DATE:	4-2-2019
REVISION 1: AS PER CITY OF CONWAY LETTER DATED APRIL 20, 2017	SCALE:	1 INCH EQUALS 100 FEET
REVISION 2: AS PER CITY OF CONWAY COMMENTS DATED FEBRUARY 6, 2018	PROJECT JOB NO.:	116-0312 / HAWKS
REVISION 3: AS PER CITY OF CONWAY COMMENTS DATED FEBRUARY 6, 2018	DRAWN BY:	KTS
REVISION 4: AS PER CITY OF CONWAY COMMENTS DATED FEBRUARY 6, 2018	REVIEWED BY:	RPG
REVISION 5: AS PER CITY OF CONWAY COMMENTS DATED FEBRUARY 6, 2018	STATE CODE:	500-06N-14W-0-25-104-23-1243
REVISION 6: AS PER CITY OF CONWAY COMMENTS DATED FEBRUARY 6, 2018	SHEET NO.:	1 OF 1

DATE:	4-2-2019
SCALE:	1 INCH EQUALS 100 FEET
PROJECT JOB NO.:	116-0312 / HAWKS
DRAWN BY:	KTS
REVIEWED BY:	RPG
STATE CODE:	500-06N-14W-0-25-104-23-1243
SHEET NO.:	1 OF 1



- A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat.
- 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. *Preliminary Plat Approval conditioned upon Fire Department approval of access and turn around requirements for new street.*
- Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is no more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
- Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.
- Utility easements as required Conway Corporation are needed.
- Drainage easements as required by the City Engineer are needed. (p. 33)
- All other applicable provisions of the City of Conway Subdivision Ordinance (O-00-03) shall be satisfied and accounted for prior to Preliminary Plat approval.
- In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.
- Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.
- Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. The Northview Estates PUD Phase I Preliminary Plat will expire on 4/30/2020.

II.A REQUEST TO REZONE FROM O-1 TO PUD - 3725 COLLEGE AVENUE

REQUEST TO REZONE 3725 COLLEGE AVENUE FROM O-1 TO PUD

APPLICANT/OWNER REPRESENTATIVE

Landon Sanders
The Sanders Firm, PLLC
306 Salem Rd.
Conway, AR 72034

OWNER

Fifty Cent, LLC
PO Box 10382
Conway, AR 72034

STAFF REVIEW BY

James Walden, AICP

SITE DATA

Location. 3725 College Ave.

Site Area. ±5.45 acres.

Current Zoning. O-1 (General Office).

Existing Structures. ~51,000 SF Metal Building/Horse Barn Arena.

Overlay. None.

Requested Rezoning. PUD (Planned Unit Development).

Comprehensive Plan. Single-Family Residential.

Projected Traffic Impact. With a rezoning to PUD, the likely increase in traffic impact would be minimal. The site is largely fully developed and the most intense uses proposed were allowed under the previous conditional use permit.

Current Traffic Counts. College Ave. at Prince St. – 4900 average daily traffic.

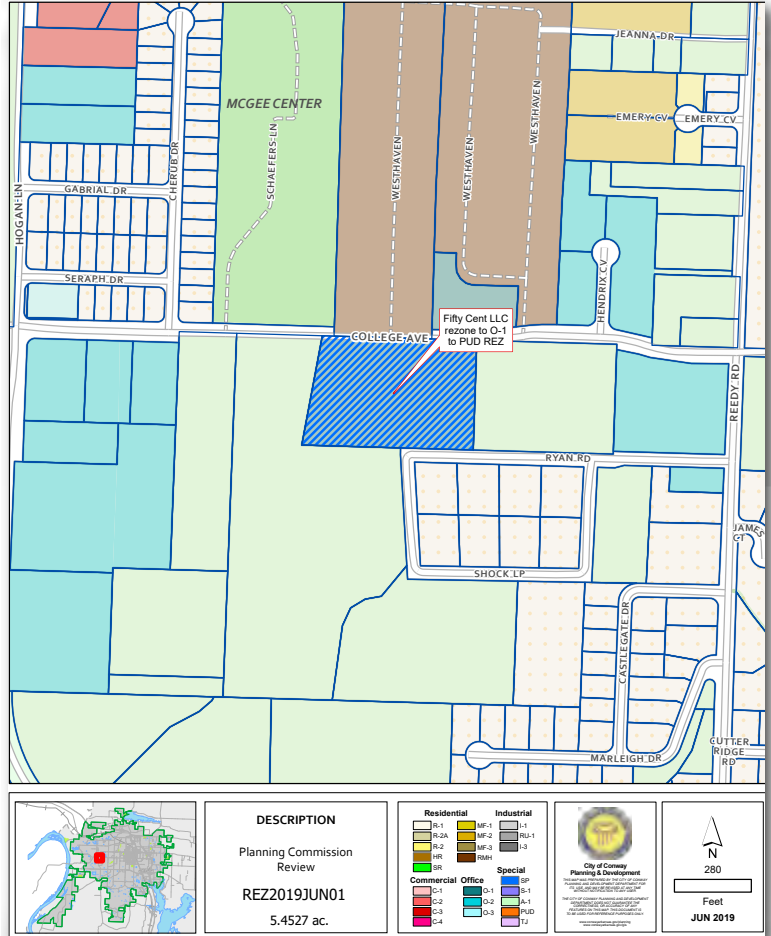
Flood\Drainage. Portions of the site are within the Regulatory Floodway and 1% Annual Chance Flood Hazard FEMA Flood Zones.

