



# **CITY OF CONWAY, ARKANSAS PLANNING COMMISSION**

October 19, 2020 · 7:00pm · City Hall · 1111 Main Street



# City of Conway PLANNING COMMISSION

October 19, 2020 · 7:00 pm · City Hall

*Due to restrictions imposed because of the COVID-19 pandemic, the Planning Commission meeting will be broadcast on the City of Conway [Facebook](#) and [YouTube](#) pages. Please submit questions/ comments [via email to Planning Staff](#) by 3:00pm the day the meeting.*

## PLANNING COMMISSION

Brandon Ruhl, Chairman  
Dalencia Herve, Vice-Chairman  
Rhea Williams, Secretary  
Rebekah Fincher  
Brooks Freeman  
Drew Gainor  
Arthur Ingram  
Latisha Sanders-Jones  
Brian Townsend  
Anne Tucker

The Conway Planning Commission makes recommendations to the City Council on public hearing items. Items reviewed on this agenda will be considered by the City Council as early as **October 27, 2020.**

Items not approved by the Planning Commission may be appealed to the City Council within 30 days of Planning Commission denial, with the exception of decisions made by the Planning Commission acting as the Board of Zoning Adjustment. If an item is appealed to the City Council a public notice will be placed on the property and [conwayarkansas.gov](http://conwayarkansas.gov)

## Call to Order.

## Roll Call.

## Approval of Minutes. September 21, 2020

### I. Subdivision Review

- A. Request for preliminary plat approval of Kavanaugh Place Subdivision (SUB2019AUG06)
- B. Request for final plat approval of Wallace Subdivision (SUB2019AUG10)

### II. Public Hearings

- A. Request for Conditional Use Permit to allow firearms sales in the TJ Zone for property located at 286 Highway 65 North (USE2020OCT01)
- B. Request to annex +/- 26.98 acres south of Emyp Trail (ANN2020JUL01)

### III. Discussion

- A. Planning Commissioner Selection
- B. Items as decided by the Commission

## Adjourn

# Request for Preliminary Plat Approval - Kavanaugh Place Subdivision

I.A

Record No. SUB2020AUG06

## APPLICANT

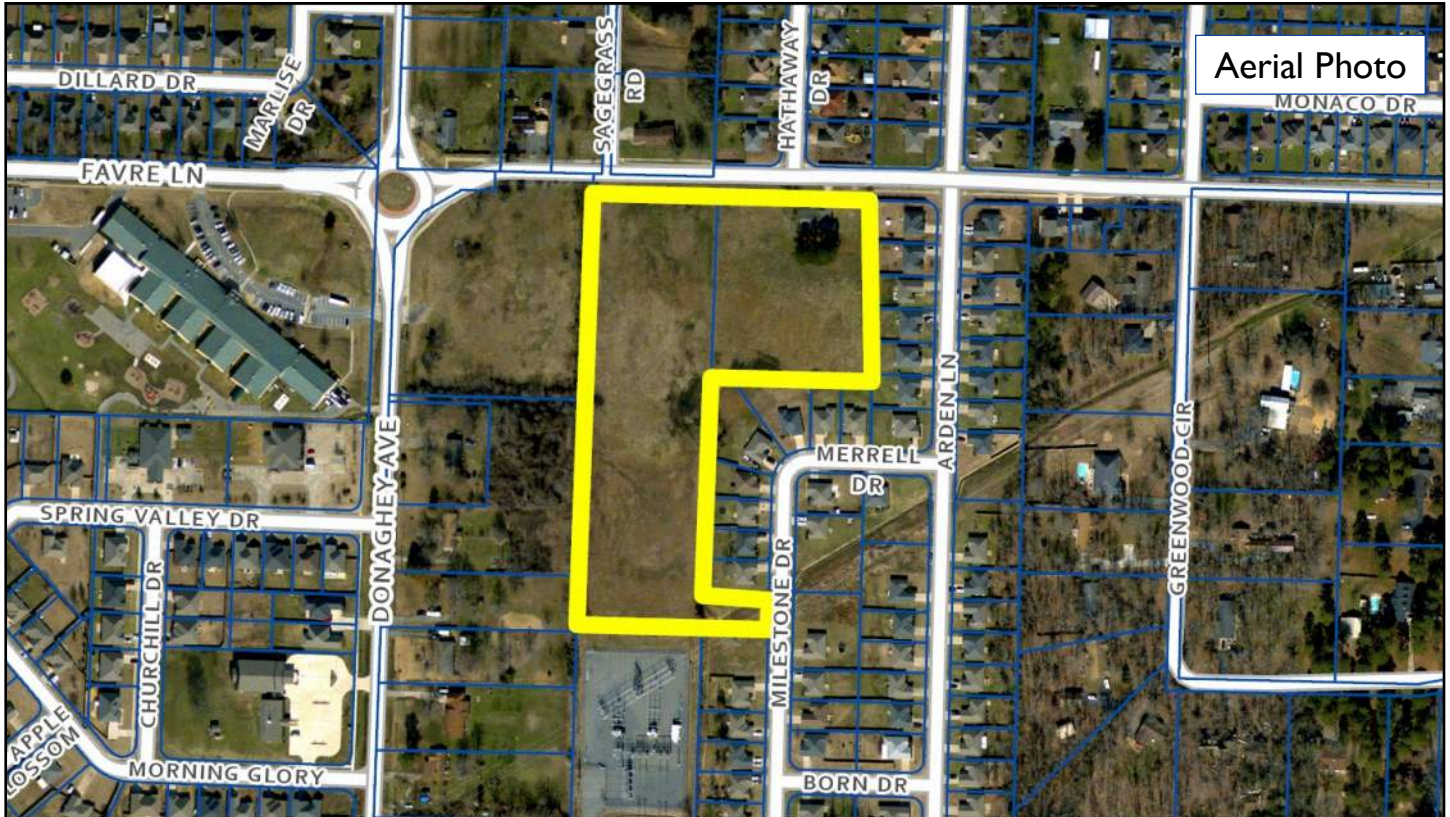
Central Arkansas Professional Surveying  
PO Box 298/1021 Front St  
Conway, AR 72033

## PROPERTY OWNER

L&J Properties, LLC and  
RushHal Development, LLC  
1050 John Mason Dr  
Conway, AR 72034

