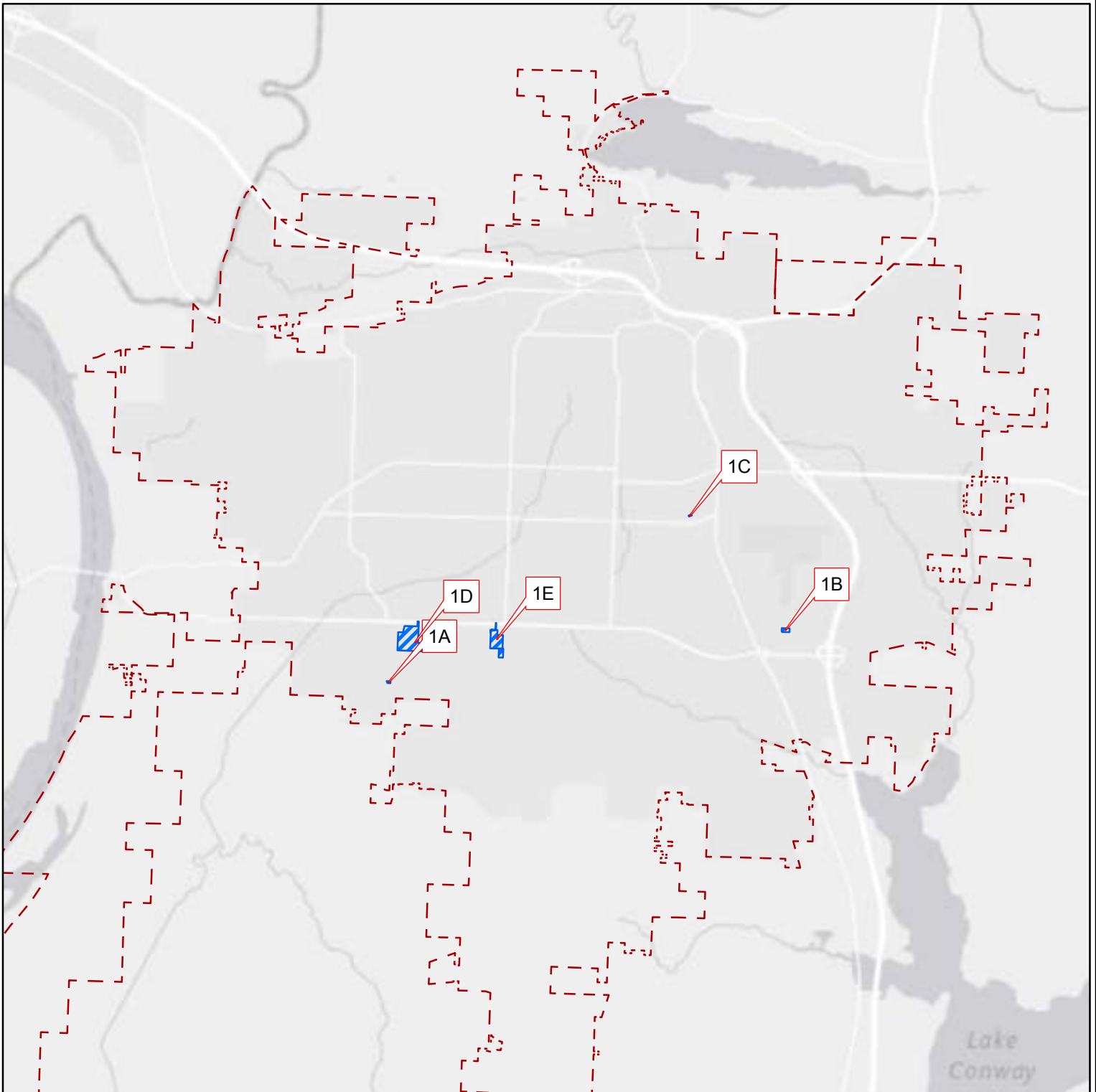


A silhouette of a woman with long hair spinning a child in the air against a sunset sky. The woman is on the left, and the child is on the right, arms outstretched. The sky is a mix of blue, orange, and yellow, with some clouds. The foreground shows the silhouette of grass.

MAY

Conway Planning Commission Staff Report

7:00pm • May 15, 2017 • 810 Parkway Avenue



- 1. PUBLIC HEARINGS
- BOARD OF ZONING ADJUSTMENT
- A. Sketoe Request for Zoning Variance, Reduced Setbacks

- REZONINGS & CONDITIONAL USE PERMITS
- B. Jack's Ultra Sports Request to Amend Con. Use Permit #1366
- C. Riemer Request to Amend Con. Use Permit #1223
- D. Rush-Hal Properties Request to Rezone, A-1 to R-1
- E. Salter Request to Rezone, R-1, RU-1, and MF-1 to MF-3

CONWAY PLANNING COMMISSION

Anne Tucker, Chairman
Jerry Rye, Vice-Chairman
Justin Brown, Secretary
Marilyn Armstrong
Brooks Freeman

Dalencia Hervey
Arthur Ingram
Bryan Quinn
Brandon Ruhl
Wendy Shirar

Contact the Conway Planning Commission by email at planningcommission@cityofconway.org

CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA

7:00 pm • Monday • May 15, 2017

District Court Building • 810 Parkway

SUBDIVISION COMMITTEE WILL NOT MEET

Call to Order

Introduction & Chairperson Remarks

Minutes: April 17, 2017

1. Public Hearings

Board of Zoning Adjustment**

- A. Sketoe request for Zoning Variance to allow reduced building setbacks

Rezonings, Conditional Use Permits, Annexations, etc.*

- B. Jack's Ultra Sports request to amend Conditional Use Permit No. 1366
- C. Riemer request to amend Conditional Use Permit No. 1223
- D. Rush-Hal Properties request to Rezone property from A-1 to R-1
- E. Salter request to Rezone property from R-1, RU-1, and MF-1 to MF-3

