

The regular meeting of the Conway Planning Commission was held Monday, December 21, via Facebook Live from City Hall due to the restrictions imposed by the Covid-19 pandemic. The following members, being a quorum, were present and acting Rebekah Fincher, Rhea Williams, Brandon Ruhl, Dalencia Hervey, Anne Tucker, Brian Townsend, and Arthur Ingram. Drew Gainor, Latisha Sanders-Jones, and Brooks Freeman were absent.

Minutes from the November 16th meeting were approved 6-0-1 on a motion made by Anne Tucker and seconded by Brian Townsend. The chairman did not vote.

I. SUBDIVISION REVIEW

A. Request for preliminary plat approval of Fason Properties Replat

Levi Hill, Assistant Director of Planning, explained that the property is a proposed 8-lot subdivision located on the east side of Mildred St, south of the intersection of College Ave and Mildred St. The property is zoned R-2 with proposed lots ranging from 7,700 square feet to 12,400 square feet. All the proposed lots will take access from Mildred St. Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

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 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.
7. 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.

No one spoke in favor of the subdivision.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat approval. A motion to approve was made by Rhea Williams and seconded by Rebekah Fincher; passed 7-0 unanimously, with the chairman voting.

B. Request for preliminary plat approval of The Estates at Centennial Valley

Levi relayed that the applicant is requesting preliminary approval of a 11-lot subdivision located north of the intersection of Warwick Hills Ln and Tyler St. The property is zoned R-1 with proposed lots ranging from 0.61 acres to 1.11 acres. The subdivision will feature a single access point from Warwick Hills Ln, and all streets will require 5-foot sidewalks with a 6.5-foot green space. Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. Wheelchair ramps shall be provided by the developer/subdivider in accordance with the City of Conway's Standard Details.
3. 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.

4. 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.
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. 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.

Bobby French (1021 Front St) spoke in favor of the subdivision and noted acknowledgement of the conditions.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat approval. A motion to approve was made by Brian Townsend and seconded by Dalencia Hervey; passed 7-0 unanimously, with the chairman voting.

C. Request for preliminary plat approval of Miller's Creek Subdivision

Levi described the applicant is requesting preliminary approval of a 50-lot subdivision located east of the intersection of East German Ln and Lower Ridge Rd. The development represents Phase 1 of the Miller's Creek Subdivision. The property is zoned R-1 with proposed lots ranging from 7,800 square feet to 16,500 square feet. The subdivision will feature one access point from Lower Ridge Rd and an additional access point from East German Ln. The proposed lots will be accessed by a new internal street network and all proposed streets will require 5-foot sidewalks with a 6.5-foot green space. One waiver was requested for the creation of double frontage lots. Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. A 10-foot planting easement shall be required along Lower Ridge Rd. Alternatively, a permanent ornamental fence or wall may be substituted. No lot shall take access from Lower Ridge Rd.
3. A 10-foot, developer required, sidewalk shall be constructed along Lower Ridge Rd.
4. Wheelchair ramps shall be provided by the developer/subdivider in accordance with the City of Conway's Standard Details.
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.

No one spoke in favor of the subdivision.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat approval. A motion to approve was made by Rebekah Fincher and seconded by Arthur Ingram; passed 7-0 unanimously, with the chairman voting.

D. Request for preliminary plat approval of Maly Village Subdivision

Levi explained the applicant is requesting preliminary approval of a 3-lot subdivision located at the southeast corner of the intersection of Thomas G. Wilson Dr. and E Dave Ward Dr. The northwest corner of the property is zoned C-3 and the remaining portion is zoned A-1 with proposed lots ranging from 2.5 acres to 14.2 acres. The proposed lots will take access from Thomas G. Wilson Dr. and E Dave Ward Dr. Additionally, lots will take access from a proposed street to be constructed through the development. Sidewalks will be required at the time the lots are developed. One waiver has been requested for a block exceeding 1,500 square feet. Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

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 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.
7. 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.

No one spoke in favor of the subdivision.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat approval. A motion to approve was made by Dalencia Hervey and seconded by Rebekah Fincher; passed 7-0 unanimously, with the chairman voting.

II. PUBLIC HEARINGS

A. Request to annex ± 10.00 acres east of East German Lane, north of Rich Smith Lane

Beth Sketoe, Planner, described the proposed property is primarily vacant land with a single-family residence that accesses East German Ln. The requested R-1 zoning is appropriate for the property in the area. All departments approve annexation, but it is not known if adequate fire flow for new construction is available. The developer will be required to install improvements to provide adequate fire-protection for new construction. Planning Staff and the other departments recommend approval of the annexation.

