

The regular meeting of the Conway Planning Commission was held, in person, Monday, April 18th at Conway City Hall. The following members, being a quorum, were present and acting: Ethan Reed, Alexander Baney, Adam Bell, Laura King, Rhea Williams, Greg West, and Rebekah Fincher. Larry Webb, Drew Spurgers, and Latisha Sanders-Jones were absent.

Minutes from the March 21st meeting were approved 6-0 on a motion made Rebekah Fincher and seconded by Alexander Baney without the chairman voting.

I. PUBLIC HEARING ITEMS

A. Request to rezone ±66.87 acres south of Nutters Chapel Road, east of Ridgedale Circle from R-1 to PUD

Ryan Robeson, Planner, described the applicant is requesting a rezone from R-1 to PUD to accommodate all streets within the PUD being developed and maintained as private. The proposed use and density are consistent with the Comprehensive Plan with all uses limited to single family dwellings. Planning staff recommended approval of the PUD rezone with the following conditions:

1. Permitted uses are limited to one-family residential uses.
2. All standards and uses other than those defined shall be governed by restrictions of the R-1 zoning district.
3. New buildings shall only be of the following materials:
 - Brick/stone
 - Cement fiber board (Hardie® siding 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. Streets H and I require design revisions. The plan, as proposed, will not be approved until all applicable departments approve the street designs and layout.
7. Applicant shall plat the property in accordance with the Subdivision Regulations, at which time setbacks will be finalized. Setbacks shall generally follow applicant's proposal.
8. Applicant shall return a signed copy of the final development plan prior to the issuance of building permits.
9. All street and roadway improvement shall be privately maintained.
10. A Property Owners' Association or improvement district shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, sidewalks, and drainage. The association or district shall be required to be active prior to filing of the final plat.

David White with the Tyler Group (240 Skyline Dr) represented the applicant in this rezoning request. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the rezoning request. A motion to approve was made by Adam Bell and seconded by Ethan Reed passed 6-0, without the chairman voting.

B. Request for conditional use permit to allow Religious Activities in the A-1 zoning district for ±34.09 acres located at the intersection of Donnell Ridge Road and [unbuilt right-of-way] Sherwood Lane

Ryan relayed the applicant is requesting to operate a church/religious activity facility at this site. This property is adjacent to a mix of zonings including multi-family, industrial, and agricultural. Given the surrounding zonings and the Comprehensive Plan, any restriction caused by approval of this request on neighboring properties that require distance criteria from religious institutions will be minimal. Planning staff recommended approval of the conditional use, with the following conditions:

1. The proposed site shall be developed in accordance with Article 1101 of the Conway Zoning Code and must illustrate compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks, etc.
2. Fire Department must have two separate access points to the property that meet the requirements of the Arkansas Fire Prevention Code. Applicant will be required to improve Sherwood Ln to the Kennedy Ln intersection unless a separate access easement is created that meets these standards.
3. No waivers for paving surfaces may be granted, including the drive around the proposed residential component.
4. Any significant expansions or additions to the structure as well as any changes in the use shall require an amended or new conditional use permit.

Josh Minton (300 Northport Dr, Cabot) represented the applicant in this conditional use request. Clay Vaden (11225 Huron Ln, Little Rock) also spoke to the housing concept proposed on the provided site plan. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the conditional use request. A motion to approve was made by Adam Bell and seconded by Rebekah Fincher passed 5-0-1, without the chairman voting and Ethan Reed abstaining.

C. Request to rezone ±3.88 acres east of Bill Bell Lane at the intersection of Acuff Lane from R-1 to C-3

Beth Sketoe, Planner, explained the applicant is requesting to rezone from R-1 to C-3 and that request is not consistent with the Comprehensive Plan. A rezoning to C-3 would allow a wide range of intense uses near residential uses. As the applicant did not provide sufficient information pertaining to proposed development, staff felt the rezoning would likely negatively impact adjacent properties, and recommended denial of the rezoning request.

Bobby French (1021 Front St) represented the applicant in this rezoning request and asked that this item be tabled until the May meeting prior to Planning Commission action.

There was opposition to this request present at the meeting from Sherry Smith (1825 Daniel Ln). Mrs. Smith expressed concerns that no commercial uses were in vicinity to the site, the uses that could be allowed were too intense to introduce into the area and noted increased commercial traffic would be brought into the residential area.

The public hearing was closed and presented to the Commission for discussion to which they concluded to table the rezoning request until the May Planning Commission meeting. A motion to table was made by Greg West and seconded by Alexander Baney passed 7-0, with the chairman voting.