2. Discussion

- A. Items as decided by the Planning Commission

Adjourn

Planning Staff Development Review/Minor Subdivision Reports to the Planning Commission

The following items have been reviewed and approved by the Director of Planning and Development and are being reported to the Planning Commission as required by the Zoning and Subdivision Ordinances:

A. Development Reviews

- T-Mobile, 935 E Oak Street
- Village Commons Duplexes, Phase 2, 1835 Village Commons Drive
- Fason Plaza, 405 E Dave Ward Drive
- Davitas Dialysis, 2630 Donaghey Avenue

B. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)

- Fidler's Survey Replat, Lot 226C (L-323)
- Robinsons Plan Replat, Lot 1 & 2, Block 47 (L-324)

C. Lot Splits, Lot Mergers, and Minor Subdivisions (submitted for review)

- Harp's Lot Merger

**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 recommendations as a guide.*

Items not approved by the Planning Commission may be appealed to the City Council within 30 days after Planning Commission denial. If an item is appealed to the City Council, a public notice sign will be placed on the property at least 7 days prior to the City Council meeting. A public notice will be placed on the City's website: www.cityofconway.org.

*Items reviewed at tonight's Planning Commission meeting may be considered by the City Council as early as **May 23, 2017**.*

***Decisions made by the Planning Commission, acting as the Board of Zoning Adjustment, are final. No appeal may be made to the City Council. Any aggrieved party may pursue litigation should they feel the decision is unfair.*

1A SKETOE ZONING VARIANCE REQUEST

SKETOE REQUEST FOR BOARD OF ZONING ADJUSTMENT VARIANCE TO ALLOW REDUCED SIDE BUILDING SETBACK FOR PROPERTY LOCATED AT 1270 MCNUTT ROAD

APPLICANT

John & Beth Sketoe
57 Timberlane Trail
Conway, Arkansas 72034

STAFF REVIEW BY

Jason Lyon, Asst. Director of Planning & Development
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. 1270 McNutt Road

Site Area. ± 0.39 acres

Current Zoning. I-1 (Intermediate Industrial)

Requested Zoning Variance. To allow reduced setback on the south side, due to terrain issues and typical setback against a residential zone of 20 ft.

Existing Structures. None

Overlay. None

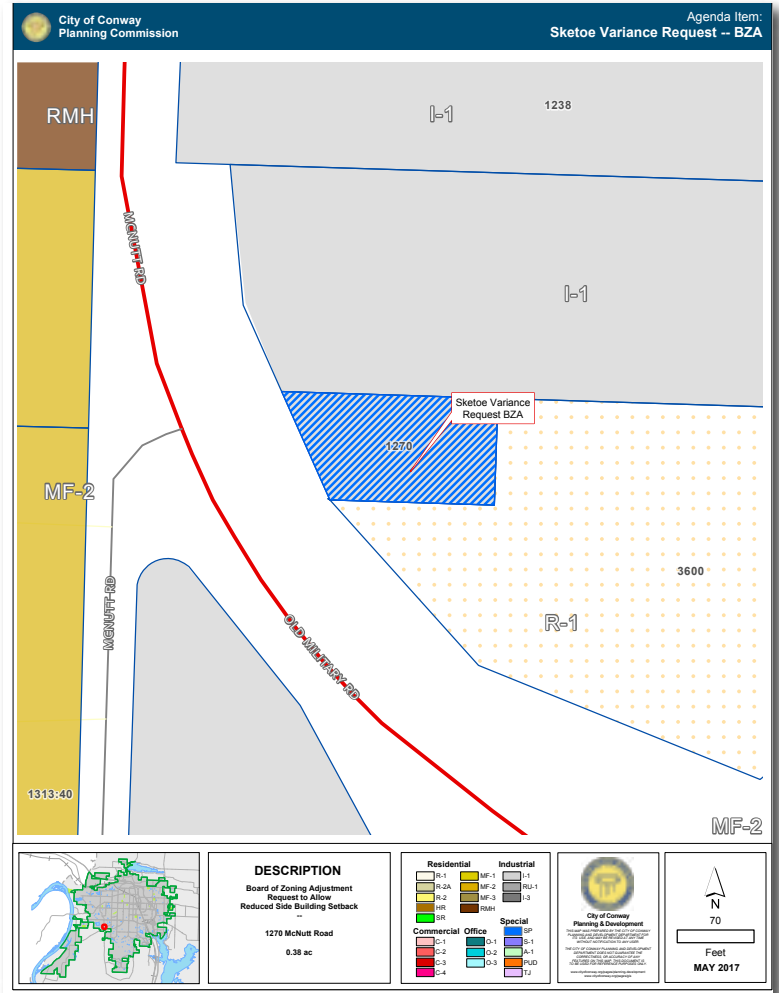
General Overview. The applicant is developing the property for a 1500 sq/ft office. Due to terrain issues, the building has shifted south and is approximately 8.57 ft off property line. The property to the south was rezoned to R-1 by the applicant in September 2016. The applicant is asking for a reduced setback for the south side setback.

STAFF COMMENTS

The applicant is requesting a zoning variance to allow a reduced setback from the south property line. The proposed building location is necessary due to terrain and drainage issues on the north side of the property. The Zoning Ordinances requires a 20-foot side setback when abutting a residential property. The requested variance would allow a 12-foot reduction resulting in an 8-foot side setback.

The applicant owns the adjacent property to the south and in September 2016, rezoned the property from I-1 to R-1, prior to the submission of development review plans.

Due to topographic and drainage development difficulties along with common ownership of the requested property and abutting property, Planning Staff recommends approval of the 8-foot side setback.



