



NOVEMBER

**Conway Planning Commission
Staff Report**

7:00pm • November 21, 2016 • 810 Parkway Avenue

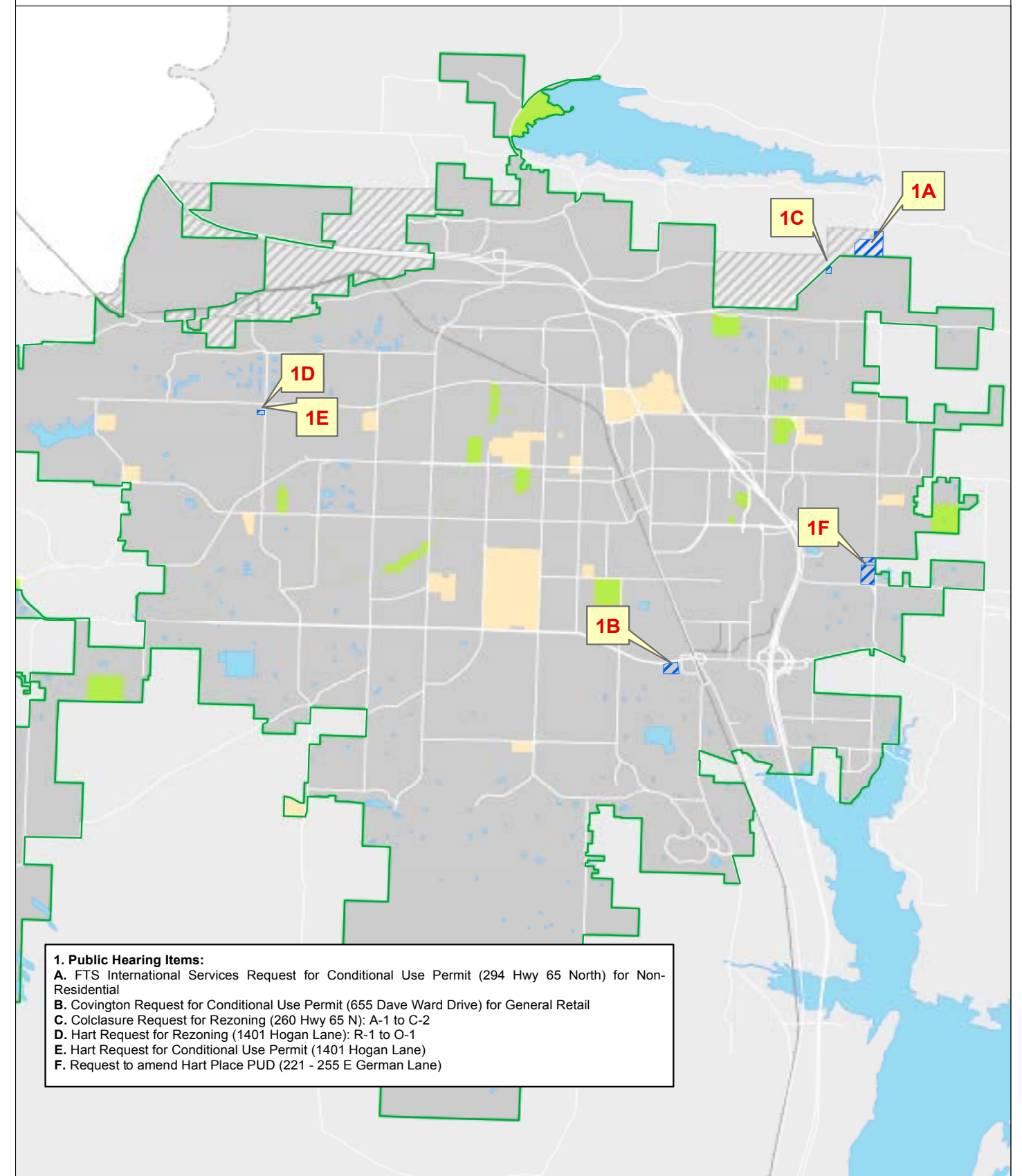


CONWAY PLANNING COMMISSION

Mark Lewis, Chairman
Matthew Brown, Vice-Chairman
Justin Brown, Secretary
Marilyn Armstrong
Brooks Freeman

Dalencia Hervey
Bryan Quinn
Jerry Rye
Wendy Shirar
Anne Tucker

Contact the Conway Planning Commission by email at planningcommission@cityofconway.org



CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA
7:00 pm • Monday • November 21, 2016
District Court Building • 810 Parkway

SUBDIVISION COMMITTEE WILL NOT MEET

Call to Order

Introduction & Chairperson Remarks

Minutes: October 17, 2016

1. Public Hearings*

- A. FTS International Services Request for Conditional Use Permit (294 Hwy 65 North) for Non-residential uses
- B. Covington Request for Conditional Use Permit (655 Dave Ward Drive) for General Retail
- C. Colclasure Request for Rezoning (260 Hwy 65 N): A-1 to C-2
- D. Hart Request for Rezoning (1401 Hogan Lane): R-1 to O-1
- E. Hart Request for Conditional Use Permit (1401 Hogan Lane) for Single-family residence in an O-1 zone
- F. Request to amend Hart Place PUD (221 - 255 E German Lane)

3. Discussion

- A. 2017 Planning Commission Nominee discussion and selections
- B. Items as decided by the Planning Commission

Adjourn

Planning Staff Development Review/Minor Subdivision Reports to the Planning Commission

The following items 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:

A. Development Reviews

- First Service Bank, 540 United Drive
- All Secure Mini-Storage, Phase 3, 4025 McDowell Drive
- Acadia Behavioral Health Center, 2255 Sturgis Road
- DeBoard Electronics/C2 Powersports, 650 Dave Ward Drive
- Outback Steakhouse, 955 E Oak Street, BK Dean PUD
- Seiter Dental Clinic, 2157 Prince Street

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

- None



**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 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. A public notice will be placed on the City's website: www.cityofconway.org.

*Items reviewed at tonight's Planning Commission meeting may be considered by the City Council as early as **December 13, 2016**.*

1A FTS INTERNATIONAL SERVICES REQUEST FOR CONDITIONAL USE PERMIT FOR NON-RESIDENTIAL USES IN THE TERRITORIAL JURISDICTION

FTS INTERNATIONAL SERVICES LLC REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW NON-RESIDENTIAL USES FOR PROPERTY LOCATED AT 294 HWY 65N (IN THE TERRITORIAL JURISDICTION)

APPLICANT

Tyler Group
240 Skyline Drive
Conway AR 72034

OWNER

Dave Bruning
FTS International Services LLC
P.O. Box 13437
Maumelle, AR 72113

STAFF REVIEW BY

Bryan Patrick, Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 294 Hwy 65 N (Former Frac Tech property on the north side of Highway 65 immediately east of Pickle's Gap Motorcycles and Jake's Fireworks)

Legal Description. on file

Site Area. 22.94 acres +/-

Current Zoning. TJ (Territorial Jurisdiction - zoning outside city limits)

Requested Conditional Use Permits. There are 3 requested uses as part of this conditional use permit; a church, an environmental services company, and a bucket truck chassis assembly company.

