

The regular meeting of the Conway Planning Commission was held, in person, Monday, September 19<sup>th</sup> 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, Rhea Williams, and Larry Webb were absent. Laura King filled in as chairman for the duration of the meeting.

Minutes from the August 15<sup>th</sup> 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 The Bird's Nest Subdivision**

James Walden, Planning Director, explained the applicant is requesting preliminary approval of a 6-lot subdivision located east of the Thomas G Wilson Dr and Dave Ward Dr intersection. The development represents an initial phase of development at the site, with future development to the north and west. The proposed buildable lots range from 1.19 acres to 1.75 acres with access granted via a proposed north-south street and a series of private streets, which will provide cross access. The north-south street is indicated on the Master Street Plan and will connect to the property to the north and a future extension of Lewis Ranch Rd. No direct access will be permitted from Dave Ward Dr. Planning Staff recommended approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. A planting easement along Dave Ward Dr will be provided to restrict direct access to Dave Ward Dr for lots 4-6. Lots 4-6 shall access from a private street or the proposed Veterans Dr.
2. Private streets for lots 5-6 shall be constructed concurrently with the development of each lot. No certificate of occupancy may be obtained for either lot unless all portions of the proposed private street fronting the lot has been constructed.
3. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
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 Bill of Assurance/Covenants and Restrictions 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 commercial subdivision is not more than 400 feet 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 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.
9. Any of the above conditions not met, as determined by the concurrence of the Planning Director and City Engineer, shall require re-review and approval by the Planning Commission.
10. Sidewalk construction along Dave Ward Dr and Veterans Dr shall be handled at the time of building construction.

Bobby French with CAPS (1021 Front St) was present to represent the applicant in this subdivision request.

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 Alexander Baney and seconded by Ethan Reed passed 6-0, without the chairman voting.

### **B. Request for preliminary plat approval of 1600 Place PUD**

Beth Sketoe, Planner, relayed the applicant is requesting preliminary approval of a 19-lot subdivision located about the southeast corner of the S Donaghey Ave and Favre Ln intersection. The development represents the residential PUD which was approved in May 2020. 16 of the lots will feature two-family dwellings, while the remainder (lots 6, 18, and 19) will be developed with 4 and 6 attached dwelling units for a total, not to exceed, 48 dwelling units. The proposed lots range from 0.09 acres to 0.35 acres with access proposed via a private drive, Justin Lane, from both S Donaghey Ave and Favre Ln. The development will also be served by a private alley with no on-street parking permitted. No direct access will be permitted from S Donaghey Ave or Favre Ln. Planning Staff recommended approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. Building setbacks shall be: front and exterior 15', rear 10', and interior 6'.
2. A 15'-green space and utility easement along S Donaghey Ave and Favre Ln will be provided to restrict direct access to both streets.
3. All roadways and alleys shall be privately maintained.
4. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
5. Sidewalk extension construction along S Donaghey Ave and Favre Ln shall be completed prior to filing of the final plat; sidewalk construction internal to the development shall be completed at the time of building construction and prior to the issuance of a certificate of occupancy.
6. 8'-sidewalk, as indicated on the approved PUD plan [between lots 18 and 19 on preliminary plat], connecting parking area shall be installed in conjunction with development of Lots 18 and 19 and completed prior to issuance of a certificate of occupancy for either structure.
7. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
8. A draft Bill of Assurance/Covenants and Restrictions proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat.
9. Fire hydrants must be placed so that the furthest point of a lot in a commercial subdivision is not more than 400 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
10. 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.
11. 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.
12. Any of the above conditions not met, as determined by the concurrence of the Planning Director and City Engineer, shall require re-review and approval by the Planning Commission.

Megan Weckwerth with Tyler Group (240 Skyline Dr) was present to represent the applicant in this subdivision request.

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 Latisha Sanders-Jones and seconded by Alexander Baney passed 6-0, without the chairman voting.