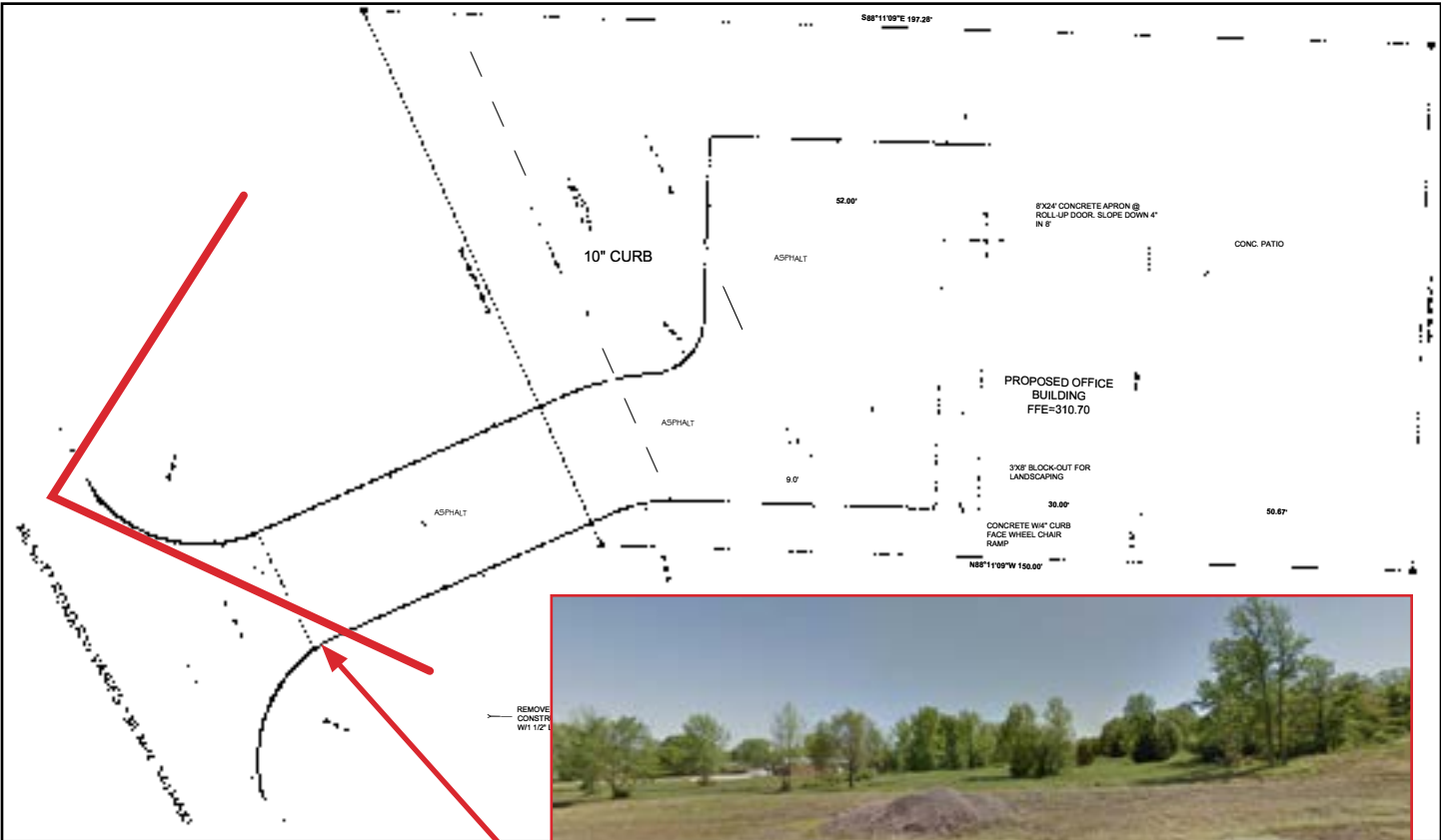
Zoning Ordinance Regulations. The current plan is out of compliance with regards to setback on south side:

I-1 Building setback requirements:

Front: 40 feet

Side abutting Residential District: 20 feet

Rear: 20 feet



JACK'S ULTRA SPORTS REQUEST TO AMEND CONDITIONAL USE PERMIT NO. 1366

APPLICANT

Jack's Ultra Sports
Curtis Butler
43 Sunny Gap Road
Conway, Arkansas 72032

STAFF REVIEW BY

Jason Lyon, Asst. Director of Planning & Development
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. 655 Equity Avenue

Site Area. ±1.70 acres

Current Zoning. I-3 (Intensive Industrial)

Existing Structures. Industrial warehouse utilized as Commercial Amusement Center.

Overlay. None

Requested Conditional Use. Amendment to existing Conditional Use Permit No. 1366 issued 2/23/2016.

Comprehensive Plan. The plan shows the areas as appropriate for industrial.

Projected Traffic Impact. No traffic impact for this property will be seen with amendment, although additional traffic could be seen at off hours with change in hours of operations.

Flood\Drainage. No flood issues on this property.

Utilities. No effect.

Street Improvement. There are no current plans for this area.