## STAFF REVIEW BY

Beth Sketoe, Planner



**Location.** Approximately 300 feet east of intersection of S Donaghey Ave and Favre Ln.

**Site Area.** 8.33 acres +/-.

**Current Zoning.** MF-2 (Multi-family 2; 18 units/acre) and R-1 (One-family residential)

**Existing Structures.** 2,542 single-family residence.

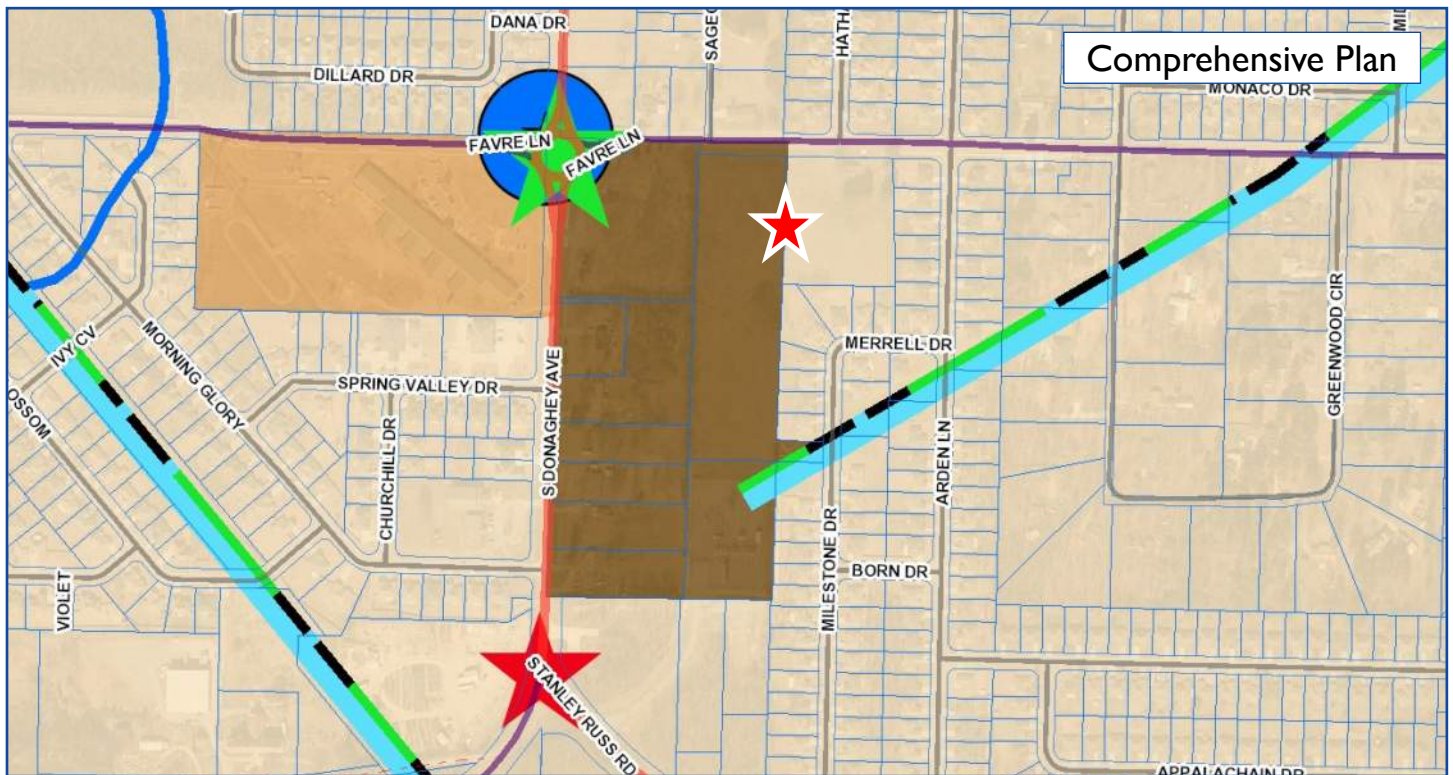
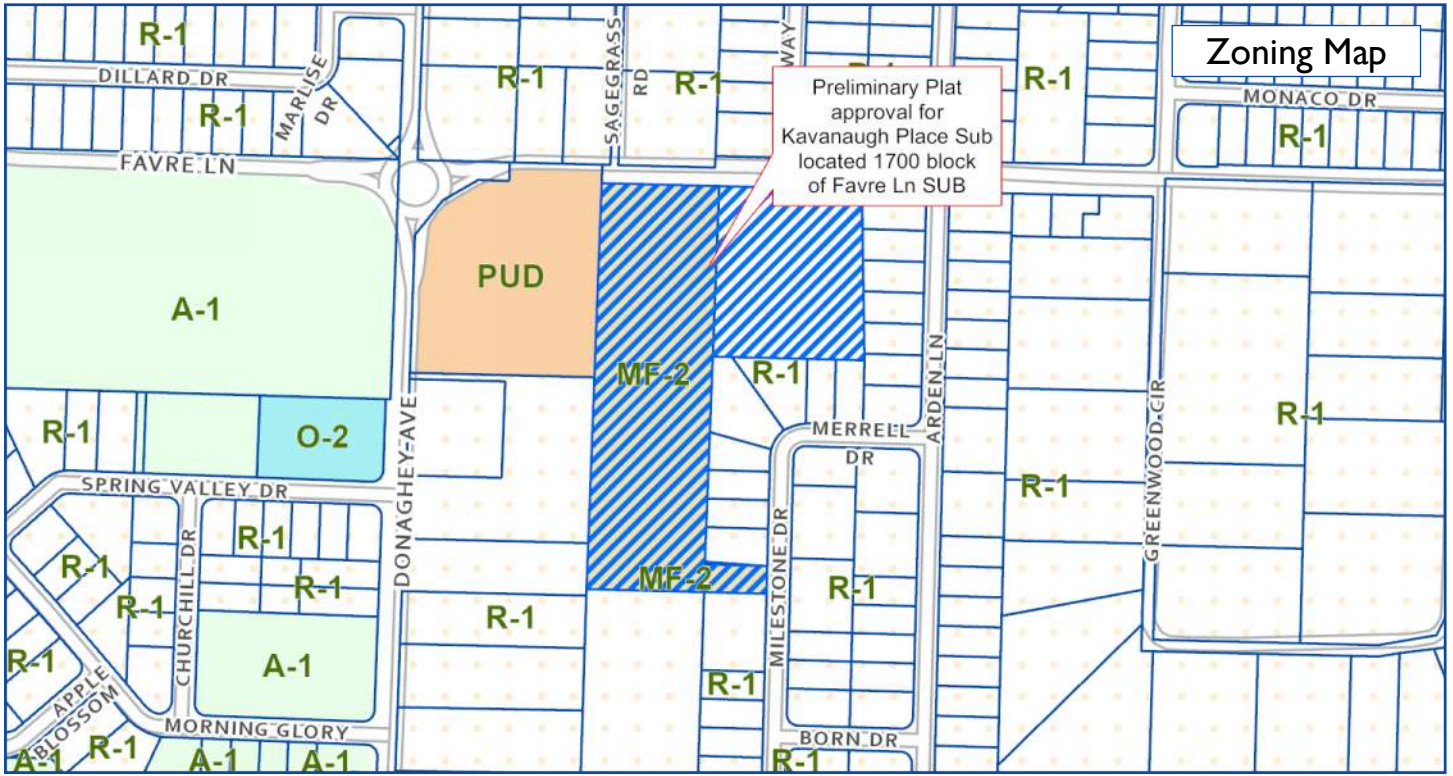
**Overlay.** None.

