

The regular meeting of the Conway Planning Commission was held Monday, August 19, 2019 in the Russell L. "Jack" Roberts District Court Building. The following members, being a quorum, were present and acting: Chairman Justin Brown, Arthur Ingram, LaTisha Sanders-Jones, Bryan Quinn, Brandon Ruhl, Anne Tucker, and Rhea Williams. Brooks Freeman joined the meeting late; Dalencia Hervey was absent.

Minutes from the July meeting were approved 7-0 on a motion made by Anne Tucker and seconded by Arthur Ingram.

I. SUBDIVISION REVIEW

The Commission voted 7-0 to approve the report from the Subdivision Committee meeting as presented by Brandon Ruhl.

A. Request for preliminary plat approval – Blackberry Ridge Subdivision, Phase II

The preliminary plat for Blackberry Ridge Subdivision, Phase II was reviewed and approved, with conditions, by the Subdivision Committee subject to completion of the amended punch list.

The following items required correction on the plat:

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

The following items required correction on the plat:

1. Preliminary 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 no more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
4. Minimum clearance of twenty-six (26) feet must be provide around a hydrant.
5. Utility easements as required by Conway Corporation are needed.
6. Drainage easements as required by the City Engineer are needed.
7. 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.
8. 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.
9. 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.

B. Request for preliminary plat approval – Campbell Cove Subdivision, Phase II

The preliminary plat for Campbell Cove Subdivision, Phase II was reviewed and approved, with conditions, by the Subdivision Committee subject to completion of the amended punch list.

The following items required correction on the plat:

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

3. Revisions to road layout as noted on Preliminary Plat.

The following items required correction on the plat:

1. Preliminary 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 location on the same street. Variances must be approved by the Planning Commission and Fire Chief.
4. Minimum clearance of twenty-six (26) feet must be provided around fire hydrant.
5. Utility easements a required by Conway Corporation are needed
6. Drainage easements as required by the City Engineer are needed.
7. 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.
8. 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.

Request for preliminary plat approval – Lisa Landing Subdivision

The preliminary plat for Lisa Landing Subdivision, was reviewed and approved, with conditions, by the Subdivision Committee subject to completion of the amended punch list.

The following items required correction on the plat:

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

The following items required correction on the plat:

1. Final Plat approval from all reviewing agencies, including Transportation, Fire, and Conway Corporation, shall be obtained.
2. A Bill of Assurance proposed for the subdivision generally describing proposed easements, 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 location on the same street. Variances must be approved by the Planning Commission and Fire Chief.
4. Minimum clearance of twenty-six (26) feet must be provided around fire hydrant.
5. Utility easements a required by Conway Corporation are needed
6. Drainage easements as required by the City Engineer are needed

II. PUBLIC HEARINGS

A. Request for zoning variance to allow reduced rear building setback at 46 Thousand Oaks Cir

James Walden, Director of Planning, explained the variance request and recommended approval based on the topographical challenges to developing the site according to A-1 zoning district setback requirements and that ample separation will still exist between developments on adjacent properties. Earl Rogers (40 Maple R Lane, Pine Bluff) spoke in favor of the request. Mr. Rogers and his wife are the property owners.

The public hearing was closed and presented to the Commission for discussion. The request was approved 8-0 on a motion made by Bryan Quinn and seconded by Anne Tucker.

- B. Request for zoning variance to allow reduced interior side building setbacks at 2955 Dave Ward Dr**
Levi Hill, Assistant Director of Planning, explained the variance request and recommended approval as the granting the variance would allow further development consistent with patterns of the area and would allow for greater separation from more sensitive uses, such as single-family homes, by allowing reduced setbacks where the development abuts multi-family and commercial uses. Brent Salter (201 Lee Andrew Ln) spoke in favor of the request.

The public hearing was closed and presented to the Commission for discussion. The request was approved 8-0 on a motion made by Bryan Townsend and seconded by Brandon Ruhl.

- C. Request for conditional use permit to allow a church/religious activity in I-3 zoning district for property located at 750 9th Ave**

Levi Hill explained the conditional use permit request and recommended approval. Sarah Huggins (220 Mill Pond Rd) spoke in favor of the request, as the property owner. Mrs. Huggins explained her desire to lease the space for 2 years then re-evaluate based on possible development in the Central Landing area, as the property is an investment property. She explained that she has a shared parking agreement with an adjacent property, but noted that the additional required parking improvements will be costly. Mrs. Huggins confirmed that the church will use the facility for weekly services and Bible studies, but that there will be no school or childcare facility. Rita Hernandez (Houston, AR) spoke in favor of the request. She then translated for David Fuentes (Russellville, AR) the pastor of the church seeking the lease who also spoke in favor of the request. Gene Salter was not opposed to the request, but asked if the conditional use permit would be tied to the applicant or run with the land? James Walden clarified that while a conditional use permit cannot legally be tied to a specific applicant, it can be tied to the term of the current occupancy. Discussion followed regarding other uses in the vicinity and how allowing a church to occupy this property could affect other, typical industrial uses.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, including the conditions listed below, 8-0 on a motion made by Anne Tucker and seconded by Brian Townsend.