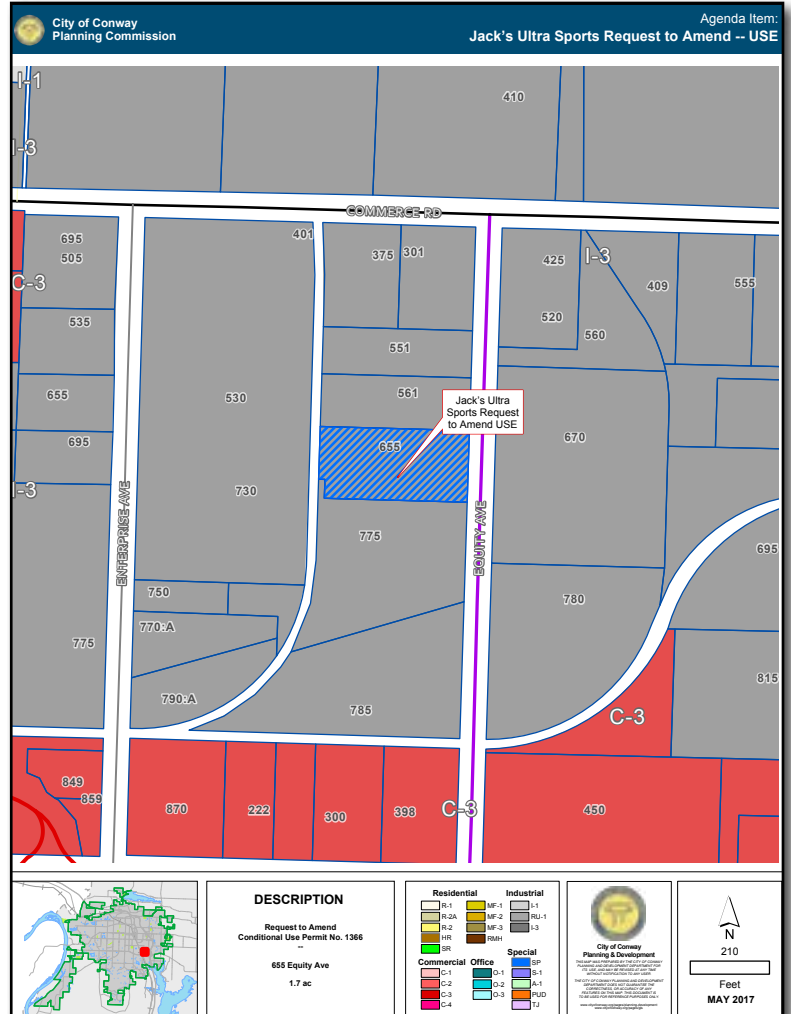
Conway 2025. Not specified

STAFF COMMENTS

The applicant is seeking a conditional use permit to amend conditions #2 and #3 limiting business hours and the ability to have outside activities.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request, the amendments requested would allow the business to host lock-ins, such as civic groups or church functions, for overnight activities. This change to condition #2 could potentially bring more traffic at off-peak hours. However, there should be little traffic conflict in the industrial area after hours. Amending condition #3 would allow outside



activities. The condition could be crafted to allow the outside activities in certain areas, such as no closer to the street than the front facade of the building.

Recommended Conditions.

Amendment to Conditions 2 and 3.

1. Conditional Use Permit is limited to applicant, Curtis Butler/ Jack's Ultra Sports
2. Business hours must conclude by 9 PM each day of operation.
3. All activities must be contained inside the facility. Outside activities allowed, no closer to the street than the front building facade.

PERMIT No. 1366

USE2016FEB02
51318SE
51318NE

CONDITIONAL USE PERMIT

CITY OF CONWAY, ARKANSAS

PROPERTY DESCRIPTION / ADDRESS / LOCATION:

This conditional use is for property located at the 655 Equity Avenue with the following legal description:

Part of Block B-1, Conway Industrial Park, City of Conway, Arkansas, more particularly described as follows; Part of the NW 1/4 SE 1/4 and part of the SW 1/4 and NE 1/4, Section 18, T5N, R13W, Faulkner County, AR. Beginning at a point on the west right of way of Equity Ave. 120.9 feet north 88 degrees 05 minutes west of the northeast corner of said NW 1/4, SE 1/4, said point being 568.8 feet south 2 degrees 13 minutes west of the northeast corner of said block B-1; thence run south 2 degrees 13 minutes west along said west right of way 161.2 feet; thence north 88 degrees 05 minutes west 379.0 feet; thence north 2 degrees 13 minutes east 50.0 feet; thence north 88 degrees 05 minutes west 16.8 feet to the east right of way of a railroad spur; thence north 2 degrees 13 minutes east along said east right of way 140.0 feet; thence south 88 degrees 05 minutes east 395.8 feet to the west right of way of Equity Avenue; thence south 02 degrees 13 minutes west 28.8 feet to the point of beginning.

ZONING: I-3 (Intensive Industrial)

CONDITIONAL USE PERMITTED TO JACK'S ULTRA SPORTS: Commercial Amusement Center and Restaurant

DATE OF COUNCIL MEETING ALLOWING PERMITTED USE: February 23, 2016


CONDITIONS ATTACHED TO THE PERMIT:

1. Conditional Use Permit is limited to applicant, Curtis Butler/Jack's Ultra Sports.
2. Business hours must conclude by 9:00 pm each day of operation.
3. All activities must be contained inside the facility.

APPROVED:



Tab Townsell, Mayor



Date

RIEMER REQUEST TO AMEND CONDITIONAL USE PERMIT NO. 1223

APPLICANT

Andrea Riemer
523 Locust Avenue
Conway, Arkansas 72034

STAFF REVIEW BY

Jason Lyon, Assistant Director of Planning & Development
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. 523 Locust Avenue

Site Area. ±0.17 acres

Current Zoning. O-3 (Residential Office)

Existing Structures. Residential Structure remodeled into a salon.

Overlay. Old Conway Design Overlay District

Requested Conditional Use. Amendment to existing Conditional Use Permit #1223 issued 6/28/2005.

Comprehensive Plan. The plan shows this areas as a special study area located just off downtown. Several Locust Avenue residential structures have been converted for office use. This office use transitions to residential as one goes south.

Projected Traffic Impact. No traffic impact for this property will be seen with amendment.

Flood\Drainage. No flood issues on this property.

Utilities. No effect.

Street Improvement. There are no current plans for this area.