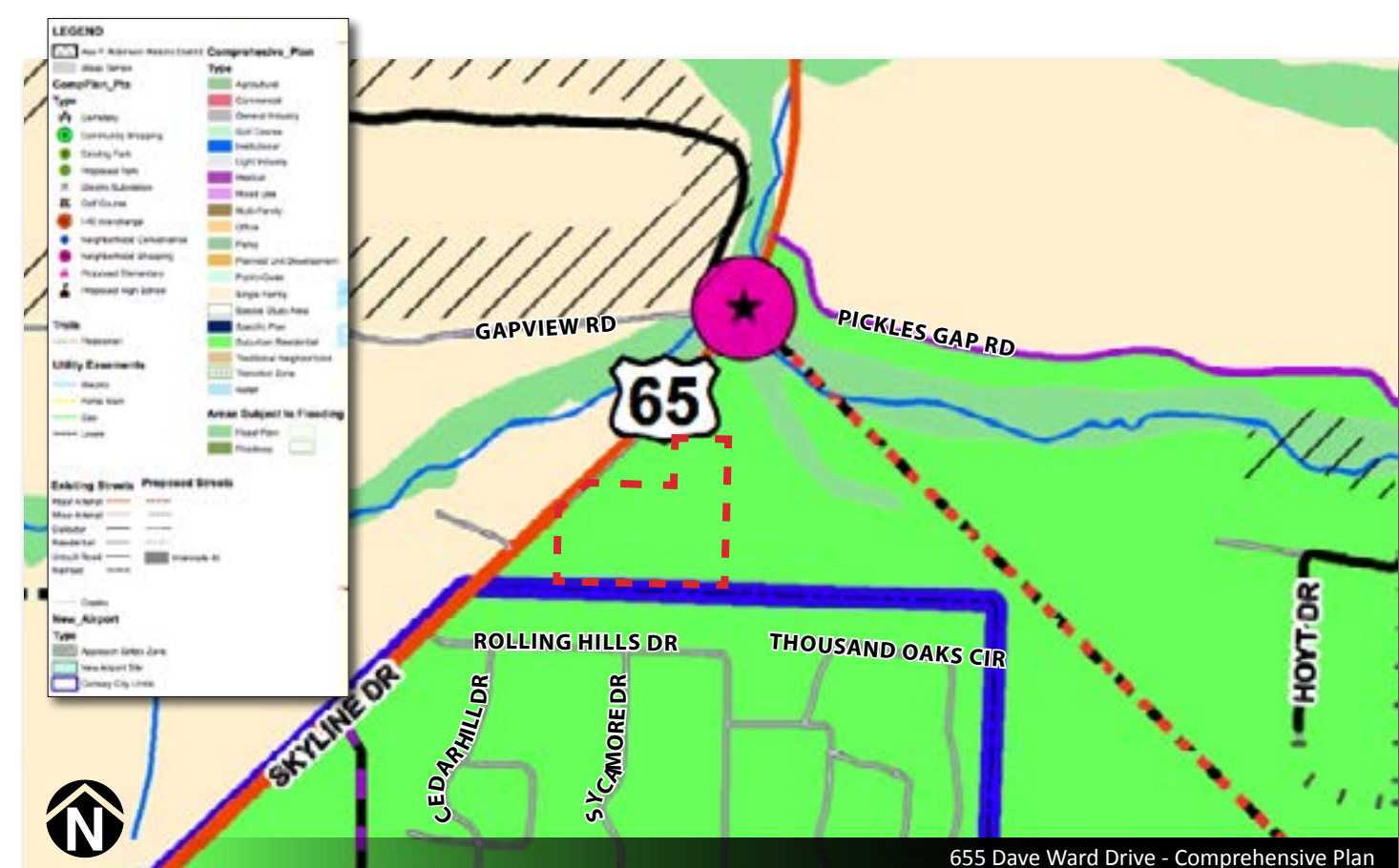
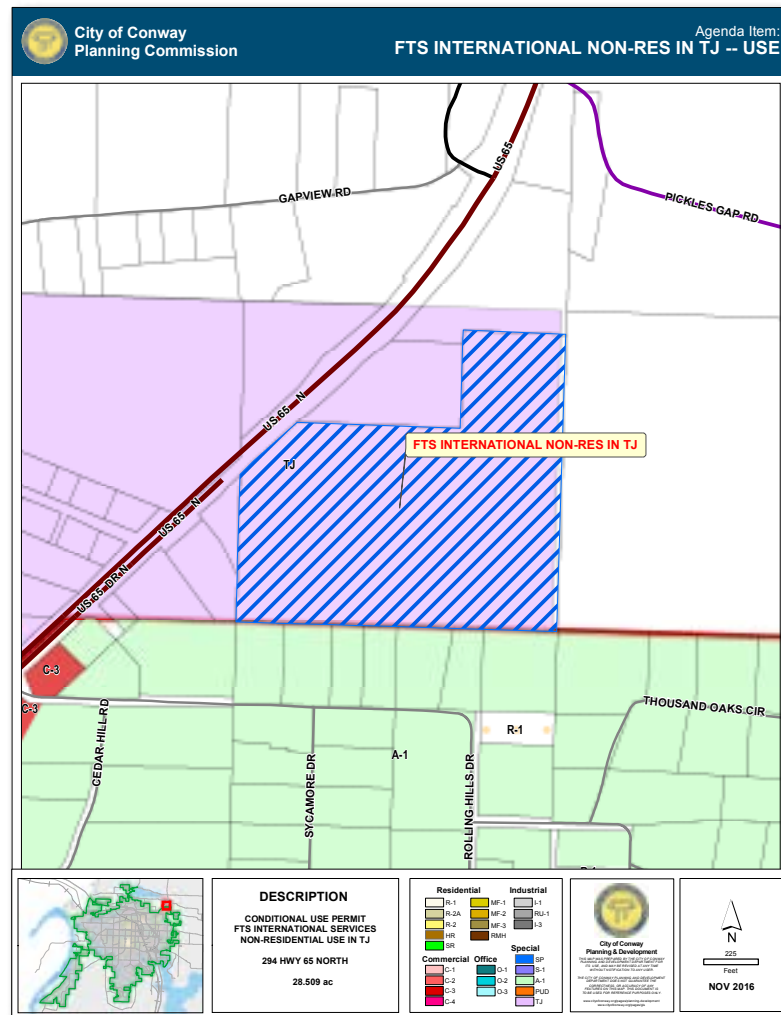
Existing Structures. Several metal buildings, concrete parking areas, and storage tanks.

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential. However, the property is outside the City limits and has commercial activity adjacent to the west. Rolling Hills single family residential subdivision is abutting on the south.

Projected Traffic Impact. A church would have minimal traffic generation other than peak worship times. The truck chassis assembly and environmental services businesses would generate mostly employee traffic. The property abuts a major 4 lane highway with a center turn lane. The proposed uses should not create an undue burden on area traffic movement.

Utility Infrastructure. Electricity is served by Entergy. Water is served by Beaverfork Water. There is no public sewer. Private septic systems are used. Private sanitation companies service trash pickup.



