



# CONWAY PLANNING COMMISSION

## PLANNING COMMISSION MEETING

Russell L. "Jack" Roberts District Court Building • 810 Parkway Street • Conway, Arkansas 72034

**October 17, 2016, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, October 17, 2016 in the Russell L. "Jack" Roberts District Court Building. Present: Chairman Mark Lewis, Vice-Chairman Matthew Brown, Marilyn Armstrong, Justin Brown, Brooks Freeman, Wendy Shirar, Bryan Quinn, Dalencia Hervey, and Jerry Rye. Anne Tucker was absent.

Chairman Lewis called the meeting order.

The Conway Planning Commission makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the Planning Commission's recommendation as a guide. Items not approved by the Planning Commission may be appealed to the City Council within 30 days after the Planning Commission's denial. If an item is appealed to the City Council a public hearing sign must be placed on the property no less than 7 days prior to the City Council meeting and a public notice will be placed on the City's website at [www.cityofconway.org](http://www.cityofconway.org). Items reviewed by the Planning Commission on this agenda may be considered by the City Council as early as October 25, 2016.

Minutes from the September meeting were approved unanimously on a motion made by Jerry Rye and seconded by Wendy Shirar.

The procedure followed for the public hearing portion of the meeting is to allow the first representative to speak in favor of a request for ten minutes and each subsequent favorable speaker for two minutes each. Then, if there is any opposition, the first speaker opposed to the request may speak for ten minutes and each subsequent opposed speaker for two minutes each. Anyone wishing to speak either for or against an item may do so on any public hearing issue presented. Once all public parties have spoken the item will be brought back into committee for discussion.

Marilyn Armstrong presented the subdivision committee report.

### **I. SUBDIVISION**

A. The preliminary plat for Carmichael Place Subdivision was approved by the Subdivision Committee subject to the amended punch list. The Planning Commission voted 8-1, with Mark Lewis voting in opposition, to approve the Subdivision Committee's report regarding the Carmichael Place Subdivision preliminary plat. The punch list items that were amended are as follows:

#### **Street Design Requirements**

7. Proper access in the form of stub streets or temporary dead end streets shall be provided to adjacent unplatted property unless, in the judgement of the Planning Commission, topographic conditions or physical constraints preclude reasonable provision of such access or alternate routes are or will be available in the future. ***A variance request has been received to allow a***

**cul-de-sac in lieu of connecting to the Forrest Lane stub out. The Planning Commission must approve this request or this condition must be corrected. The Planning Commission approved this request.**

8. Cul-de-sac streets tend to reduce the number of connections and choices available for people traveling by automobile and increase congestion on other streets. Where cul-de-sacs are utilized, pedestrian and bicycle pathways to allow linkages with like abutting properties and the street system may be provided. Construction standards for the pedestrian and bicycle pathways could be provided linking the backs of lots fronting on the termination of cul-de-sacs and providing access to sidewalks along through streets. **If Forrest Lane is not extended into the development, then a pedestrian pathway easement between lots 9 & 10, extending to the Forrest Lane stub out, is recommended. The Planning Commission approved this suggested condition.**

9. Cul-de-sac turnarounds shall have a right-of-way diameter of 120 feet and a pavement diameter of 96 feet. Measurements assume back of curb to back of curb for a roll curb. **A variance request has been received for a reduced radius of 50' ROW. The Planning Commission approved this request pending approval by the Fire Department.**

#### **Lot Design Requirements**

13. Minimum lot area must conform with the requirements of the Zoning Ordinance. **A variance request has been received for Lots 1 through 5 for reduced lot size in order to re-route Carmichael Drive to avoid cutting down trees mid-block. The Planning Commission approved this request and included Lots 9 and 12.**

B. The preliminary plat for Salem Woods Subdivision, Phase 2 was approved by the Subdivision Committee subject to the amended punch list. The Planning Commission voted unanimously to approve the Subdivision Committee's report regarding the Salem Woods Subdivision, Phase 2 preliminary plat. The punch list item that was amended is as follows:

#### **Access Design Requirements**

3. The maximum number of single family and two family residential units served by a single access shall be thirty (30). For more than thirty (30) living units, there shall be no fewer than two (2) separate and approved fire apparatus access roads. These two roads shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. For more than two hundred (200) living unites, three (3) access routes must be provided. Two access roads must meet the above separate requirements, the third access must be no less than 200 feet from any other access, measured from centerline to centerline of street right-of-ways. **A variance request has been received to allow the two fire apparatus access roads to be less than one half of the length of the maximum overall diagonal dimension of the property, measured in a straight line between accesses. The Planning Commission approved this request pending approval by the Fire Department.**

C. The variance request to pay in lieu of installing sidewalks for The Orchard at Round Mountain Subdivision was approved by the Subdivision Committee. The preliminary plat for The Orchard at Round Mountain Subdivision was approved in March 2015. The Planning Commission voted unanimously to approve the Subdivision Committee's report regarding The Orchard at Round Mountain Subdivision.