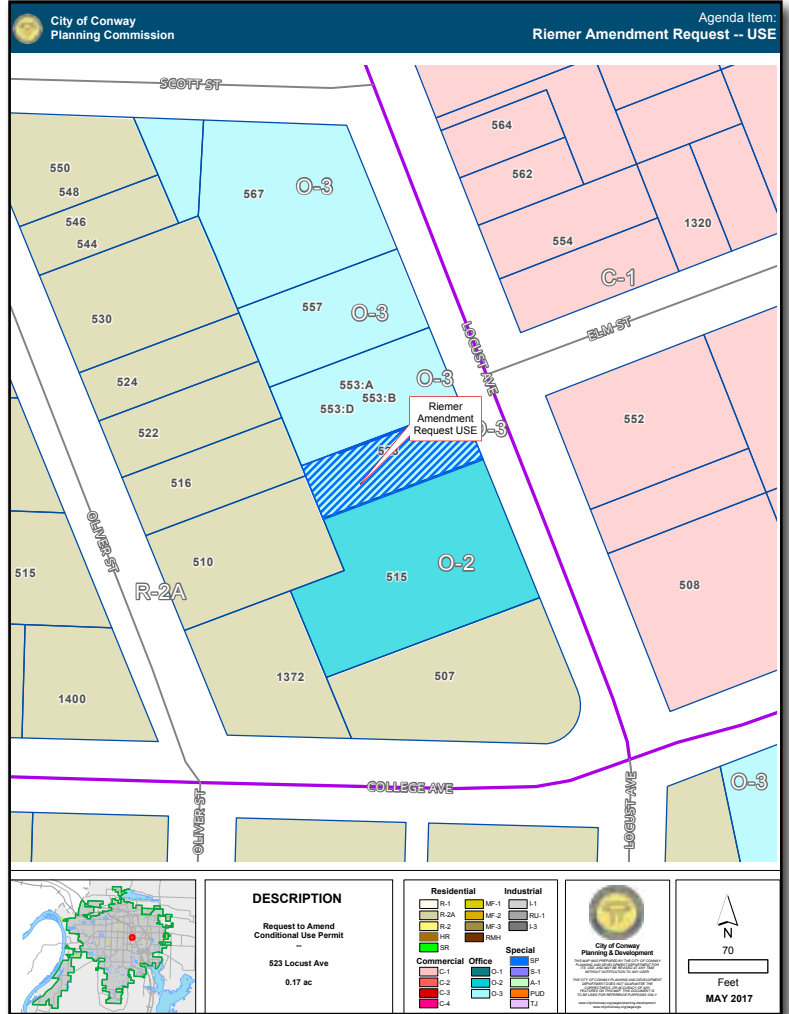
Conway 2025. Not specified.

STAFF COMMENTS

The applicant is seeking a conditional use permit to amend condition #5 limiting permit to existing applicant and business.

STAFF RECOMMENDATIONS

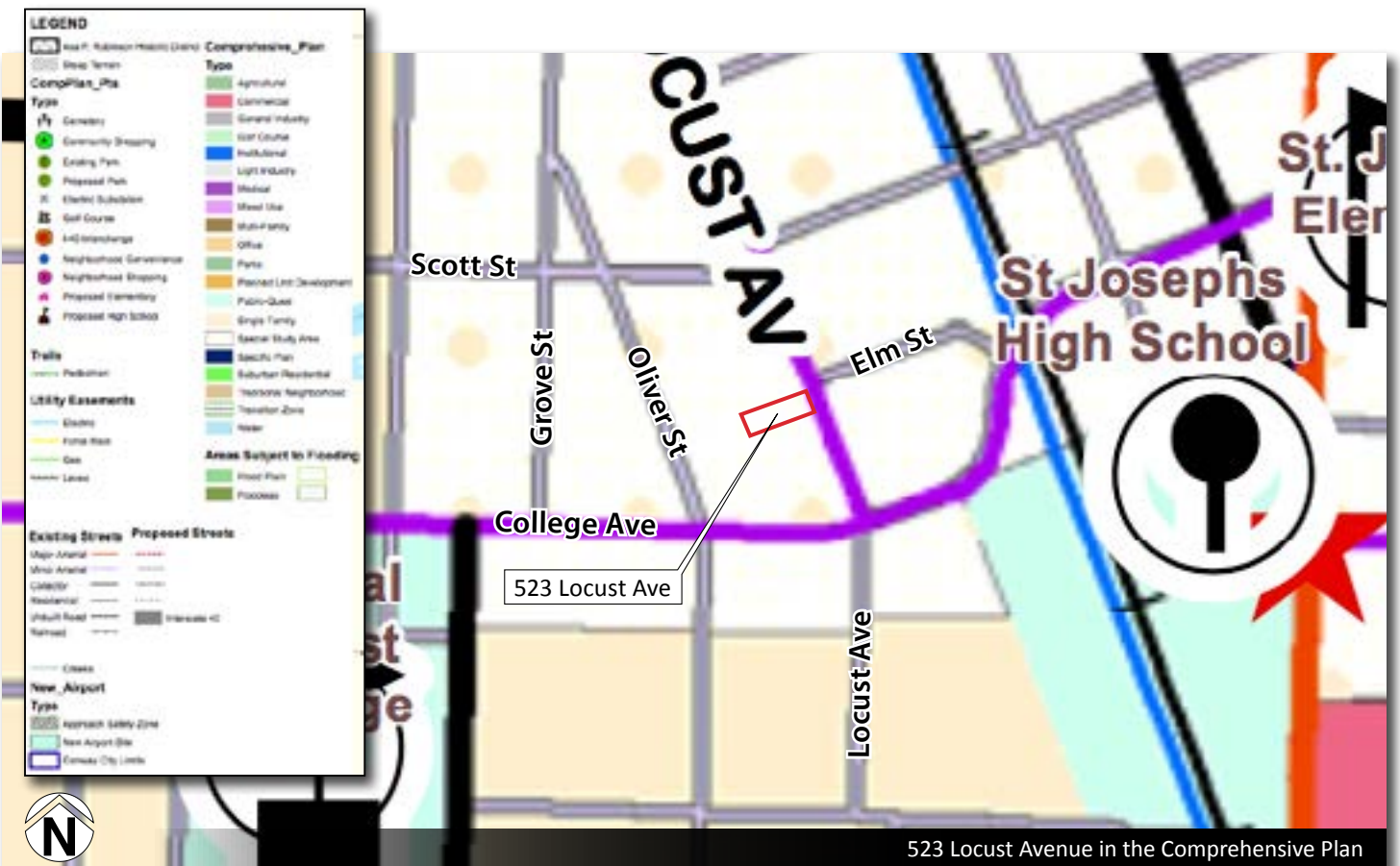
Planning Staff recommends approval of this request, the amendment has limited affect on the property and uses for the property, amendment would allow the current permit holder to sell or lease the business to others if chosen.