Flood/Drainage. There is no flood plain or flood way located on the property. Planning is unaware of any substantial drainage problems.

Street Improvements. There are currently no known plans for upgrades to Highway 65.

Conway 2025. Not applicable.

STAFF COMMENTS

The property is outside the city limits but within Conway's Territorial Jurisdiction. By Arkansas state law, Conway may zone within its territory up to one mile outside the city limits. In 2011, a new zone named TJ (Territorial Jurisdiction) zoning was created in response to the gas drilling industry and Frac Tech in particular. The south property line of this property is the city limit. Rolling Hills and Thousand Oaks Subdivisions are abutting on the south. While Frac Tech was in business, there were complaints from the adjacent residential areas including; noise, lights, and a truck wash out adjacent to residential lots. Frac Tech also ran 24/7. At the time, there was no City control of the land use on the Frac Tech property. In response, the City extended zoning to control

redevelopment of the property. In the TJ zone, pre-existing businesses may continue to operate without any action from the city. Once a business closes, the new business must seek a conditional use permit to allow re-opening. Frac Tech has been closed since 2010.

The applicant is seeking a conditional use permit to allow 3 uses at this location: a church; Altec, a bucket truck chassis assembly company; and Momar Ramco, an environmental service facility. These 3 businesses would occupy and use lease areas as shown on the submitted lease area map.

Church. Prior to Frac Tech, the metal building resembling a church was constructed and used by Calvary Baptist Church. There is ample paved parking. A church use of the property should be quiet and non-intrusive to the abutting neighborhood.

Bucket Truck Assembly. Altec, the bucket truck assembly company receives commercial truck chassis without a bed and adds a bucket truck assemblies to finish the truck. The submitted lease area map shows them operating from two existing buildings in the middle portion of the property.

Environmental Services. Momar Ramco specializes in application services, including dust control, soil retention, erosion control, and revegetation. They provide on-site assessment, consultation, and product application. It is assumed that the company will have several spray trucks, supporting equipment, and loading tanks. The submitted lease area map shows them operating from 2 existing buildings and a possible new building in the south, mid, and east portion of the property.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request with appropriate conditions that may be the requested uses most compatible with the abutting residential neighborhood.

Recommended Conditions:

1. Hours of operation for commercial businesses
2. Lighting must be inward, downward, and shrouded with cut off fixtures meeting development review standards. No lights shall intrude on abutting residential property
3. Uses are limited to those requested; church, bucket truck assembly, and environmental services
4. Allowed uses shall be in specified areas as shown on submitted lease area map
5. Church and businesses entities may change, however allowed uses may not



1B COLCLASURE REQUEST TO REZONE 260 HWY 65 NORTH FROM A-1 TO C-2

COLCLASURE/JR'S HOBBY HORSE REQUEST TO REZONE PROPERTY LOCATED AT 260 HWY 65 NORTH FROM A-1 TO C-2

APPLICANT/OWNER

Leah Colclasure
88 Castleberry Road
Greenbrier, AR 72058

STAFF REVIEW BY

Jason Lyon, Asst Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 260 Highway 65 North

Site Area. 1.5 acres +/-

Current Zoning. A-1 (Agricultural District)

Requested Zoning. C-2 (Neighborhood Commercial District)

Existing Structures. Retail store existing on premise, pre-existing non-conforming use (grandfathered)

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as suburban residential.

Projected Traffic Impact. There should be negligible traffic increase due the current use of the property as a retail store. A new retail structure is planned to replace the current store.

Utility Infrastructure. The proposed rezoning should create no utility concerns as the property is currently served by all necessary utilities.

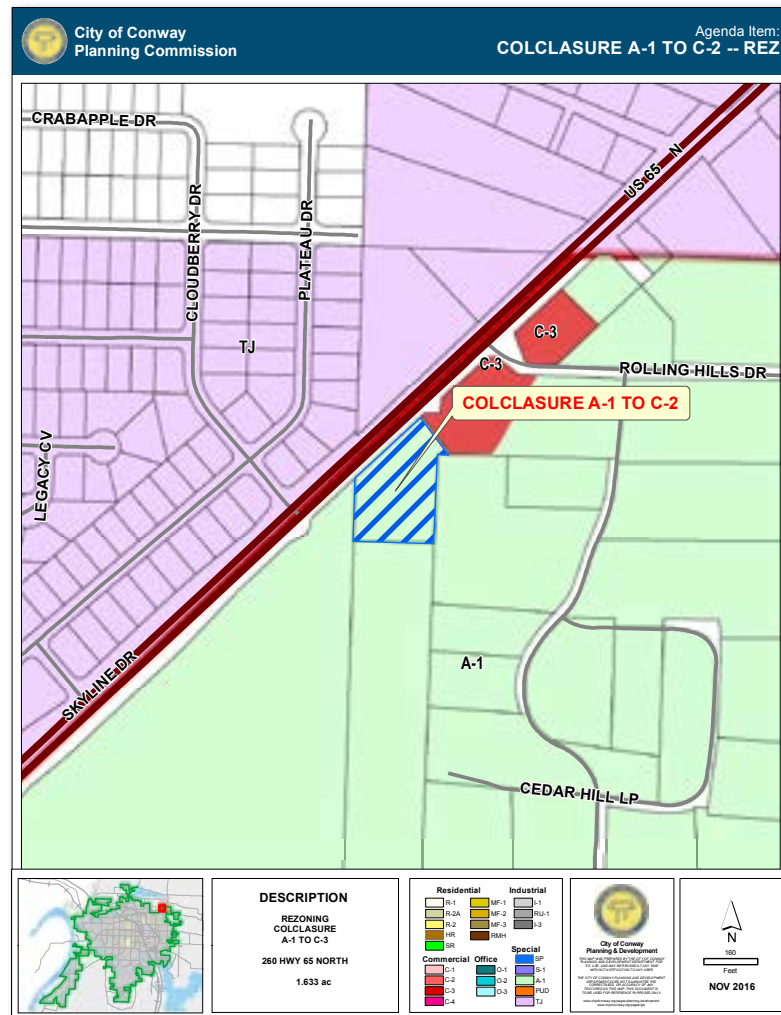
Flood/Drainage. No flood issues on this property.

Street Improvements. There are no near future plans to improve Highway 65.

Conway 2025. Not specified.