Utilities. The site is currently served by utilities.

Master Street Plan. College Ave. – Minor Arterial.

Street Improvement. No current improvement plans.

Conway 2025. Not specified.



STAFF COMMENTS

- The site has been subject to previous conditional use permits which have since lapsed because of ownership changes. When the current use was established, the Planning Staff notified the owner that the use was in violation due to the conditional use permit becoming invalid. Because of the unique aspects of the use, building, and site, planning staff recommended that the applicant seek a PUD zoning to cover all the potential uses that might occur on the site. The current O-1 zoning was not sufficient. Care for large animals such as cattle, which the building is designed to handle, could not be permitted conditionally in the O-1 zone. In response, the applicant submitted this application for PUD zoning.
- The applicant is proposing the following uses:
 - Animal Clinic
 - Arena
 - Stable
 - Veterinarian Clinic – Including Large Animals
 - Animal Hospital 24 hours
 - Kennel – Boarding of Animals, Indoor Boarding, Animal Day Care
 - Hippotherapy and Equine Assisted Therapy
 - Equine Rehab, Fitness, and Therapy

continued on page 8





Aerial View of 3725 College Ave.



3725 College Ave. in the Comprehensive Plan

II.A REQUEST TO REZONE FROM O-1 TO PUD - 3725 COLLEGE AVENUE

- Live Events – including equestrian, rodeo, and horseback events. To provide continuity from the previous Conditional Use Permit on this property (limited to 11:00 PM closing time)
 - Live Events – including birthday parties
 - Outdoor Sound System Usage – To provide continuity from the previous Conditional Use Permit on this property, the outdoor sound system may be used beyond the roof open air limited to 8:00 PM, excluding the PA system which is unlimited use
 - Restaurant – To provide continuity from the previous Conditional Use Permit on this property, restaurant use with hours of operation limited to 11:00 PM, with no drive-thru service
 - All O-1 uses which are permitted by right in the Conway Zoning Ordinance
- Staff concurs with the proposed uses, but given the open ended nature the City Council should have the authority to review and alter the PUD zoning if significant and verifiable complaints are received concerning the external impacts of the use specifically including noise.
 - Staff recommends, excluding permitted uses, the rules of O-1 zoning shall apply to the site.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning with conditions. The proposed use is compatible with the surrounding uses and will not represent an increase of intensity on the site.

1. Permitted uses shall be limited to the uses listed in Exhibit A.1 of the application (see staff comments)
2. The City Council shall have the authority to review and alter the PUD zoning if significant and verifiable complaints concerning the external impacts of the use (specifically noise) are made and left uncorrected.
3. Excluding permitted uses, the rules of O-1 shall govern the site.
4. Shock Loop/Ryan Road shall not be used for event traffic or the moving animals or materials onto or off the site.



Rear business entrance off Ryan Rd.



View of front entrance from College Ave. looking SW



View of front entrance from College Ave. looking SE



2-pole sign along College Ave.



View of front entrance from College Ave. looking SW



View of front entrance from College Ave. looking SE