Recommended Conditions.

Keep all conditions with amendment to #5 to remove applicant and business, but retain structure.

1. No external sound system allowed
2. Any outside lighting is to be inward, downward, and shrouded
3. Hours of operation are limited to 8 a.m. to 8 p.m., Monday through Saturday and closed on Sundays
4. One monument sign similar in construction to the brick monument sign located near Stroud otolaryngology clinic maybe erected*
**already built*
5. Conditional use is only applicable to this applicant, business, and structure



COMMERCIAL USE PERMITS CITY OF CONWAY, ARKANSAS

CONWAY, ARKANSAS 72034

As required by Ordinance 107, the following information is being provided to the public for their information.

Application Number: 17-00000000

APPLICANT:

CONWAY COMMUNITY CENTER, 1000 S. MAIN ST., CONWAY, ARKANSAS 72034

Application Number: 17-00000000

APPLICANT'S CONTACT INFORMATION:

Name: [Redacted]

Address: [Redacted]

Phone: [Redacted]

City: [Redacted]

State: [Redacted]

Applicant's Address: [Redacted]

City: [Redacted]

State: [Redacted]

COMMENTS:

RUSH-HAL PROPERTIES REQUEST TO REZONE FROM A-1 TO R-1 PROPERTY LOCATED WEST OF CAMPBELL COVE PUD

APPLICANT

Rush-Hal Properties
Hal Crafton
3200 Tyler Street
Conway, Arkansas 72034

STAFF REVIEW BY

Jason Lyon, Asst. Director of Planning & Development
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. West of Campbell Cove PUD, 3300-3400 block Dave Ward Drive

Site Area. ± 39.65 acres

Current Zoning. A-1 (Agricultural)

Existing Structures. None

Overlay. None

Requested Rezoning. A-1 (Agricultural District) to R-1 (One Family Residential District).

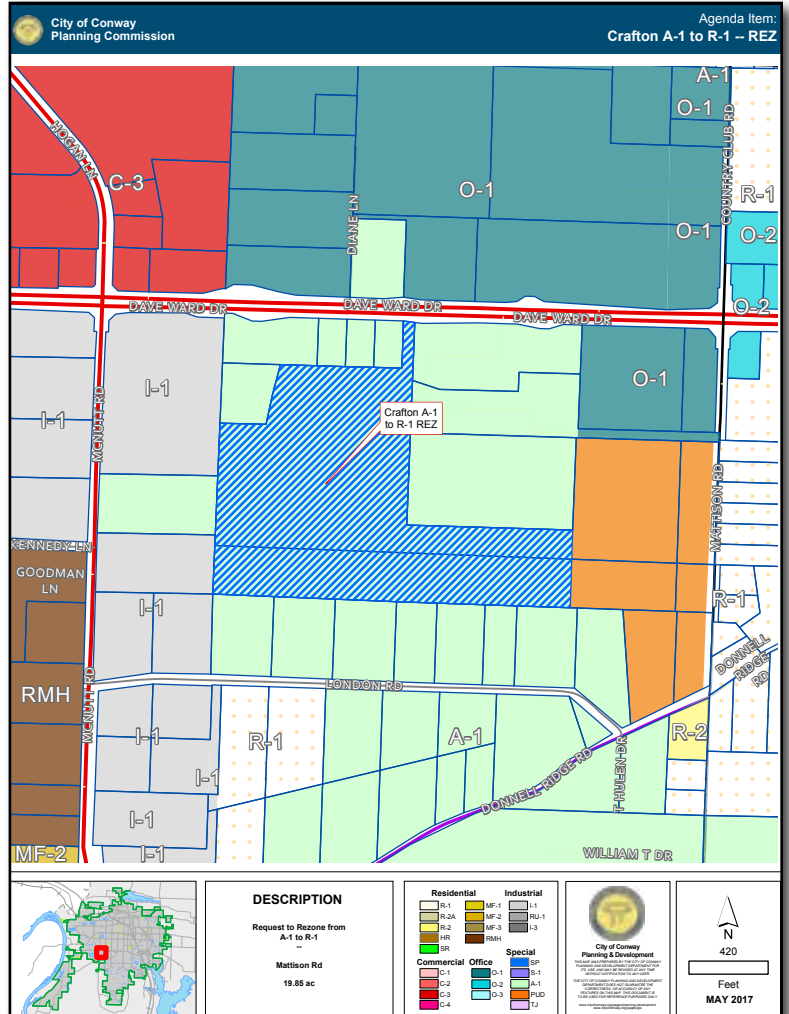
Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single-family residential. The most northern area is within the Dave Ward Drive transitional area (Multi-Family and Office). However, R-1 would reduce this potential commercial growth and limit the area to single-family.

Projected Traffic Impact. With a rezoning to R-1, traffic impact would be potentially 1720 trips per day with a full build out of +/-172 lots (assumption of 10,000 sq/ft lots, ROW not accounted for at this time). The traffic would funnel east into Campbell Cove onto Mattison Rd as well as north via proposed street onto Dave Ward Dr. Dave Ward would be able to handle the additional cars and would be the preferred route, while Mattison Rd would need additional capacity to handle the proposed lots as well as Campell Cove PUD which is currently under construction.

Flood\Drainage. No flood issues on this property, although there is no FEMA designated areas, the property does contain smaller ponds and natural drainage areas.

Utilities. The applicant will need to coordinate utilities with Conway Corporation for the area, although with the construction of Campbell Cove PUD to the east utility infrastructure will be placed into the property.

Street Improvement. There are no current plans for this area. Although Mattison Rd has been placed on the City Council list of road improvements on a yearly basis.



Conway 2025. Not specified.