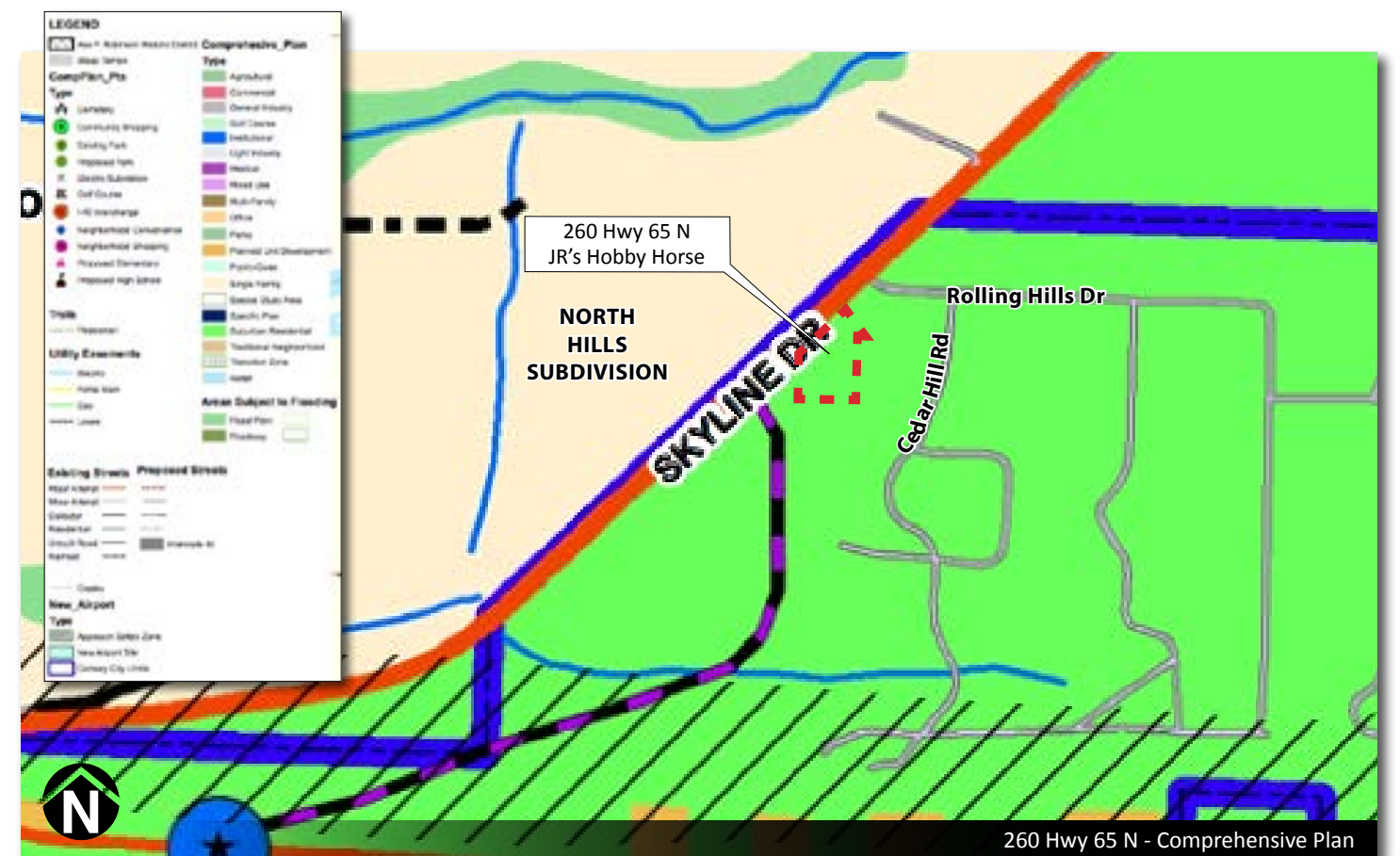
STAFF COMMENTS

The applicant is seeking a rezoning from A-1 (Agricultural District) to C-2 (Neighborhood Commercial District) with plans to build a new retail store to replace the existing store. The proposed zoning to C-2 is less intrusive than a C-3 zoning and fits the current retail usage. The property fronts US Highway 65, a major thoroughfare between Conway and North Arkansas. Any traffic increase would be negligible and with redevelopment of the property, development review standards would be enacted. Curb cuts and parking will be improved from the current state. The rezoning will bring the existing retail use into compliance with the zoning ordinance.



STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request. The rezoning will bring the grandfathered use of the property into zoning compliance. There will be limited traffic impact overall. Ingress/egress will be improved as curb cuts and parking areas will be improved during redevelopment. The C-2 zoning provides a buffer from the C-3 zoning to the north and the US 65 location makes the property appropriate for retail and commercial activities. The applicant owns the property to the east of the proposal, thereby creating minimal neighborhood impact.



1C COVINGTON CONDITIONAL USE PERMIT REQUEST FOR GENERAL RETAIL

COVINGTON REQUEST FOR CONDITIONAL USE PERMIT FOR RESTRICTED RETAIL (JEWELRY STORE) IN AN I-3 INDUSTRIAL ZONE

APPLICANT/OWNER

Jason Covington
Covington Sturgis Rd. Complex LLC
4630 Bay Hill Drive
Conway, AR 72034

STAFF REVIEW BY

Bryan Patrick, Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 655 Dave Ward Drive, Ste 102

Site Area. 8.17 acres +/- (Conditional Use is requested specific to Suite 102)

Current Zoning. I-3 (Intensive Industrial)

Requested Conditional Use Permit Amendment. The applicant is seeking a conditional use permit to allow retail (jewelry store) in Suite 102 of the existing former industrial building.

Existing Structures. Renovated former industrial building and parking areas.

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for industrial use. However, the area is slowly transitioning from industrial to office/retail.

Projected Traffic Impact. A jewelry store would add minimal traffic impact to Dave Ward Drive.

Utility Infrastructure. There are full utilities to the property.

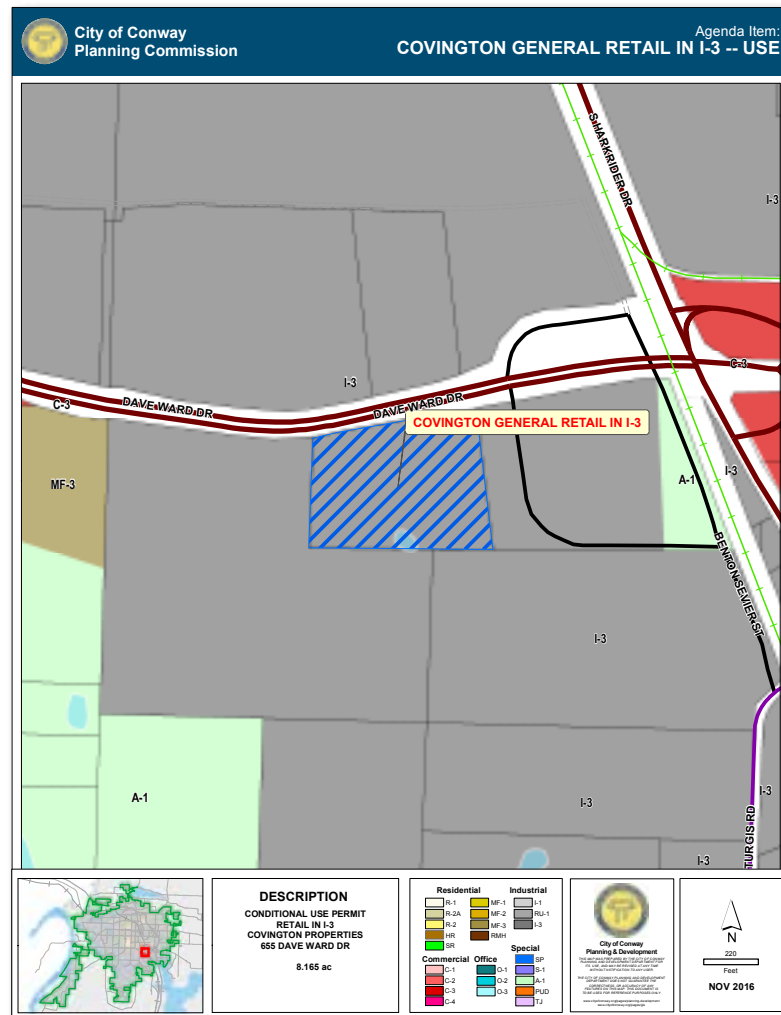
Flood/Drainage. There is no flood plain or flood way located on the property. Planning is unaware of any substantial drainage problems.