## REQUEST

The applicant is requesting preliminary approval of a 37-lot subdivision located approximately 300 feet east of the intersection of S Donaghey Ave and Favre Ln. The subdivision is comprised of 2 adjacent parcels; the applicant intends to phase the development along established parcel lines. Lots 1-22 [Phase 1] are zoned MF-2 (Multi-family 18 units/acre); lots 23-37 [Phase II] are zoned R-1 (One-family residential). The development of Phase II is contingent upon the development of the property adjacent to the west which will provide the required secondary access by extension of Henley Dr. The proposed lots range from 6,200 square feet to 9,100 square feet plus an additional approximately 12,000 sf lot reserved for detention, all of which meet the minimum criteria for the applicable zoning district.

# Request for Preliminary Plat Approval - Kavanaugh Place Subdivision

Record No. SUB2020AUG06



The proposed development includes 1 new street originating from Favre Ln. An internal street network will provide access to the remaining lots. All proposed streets will require 5-foot sidewalks with 6.5-foot green space. Phase II includes one 2,542 sf single-family residence which is to remain. Construction of sidewalks for lots 1, 36 and the Kavanaugh PI frontage of lot 13, plus sidewalk in-lieu fees for the Milestone Dr frontage of lot 13 will be required prior to filing the final plat. Sidewalks for the remainder of the lots will be required at the time of construction.

The applicant has indicated the possibility of an agreement with Conway Corporation for the Kavanaugh PI terminus to provide access to the Conway Corp property.

***No waivers were requested as a part of this request.***

## **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 consistent with the requirements of the MF-2 and R-1 zoning for the site.

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**

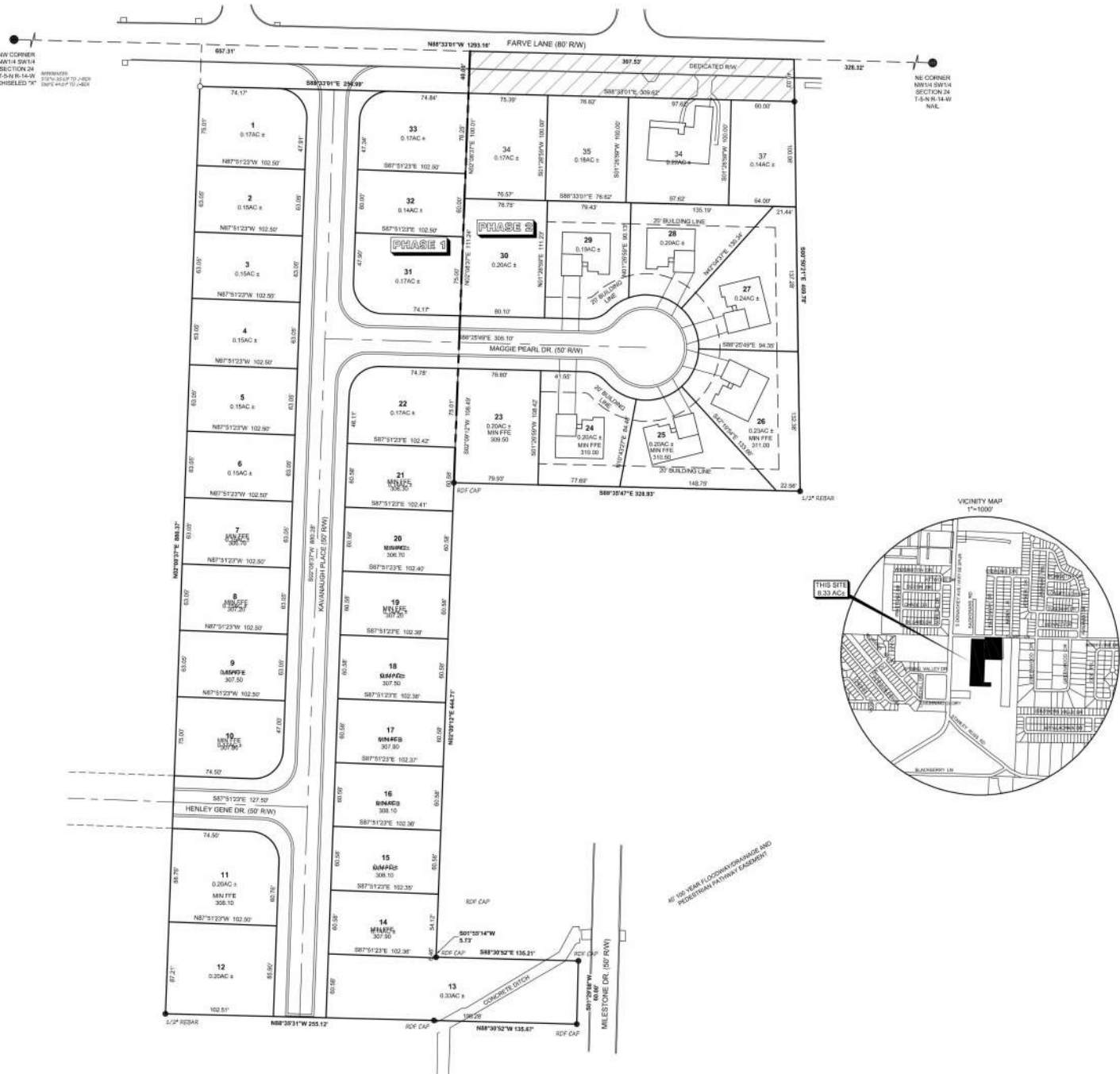
1. Show all hydrant locations.
2. Corrections as noted on Preliminary Plat.

