

The regular meeting of the Conway Planning Commission was held, in person, Monday, October 17th at Conway City Hall. The following members, being a quorum, were present and acting: Ethan Reed, Alexander Baney, Adam Bell, Laura King, Greg West, Drew Spurgers, and Latisha Sanders-Jones. Rebekah Fincher arrived late to the meeting, votes following SUB-0922-0329 reflect her participation. Rhea Williams, and Larry Webb were absent. Laura King filled in as chairman for the duration of the meeting.

Minutes from the September 19th meeting were approved 6-0 on a motion made Drew Spurgers and seconded by Alexander Baney, without the chairman voting.

I. SUBDIVISION REVIEW

A. Request for preliminary plat approval of Bell Valley Subdivision, Phase 5

Beth Sketoe, Planner, explained the applicant is requesting preliminary approval of a 67-lot subdivision located on the east side of S German Ln opposite Deerfield Subdivision, south of the intersection of Favre Ln and S German Ln. The development represents Phase 5 of Bell Valley Subdivision. The proposed buildable lots range from 0.15 acres to 0.32 acres, with access proposed via S German Ln. Lots will front 2 internal streets. Lots 54 and 120 are corner lots with frontage on S German Ln, but access will be limited to internal streets. Planning staff recommended approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. Wheelchair ramps shall be installed by the developer/subdivider in accordance with the City of Conway Transportation Department Standard Details.
2. Sidewalks along S German Ln frontage of Lots 54 and 120 shall be constructed by the developer/subdivider prior to filing the final plat, as the street is of a Collector classification, in accordance with the City of Conway Transportation Department Standard Details.
3. Lots 54 and 120 shall not take access from S German Ln.
4. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
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' from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
7. All other applicable provisions of the City of Conway Subdivision Ordinance (#O-00-03) shall be satisfied and accounted for prior to issuance of authorization to proceed. Receipt of an approved, signed copy of the Preliminary Plat along with approved Street & Drainage Plans shall constitute authorization by the Planning Commission for the developer to proceed with installation of improvements and preparation of the Final Plat.

Frank Shaw (1315 Main St) was present to speak in favor of this subdivision request as the property owner.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat. A motion to approve was made by Drew Spurgers and seconded by Ethan Reed passed 6-0, without the chairman voting.

B. Request for waiver for double frontage lot, Ridgeland Subdivision

Beth explained the applicant is requesting a waiver to the subdivision regulations to allow the creation of a double frontage lot as part of a 2-lot minor subdivision and to waive the requirement for a planting screen easement. Given its proximity to the significant intersection of Old Morrilton Hwy, Washington Ave, Donaghey Ave, and Interstate 40, it is likely the Pike Ridge Rd frontage will provide a secondary means of egress for any future development of the site, prompting the waiving of the planting screen easement. Planning staff recommended approval of the waiver given the site constraints resulting from topography and major traffic arteries.

Bobby French (1021 Front St) was present to speak in favor of this subdivision request as the authorized agent.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the waiver. A motion to approve was made by Drew Spurgers and seconded by Ethan Reed passed 6-0, without the chairman voting.

II. PUBLIC HEARING ITEMS

A. Request to rezone property located at 4106 Prince Street from R-1 to C-3

Beth described the applicant is requesting to rezone from R-1 to C-3 due to a proposed remodel of the structure on the adjacent parcel at 4106 Prince St which required site development review. It was discovered during this review that the zoning of this small parcel had not been amended to align with the long-established use. The property has been used as a storage area in support of the commercial use at 4106 Prince St since 2007 and the applicant is not proposing any expansion of the commercial use [at 4106 Prince St], beyond the existing fenced area, on this portion of the property at this time. Planning staff recommended approval of the rezone as it will not likely negatively impact adjacent properties.