D. Request for conditional use permit to allow Swimming Pool Sales & Service in the C-1 zoning district for property located at 611 Court Street

Beth explained the applicant is seeking conditional use approval to operate a retail and service store selling pool maintenance products/chemicals and providing professional pool maintenance and advisory services. The store currently has a small staff of 2-3, including staff that is in the field servicing client's pools. Planning staff recommended approval of the requested use, as it would not likely cause harm to adjacent properties:

1. Conditional use is limited to Swimming Pool Sales & Supply establishment.
2. Exterior display and/or storage of products is prohibited.
3. Any chemicals/balance products stored on site shall be stored in a manner to prevent odor trespass being a nuisance to adjacent tenants.
4. All signage shall be permitted and installed in accordance with Article 1301 of the Conway Zoning Code (Sign Ordinance).
5. Any expansion of or change to the use shall require an amended or new conditional use permit.

6. No variance of any kind may be subsequently requested.
7. The conditional use shall automatically expire if the approved use ceases for more than 18 consecutive months.

David Branscum (611 Court St, Ste 6) represented this conditional use 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 conditional use was made by Rebekah Fincher and seconded by Greg West; passed 7-0, with the chairman voting.

E. Request for conditional use permit to allow Landscape Sales in the TJ zoning district for property located at 3450 Old Morrilton Highway/AR Hwy 64

Ryan relayed the applicant has requested conditional use approval to operate a sand, gravel, and earth sales and storage facility in the TJ zoning district. This proposed conditional use does not include the growing or selling of any plant or tree material and is consistent with the Comprehensive Plan. Planning staff recommended approval of the conditional use with the following conditions:

1. No variance of any kind may be subsequently requested.
2. Conditional Use is limited to Sand, Gravel, or Earth Sales and Storage to include the storage of related equipment such as trucks and trailers solely in support of the landscape installation division.
3. The cultivation and sales of plant or tree materials is prohibited. Such materials may only be stored on-site temporarily when intended for use as part of a professional services landscape installation project.
4. Perimeter screening is required along all property lines which abut residential uses. Screening may consist of dense landscaping including understory trees and shrubs or fencing. If landscaping is proposed an installation diagram and list of proposed species shall be submitted for approval by the Planning Director prior to installation; if fencing is proposed, height and material information shall be submitted for approval by the Planning Director prior to installation.
5. Hours of operation are limited to 7:00am to 6:00pm, Monday through Saturday.
6. All signage shall be permitted and installed in accordance with Article 1301 of the Conway Zoning Code.
7. No additional structures may be moved onto or constructed on the site. Any proposed expansion of or addition to existing structures shall require an amended conditional use permit.

Daniel Derden (16 Daniel Dr) represented the conditional use request. Rick Bane (3470 Old Morrilton Hwy) and Destin Weaver (3350 Old Morrilton Hwy) both spoke in favor of the use stating the applicant was a good neighbor and the use was a good addition to the area.

There was opposition to this request present at the meeting from Kerrick Johnson (3400 Old Morrilton Hwy). Mr. Johnson expressed concerns about the surrounding residential areas, the noise from delivery trucks and smell of the product at the site, and drainage issues. Keller Johnson (5310 Lost Canyon Dr) presented photos taken at 3400 Old Morrilton Hwy showing flooding at the site caused by inadequate drainage and directed there were no existing retail businesses for miles around the property. Frank Shaw (1315 Main St) addressed he was the attorney for Kerrick Johnson and spoke to the flooding on his client's property due to the property in question.

The public hearing was closed and presented to the Commission for discussion to which a motion to table the conditional use request, until the May Planning Commission meeting, was made considering the public comments received at the meeting. A motion to table was made by was made by Rebekah Fincher and seconded by Adam Bell; passed 7-0, with the chairman voting.

II. ADDITIONAL BUSINESS

A. Announcement- Planning Commission Meeting Time Change

Beginning at the May 16, 2022 Meeting, the Planning Commission meeting start time will change from 7:00pm to 6:30pm.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Absolute Storage, 640 Hogan Lane (SDR-1021-0134)
2. Moix RV Warehouse Expansion, 1213 Collier Drive (SDR-1221-0159)
3. Switchback Properties Parking, 310 S Harkrider Street (SDR-1021-0133)

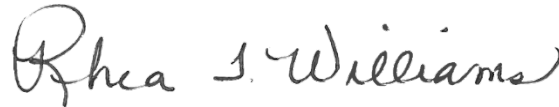
B. Plats Filed for Record (Lot Splits, Lot Mergers, and Final Plats)

1. Ronnie's Roundabout Subdivision (P2022-00010)
2. Ivy Place, Phase 2 (P2022-00012)
3. Hopkins Replat (P2022-00015)
4. Car Choice (P2022-00016)
5. BMA Replat (P2022-00017)
6. 3 Tree's Subdivision (P2022-00020)

Adjournment

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

Approved:



2022 Chairman, Rhea Williams