## **CONDITIONS**

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. Variance allowing reduced lot depth and reduced building setbacks for Lots 24 through 29 is required prior to filing the final plat. *Planning Staff has advised applicant to apply for zoning variance.*
3. Install aproned drive at the terminus of Kavanaugh PI to access Conway Corp property or provide finished curb in accordance with City of Conway's Standard Details.
4. Construction of sidewalks for Lot 1, Lot 36 and the Kavanaugh PI frontage of Lot 13, plus sidewalk in-lieu fees for the Milestone Dr frontage of lot 13 will be required prior to filing the final plat.
5. 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.
6. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is not more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
7. Utility easements as required by Conway Corporation are needed.
8. Drainage easements as required by the City Engineer are needed.
9. 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.
10. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat.

# Request for Preliminary Plat Approval - Kavanaugh Place Subdivision

Record No. SUB2020AUG06



# Request for Waiver - Wallace Subdivision

I.B

Record No. SUB2020AUG10

## APPLICANT

Tyler Group  
240 Skyline Dr, Ste 300  
Conway, AR 72032

## PROPERTY OWNER

Christopher & Judy Wallace  
22 Southerland Rd  
Conway, AR 72032

## STAFF REVIEW BY

Levi Hill, Assistant Director



**Location.** Approximately 1,200 feet northwest of the intersection of S East German Ln and Southerland Rd.

**Site Area.** 2.48 acres +/-.

**Current Zoning.** A-1 (Agricultural).

**Existing Structures.** Agricultural building/barn.

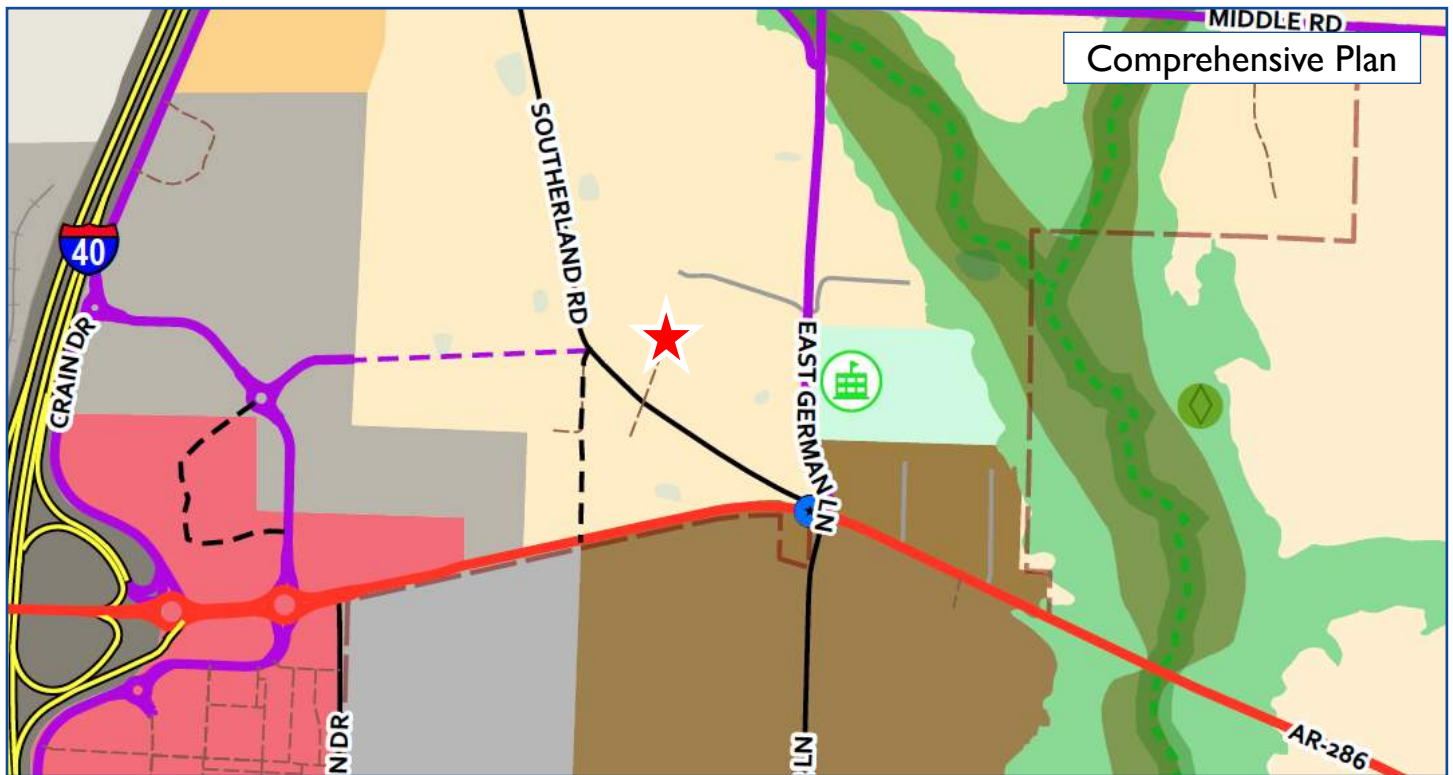
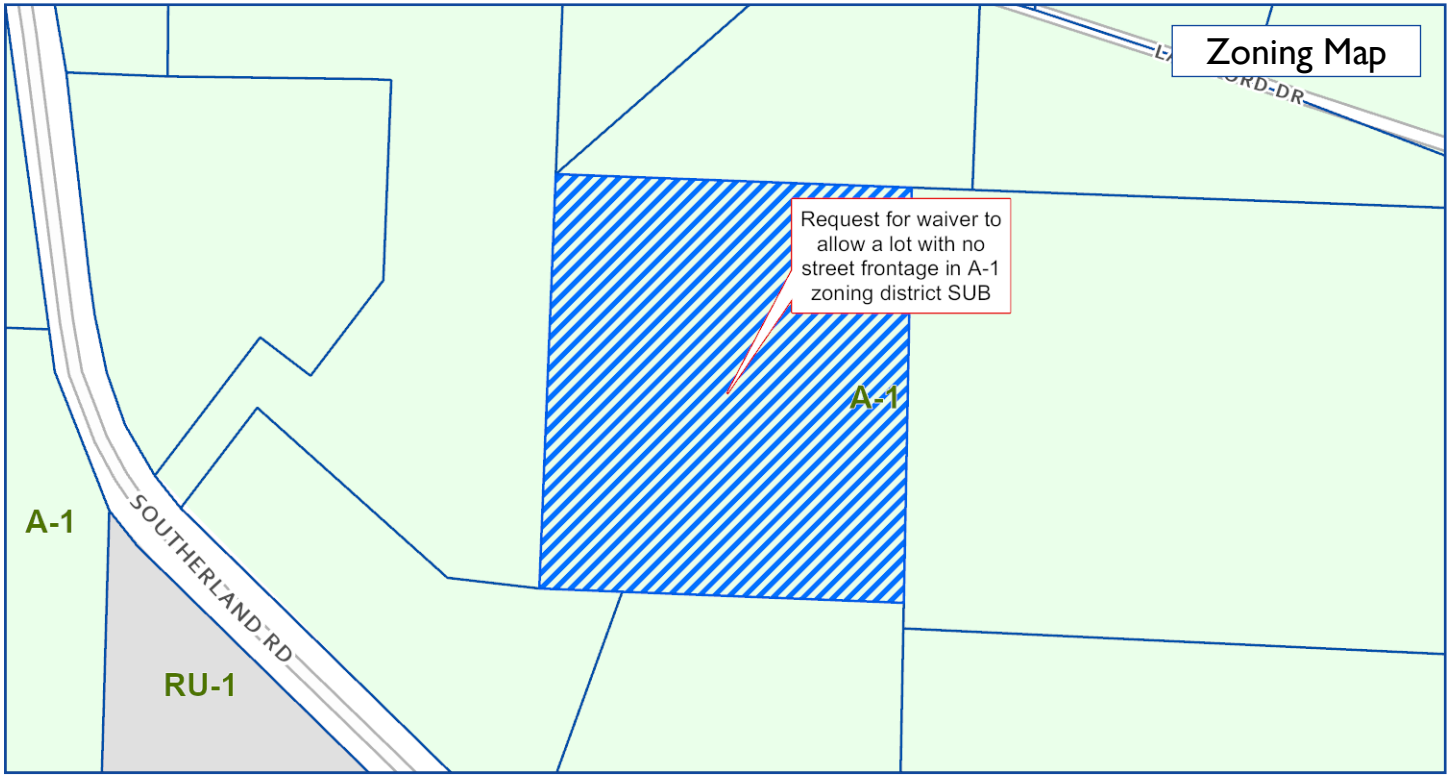
**Overlay.** None.