Megan Weckwerth (240 Skyline Dr) spoke in favor of this rezoning request as the authorized agent as well as Josh Furguson (1216 Clifton St) as the contractor and Chris Hamley (2220 Blackberry Ln) as the property owner. The intent of the rezoning is to rectify the incohesive zoning at the site, to add a deck on the rear of the structure, and with a less intense use at the site they proposed to remove the driveway to appease adjacent owners.

There was opposition present to this request at the meeting from Ben South (803 Teal Dr) and Mark Ledbetter (805 Teal Dr). Their concerns both consisted of the heavy commercial traffic in the neighborhood already existing due to the Plant Outlet, the violation of this use to the covenants and restrictions to the neighborhood, and the intensity of the zoning abutting a residential zoning.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Adam Bell and seconded by Alexander Baney; failed 5-3, with the acting chairman Laura King, Greg West, and Drew Spurgers voting in opposition. The Planning Commission then voted 7-0, without the chairman voting, to expunge the previous action and voted again 7-0, without the chair voting, on a new motion to table the request for consideration at the November meeting; motion passed.

B. Request for conditional use permit to allow up to 12 dwelling units per acre, single lot, use in a R-2A zone located at 82 Lower Ridge Road

Beth relayed the applicant is requesting to construct two duplexes on a single lot. The Comprehensive Plan indicates a slightly higher density residential development can be appropriate. Planning staff recommended approval of the use request as it will not likely negatively impact adjacent properties with the following conditions:

1. The development is limited to a maximum of 8 total dwelling units in the form of 4 two-family dwellings.
2. Access shall be limited to Matthews Meadows Ln.
3. The fronts of all units shall be oriented to Lower Ridge Rd.
4. For units nearest Lower Ridge Rd garages, if included, shall be located at the rear of structures; for all other units, garages, if included, shall not extend beyond the front plane of the structure more than 7'.
5. No parking shall be visible from public right of way.
6. Building primary exteriors shall be composed of brick, rock, or a cement fiber board product such as Hardie® siding.
7. Vinyl siding as a primary cladding material shall be prohibited; vinyl siding/shingles may only be used on gables and dormers.
8. A roof pitch of 8/12 or greater is required except for porches.

9. No accessory structures shall be permitted.
10. The development shall be subject to site development review in accordance with Article 1101 of the Zoning Code.
11. The property shall be platted in accordance with the Subdivision Ordinance and shall include a 10' planting easement along the Lower Ridge Rd frontage.
12. Enhanced landscaping shall be provided along west and south property lines at the ratio of 1 canopy tree every 20' (or understory tree every 10') and additional shrubs, installed in the form of a hedgerow, shall be required to screen parking, mechanical equipment, and/or dumpster/trash enclosure.
13. No variance of any kind may be subsequently requested.
14. The conditional use approval shall automatically expire if construction for the use is not commenced within 18 months from the date of approval of this permit.

Megan Weckwerth spoke in favor of this use request as the authorized agent. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Alexander Baney and seconded by Rebekah Fincher; passed 7-0, without the chairman voting.

C. Request to rezone property located at 3455 Dave Ward Drive from A-1 to C-2

Ryan Robeson, Planner, explained the applicant is requesting to rezone from A-1 to C-2 for the purpose of developing an automobile accessory tire store via conditional use permit. This property is surrounded by residential districts with a large single-family subdivision to the south. The zoning change is not consistent with the transitional zoning of the land use plan which allows for more intense land uses when deemed appropriate, only when sensitivity to adjoining residential areas is considered. Planning staff recommended denial of the rezoning as it could negatively impact the adjacent properties given the nature of the business and the surrounding residential properties.

Thomas Vinson (904 Front St) spoke in favor of this rezoning request as the authorized agent for the current and future property owners.

There was opposition to this request present at the meeting from Winton Mattison (3491 Dave Ward Dr), Ann Mattison (3411 Dave Ward Dr), and Larry and Ernestine Acklin (3489 Dave Ward Dr). All were adjacent property owners to this site and were in opposition to the use not being in harmony with the adjacent residential uses, the existing traffic issues along that section of Dave Ward Dr, and the privacy and safety of the area becoming compromised by commercial uses.