Chris Siler (1513 E German Ln) spoke in favor of the annexation for his clients.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which they decided to approve the annexation request. A motion to approve was made by Rhea Williams and seconded by Rebekah Fincher; passed 7-0 unanimously, with the chairman voting.

B. Request to modify conditional use permit no.1377 [for childcare facility in R-2] for property located at 2425 Tyler Street

Levi relayed that applicant is seeking to modify an existing conditional use permit for the property which allows childcare facilities in the given zoning district, to remove the restriction to a given applicant/occupant. The use of the property as a childcare facility was previously authorized by conditional use permit in 2017. Planning Staff recommends approval of the request to modify the existing conditional use permit per the following, Current Conditions / Proposed new or modified conditions:

1. Hours of operation are limited to 6:00 am to 6:00 pm Monday through Friday; 8:00 am to 3:00 pm Saturday
2. ~~This permit is limited to the applicants, Michael and Elizabeth West, only.~~
3. Sufficient parking must be supplied for employees and parents.
4. All new signage shall be permitted by the Planning & Development Department prior to installation.
5. Any expansions or additions to the structure/site or change in use shall require a new or amended conditional use permit.

No one spoke in favor of the modification to the conditional use permit.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the modification of the conditional use was made by Anne Tucker and seconded by Rhea Williams; passed 7-0 unanimously, with the chairman voting.

C. Request for conditional use permit to allow temporary parking and construction laydown in S-1 for property located at 731 Donaghey Avenue & 2131 Louvenia Avenue

Levi explained the applicant is proposing to use the properties as temporary parking lots and construction laydown lots during the construction of the CRMC expansion at the northeast and southeast corners of Louvenia Ave and Augusta Ave. The proposed use is temporary between January 2021 and December 2022. The proposed use is needed given the congestion associated with both the medical uses and construction in the area. Planning Staff recommends approval of the conditional use permit per the following conditions:

1. This permit shall be for the temporary period from January 1, 2021 to December 31, 2022.
2. All lots shall be surfaced at minimum with gravel with adequate dust binder.
3. Parking and laydown lots shall be screened from adjacent properties and public right of way by a solid board fence of acceptable design. Such wall or fence shall not be less than five (5) or more than seven (7) feet in height and shall be maintained in good condition without any advertising thereon.
4. The parking and laydown lots shall have designated ingress and egress points into the lots.
5. Any proposed lighting shall meet the lighting standards of Section 1101 of the Zoning Code, specifically for projects abutting residential properties.
6. At the expiration of this permit and in the absence of permanent development approval for the site, the applicant shall remove the temporary parking and laydown facilities along with any associated fencing or lighting. This shall include removal of gravel and re-seeding or sodding the lots.
7. Any expansions or change in use shall require a new or amended conditional use permit.

Aaron Scott (1300 E 6th St) spoke in favor of the conditional use. The lots will be used to stage, parking for construction, and future hospital staff parking. A Commissioner addressed fencing of the lots, which was explained that it would be privacy fencing.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Arthur Ingram and seconded by Anne Tucker; passed 6-0-1, with the chairman voting and Rebekah Fincher abstaining.

D. Request to rezone property located at 1400-1440 East Siebenmorgen Road and 1510-1520 Trison Lane from O-2 to R-1

Beth described that the applicant is requesting a rezoning to R-1 for the purpose of constructing 7 new single-family residences. The current O-2 zoning is in conjunction with Conditional Use Permit No. 1197, allowed the previous property owner to operate a small business from the property. The property was recently subdivided into 7 lots to accommodate single-family development; 4 lots will take shared access from E Siebenmorgen Rd and 3 from Trison Ln. The use of the property for single-family is appropriate and Planning Staff recommends approval of the rezoning.

No one spoke in favor of the rezoning.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Dalencia Hervey and seconded by Rebekah Fincher; passed 7-0 unanimously, with the chairman voting.

E. Request to rezone property located at 605-675 Dave Ward Drive from I-3 to C-3

Beth relayed the applicant is requesting a rezoning to C-3 which will better align with how the property is currently being used in the area. A series of conditional use permits have been issued to allow uses at the site which are not permitted by right in I-3. The current zoning of I-3 and A-1 are no longer appropriate given the transition from industrial to more commercial uses of this portion of the Dave Ward Dr. Planning Staff recommends approval of the rezoning as it will provide for more consistent design of future projects and will not likely result in harm to adjacent property.