## REQUEST

The applicant is requesting Final Plat approval of a 2.48 acre lot located approximately 1,200 feet west of the intersection of East German Ln and Southerland Rd. More specifically, the subject property is located immediately behind the property at 18 Southerland Rd. The property is zoned A-1 (Agricultural). The proposed lot will be 2.48 acres, consistent with the lot requirements of the site's zoning classification. As proposed, the lot will not have street frontage and will take access via an existing access easement through the lot to the south. Typically, the creation of lots without street frontage is discouraged, however the current configuration of the subject property was a result of the approval of the Jackson Square plat from 2002. The approval of said plat effectively left the subject property landlocked and failed to include the property in the plat.

# Request for Waiver - Wallace Subdivision

Record No. SUB2020AUG10





***Waivers requested; Planning Commission action is required for the following:***

1. Creation of lots that do not abut a public street. (Article IV: Sec. 5(f)(1)).

**STAFF RECOMMENDATIONS**

Planning Staff recommends approval of the final plat contingent upon the completion of the amended punch list and associated conditions of approval. The proposed lot size is consistent with the requirements of the A-1 (Agricultural) zoning for this site.

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. Corrections as noted on Final Plat.

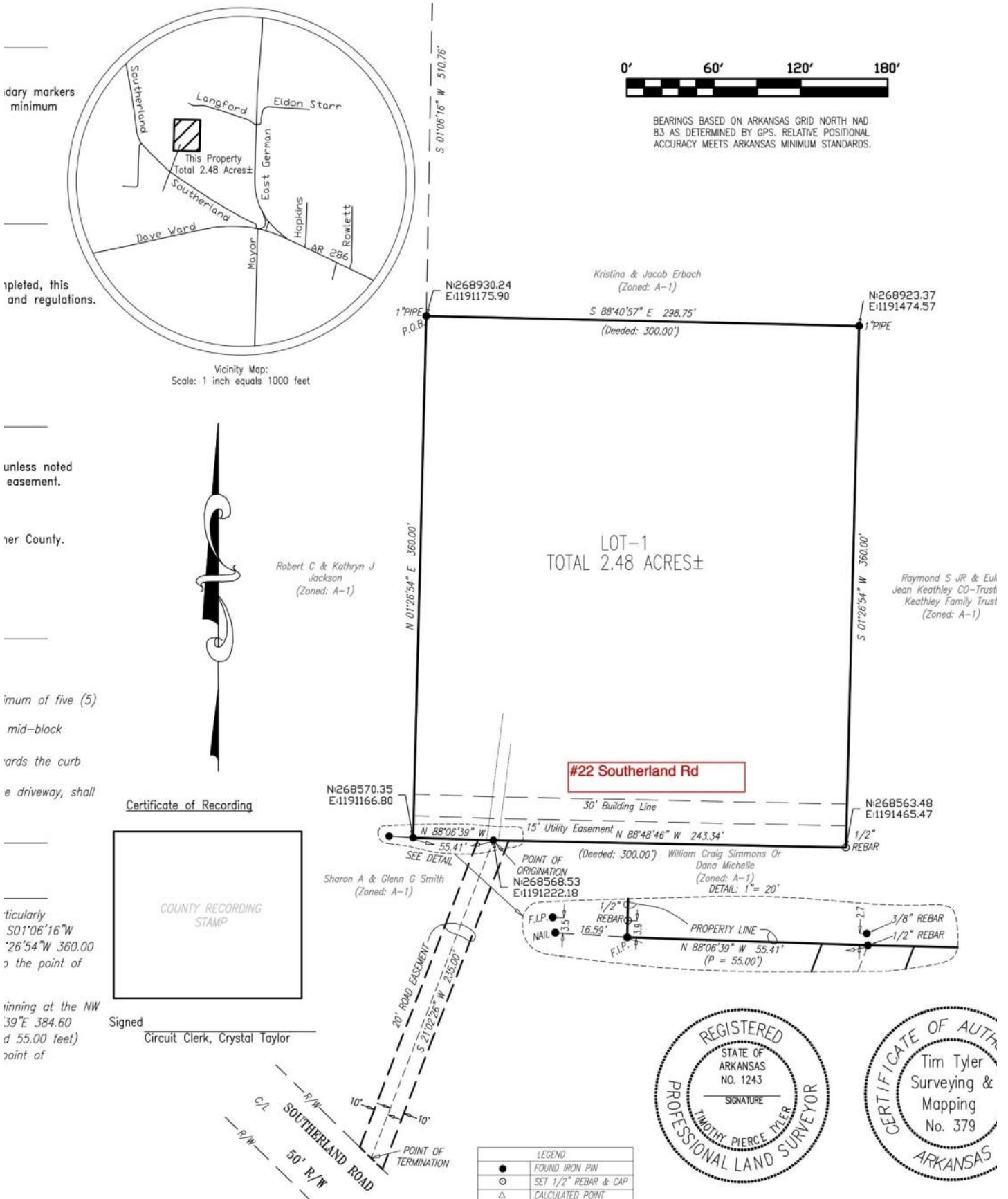
**CONDITIONS**

1. Final Plat approval from all reviewing agencies shall be obtained.
2. 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.
3. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is not more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
4. Utility easements as required by Conway Corporation are needed.
5. Drainage easements as required by the City Engineer are needed.
6. 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.

# Request for Waiver - Wallace Subdivision

I.B

Record No. SUB2020AUG10



# Request for Conditional Use Permit - Firearms sales

II.A

Record No. USE2020OCT01

## APPLICANT/OWNER

Greg Long  
Pickles Gap Weapons Shack  
286 Hwy 65 N  
Conway, AR 72032

## STAFF REVIEW BY

Beth Sketoe, Planner



**Location.** 286 Hwy 65N.

**Site Area.** 0.66 acre +/-.

**Current Zoning.** TJ (Rural District).

**Adjacent Zoning.** North/East/West/South: TJ (Rural District).

**Requested Conditional Use.** Gunsmith Shop.

**Existing Structures.** 5,032 sf metal building containing offices, motorcycle showrooms, and a service garage. A chain link fence encompasses the site.

**Overlay.** None.

**Comprehensive Plan.** Suburban Residential.

# Request for Conditional Use Permit - Firearms sales

Record No. USE2020OCT01



**Projected Traffic Impact.** The property is currently used for motorcycle sales and repair (Pickles Gap Cycle Shack). The increase in traffic impact would be minimal with the addition of a firearms sales business.

**Current Traffic Count.** Hwy 65 (28,000 vehicles/day).

**Flood/Drainage.** The site is not within any FEMA Flood Zones.

**Utilities.** Site is outside the city limits; not served by Conway Corporation.

**Street Improvement.** US Hwy 65N is improved as a 4-lane roadway with turning lane. Any future improvements will be handled by ARDOT.

## STAFF COMMENTS

- The applicant is seeking to add firearms sales to an existing motorcycle/ATV sales and repair business. The proposed use is not permitted by right in the TJ zone, but is allowed by conditional use permit.
- The property is located on a major thoroughfare, bound by non-residential uses and vacant land.
- As conditioned, the conditional use would not likely result in harm to adjacent property.

## STAFF RECOMMENDATIONS

Staff recommends approval of the conditional use permit with the following conditions:

1. The conditional use permit will run with the land.
2. No alterations/additions to existing fencing are allowed; maintenance is permitted.
3. Any new lighting installed shall conform to standards set forth in Article 1101 of the Zoning Code.
4. No expansions or additions to the structure or site are allowed.
5. Any change in use shall require a new or amended conditional use permit.