The public hearing was closed and presented to the Commission for discussion to which a motion to deny the rezoning was made by Drew Spurgers and seconded by Latisha Sanders-Jones; failed 6-1, without the chairman voting, and Alexander Baney voting in favor.

D. Request for conditional use permit to allow automobile accessory tire or battery store without tire recapping in a C-2 zone located at 3455 Dave Ward Drive

As the prior request for rezoning failed, this item was not heard at the meeting.

E. Request for major modification to the Central Landing PUD to add Light Industrial and Institutional uses and remove Residential and Multi-Family as permitted uses on certain parcels

James Walden, Planning Director, relayed this request excludes the area of the development owned by King Air FBC, LCC (development known as Fountaine Blue Apartments) and would override and vacate the original Overall Master Plan as indicated in Exhibit C of the Final Development Plan, included with O-14-75. The original PUD included no restrictions on setbacks, height, lot coverage, lot size, building placement, building design

standards, landscaping, or parking. The amendment would add some uses which could have greater external impacts on adjacent property and will generate a considerable amount of traffic in the future. Providing multiple points of access to the north, south, east, and west will be necessary to ensure proper management of traffic. Planning staff recommended approval of the PUD application, with the following conditions, as the development will present a substantial development in the city and bring uses not currently present in the city:

1. The original conditions of approval shall be replaced by the conditions listed with this approval. Except, the property owned by King Air FB, LLC (development known as Fontaine Bleu Apartments) shall be governed by the original conditions of the PUD.
2. Remove the following elements from the existing Final Development Plan: Exhibit B – Development Phasing Plan, Exhibit C – Overall Development Plan, Exhibit D – Overall PUD Land Use Master Plan, Exhibit F – Retail Site Plan, Exhibit G – Bicycle Connectivity Plan, Exhibit H – Zoning Map, Exhibit I – Overall Master Plan.
3. The map indicated as “Requested Amendments” shall serve as the Overall PUD Land Use Plan for the development.
4. The use of term “commercial/retail” shall be deemed to include establishments conducting sales or providing services to the public as well as hotels, outdoor entertainment venues, and commercial amusement, provided those uses listed on Exhibit J shall be prohibited.
5. Item 12 of Exhibit J shall be amended as follows, “any warehouse operation outside of areas allowing light industrial (except mini-warehouse or warehousing incidental to the sale of goods in a retail facility).”
6. Item 11 of Exhibit J shall be removed.
7. Those areas indicated for “R” uses shall be governed by the requirements of R-2 unless the use is otherwise permitted by-right under the terms of a different use classification with greater intensity.
8. Those areas indicated for “MF” uses shall be governed by the requirements of MF-3 unless the use is otherwise permitted by-right under the terms of a different use classification with greater intensity.
9. Those areas indicated for “C, O, and S” uses shall be governed by the requirements of C-3, except hotel uses shall not exceed 10 stories and accessory structures, excluding accessory buildings shall not exceed 125’ in height.
10. Those areas indicated for “LI” uses shall be governed by the requirements of I-1.
11. Signage, landscaping, and building design standards in the development shall be governed by the requirements of R-2, MF-3, C-3, or I-1 as is applicable by use type.
12. The development shall be recognized as a regional scale development and permitted up to 2 ground-mounted multi-tenant signs in addition to other permitted signage. Such signs shall not exceed 40’ in height or 550 sf in total area for each sign, shall have a design consistent to the theme of the development, and shall require approval of the Planning Director. No other ground mounted signs in excess of 10’ in height shall be permitted.
13. All development shall meet all applicable standards for Article 1101.
14. All proposed site improvements shall be subject to Development Review as handled within Article 1101 of the Zoning Code.
15. An individual property shall be subdivided in accordance with requirements of the Conway Subdivision Code prior to issuance of any building permits on the site proposed for construction.
16. Existing provisions of the improvement district governing the property shall be made part of the PUD approval and may not be modified without approval of the City Council.
17. Development of streets in the development shall be consistent with the Master Street Plan.
18. Robins to Equity Avenue: A ROW from Robins St to the future Equity Avenue shall be provided in a reasonable, mutually agreed upon location to ensure additional East/West connectivity.
19. North South Traffic Movement: North/South movement from Equity to Bruce/1st Avenue when such connections are made to Equity and Bruce/1st Avenue, shall not be signalized or stop controlled and shall have no more than 3 major intersections.
20. Any additional modifications to the PUD shall require approval of the Planning Commission.

