



# CONWAY PLANNING COMMISSION

## PLANNING COMMISSION MEETING

Russell L. "Jack" Roberts District Court Building • 810 Parkway Street • Conway, Arkansas 72034

**July 17, 2017, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, July 17, 2017 in the Russell L. "Jack" Roberts District Court Building. The following members being a quorum were present and acting: Chairman Anne Tucker, Vice-Chairman, Jerry Rye, Brooks Freeman, Dalencia Hervey, Marilyn Armstrong, Bryan Quinn, Wendy Shirar, Justin Brown, Brandon Ruhl, and Arthur Ingram.

Chairman Tucker called the meeting order at 7:02 pm.

Chairman Tucker informed the audience that 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's recommendation as a guide. Items not approved by the Planning Commission may be appealed to the City Council within 30 days after the Planning Commission'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](http://www.cityofconway.org). Items reviewed by the Planning Commission on this agenda may be considered by the City Council as early as July 25, 2017. Chairman Tucker went on to explain that decisions made by the Planning Commission, acting as the Board of Zoning Adjustment, are final and may not be appealed to the City Council.

Minutes from the June meeting were amended to include "double-sided" in condition #7 of the Mustela Properties request to rezone from R-2A to PUD and were then approved unanimously on a motion made by Justin Brown and seconded by Wendy Shirar.

The procedure followed for the 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 public hearing will be closed and the item will be brought back into commission for discussion.

### I. PUBLIC HEARINGS

#### A. GPM Properties, LLC's request to rezone from F-2 to MF-3 properties located at 364 and 375 Denison Street

Greg Massey, 10 Summerhill Dr, Greenbrier, presented the request. Mr. Massey described that he has offered to purchase the property, contingent on the rezoning, and would like demolish the existing structures on the two properties and construct multi-family housing as the location is ideal to provide rental properties for UCA students. He intends to plan the development so the majority of traffic empties onto Denison St, not W Martin St, and he expects many of the residents who are students will walk to campus. He explained that he has owned many of the surrounding properties (approximately 190 units) with similar uses for some time and has not had any problems. Rod Pearson, 2620 Bruce St, speaking for himself and on behalf of his neighbor, Marcus Maltbia, 2623 W Martin St, expressed concerns regarding drainage in the area. Mr. Pearson explained that he was not opposed to the rezoning and development of the properties, but has significant concerns about the drainage in the immediate area and how it may be worsened with the development of these properties. He spoke of how many of the nearby properties have been raised during development, contributing to his and his neighbor's

drainage problems. Mr. Pearson shared some recent photos with the Planning Commissioners. Bryan Patrick, Director of Planning & Development, explained that, if the rezoning is approved, Mr. Massey will have to have any multi-family project reviewed through the Site Development process during which mechanisms to handle any additional run-off created by the development will have to be identified so as not to put more water on the neighboring properties than currently drains there or overwhelm 'downstream' systems that may be inadequate. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. In response to a question by Jerry Rye, Mr. Massey confirmed that he plans to build 2-story units and also plans to orient the development to channel runoff towards a large drainage ditch at the rear [west] of the properties. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval. Dalencia Hervey seconded the motion. The motion passed unanimously.

**B. Watson & Watson Construction's request for a conditional use permit to allow MF-2 density in an C-2 zoning district for property located at 1600 S Donaghey Ave**

Kevin Watson, 680 Padgett Rd, presented the request. Mr. Watson explained that the property is currently zoned C-2 and he wishes to bring some small shops to this part of Donaghey that currently has none and would also like to include some higher-end multi-family housing to give the development a more community feel. He plans to construct 50, 2-bedroom/2-bathroom units according to the same design as previously constructed units on N Donaghey Ave near Meadowlake Rd. Mr. Watson mentioned a barber, a pizzeria, and a childcare center as possible commercial tenants. He has designed the development to locate all the parking to the interior of the development and plans to channel the majority of the traffic onto S Donaghey Ave in an effort to not add to the congestion on Favre Ln, but has planned for emergency ingress/egress from Favre Ln. A discussion followed regarding vehicle traffic into and out of the development as well as the volume of pedestrian traffic in the area due to the proximity of Ellen Smith Elementary School. David Giorgi, 1680 Hosta, representing the Spring Valley Subdivision Property Owner's Association, spoke in opposition to the request. Mr. Giorgi stated that he was not opposed to the development, but he is very concerned about possible cut-through traffic on Morning Glory Ln by motorists trying to avoid commuter and school traffic at the intersection of S Donaghey Ave and Favre Ln. Vida Morgan, 1564 Sagegrass Rd, and daughter, Michelle Morgan, 1515 Sagegrass Rd, both expressed concerns about the amount of existing traffic in the area as well as for the safety of the neighborhood children and those walking to and from school. Michelle Morgan felt this development would contribute to the traffic problem. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. The Commission discussed the traffic issue and determined that neither they or the developer can fix the existing problem, but need to consider the issue when making their decision. The traffic in the area is due to the large number of residences, the elementary school, and the fact that Favre Ln is now an east/west artery as it connects Salem Rd to S German Ln. They also discussed the difference in traffic patterns between commercial and multi-family developments. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval including the staff recommended conditions. Justin Brown seconded the motion. The motion passed unanimously.

