

The regular meeting of the Conway Planning Commission was held, in person, Monday, November 21st 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, Latisha Sanders-Jones, Rebekah Fincher, and Rhea Williams. Larry Webb was absent.

Minutes from the October 17th meeting were approved 8-0 on a motion made Drew Spurgers and seconded by Alexander Baney, without the chairman voting.

I. PUBLIC HEARING ITEMS- OLD BUSINESS

A. 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 Walden, Planning Director, relayed this item was tabled at the October Planning Commission meeting. 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 approval of the requested use with the following conditions:

1. A 25' undisturbed vegetative buffer shall be maintained with the property to the north of the site (known as the Henze Property 710-08576-000), the ROW of Covington Way, Lot 2 of 1200 Place Ph 1 subdivision, Lots 9-10 and 14 of Covington Commercial Ph 3 subdivision. Buffering requirements along Lots 9-10 and 14 of Covington Commercial Ph3 Subdivision shall only become active if fencing is placed within 50' of the shared property lines.
2. Metal ornamental fencing shall be required along the west property line to mitigate view of the site from S German Ln. Additional ornamental fencing shall be required where indicated on the fencing plan included on page 6 (specifically near the access drive and transmission line easement).
3. Security fencing with 3-strand barbed wire may be allowed in areas not visible from adjacent property/ROW, or where a 25' vegetative buffer is provided. Dense evergreen plantings shall be required in any areas where security fencing is placed and no dense vegetation exists.
4. Fencing topped with razor wire shall be prohibited. Where ornamental fencing is required, any security components shall be ornamental in nature. Evergreen plantings capable of reaching a height of 20' shall be required along S German Ln frontage. The combination of fencing and plantings shall have the effect of adequately screening any utility/maintenance yards or portions of buildings not complying with the building design standards of 1101 from view of the public ROW. The Planning Director shall be empowered to determine the required number of plantings or locations where solid fencing is required.
5. Conway Corp shall coordinate with the City of Conway/Metroplan to provide, via platted easement or separate instrument, adequate easements to provide for the future construction of the Northwest Trail (being an extension of Stone Dam Creek Trail) across Conway Corp property, as indicated on the exhibit [to the right] from the Central Arkansas Greenways Plan.
6. The development shall be subject to site development review in accordance with Article 1101 of the Zoning Code.
7. The area subject to development shall be platted prior to issuance of building permits. Platting may include only those portions of the site affected by development, provided any remaining, unplatted portion of property exceeds 5 acres in area.
8. The conditional use permit shall expire if the use is not commenced within eighteen (18) months from the date of approval and if the use ceases for a consecutive period of greater than eighteen (18) months.

Joanna Nabholz (1335 Brookfield Dr) spoke in favor of this use request as the authorized agent, as did Frank Shaw (1315 Main St) from an adjacent property owner perspective. 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 Drew Spurgers and seconded by Latisha Sanders-Jones; passed 8-0, without the chairman voting.

NEW BUSINESS

B. Request annex to property located south of Empy Trail and Orchard Hill Subdivision, Phase 2, to be zoned R-1

James discussed the applicant is requesting to annex ±32.24 acres which was recently platted as Orchard Hill Subdivision Ph 3. The requested zone is appropriate for the property and consistent with other properties in the area, which led Planning staff to recommend approval of the annexation.

Frank Shaw spoke in favor of this annexation request as the property owner.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the annexation was made by Alexander Baney and seconded by Ethan Reed; passed 8-0, without the chairman voting.

C. Request to rezone property located west of S Country Club Road and north of Dave Ward Drive, including 633 S Country Club Road and 640 Diane Lane from O-1 to S-1

Beth relayed the applicant is requesting to rezone from O-1 to S-1 as the property is currently developed and used as a church, childcare facility, and college, all of which are permitted by right in S-1 (a childcare facility requires a conditional use permit to operate in O-1, for which one does not exist). The existing associated Conditional Use Permit No. 1154, allowing restricted retail, will be revoked as part of this rezoning. Planning staff recommended approval of the rezoning as it is consistent with the Comprehensive Plan and will not likely negatively impact adjacent property.

Seth Jeffrey (633 S Country Club Rd) with New Life Church spoke in favor of this rezoning request. 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 rezoning was made by Adam Bell and seconded by Drew Spurgers; passed 8-0, without the chairman voting.

D. Request for conditional use permit to allow duplex/2 family dwelling in C-2 zone for property located at 2005 Meadowlake Road

James explained the applicant is requesting to use the existing structure as a duplex in the C-2 zoning district. As the proposed use of a duplex is less intense than a commercial use at this site, Planning staff recommended approval of the use request with the following conditions:

1. Permitted uses are limited to two family residential.
2. All standards and uses other than those defined shall be governed by restrictions of the R-2A zoning district.
3. Given the lot size, only one driveway is allowed off Meadowlake Road; the second driveway and culvert shall be removed.
4. Parking area and driveway must be paved with a sealed surface pavement or concrete and shall be maintained so as to prevent dust resulting from continued use.
5. All remaining gravel areas should be removed and landscaping shall be installed.
6. Any expansion of the structure or site shall require development review approval.
7. Any change to the use may require a new or amended conditional use permit.