STAFF COMMENTS

The applicant is seeking a rezoning from A-1 (Agricultural District) to R-1 (Single-Family Residential District) with plans to potentially build a new phase for Campbell Cove, which was approved by the Planning Commission in January 2017. The proposed rezoning and development would be an additional phase of Campbell Cove, but with typical R-1 sized lots.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request. This rezoning is the second phase of the Campbell Cove Development. Developer will need to provide a master plan for street ingress and egress points. This will be provided once formal platting of the property begins. This rezoning will produce R-1 sized lots of at least 7500 sq/ft. New roads and drainage will be addressed during platting and subdivision review. Assumption is for 172 lots but drainage issues and terrain may greatly reduce the number of potential lots as well as developer preference on lot size.



Aerial view of proposed rezoning area



Proposed rezoning area in the Comprehensive Plan

1E **SALTER PROPERTIES REQUEST TO REZONE FROM R-1/RU-1/MF-1 TO MF-3**

SALTER ACQUISITIONS REQUEST TO REZONE FROM R-1, RU-1, AND MF-1 TO MF-3 PROPERTY LOCATED AT 2955 DAVE WARD DRIVE, 905/945 SALEM ROAD, AND 2902 PHEASANT ROAD

APPLICANT

Salter Acquisitions
201 Lee Andrew Lane
Conway, Arkansas 72034

STAFF REVIEW BY

Bryan Patrick, Director of Planning & Development
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. 2955 Dave Ward Drive, 905/945 Salem Road, and 2902 Pheasant Road.

Site Area. ± 13.90 acres

Current Zoning. RU-1 (Restricted Use District), MF-1 (12 units per acre), and R-1 (Single-Family Residential)

Existing Structures. Metal building that was used for oil field offices via Conditional Use Permit No.1268 and a single-family home at 2902 Pheasant Rd

Overlay. None

Requested Rezoning. MF-3 (24 units per acre).

Comprehensive Plan. The Comprehensive Plan shows mixed uses for the properties, with the northern portion within a transition zone, eastern portion multi-family, and the southern portion as single family.

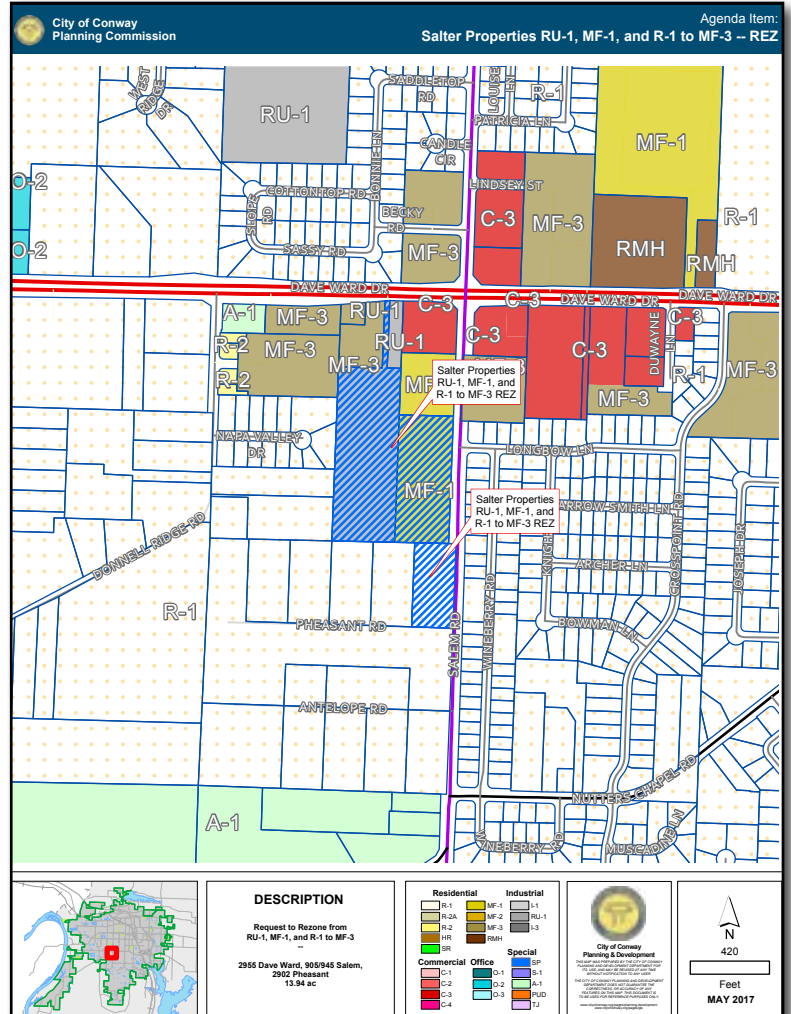
Projected Traffic Impact. With a potential full build out of 279 units at MF-3 density, an expected daily trip count of 1850 trips. Dave Ward Drive is large enough to handle the additional capacity although the northern drive of the property narrows as it approaches Dave Ward Drive and is located between an auto-repair business, apartments, and a day care. The exit would be within 400 feet of the major intersection of Dave Ward Drive and Salem Rd. Exits on Salem will need to be coordinated with existing curb cuts and street intersection such as Longbow Lane on the north and proximity to Pheasant Road on the south.

Flood\Drainage. No flood issues on this property.

Utilities. The applicant will need to coordinate utilities with Conway Corporation.

Street Improvement. There are no current plans for this area. Salem was rebuilt and expanded within past 10 years and Dave Ward is a divided 4 lane road.

Conway 2025. With 2 utility easements crossing the property, pedestrian trails would be an option.



STAFF COMMENTS

The applicant is seeking a rezoning from RU-1 (Restricted Use District), R-1 (Single-Family Residential), and MF-1 (12 units per acre) to MF-3 (Multi-family 24 units per acre). The property is 13.90 acres, but when one factors in the 2 easements, 100 ft electric and 30 ft gas, crossing the property buildable area is closer to 11.65 acres. If built to full capacity the property could have up to 333 units. The easements across the middle of the property will prohibit structures but would allow some parking utilization. Development Review would address screening along the residential properties on the south and portions of the west.