Jason Covington (1053 Front St) spoke in favor of the rezoning. He stated all businesses that currently have drive-throughs already front Dave Ward Dr and they will not be putting in any more businesses with a drive-through. They wanted to rezone to C-3 so they would not have to keep coming back for conditional use permits.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Anne Tucker and seconded by Brian Townsend; passed 7-0 unanimously, with the chairman voting.

F. Request to rezone property located at 1972 Dave Ward Drive from R-1 to O-3

James Walden, Planning Director, explained the applicant is requesting a rezoning to O-3 to accommodate relocation of his law office to the site. It is not anticipated that any site improvements will occur at the site, as the existing house can accommodate the use. The site is surrounded on two sides by residential uses and the anticipated use should only require five parking spaces currently on the site. Planning Staff recommends

approval of the rezoning as it is directly adjacent to a C-2 zone, and given the more intense zoning, the O-3 zoning provides a buffer to transition between the more intense commercial uses and the adjacent single-family uses.

David Davies (1023 Main St) spoke in favor of the rezoning.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Rebekah Fincher and seconded by seconded Dalencia Hervey; passed 7-0 unanimously, with the chairman voting.

G. Request to rezone property located at 1630-1640 South Donaghey Avenue from R-1 to PUD

Levi described that the property is located at 1630 and 1640 S Donaghey Ave. and is currently developed with two single-family residences. The plan proposes a zero-lot line development with 19 single-family residences on minimum 4,000 square foot lots. The plan proposes setbacks of 15' front and exterior, 10' rear; 0' side (10 feet between structures) along with a new street with a reduced right of way of 37-feet. The street shall be platted as a private drive. Planning Staff recommends approval of the rezoning request, pending revisions, with the conditions listed below:

1. Permitted uses are limited to single-family residential as indicated on the approved plan with a maximum of 19 dwelling units.
2. All standards and uses other than those defined shall be governed by restrictions of the R-1 zoning district.
3. Buildings shall be of the following materials: - Brick/stone - Cement fiber board (Hardie Board) - Wood - Other materials as approved by the Planning Director
4. Vinyl Siding shall be prohibited.
5. Any proposed fencing shall be approved by the Planning Director prior to installation.
6. No accessory structures shall be permitted.
7. Applicant shall plat the property in accordance with the Subdivision Regulations, at which time setbacks will be finalized.
8. Applicant shall return a signed copy of the final development plan agreement prior to the issuance of building permits.
9. All roadway improvements shall be privately maintained.
10. A Property Owners' Association shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, sidewalks, and drainage.

No one spoke in favor of the rezoning.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Rhea Williams and seconded by Dalencia Hervey; passed 7-0 unanimously, with the chairman voting.

H. Request to rezone ± 2.5 located at the northeast corner of Meadowlake Road and Salem Road from A-1 to PUD

Beth relayed the applicant is requesting a rezoning to PUD for the purpose of constructing a series of duplexes with a maximum of 24 dwelling units (12 duplexes). The connection of Salem Rd to Old Morrilton Hwy has made higher density development more appropriate. The intersection will be redeveloped as a roundabout in the future with this property to take access via Meadowlake Road. Planning Staff recommends approval of the rezoning request, pending revisions, with the conditions listed below:

1. Permitted uses are limited to residential, as indicated on the approved plan, with a maximum of 24 units.
2. All standards and uses other than those defined by the development plan shall be governed by restrictions of the R-2 zoning district.
3. Building setbacks shall be 10 feet along Salem Rd and Meadowlake Rd; 15 feet along the east property line.
4. Front of buildings shall be oriented toward Salem Rd and Meadowlake Rd. Principal architectural features such as porches or stoops shall be provided on street facing exteriors along with pedestrian entrance.
5. Buildings shall be of brick, rock, or cement fiber board (i.e. Hardie Board), or wood.
6. Vinyl siding shall be prohibited.
7. Roofs shall be of architectural shingles.
8. No fences in excess of 4 feet high shall be permitted in front yards. Any proposed fencing shall be approved by the Director of Planning prior to installation.
9. No accessory structures shall be permitted.
10. Provide perimeter landscaping in accordance with Article 1101 of the Conway Zoning Code.
11. Access to the development is limited to one drive on Meadowlake Rd located near the eastern property boundary, as shown on the plan.
12. Applicant shall plat the property in accordance with the Subdivision Regulations.
13. The development is subject to the Development Review process in accordance with Article 1101 of the Conway Zoning Code.
14. Applicant shall return a signed copy of the final development plan agreement prior to the issuance of building permits.
15. PUD shall be generally developed per the density and intent indicated on the site plan. Minor variations from the approved plan may be allowed by approval from the Planning Director.