Street Improvements. There are currently no plans for improvements to Dave Ward Drive in the near future.

Conway 2025. Not applicable.

STAFF COMMENTS

The operation of a retail business in the I-3 industrial zone requires a conditional use permit. The owner of the structure rented a suite space to a jewelry store without first seeking a permit. The store is presently in operation at this location. The Planning Department discovered this use when the store sought a sign permit. Without business licenses, it is difficult to track new business locations and their respective zoning. The structure is a former bus part building. The owner renovated the basic metal building into



1D HART REQUEST TO REZONE 1401 HOGAN LANE FROM R-1 TO O-1

HART REQUEST TO REZONE PROPERTY LOCATED AT 1401 HOGAN LANE FROM R-1 TO O-1

APPLICANT/OWNER

Mitch Hart
1401 Hogan Lane
Conway, AR 72034

STAFF REVIEW BY

Jason Lyon, Asst. Director of Planning and Development
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. 1401 Hogan Ln

Site Area. 1.64 acres +/-

Current Zoning. R-1 (Single Family Residential)

Requested Zoning. O-1 (General office district)

Existing Structures. Single family home and a detached 2 car garage/office space

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this as a commercial node area with the intersection of Hogan Lane and Tyler Street. The transition area continues across the street. Abutting properties to south and west are single family residential.

Projected Traffic Impact. With a rezoning to O-1 and the existing 2000 s.f. garage outbuilding used as a realty office, 32 vehicle trips per day could be expected. With continued residential use of the existing single family home and real estate office in the existing garage, traffic concerns would be negligible overall except for minor parking concerns due to layout of the home and swimming pool/patio.

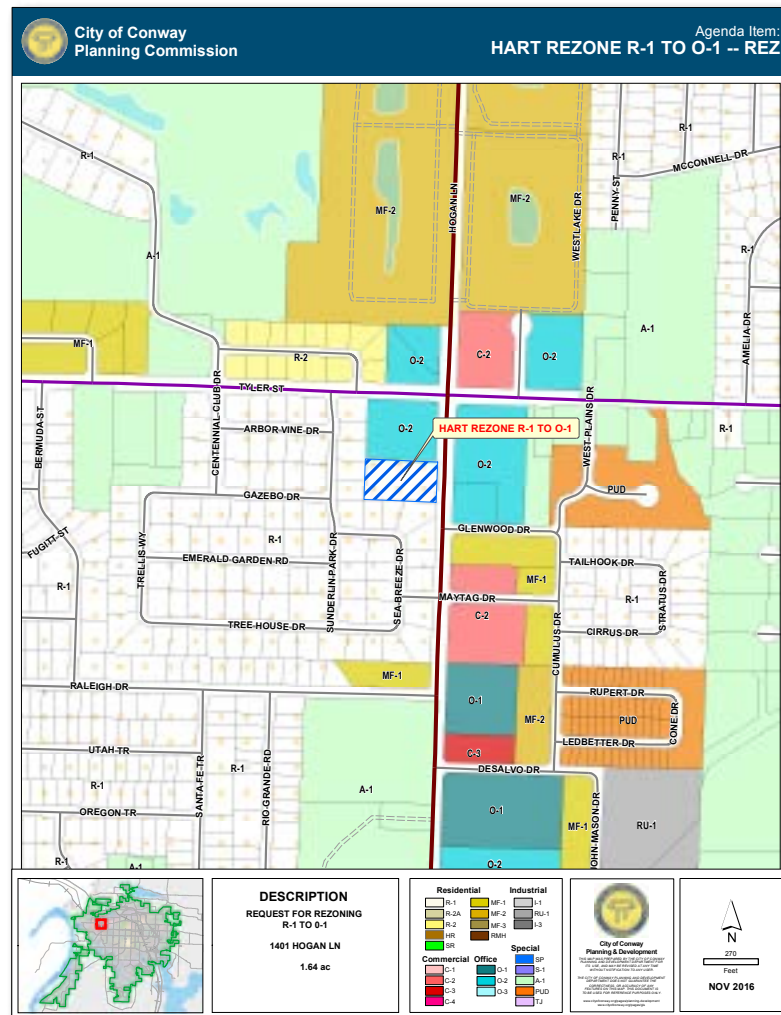
However, as O-1 office zone, the existing structures could be demolished and the property maximized with a large office structure. With the maximum sized general office structure allowed, 396 vehicle trips per day could be expected.

Utility Infrastructure. The proposed rezoning will have no effect on current utility needs. If the property were to be demolished and cleaned then utilities could be a concern but with proposed rezoning there are no utility issues.

Flood/Drainage. No flood issues on this property

Street Improvements. No area street improvements are planned in the near future.

Conway 2025. Not specified.



1D HART REQUEST TO REZONE 1401 HOGAN LANE FROM R-1 TO O-1

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request. The property is separate from abutting neighborhoods and fronts Hogan Lane. As a separate property, fronting a busy street, office seems appropriate, provided the applicant can quell concerns of abutting property owners regarding the intended use of the property. The existing structures will be utilized by the applicant and no additional structures will be needed at the present time. Parking could be a concern, but the nature of a real estate company does not show a need for large amounts of parking as employees are not constant nor is there a large customer traffic load. Fencing and screening would be the largest issue and if needed could be addressed in the subsequent conditional permit request.

View of property from Hogan Lane looking W



View of property adjacent to the N



View of property adjacent to the S



View of property across Hogan Lane to the E



1E HART REQUEST FOR CONDITIONAL USE PERMIT FOR SINGLE-FAMILY DWELLING

HART REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW SINGLE-FAMILY DWELLING IN AN OFFICE DISTRICT

APPLICANT/OWNER

Mitch Hart
1401 Hogan Lane
Conway, AR 72034

STAFF REVIEW BY

Jason Lyon, Asst. Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 1401 Hogan Lane

Site Area. 1.64 acres +/-

Current Zoning. R-1 (Single family residential district)/ O-1 (General Office if approved)

Requested Conditional Use Permit Amendment. To allow single-family dwelling in a general office district.

Existing Structures. Single Family Home and a detached 2 car garage and office space.

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this as a node area with the intersection of Hogan Lane and Tyler Street. The transition area continues across the street. The abutting properties to south and west are single family residential.

Projected Traffic Impact. Traffic generation will not be affected by this conditional use request. The existing home's traffic generation will not change.