Conditions:

1. All existing and proposed off-street parking shall meet the standards set forth in Articles 501 and 1101 of the Zoning Code, including but not limited to sealed surfacing and curb installation.
2. All landscaping shall be provided in accordance with the standards set forth in Article 1101 of the Zoning Code, including but not limited to perimeter landscaping (one canopy tree per 30 feet) and interior parking lot landscaping requirements.
3. Any expansions or additions to the structure as well as any changes to the use shall require an amended or new conditional use permit.
4. Conditional use permit is limited to the term of the current occupancy.

- D. Request to modify Wal-Mart Neighborhood Market PUD conditions to allow additional accessory structure and increase lot coverage area for property located at 2510 Prince St (Chick-Fil-A)**

James Walden explained that although Planning Staff could have reviewed and approved this PUD modification request, he felt more comfortable allowing Planning Commission to review it as the original PUD creation had been contentious with the surrounding property owners and he wanted there to be ample opportunity for public input. The PUD is governed according to C-2 zoning district requirements. Mr. Walden described the proposed canopy design and explained that since it will have a solid roof it is considered an accessory structure and its proposed placement does not meet commercial accessory placement and setback requirements, hence the PUD modification request. Planning Staff provided no recommendation, but did suggest some conditions the Planning Commission might want to consider if the request is to be approved. Alan Kizer (433 Emerald Garden

Rd) spoke in favor of the request. Mr. Kizer is the Chick-Fil-A Franchisee and described the design and intent of the proposed canopies. He explained that the canopies are part of the expanded face-to-face ordering system that Chick-Fil-A has developed. Isaac Sims (1123 Front St, #2) spoke in favor of the request.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, including 2 of the 4 staff suggested conditions as noted below, 8-0 on a motion made by Arthur Ingram and seconded by Brooks Freeman.

Conditions:

1. Four (4) additional evergreen understory trees are required along and in close vicinity to the canopy fronting Prince St.
2. In the event that Chick-Fil-A ceases operation at this location the canopies must be removed.

E. Request for conditional use permit to allow 12 units/acre in R-2A zoning district for property located at 553 Factory St

Levi Hill explained the request, which would allow the applicant to construct 3 residential units instead of 2. He also noted that since the development exceeds 2-family residential that it will be required to go through the Development Review and Subdivision (platting) processes. Additionally, design review and approval by the Conway Historic District Commission will be required as the property is within the Old Conway Design Overlay District. Allen Shaver (1261 Harkrider St) spoke in favor of the request. Mr. Shaver described the proposed project in further detail and requested additional parking be allowed along Factory St for visitors. James Walden explained that the HDC can approve setbacks different from those allowed by the Zoning Code which could help with the desired parking.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, including the conditions listed below, 8-0 on a motion made by Brooks Freeman and seconded by Brandon Ruhl.

Conditions:

1. Access to all three units shall be provided from the 3rd St frontage.
2. All units shall front on Factory St with principle entrances that face the street.
3. If proposed, garages shall be rear or side loaded.
4. All parking shall be located to the rear of the property.

F. Request for conditional use permit to allow a cellular transmission tower in C-3 zoning district for property located at 3800 Prince St

James Walden provided an overview of the request for a 150 foot tall stealth cellular transmission tower. He reminded the Commission of a similar request from 2015 for an adjacent property which was denied. The Planning Staff recommends tabling the request until the applicant provides additional information needed to better review the request. Randy Frazier (124 W Capitol, Little Rock) spoke in favor of the request. Mr. Frazier is the attorney representing B+T Group and tower owner, Verizon. Mr. Frazier shared increased usage statistics (Pew Research) which is the basis for the need of the additional tower at this location as well as propagation maps showing current coverage and improved coverage with the new tower. He noted that the tower and enclosure development will be toward the rear of the property to allow for other development fronting on Prince St. Jim Curley (B +T Group) answered questions regarding other towers in the area. James Walden explained that the Planning Staff isn't opposed to the request, but needs more information to properly review it.

The public hearing was closed and presented to the Commission for discussion. A motion, to table the request until additional information could be provided by the applicant, was made by Arthur Ingram

and seconded by Latisha Sanders Jones. The motion was approved 8-0.

G. Request to amend the master street plan to realign streets in the Central Landing area

James Walden explained that some realignment of streets is needed as the development pattern has changed slightly from what was originally approved. A newly proposed development in the area is still being reviewed so the Planning Staff is requesting more time in an effort to plan the best, comprehensive changes.

A motion was made, to continue the public hearing at the September Planning Commission meeting by Anne Tucker and seconded by Brian Townsend. The motion was approved 8-0.

III. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. The following Development Reviews were completed since the last meeting

1. Taco Bell at Centerstone, 2195 Dave Ward Dr (SIT2019JUN03)
2. Conway Regional Health Foundation Medical Office Building, 2180 Ada Ave (SIT2019JUN06)

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

1. Sun Valley Estates Lot Merger (P2019-00035)
2. Replat of Lot 22, Block 2 Linwood Subdivision (P2019-00036)
3. Corrected Replat of Lot 22, Block 2 Linwood Subdivision (P2019-00038)
4. The Plaza at Centerstone (P2019-00039)

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

1. Audubon Place Replat (SUB2019JUL01)
2. Lewis Ranch Phase II Lot 4 Replat (SUB2019AUG02)

Adjournment

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

Approved:



2019 Chairman, Justin Brown