## **II. PUBLIC HEARING ITEMS**

### **A. Request for zoning variance to allow a reduction of the required interior setback for property located at 266 Skyline Drive**

Ryan Robeson, Planner, described the applicant is requesting a zoning variance to allow a reduced interior 12' interior setback to 11', granting a 1' variance, for an existing structure that must be granted a variance to comply with zoning codes and ordinances. Staff expects impacts from the request to be minimal as the

structure is already existing and the permit will only apply to the existing building. Planning staff recommended granting the variance, with the following condition:

1. Variances shall apply to the existing structures and shall become void if the structure is voluntarily destroyed by the owner. The structure may be rebuilt if destroyed by natural disaster or fire.

Megan Weckwerth spoke in favor of this variance 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 variance was made by Drew Spurgers and seconded by Ethan Reed; passed 6-0, without the chairman voting.

**B. Request to rezone property located at 82 Lower Ridge Road from A-1 to R-2A**

Beth relayed the applicant is requesting to rezone from A-1 to R-2A for duplex construction as the property can support 2 duplexes (4 dwelling units) if rezoned to R-2A. The Comprehensive Plan indicates a slightly higher density residential development can be appropriate because of the proximity of Lower Ridge Road to schools and recreational facilities. Planning staff recommended approval of the rezone as it will not likely negatively impact adjacent properties.

Megan Weckwerth spoke in favor of this variance 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 rezoning was made by Alexander Baney and seconded by Ethan Reed; passed 6-0, without the chairman voting.

**C. Request to rezone property located at 4701 Westin Park Drive from O-2 to R-1**

Ryan explained the applicant is requesting to rezone from O-2 to R-1 for single-family development. The zoning change is consistent with the land use plan which designates this area as single family and surrounding properties consist of single-family residential homes to the east, west, and south. Planning staff recommended approval of the rezone as it will not likely negatively impact adjacent properties.

Bobby French spoke in favor of this rezoning request as the authorized agent stating the intended use was to construct two single-family homes on the site. 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 Drew Spurgers and seconded by Alexander Baney; passed 6-0, without the chairman voting.

**D. Consideration to amend Zoning Code Article 901 to clarify review procedures for rezoning and conditional use permit applications**

James explained the amendment is to change to the procedures for authorizing conditional use permits and rezonings. This change is being brought forward to clean up existing procedures and set limits for conditional use permits. Major changes consist of clarifying public notification signage requirements, setting limits for the amendment of rezoning applications prior to a public hearing, setting an expiration date of 18 months from passage for any conditional use permit that goes unused, providing for the revocation of conditional use permits when the terms of the permit are not being followed by the property owner, and establishing review criteria for conditional use permits and rezonings.

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 amendment to the Zoning Code was made by Adam Bell and seconded by Alexander Baney; passed 6-0, without the chairman voting.

**ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

**A. Development Review Approvals**

1. Olive Garden, 554 Museum Rd (SDR-0522-0265)
2. Catholic Campus Ministry, 1919 South Blvd (SDR-0622-0283)
3. McBees Coffee and Car Wash, 813 E Oak St (SDR-0722-0302)

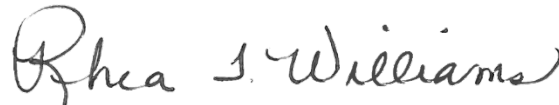
**B. Plats Filed for Record (Lot Splits, Lot Mergers, and Final Plats)**

1. McElroy Subdivision (P2022-00057)
2. Burchfield Subdivision (P2022-00058)
3. Burchfield Subdivision, Correction (P2022-00060)
4. Tupelo Ridge Phase 1 (P2022-00061)
5. Tupelo Ridge Phase 4 (P2022-00062)
6. Tupelo Ridge Phase 2 (P2022-00063)
7. Tupelo Ridge Phase 3 (P2022-00064)
8. Hawks Homes (P2022-00065)

**Adjournment**

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

Approved:



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2022 Chairman, Rhea Williams