# Request for Conditional Use Permit - Firearms sales

Record No. USE2020OCT01



Site Photos



Adjacent Properties



# Request for Annexation

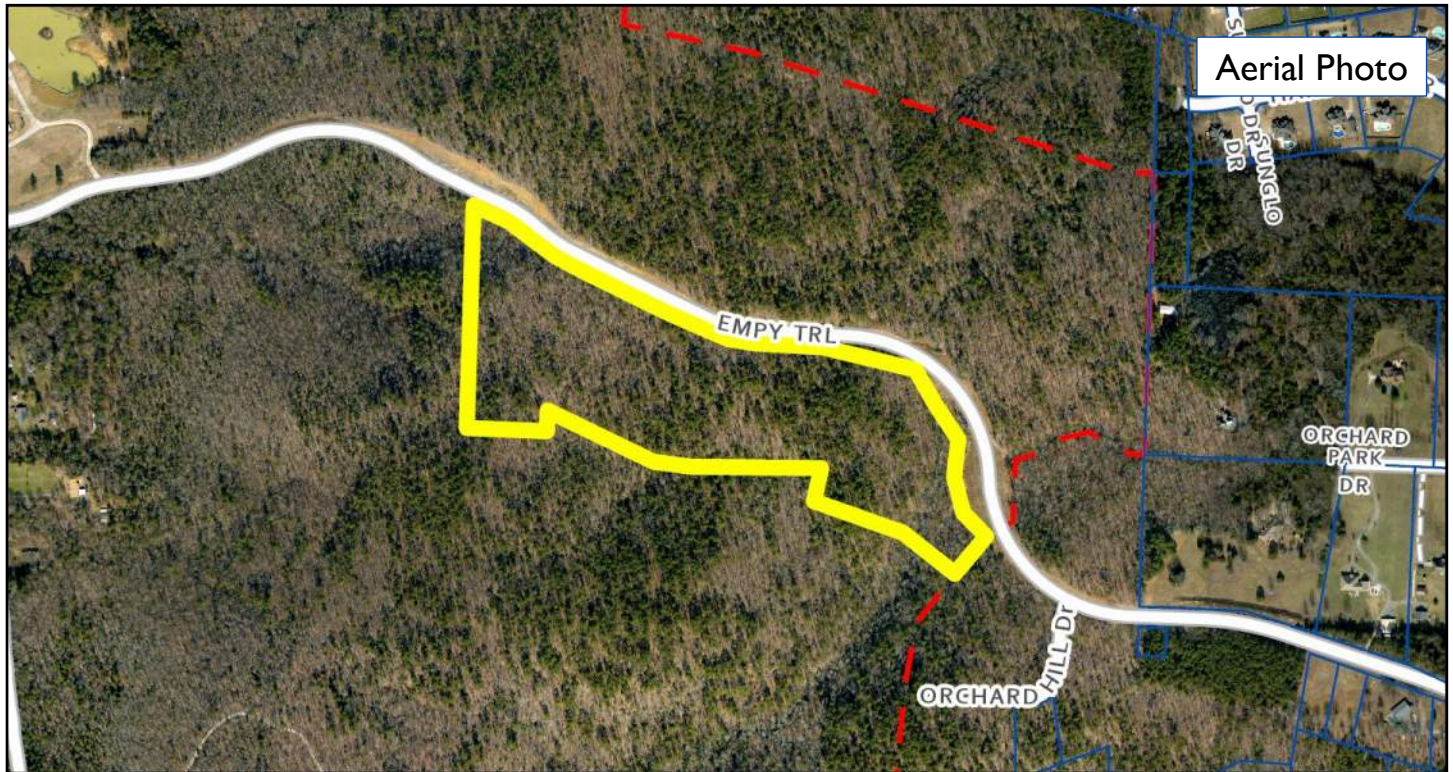
Record No. ANN2020JUL01

**APPLICANT/OWNER**

Frank Shaw  
Shaw Properties, LLC  
1315 Main St  
Conway, AR 72032

**STAFF REVIEW BY**

Beth Sketoe, Planner