Utility Infrastructure. The proposed use will have no effect on current utility needs.

Flood/Drainage. No flood issues on this property.

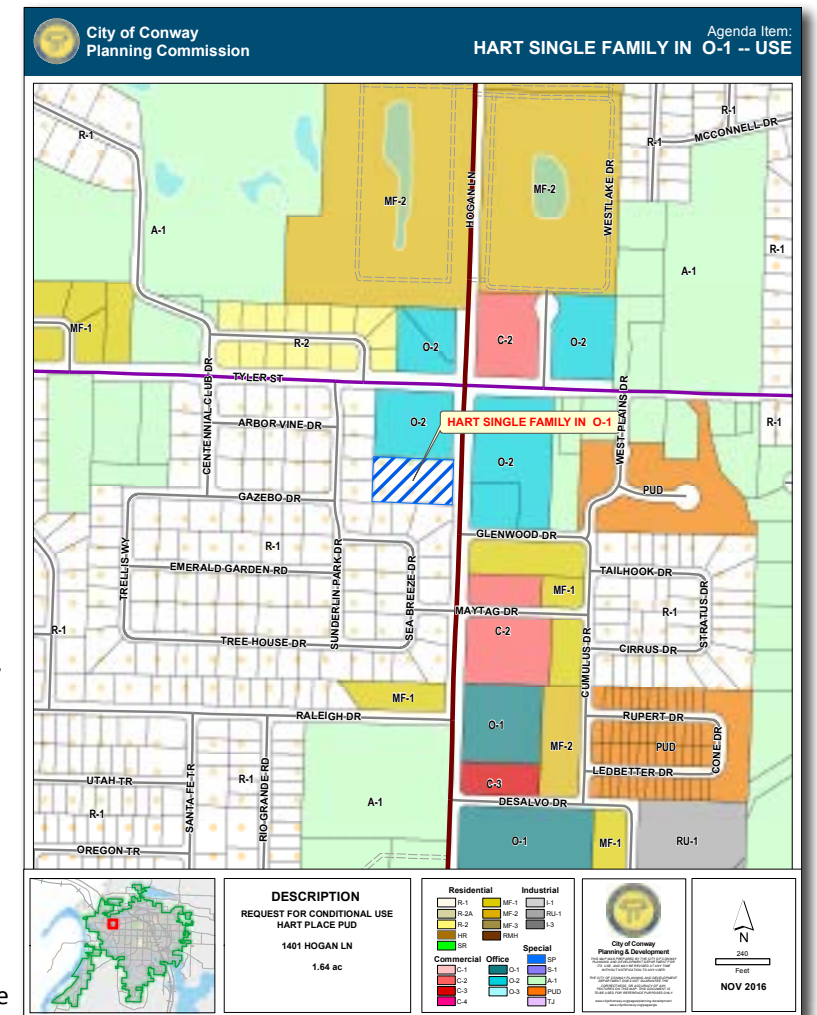
Street Improvements. There are no current plans to upgrade Hogan Lane. However, the master street plan shows Hogan as the route for the future Western Loop.

Conway 2025. Not specified.

STAFF COMMENTS

The applicant is requesting a conditional use permit to allow a single family dwelling in an office zone.

On this same agenda, the applicant is seeking a rezoning to allow office on his personal property. Single family residential is not allowed by right in the requested O-1 zone. This requested conditional use permit will allow the applicant to continue living in his current home, while also running a professional office out of the house and/or



detached workshop. The conditional use has little impact on the overall nature of the property other than allowing the applicant to use the home as a single family dwelling.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit with appropriate conditions to make the use most compatible with the surrounding area. The following conditions are suggestions and should be examined, added to, and modified as necessary by the Planning Commission.

SUGGESTED CONDITIONS

1. Office hours are limited to 8 am to 7 pm Monday through Saturday
2. Screen the property on west side. Privacy fence shall be 8 feet in height for privacy concerns of neighbors.
3. A 20 foot green space zone shall be required along the west property line. This green space shall not be used for any structure, play ground, or patio space, and is to remain unoccupied with the exception of vegetation. The existing driveway encroachment shall be allowed.

1E HART REQUEST FOR CONDITIONAL USE PERMIT FOR SINGLE-FAMILY DWELLING



1401 Hogan Lane

Aerial View of 1401 Hogan Lane



1401 Hogan Lane - Comprehensive Plan

1F REQUEST TO AMEND HART PLACE PUD TO INCLUDE RESTRICTED RETAIL

REQUEST TO AMEND HART PLACE PUD FINAL DEVELOPMENT PLAN TO INCLUDE RESTRICTED RETAIL

APPLICANT/OWNER
 MTH Properties, LLC % Mitch Hart
 575 Harkrider St
 Conway AR 72032

STAFF REVIEW BY
 Bryan Patrick, Director of Planning and Development
 1201 Oak St
 Conway, AR 72032

SITE DATA
Location. 221-225 East German Lane

Site Area. 16.74 acres +/-

Existing Structures. Lot 1A - A horse riding arena and barn; Lot 1-C - A 3000 s.f. building and parking area. The building was formerly used as a dance studio and church.

Overlay. None

Requested PUD Amendment. The applicant is seeking to amend the PUD development plan to include restricted retail. Specifically, an outdoor recreational canoe and kayak retailer that would occupy the existing structure.

Comprehensive Plan. The Comprehensive Plan shows a large portion of this property as appropriate for office use.

Projected Traffic Impact. An outdoor recreational store would add minimal traffic to East German Lane. However, an amendment to allow restricted retail on the entire 16 acres as requested could add substantial traffic to Middle Road and East German Lane depending on the types of businesses.

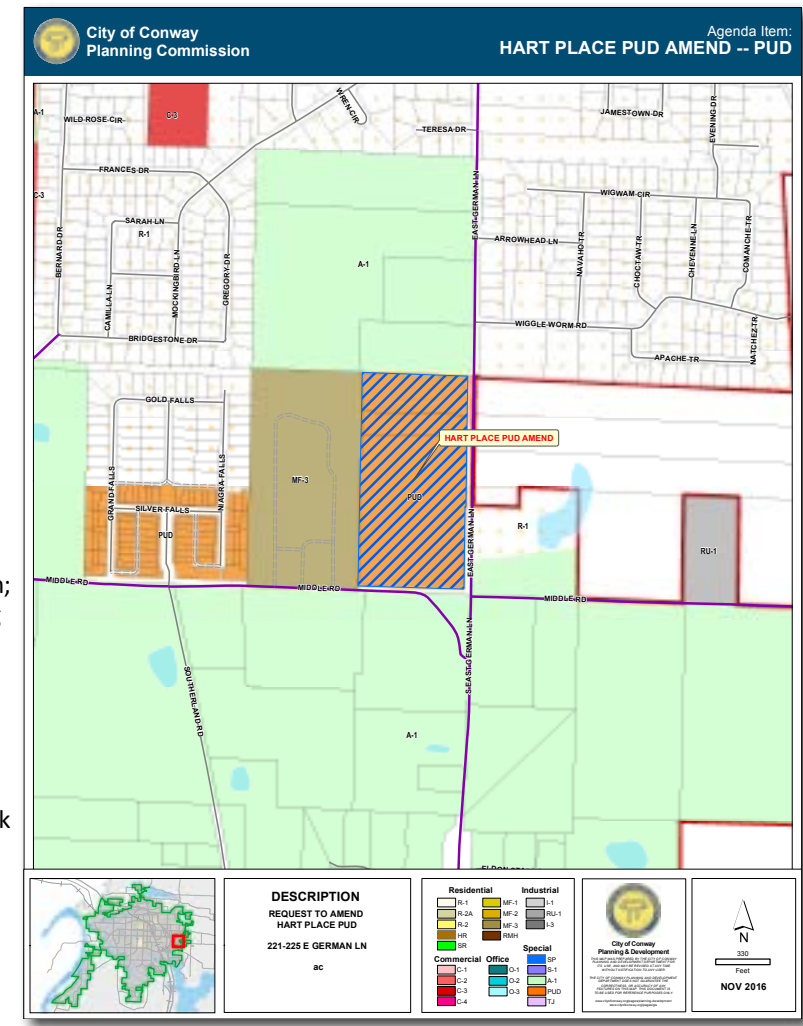
Utility Infrastructure. The existing structure is currently served by utilities. Applicant will need to work with Conway Corporation to ensure adequate utilities area in place for additional development.