**Conditions attached to this motion:**

1. Maximum of 50 units.
2. Privacy fence to be built on south side.
3. Curb cuts built on property lines with shared use agreements.
4. 25% increase in landscaping requirements on east and south property lines. Evergreen screening trees are to be included.
5. Sidewalks to be completed along street frontages.

**C. Holloway Engineering's request to rezone from R-2A to O-2 property located at 841 Donaghey Ave**

Mark Redder, 200 Casey Dr, Maumelle, presented the request. Mr. Redder explained his client's desire to develop the dilapidated property into small, "mom and pop shop" type lease spaces for offices and small retail as his client is also seeking a conditional use permit [item D] for restricted retail for the same property. Zach Saxion, listing and selling agent for the property with Remaxx Elite, 950 Carson Cv, Suite 102, spoke in favor of the request. Mr. Saxion commented that the sellers really need to sell due to health problems and the buyers have some great vision for the property and plan to work closely with the Historic District Commission. Mr. Saxion is a senior at UCA and spoke of how he has "fallen in love with the architecture here" and thinks Conway is great, but can become greater. He thinks the development of this property will draw businesses there and provide new jobs for students. Joseph Beard, 846 Donaghey Ave, just completed an extensive renovation of the property opposite the subject property to the east and asked for special consideration regarding the design of the proposed development since it is in an historic area. He is "all for" updating the property. Brian Strandlund, 3035 Crawford Lp, also speaking on behalf of this father, Richard Strandlund, 909 Heather Cir, Mr. Strandlund owns nearby residential rental properties at 915 and 909 Donaghey Ave and 2100, 2106, and 2112 Caldwell St. He agrees that the subject property needs to be updated, but he is opposed to transitioning the property from an R-2A to commercial property that will increase the traffic significantly. He described current traffic problems his tenants experience and is concerned about that becoming worse. Jack Branscum, Conway Street Department Engineer, confirmed that a roundabout is planned, with high priority, for the Caldwell St/Donaghey Ave intersection. Chris Throneberry, 901 Reedy Rd, stated that his comments and questions might be more appropriate in relation to the next item on the agenda. He owns nearby properties at 831 and 817 Donaghey and voiced concerns of drainage and traffic congestion. Rod Kilduff, 822 Donaghey Ave, spoke in opposition to the request. He expressed concerns about traffic congestion that increases when school is in session and for the safety of students walking to and from school. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval. Brooks Freeman seconded the motion. The motion passed unanimously.

**D. Holloway Engineering's request for a conditional use permit to allow restricted retail in an O-2 zoning district for property located at 841 Donaghey Ave**