No one spoke in favor of the rezoning.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Arthur Ingram and seconded by Rebekah Fincher; passed 6-1-0, with the chairman voting for and Dalencia Hervey voting not in favor of the rezoning.

I. Request to rezone property located at 225 E Robins Street from I-3 to C-2

James relayed the applicant is requesting a rezoning to C-2 to accommodate relocation of the Conway Ministry Center to the site where a homeless day center, food pantry, and emergency homeless shelter would be operated. This application is linked to a separate conditional use application to permit that use. The site is surrounded on two sides by residential uses and abuts an existing nonconforming mobile/manufactured home park. Planning Staff recommends approval of the rezoning request as rezoning to C-2 would allow for a

more limited range of commercial and office uses that would have fewer potential impacts on adjacent property.

Spring Hunter spoke in favor of the rezoning. She relayed the scope of services provided will help families in that surrounding area regarding case management, rental assistance, and utilities services.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which they agreed it was an appropriate use of the property. A motion to approve the rezoning was made by Anne Tucker and seconded by Rebekah Fincher; passed 7-0 unanimously, with the chairman voting.

J. Request for conditional use permit to allow a shelter for the homeless in C-2 for property located at 225 E Robins Street

James explained the applicant is requesting a conditional use permit to accommodate relocation of the Conway Ministry Center to the site where a homeless day center, food pantry, and emergency homeless shelter would be operated. This application is linked to the above rezoning request. The site is in a somewhat remote and removed location. It is recommended access to the site be addressed as part of the applicant's operational plan. Planning Staff recommends approval of the conditional use permit per the following conditions proposed as this use would have fewer impacts on adjacent properties than many of those uses already permitted under the property's zoning:

1. Shelter housing for individuals is allowed from 4:00 pm to 9:00 am.; Housing for families shall not be limited.
2. No registered sex offenders may be housed.
3. On-site staff supervision of overnight housing is required.
4. The use shall be operated in a manner to prevent the congregation of individuals outside the building.
5. A 5-foot undisturbed vegetative buffer shall be maintained along the western and southern property lines of the site.
6. Operation of the drive-through food pantry shall be conducted in a manner that limits the stacking of vehicles on Robins St.
7. An operational plan for the site shall be provided to the city. This, in part, shall address how users of the site access the location. Operation of the use shall abide by this operational plan. This condition shall not preclude modifications to the operational plan that do not conflict with the conditions imposed for the use.

Spring Hunter spoke in favor of the conditional use. She addressed that this is a good location for this type of use.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Rhea Williams and seconded by Brian Townsend; passed 7-0 unanimously, with the chairman voting.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals that were approved since the previous meeting.

1. Raising Cane's, 916 E Oak St- SIT2020AUG03

2. Cambridge Place Apartments, 1900 Cambridge Village Dr- SIT2020SEP01
3. Don's Lane Cabinet Shop- 1290 Don's Ln- SIT2020OCT03
4. Conway Regional Expansion- 2302 College Ave- SIT2020NOV01
5. 1200 Place, Phase 2- SUB2020DEC02

B. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals that were submitted for review since the previous meeting.

1. Smith's Replat- SUB2020NOV04
2. Woodland Cove PUD Replat- SUB2020DEC01
3. 1200 Place, Phase 2- SUB2020DEC02

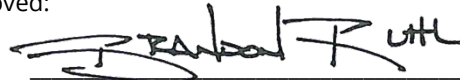
C. Lot Splits, Lot Mergers, and Minor Subdivisions were filed for record since the previous meeting.

1. Discount Auto Glass (P2020-00059)
2. Wesley United Methodist Replat (P2020-00060)
3. Summit Church Replat (P2020-00061)
4. Bryant Replat (P2020-00062)
5. Lot 2R Harkrider Addition (P2020-00063)
6. Conrad Court (P2020-00065)

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 Rhea Williams.

Approved:



2020 Chairman, Brandon Ruhl