Flood/Drainage. There is substantial flood plain and flood way across and through the property. The floodway greatly decreases the amount of developable land.

Street Improvements. There are currently no plans for improvements to Middle Road or East German Lane in the near future.

Conway 2025. Not applicable.

STAFF COMMENTS
Property History. 10 acres of the property were initially approved in 1992 as a PUD to allow a residence, horse riding academy, arena, barns, and dance studio. The PUD was amended in 1999 to include additional acreage and land uses.



Allowed Uses. Allowed use of the property as specified in the 1999 amendment:

1. Boarding or training animals
2. Public stable
3. Child care facility
4. College, junior college, professional school, public school, or equivalent private school.
5. Community day camp
6. Nursery or daycare center
7. Nursery school
8. Park, playground, or tot lot
9. Private school, kindergarten, or institution for special education
10. Public stable
11. Religious activities
12. Private or public elementary school
13. School facilities
14. Private beauty school or commercial art school
15. Private or public secondary school
16. Commercial trade or craft school
17. Studio art, drama, speech, dance, and music ceremonies

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1F REQUEST TO AMEND HART PLACE PUD TO INCLUDE GENERAL RETAIL

- 18. Public swimming pool
- 19. Public tennis court
- 20. All permitted uses in A-1 zoning districts
- 21. Commercial recreational facility
- 22. Boarding or rooming children (Maximum of 15)

This list of allowed uses adds day care, school, park, church, and commercial recreational activities to agricultural uses. However, retail is not included in the list.

Developable land. The request includes 16+ acres for restricted retail. The PUD amendment request includes a 3.4 acre parcel on the north and a 13.3 acre parcel on the south. The 2 acre residential property in the middle is not part of the request. In reality, the amount of developable land is much less than the 16.7 total acres. The property has a major creek running diagonally from NW to SE. The creek has a significant floodway on either side. The vast majority of the property is in the flood plain. Structures may be constructed in the flood plain, but not in the floodway. There are two pipelines running across the south side of the property.

With these limitations factored into the amount of developable land, it appears that there is approximately 7 acres available for development on the south parcel and 2 acres on the north. Of this 7 acres on the south, 4.5 acres are north of the pipelines and west of the creek. This portion is developable as commercial property, but unlikely from a marketing standpoint as it does not have street frontage due to the pipelines and their easements and lack of visibility. This further reduces the most developable commercial land to approximately 5 acres along East German Lane; 3 acres on the southern parcel and 2 on the northern parcel. If the Planning Commission feels that this acreage is too large, the request can be limited to a smaller area such as the existing former dance studio/church structure.

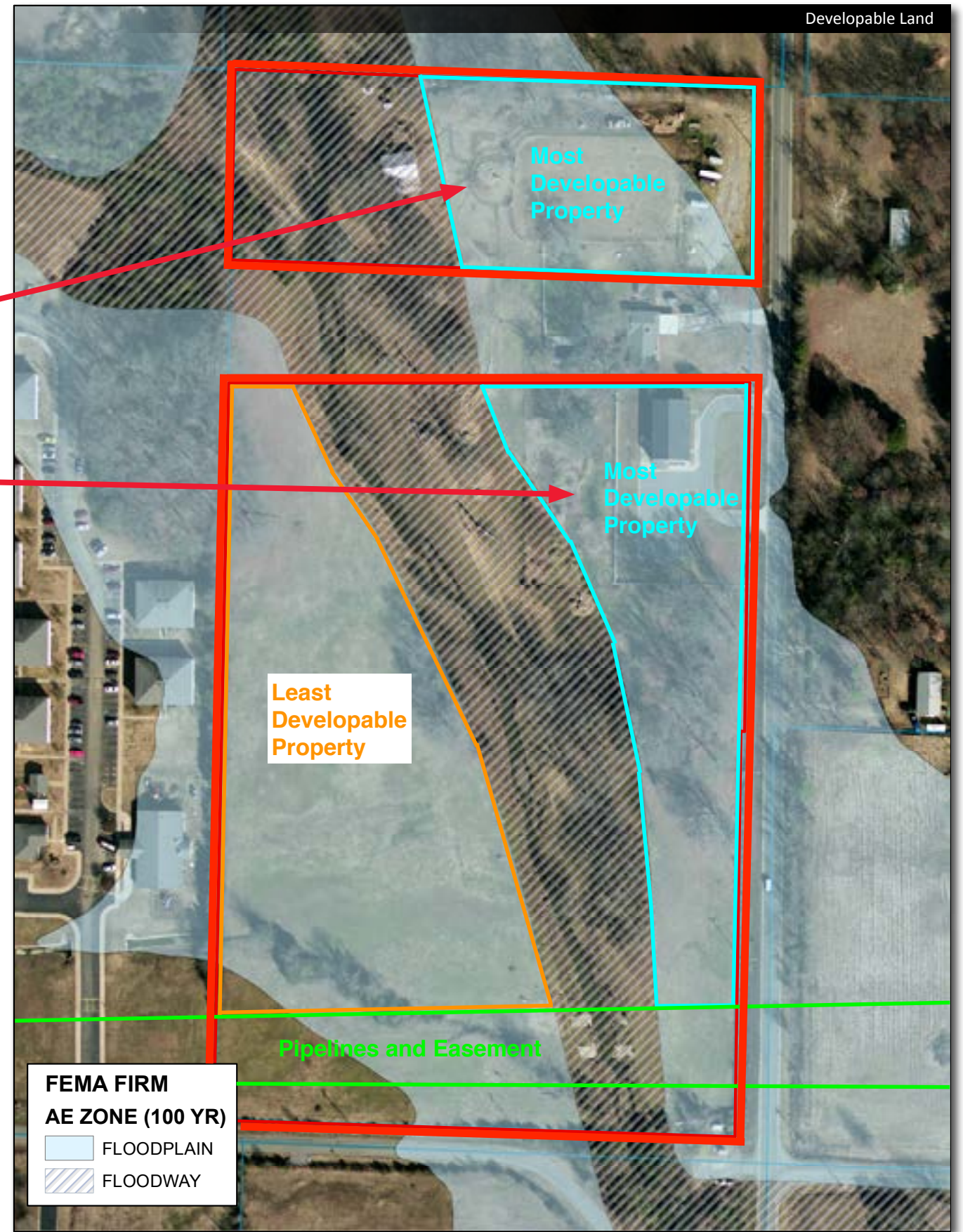
Restricted Retail. Restricted retail allows uses such as antique store, bank, barber shop, clothes store, drugstore, restaurant without drive through, office, etc. - typical small retail businesses that are not auto oriented. Unless the Planning Commission further restricts this request, the uses as allowed under retail restricted shall be allowed.