Mark Redder, 200 Casey Drive, Maumelle, presented the request. Mr. Redder explained that the conditional use permit request was for the entire property at this time so that the owners do not have to apply for a new conditional use permit for each new retail tenant. He thinks there will be a fair amount of office in the development as the market will not support full retail in this area. Mr. Redder referenced a shared access drive agreement with adjacent property owners that will serve the development. He also explained that his firm has done a design study that incorporates the planned roundabout. Zach Saxion, agent with Remaxx Elite, 950 Carson Cv, Suite 102, clarified that he has discussed the shared access drive plan with both adjacent property owners, Chris Throneberry and David Crow, and stated that the agreement was a verbal indication of interest depending on the design and use of the development. The Planning Commission questioned Mr. Redder as to the type of retail planned for the development. Mr. Redder stated that he does not yet know who the retail tenants will be. Bryan Patrick added that the Historic District Commission (HDC) must approve any new buildings on this property and that the HDC would likely not approved the plan as presented with an L-shaped building to the rear of the property and parking located to the front, nearest the street. He believes the HDC will require a more urban, building in the front/parking in the rear, design. Holly Strandlund, 3035 Crawford Loop, spoke in opposition to the request stating her concern that the type of retail is not identified and that there is big traffic difference between office and retail uses. Patti Stobaugh, 47 Lakeview Dr, owner of Patti Cakes Bakery and Stoby's, spoke in opposition to the request. While not opposed to the office rezoning and the development of the Donaghey Corridor, Ms. Stobaugh is opposed to granting a conditional use permit since the property owner's/ developers and type of retail planned are not public knowledge. Chris Throneberry, 901 Reedy Rd, spoke in opposition to the request. He does not think the conditional use permit should be granted since the developer and plans are not identified. Mr. Throneberry is also a supporter of the Donaghey Corridor and thinks the

development of the subject property will be a big part of that. Joseph Beard, 846 Donaghey Ave, spoke in opposition to the request. Mr. Beard believes the developer should have to come before the Planning Commission for approval of the types of retail tenants planned for the development. David Crow, (no address given), spoke in opposition to the request stating concern about drainage in the area as well as not knowing the types of tenants planned for the development. Rod Kilduff, 822 Donaghey Ave, spoke in opposition to the request agreeing with the concerns shared by the other opposed speakers. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Marilyn Armstrong motioned that the request be forwarded to the City Council with a recommendation for approval with the staff recommended conditions. Bryan Quinn seconded the motion. The motion failed 0-10.

**Conditions attached to the motion:**

1. Limited amount of retail; no more than 50% of lease space square footage shall be retail.
2. At a maximum, 1 curb cut shall be allowed per street frontage, shared access agreements must be south with adjacent property owners.
3. Design plans shall be approved by the Historic District Commission.
4. A privacy fence shall be constructed along the south and west property lines.

**E. Request to amend Conway Zoning Ordinance #O-94-54 to reduce required minimum lot square footage and lot coverage area in an R-1 zoning district**

Bryan Patrick, director of Planning & Development, presented the request explaining that the Planning & Development Department receives frequent requests from developers to allow smaller R-1 lots. The current minimum lot square footage in an R-1 zoning district is 7,500 sf with 35% allowable lot coverage area and a minimum of 60 feet street frontage. The proposal is to reduce the minimum allowed lot square footage to 6,000 sf and allow up to 40% lot coverage area, but maintain the required 60 feet of street frontage and side (6') and rear (25') setbacks per lot as well as standard street rights of way. The maximum lot coverage percentage is increased to allow more of the reduced size lot to be buildable. Hal Crafton, 5460 Lost Canyon, spoke in favor of the request. Mr. Crafton explained that reducing the minimum required R-1 lot size allows for greater flexibility when developing property into single-family lots. This change may reduce the number of residential PUDs that are requested. There was discussion of the merits of creating a new, small-lot zoning district in lieu of reducing the minimum lot size in an R-1 zoning district, but the Planning Department felt the later was the better action. Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Brandon Ruhl motioned that the request be forwarded to the City Council with a recommendation for approval. Dalencia Hervey seconded the motion. The motion passed 10-0.

**II. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

**A. The following Development Reviews were completed since the previous meeting.**

1. Sketoe Office Building, 1270 McNutt Road

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

1. Edgewood Park PUD Phase 1 (Book L, Page 330)
2. Harp's Lot Merger of Allinder Addition, Blocks 3 & 4 (Book L, Page 331)
3. Woodlands Edge Correction Plat (Book L, Page 332)

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

1. Ingram Village PUD, Phase 2 Final
2. North Market Partners Replat Lots 5B & 5C
3. Sherwood Estates Replat Lots 63 & 64
4. AA Halter Replat Block 1, Lots 1-3
5. Remaxx Replat of North Market Plaza PUD Lot 2

**Adjournment**

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Jerry Rye and seconded by Wendy Shirar.

Approved:

A handwritten signature in cursive script that reads "Anne Tucker". The signature is written in black ink and is positioned above a horizontal line.

---

*Chairman, Anne Tucker*