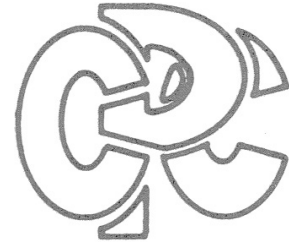




PLANNING COMMISSION MEETING

District Court Building
810 Parkway Street
Conway, AR 72034



Conway Planning Commission

February 16, 2016, 7:00 pm

The regular meeting of the Conway Planning Commission was held Tuesday, February 16, 2016 in the Russell L. "Jack" Roberts District Court Building. Present: Chairman, Mark Lewis, Vice-Chairman Matthew Brown, Bryan Quinn, Wendy Shirar, Justin Brown, Dalencia Hervey, and Brooks Freeman. Marilyn Armstrong was absent.

Chairman Lewis called the meeting order.

The Conway Planning Commission (PC) makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the PC's recommendation as a guide. Items not approved by the PC may be appealed to the City Council within 30 days after the PC'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. Items reviewed by the PC on this agenda may be considered by the City Council as early as February 23, 2016.

Minutes from the January meeting were approved unanimously on a motion made by Anne Tucker and seconded by Wendy Shirar.

The procedure followed for 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 item will be brought back into committee for discussion.

I. PUBLIC HEARINGS

- A. Lighthouse Christian Church's request for a conditional use permit to allow religious activities in the T4 and T3 subzones of the Northeast Old Conway Area Specific Plan was approved 8-1 on a motion made by Bryan Quinn and seconded by Matthew Brown with Commissioner Justin Brown voting in opposition. Pastor Elbert Credit, pastor of the Lighthouse Christian Church, 5380 Dave Ward Drive, presented the request. Pastor Credit described the church's need for a larger worship facility with classrooms, offices and storage. He explained that the church has acquired several lots in the vicinity of the existing church over the last several years and would like to use some of this new land to construct the new facility. He went on to explain their intention to repurpose the existing church building into a family life center and add a kitchen and dining area. The church would like to expand their services to the public by offering a food pantry, clothing, etc. The lot that fronts Factory Street would be used for additional parking, if

needed. The Planning Commission inquired about the lot fronting Factory that is between the church-owned properties. Pastor Credit confirmed that he had spoken with the resident and there was no objection to the church's plan. Another Commissioner inquired as to the planned business hours. Pastor Credit thinks they will remain much the same, Wednesday and Sundays and probably another day during the week to operate the food and clothing pantry. Mr. Rik Sowell, 330 Conway Blvd, spoke in favor of the request. Mr. Sowell's office is providing design services for the church's planned new facility. Pastor E.C. Maltbia, pastor of the True Holiness Saints Center, 1050 Applewood Cove, spoke in favor of the request explaining that his family owns the property at 720 Mill Street which is adjacent to the existing church property to the west. Pastor Maltbia described the church as a "really good" neighbor and stated that his family is, "100% in support of the Lighthouse Church expanding."

There were no conditions attached to this motion.

- B. Jack's Ultra Sports' request for a conditional use permit to allow an amusement center and restaurant (snack bar) in an I-3 zoning district was approved 7-2 on a motion made by Anne Tucker and seconded by Matthew Brown, with Commissioners Jerry Rye and Justin Brown voting in opposition. Curtis Butler, 43 Sunny Gap Road, presented the request. Mr. Butler described the plans for the facility as offering indoor paintball and laser tag as well as a snack bar. Holly Barker, 10 Sweetbriar, Greenbrier, spoke in favor of the request explaining that her son frequently uses the current paintball facility, located near Mayflower, AR, and that this opportunity would benefit "young people" by giving them an insight into business operations as well as providing a safe environment while learning about team building and strategy. Jeff Fencer, 385 Comanche Trail, spoke in favor of the request. Mr. Fencer is a current Paintball Arkansas employee and is helping establish this new facility in Conway. He stated that this positive activity will be good for the community and is a much needed positive activity for the youth in the area. William Ebmeyer, 2165 Charlie Dayer Drive, spoke in opposition to the request. Mr. Ebmeyer has owned and operated the property north (561 Equity Avenue) of the subject property since 1989. He described the uses of the properties adjacent to the subject property as distribution warehouse and manufacturing facilities and stated that the proposed use of the subject property is not congruent with the Conway Industrial Park covenants and restrictions. Mr. Ebmeyer's concerns are related to the hours of operation and parking. The Planning Commission discussed the appropriateness of the proposed use of the subject property as well as possible security concerns, planned hours of operation, and plans for parking. Mr. Butler did explain, in answer to a question from the Commission, that he had considered other sites, but that this site was "an ideal fit" regarding location and proposed use. There was also discussion pertaining to the covenants and restrictions. It was explained that the City of Conway/Conway Planning Commission is "not a court" and has no role in the execution or enforcement of covenants and restrictions as they are a private contract held among a group of property owners. The Planning Commission is primarily concerned with the appropriateness of the proposed use of the land.

The conditions attached to this motion are:

1. Conditional Use Permit is limited to applicant, Curtis Butler/Jack's Ultra Sports.
 2. Business hours must conclude by 9:00 pm each day of operation.
 3. All activities must be contained inside the facility.
- C. HAVEN's request to rezone property located at 3010 W Tyler Street from R-1 to S-1 was approved 9-0 on a motion made by Bryan Quinn and seconded by Anne Tucker. Marti

Jones, Director of HAVEN, 640 Whispering Wind Circle, presented the request. Ms. Jones explained the services and program that HAVEN offers to adolescent girls and gave the history of it's growth and previous locations. Ms. Jones described HAVEN's plan to build a "forever home" to serve 16 girls on land that has been donated to HAVEN. She also described plans for staffing, security and parking. HAVEN is a "home" and Ms. Jones wants the new facility to reflect that and have a residential feel. Rick Sowell, the project designer, 330 Conway Boulevard, spoke in favor of the request. He spoke to the appropriateness of the use of the property for this home. Velda Lueders, HAVEN Board of Directors member, 799 Teal Drive, spoke in favor of the request. Ms. Lueders described HAVEN's search for alternate properties and that ultimately this property is a great fit. Sheila Whitmore, 1985 Springwood Drive, spoke in favor of the request. Ms. Whitmore spoke to the many "success stories" of HAVEN and that it is a home and a good neighbor.

II. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Reviews

1. St. Andrews Place, Therapy Addition, 3501 College Avenue

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

1. Lewis Crossing Phase II, Lot 12; filed [L-276]
2. Murphy's Replat, Lots 72 & 73, Centennial Valley Community Phase I; filed [L-277]

There being no further business to conduct, the meeting was adjourned by a unanimous vote on a motion made by Anne Tucker and seconded Dalencia Hervey.