STAFF RECOMMENDATIONS

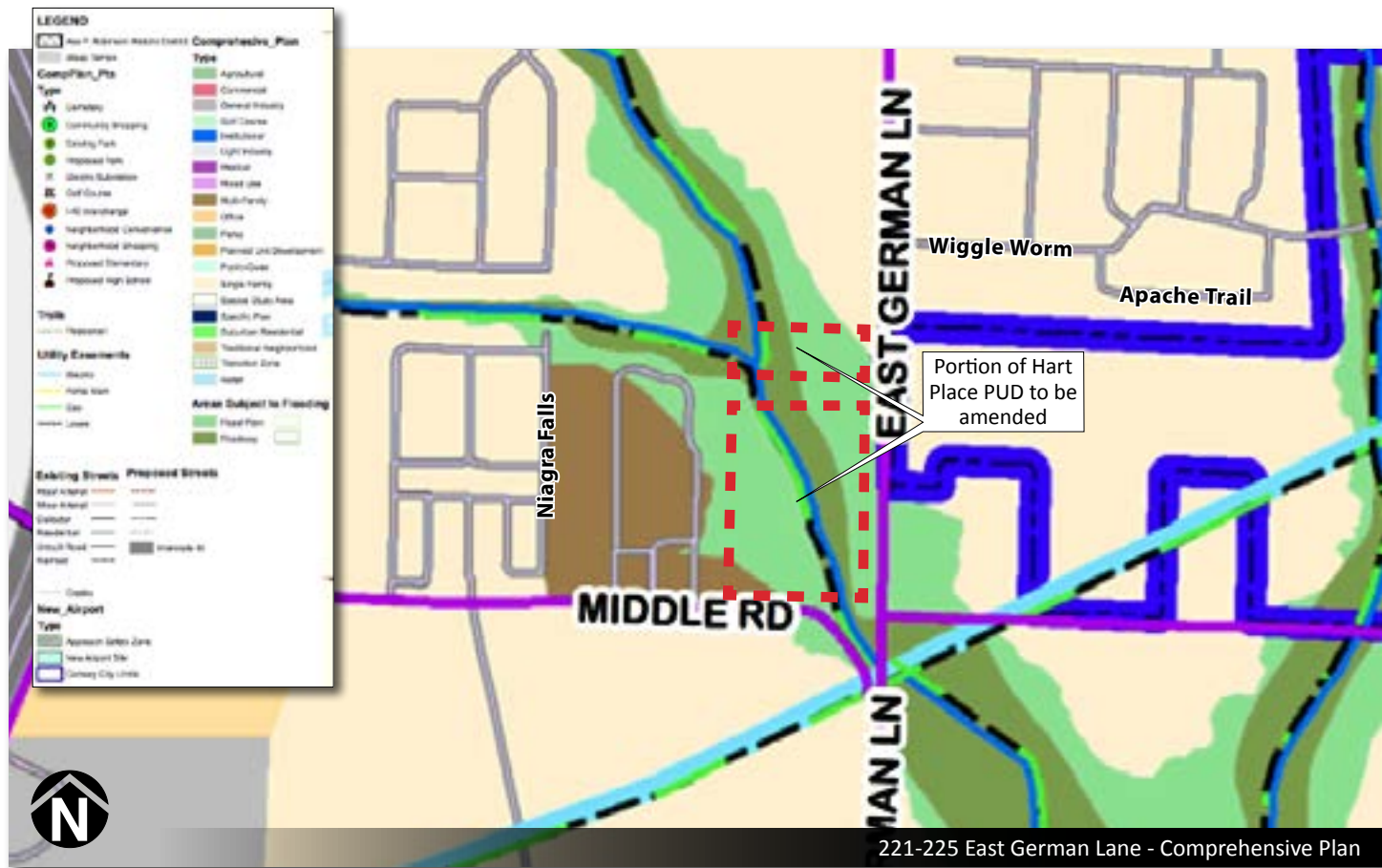
Planning Staff recommends approval of this PUD amendment request with appropriate conditions to make the use most compatible with the surrounding area.

SUGGESTED CONDITIONS

1. Restricted retail shall be added to the allowed land uses.
2. Limit of property area to allow restricted retail?
3. Hours of operation?
4. All other conditions as stated in the 1999 PUD final development plan shall remain in place.



1F REQUEST TO AMEND HART PLACE PUD TO INCLUDE GENERAL RETAIL



2A 2017 PLANNING COMMISSIONER NOMINATION/SELECTION SCHEDULE

Two new members are needed in 2017 to fill vacancies created by Mark Lewis and Matthew Brown's terms' ending.

Nominee interviews were conducted on Thursday, November 10 by one subcommittee and on Tuesday and Wednesday, November 15 and 16 by the second subcommittee. The Planning Commission should select two candidates to recommend to City Council for approval.

City wide representation is a desirable trait of the Planning Commission. *Not including the two outgoing members*, the Planning Commission consists of:

- Ward 1: 0 members**
- Ward 2: 3 members
- Ward 3: 2 members
- Ward 4: 2 members
- Territorial Jurisdiction: 1 member



Mark Lewis resides in Ward 3 and Matthew Brown in Ward 1. Ideally, the new members would represent Ward 1 and possibly either Ward 3 or Ward 4

STEP	DATE	ACTION	DAYS PRIOR TO TERM EXPIRATION	DAYS REQ'D PRIOR TO TERM EXPIRATION
1	October 1, 2016 (Saturday)	Planning Commission advertises for nominations	92	90
2	October 17, 2016 (Monday) October Planning Commission Meeting	Planning Commission discusses nomination process and creates nomination committee(s)	75	N/A
3	October 31, 2016 (Monday)	Planning Commission closes nominations	61	60
4	November 1, 2016 (Tuesday)	All Planning Commission nomination forms received by the deadline are sent to current Planning Commissioners		
5	November 1 to November 18, 2016	Nominee interviews, discussion and selection		
5	November 21, 2016 (Monday) November Planning Commission Meeting	Planning Commission chooses and submits nominees to the City Council. Nominee choices are released to the media	41	30
6	December 13 to December 27, 2016	City Council takes under advisement for 7 Days	18	10
7	December 27, 2016 (Tuesday) Second December City Council Meeting	City Council notifies Planning Commission of action	4	----