**Location.** South of Empy Trl; west of Orchard Hills Phase 1.

**Site Area.** 26.98 acres +/-.

**Current Zoning.** N/A (Outside City).

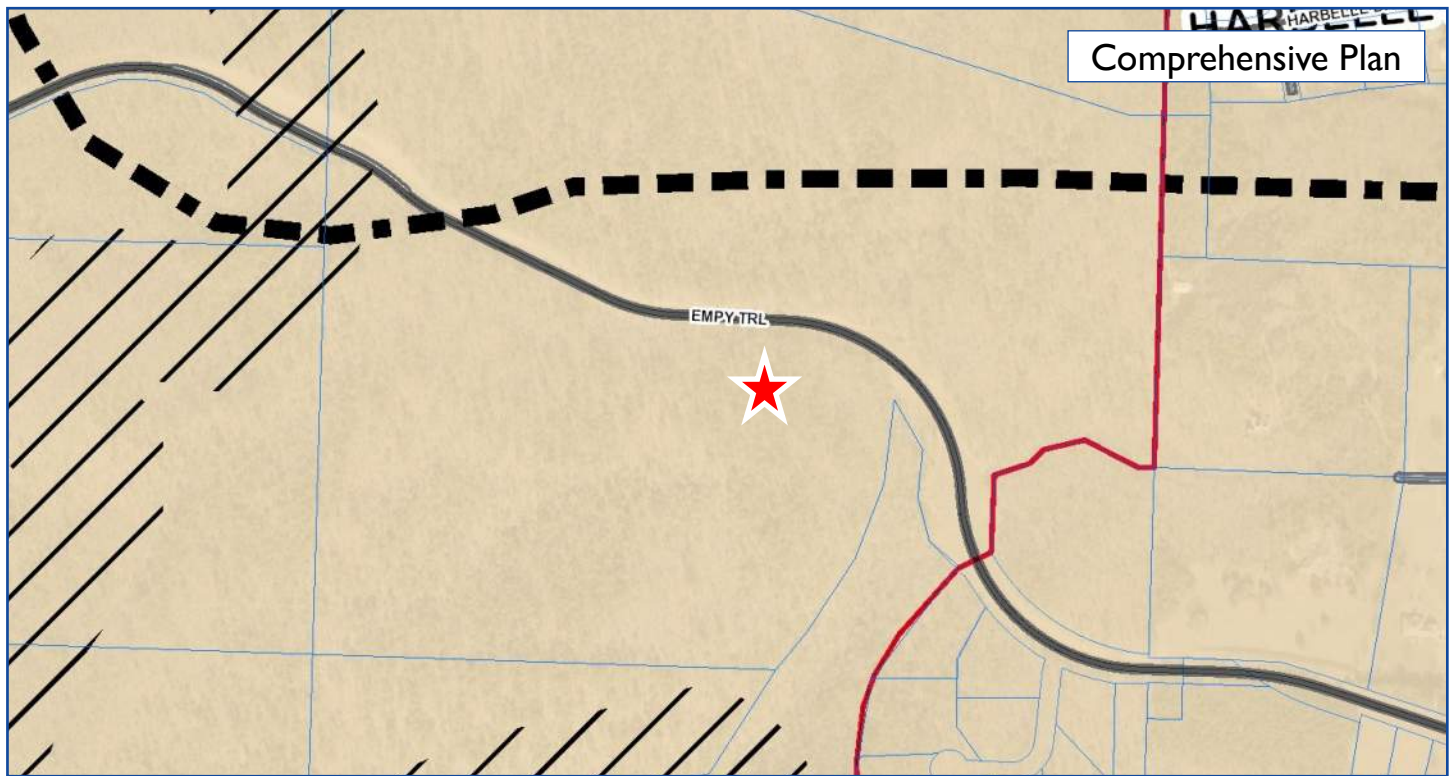
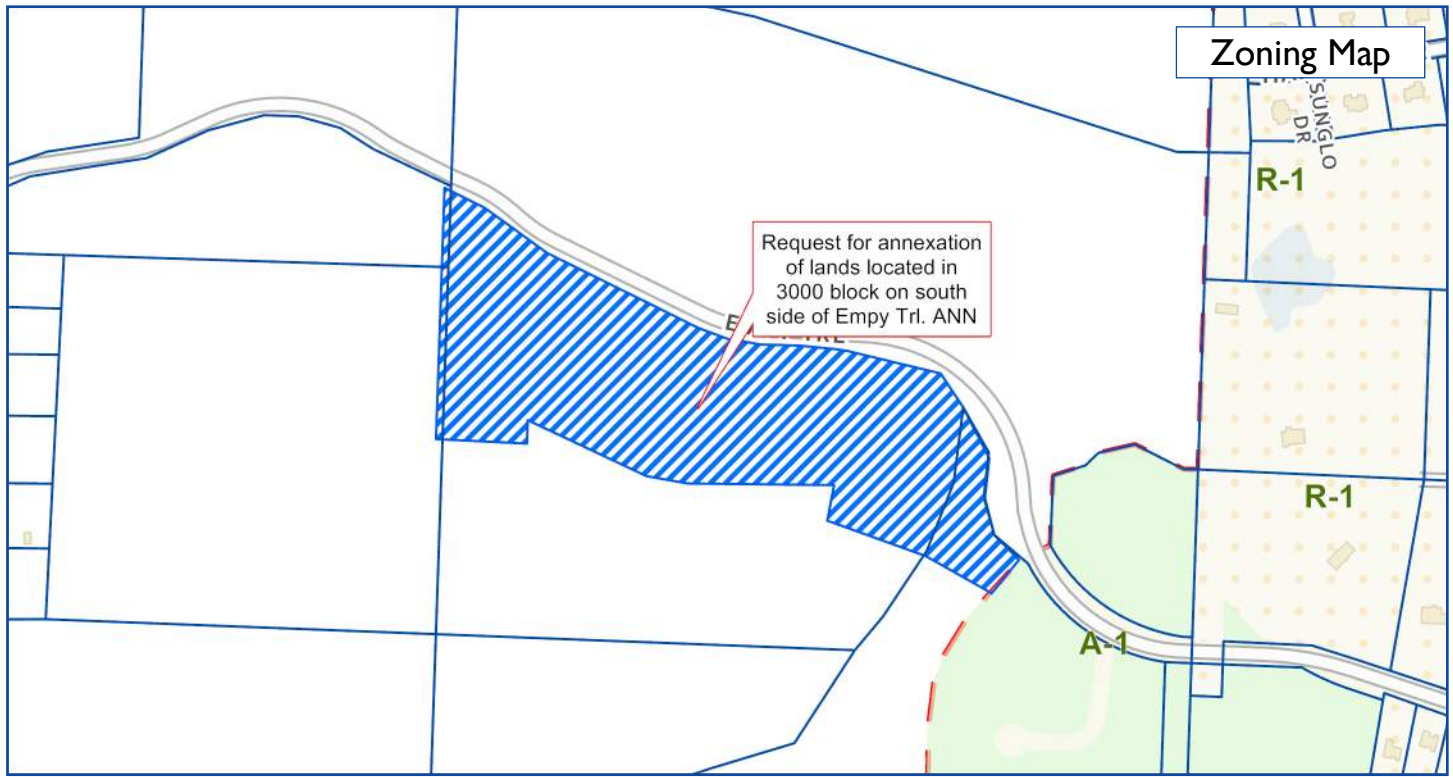
**Requested Zoning.** R-1 (One-Family Residential); Staff concurs with requested zoning.