## II. PUBLIC HEARINGS

- A. Grant Goode's request to rezone property located at 1310 E. Dave Ward Drive from I-3 to C-3 was approved 9-0 as a rezoning to C-2 on a motion made by Matthew Brown and seconded by Bryan Quinn. Grant Goode, 115 Applegate Drive, presented the request. Mr. Goode explained his request to rezone this property, currently zoned for industrial use, to C-3 which he felt was in line with the other nearby properties that are being developed commercially. The Planning Commission discussed the request, but felt that the area was in a state of transition and that granting C-3 zoning privileges was not prudent at this time. They decided to approve the rezoning request to a less invasive commercial zoning of C-2.
- B. Quality Design Construction's request to rezone property located at 1182 Lollie Road from A-1 to I-1 was approved 9-0 on a motion made by Matthew Brown and seconded by Wendy Shirar. Mark Ladd, 1182 Lollie Road, is the property and business owner. Mr. Ladd's business is a legally non-conforming ["grandfathered"] use. His plan to expand the business' square footage repeals the business' "grandfathered" use status causing him to seek the appropriate zoning for his business type, which is I-1.
- C. Jon Priest's request to amend conditional use permit no. 1353 to allow his private mental health practice, Christian Perspective Counseling, to operate in an R-2A zone was approved 9-0 on a motion made by Bryan Quinn and seconded by Dalencia Hervey. Kenneth Priest, 1135 Spatz Circle, presented the request on behalf of his son who was ill. Mr. Priest gave some history of the counseling practice explaining how he began the business as a part-time venture and was later joined by his son as a full time licensed counselor. The property is zoned R-2A, but property owner, Ayisha Miller Canant, was granted a conditional use permit, limited to her and/or her practice, to operate a private mental health practice from the existing residence in February 2015. The applicant requests to have his practice added to the conditional use permit and to be allowed to install a two-pole sign in the yard in lieu of the existing building mounted signage. Mr. Priest requested condition 2 be amended to allow additional employees as he foresees a maximum of six employees, both full and part time, once the practice expands. Additionally, he requested condition 1 be amended to allow the practice to operate from 8:00 am to 8:00 pm to allow meetings in the evening for those that work during the day.
- Conditions attached to the permit:
1. Hours of operation will be limited to 8:00 am to 8:00 pm, Monday through Saturday.
  2. The total number of employees may not exceed six (6).
  3. The conditional use permit is limited to Ayisha Canant and/or Jon Priest/Christian Perspective Counseling.
  4. The existing structure shall be used for the restricted office. The character of the structure shall remain residential.
  5. Parking is limited to the existing driveway and the rear of the structure.
  6. Signage shall be a post and arm sign OR two-pole sign limited to 4 feet high and no larger than 16 square feet in area AND meets Old Conway Design Overlay District guidelines pursuant to freestanding signs. No additional signage is allowed.

## III. DISCUSSION

- A. Chairman Lewis discussed the upcoming interviews for Planning Commission nominees. The nomination period ends October 31, 2016. He created two subcommittees to conduct nominee interviews. The first sub-committee consists of Brooks Freeman, Marilyn Armstrong, and Bryan Quinn with Dalencia Hervey serving as the chairperson. The second sub-committee consists of Anne Tucker, Jerry Rye, and Justin Brown, with Wendy Shirar serving as the chairperson. Following the closing of the nomination period nominee applications will be divided between the two sub-committees for interviews.

#### **IV. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

- A. Development Reviews
  - 1. Village Commons Duplexes, 1830 Village Commons Drive
  - 2. St. Joseph South Parking Lot, 415 Harkrider Street
  
- B. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)
  - 1. South CBC Subdivision - extension granted until 10/2/2017
  - 2. Laney Subdivision, Block 2 "David's Replat" [L-302]
  - 3. Holland Subdivision [L-301]

There being no further business to conduct, the meeting was adjourned by a unanimous vote on a motion made by Matthew Brown and seconded by Bryan Quinn.