Corey Parks (900 Oak St) spoke in favor of this use request as the applicant. Gene Kuettel (518 6th St) spoke in favor of the use hoping to see high quality multi-family development constructed.

There was opposition present to this request at the meeting from Jason Lyon (2971 Eggman Ln) who was concerned with the use of the site for light industrial use right next to the proposed aquatics center and the removal of warehousing as a prohibited use and from Ronnie Davis who didn't like all of the unknowns of the development as the previously approved plan was never constructed as proposed. She also stressed there was too much multi-family uses in the city already that were being overly constructed at a cheap scale.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the major modification was made by Drew Spurgers and seconded by Alexander Baney; passed 6-0-1, without the chairman voting and Latisha Sanders-Jones abstaining.

F. Request to annex property located at 48 Southshore Lane, to be zoned R-1

Ryan described the property is currently one lot that contains a single-family home and an accessory building and the R-1 zoning request is appropriate and consistent with other properties in the area. Due to platting requirements, Planning staff recommended approval of the annexation contingent upon the platting of the property.

Bill Adkisson (5880 Prince St) spoke in favor of this use request as the authorized agent of the property owners. Barbara Satterfield (48 Southshore Ln) stated they were willing to plat the property to be granted annexation.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the annexation was made by Adam Bell and seconded by Alexander Baney; passed 7-0, without the chairman voting.

G. Request for conditional use permit to allow public-owned service facility and utility facility uses in an A-1 zone located at 1320 S German Lane

James described the uses at the site will be comprised of an office building, warehouse, and vehicle maintenance facility along with material storage and covered parking on site that will include the engineering, electric, water, wastewater, and telecom crews. The site rests as a transition zone between industry to the east and predominantly single-family residential to the west and will be designed in a manner to mitigate the visual impacts of the utility yards by reducing views of such facilities from S German Ln. Location of the use at the site will allow a consolidation of utility facilities for Conway Corp. Planning staff recommended tabling the item until the November Planning Commission meeting.

Joanna Nabholz (1335 Brookfield Dr) spoke in favor of this use request as the authorized agent and was acceptable with the tabling of the item. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which a motion to table the conditional use was made by Alexander Baney and seconded by Ethan Reed; passed 7-0, without the chairman voting.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Total Tire, 3640 Dave Ward Dr (SDR-1221-0161)
2. Fire Station No. 3, 740 S Harkrider Dr (SDR-0322-0221)
3. Green Thumb Produce, 450 Hogan Ln (SDR-0822-0316)
4. Integrity Insurance Parking Expansion, 449 Reedy Rd (SDR-0922-0330)

B. Plats Filed for Record (Lot Splits, Lot Mergers, and Final Plats)

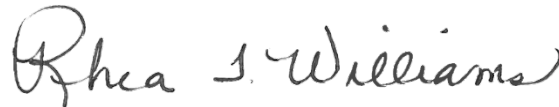
1. 12 Hundred Place, Phase 2 (P2022-00066)

2. Orchard Hills Subdivision, Phase 3 (P2022-00067)
3. Bell Valley PUD (P2022-00068)
4. Replat Lot 18, North View Estates PUD (P2022-00069)
5. RT Replat (P2022-00070)

Adjournment

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Rebekah Fincher and seconded by Ethan Reed.

Approved:



2022 Chairman, Rhea Williams