**Adjacent Zoning.** East: A-1; North/South/West: N/A (Outside City)

**Existing Structures.** None.

**Overlay.** None.

**Comprehensive Plan.** Single-Family Residential.





**Projected Traffic Impact.** Based on the likely use of the property for single-family residential, the property would likely generate approximately 247 vehicle trips per typical weekday. The traffic impact of the development should be minimal.

**Flood/Drainage.** The site is not within any FEMA Flood Zones.

**Utilities.** Applicant will need to coordinate with Conway Corporation.

**Street Improvement.** Emory Trl was recently improved. If subdivision occurs on any annexed property, the developer shall be responsible for road construction. *Property was granted preliminary plat approval for a 21-lot single-family subdivision, Orchard Hills Phase II, at the September 28, 2020 Planning Commission meeting.*

## STAFF COMMENTS

The applicant is seeking annexation of 26.98 acres. Previously, one applicant (Frank Shaw) requested and received preliminary plat approval for a 21-lot subdivision. The following comments and findings have been made:

- The proposed property is vacant land with access to Emory Trl.
- Sewer service is not available to these properties, but Conway Corporation does provide water service in the area. As such development potential is very limited.
- R-1 zoning is appropriate for the property in the area.
- The applicant is requesting police protection, fire protection\*, street maintenance, and the ability to connect to Conway Corp Utilities. *\*applicant is required to complete improvements to provide adequate fire flow to the property.*
- The annexation request complies with the requirements of ordinance O-99-95 specifying procedures for annexations.

## STAFF RECOMMENDATIONS

- Fire Department: Requires appropriate fire hydrant placement, but notes concerns regarding adequate fire flow to the property.
- Conway Corporation: Recommends Annexation
- Planning and Development Department: Recommends Annexation
- Transportation Department: Recommends Annexation

Annexation will result in new residential development at the site, and be a valuable asset to the area.

# Selection of Planning Commission Members

## 2021-2025 Term

Two new Planning Commission members will be needed for 2021 to fill vacancies created as Dalencia Hervey and Brooks Freeman's terms end on December 31, 2020. The 2 new, 5-year terms will expire in 2025.

City-wide representation is a desirable trait of the Planning Commission. Not including the two outgoing members, the Planning Commission consists of 2 members from Ward 1, 1 member from Ward 2, 3 members from Ward 3, and 2 members from Ward 4.

The City's open nomination period for all boards and commissions will end on October 31, 2020. All eligible nomination forms received by that date will be forwarded to the Planning Commission for review so that interviews may be conducted prior to the November 16, 2020 Planning Commission meeting.

*The following items, which do not require public hearing or Planning Commission action, have been reviewed and approved by the Director of Planning & Development and are being reported to the Planning Commission as required by the Zoning Code and Subdivision Ordinance.*

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

- Discount Auto Glass Replat - SUB2020SEP04
- Campbell Cove, Phase 2 - SUB2020SEP05
- 517 Fifth Street - SUB2020SEP06
- Replat Lot 28, Princeton Village - SUB2020SEP07
- Replat Lot 29, Princeton Village - SUB2020SEP08

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

- North Salem Storage (P2020-00053)