8. Any expansions or additions to the structure as well as any changes to the use shall require an amended or new conditional use permit.
9. No variance of any kind may be subsequently requested.
10. The conditional use shall automatically expire if the approved use ceases for more than 18 consecutive months.

Megan Weckwerth (240 Skyline Dr) spoke in favor of this conditional use request as the authorized agent for the current owner, Jesse Thompson (2010 Washington Ave). Mr. Thompson expressed concern with condition #5 being feasible. 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 Drew Spurgers; passed 8-0, without the chairman voting.

E. Request to rezone property located at the northwest corner of the intersection of Dave Ward Drive and S Country Club Road from O-1 to C-2

James relayed the applicant is seeking the rezoning from O-1 to C-3 for the purpose of developing a retail food store. The applicant plans to apply for a Conditional Use Permit at the next Planning Commission meeting requesting an automobile fuel component for this site. This property is located in the Transitional Zone, and this is a major intersection with a need for this type of use in the area. Planning staff recommended approval of the rezoning as it would accommodate uses appropriate to the area and would not negatively impact adjacent property.

Sarah Hopper (Springdale, AR) spoke in favor of this rezoning request as the representative for Harps Food Store. Seth Jeffrey spoke in favor of the use but did express concern with the traffic that will be accessing and leaving the site via the existing New Life Church access from Dave Ward Dr. 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 rezoning was made by Rebekah Fincher and seconded by Alexander Baney; passed 8-0, without the chairman voting.

F. Request to rezone property located at the northwest corner of the intersection of Dave Ward Drive and S Country Club Road from O-1 to C-2

James relayed this rezoning was located due west of the prior request and would be another parcel included in the overall development. Planning staff recommended approval of the rezoning as it would accommodate uses appropriate to the area and would not negatively impact adjacent property.

Sarah Hopper spoke in favor of this rezoning request. 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 rezoning was made by Alexander Baney and seconded by Ethan Reed; passed 8-0, without the chairman voting.

II. ADDITIONAL ITEMS

A. Adoption of the 2023 Planning Commission Calendar

Commissioners reviewed the proposed calendar for Planning Commission review deadlines and dates for 2023. A motion to approve the 2023 calendar, with revisions, made by Ethan Reed and seconded by Alexander Baney; passed unanimously.

B. Election of Officers for 2023

Commissioners reviewed the By-Laws which address that at each November meeting, the Commission is to select from its membership a Chair, Vice-Chair, and Secretary for the next calendar year. Ethan Reed nominated Rebekah Fincher for Chair, Laura King for Vice-Chair, and Drew Spurgers for Secretary, all seconded by Alexander Baney; passed unanimously.

C. Discussion: Proposed changes to regulations relevant to Accessory Dwelling Units (ADUs)

James presented these code revisions to the Commission, to review in advance of the December meeting, as a reform to current treatment of accessory dwelling units. Current code allows for manager or caretaker residences. This allowance has served as a loophole to allow accessory dwelling units (ADUs) with few restrictions. These provisions would close the current loophole while providing reasonable restrictions on the allowances of ADUs.

D. Discussion: Proposed change to Section 601.16 [Hospital Services] of the Conway Zoning Code

James explained this potential removal from the existing Zoning Code to the Commission, to review in advance of the December meeting, as the language does not appear to have been utilized and would stand as a major impediment to Conway Regional, if enforced. Additionally, the enforcement of the Old Conway Design Overlay District provides protection of neighboring property for much the eastern side of the hospital property.

E. Discussion: Proposed changes to Article 801 [Board of Zoning Adjustment] of the Conway Zoning Code

James presented these amendments to the Zoning Code, to review in advance of the December meeting, as a #O-11-97 replaced the Board of Zoning Adjustment with the Planning Commission. Previously, the Board of Zoning Adjustment was separately appointed from the Planning Commission with an independent membership. The amendments are provided to correct that issue as well allow for small special exceptions and provide enhanced review criteria for variances.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Hawks Mobile Homes Office (SDR-0622-0275)
2. ARCare Expansion (SDR-0922-0328)
3. Rock N' Roll Sushi Patio Dining (SDR-0922-0342)

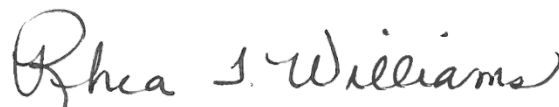
B. Plats Filed for Record (Lot Splits, Lot Mergers, and Final Plats)

1. Replat of Lot 2, The Greens at Nutters Chapel (P2022-00071)
2. University Lofts Subdivision (P2022-00072)
3. Replat of Lot 2, Westin Park (P2022-00073)
4. Marable Commons (P2022-00075)
5. D/B Starkey Subdivision (P2022-00076)
6. Caldwell Subdivision (P2022-00077)
7. Hilltop Subdivision (P2022-00078)
8. South Sterling, Phase 2 (P2022-00079)
9. J's Round Mountain Replat (P2022-00080)

Adjournment

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Alexander Baney and seconded by Greg West.

Approved:



2022 Chairman, Rhea Williams