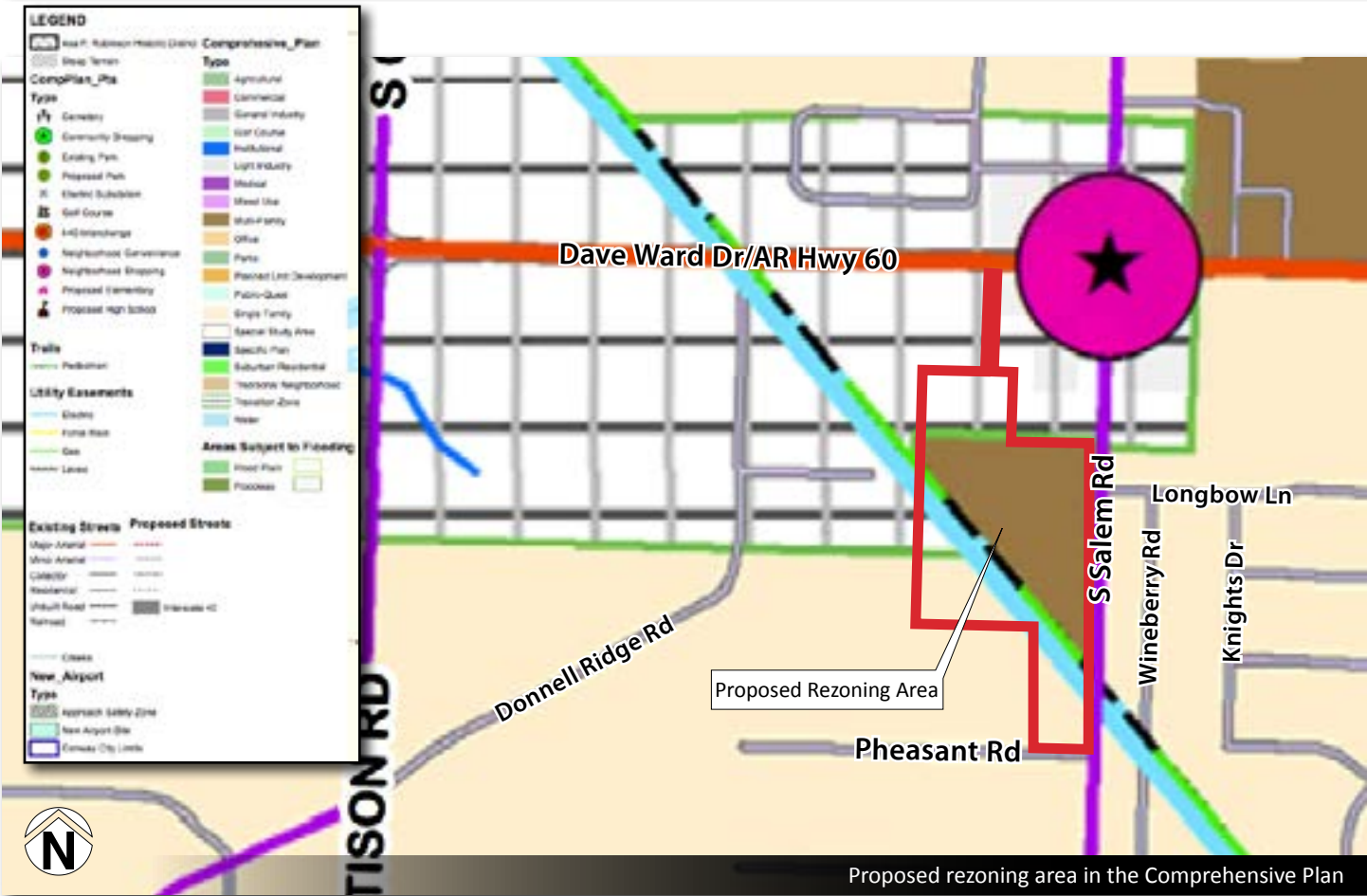
STAFF RECOMMENDATIONS

The property is currently zoned RU-1 (Restricted Use). RU-1 has limited by right uses including: office, parking lot, agricultural, vet clinic, school, and green house. Many uses are available through conditional use permit, including: light manufacturing, retail, hotel, child care, and hospital.

Currently, there is multi-family to the northwest and east of the requested property. A large 4.5 acre tract abutting Salem Road is zoned MF-1. The southwest corner of Dave Ward Drive and Salem Road is zoned C-3 Commercial. A smaller tract adjacent to the narrow Dave Ward Drive access is zoned RU-1 and has a



Aerial view of proposed rezoning area



Proposed rezoning area in the Comprehensive Plan

1E **SALTER PROPERTIES REQUEST TO REZONE FROM R-1/RU-1/MF-1 TO MF-3**

conditional use permit allowing car repair. To the west is Napa Valley Subdivision and to the south is Pheasant Road, both having single-family residences. The Comprehensive Plan shows the area north of the power line easement as appropriate for multi-family.

Dave Ward Drive could handle the traffic generated by 250+ units of apartments. However, Salem Road is a two lane road past the Dave Ward intersection. Multifamily development typically generates a large amount of vehicle trips, however, trips are spread throughout the day and don't create many traffic conflicts. Apartments marketed towards families would generate less traffic than apartments rented by the room to college students.

An apartment complex with over 200 units will require 3 fire access drives. The existing Dave Ward drive access does not meet fire access standards as it is approximately 15 feet wide. The entire width of the narrow Dave Ward Drive access property would need to be improved in order to allow two way traffic flow. Dave Ward Drive has an access management plan that would require driveway consolidation. The two driveways in close proximity to each other; the access on the narrow strip of land and the access serving Brentwood Apartments would need to be consolidated into one access. Additional access would

need to be provided through the apartments to the northwest and/or from Salem Road to meet the required 3 access points. A rezoning does not require site plan submission. No plans have been submitted, so ingress and egress points are not known at this time.

On the west, Napa Valley Subdivision homes would be within 35 feet of the proposed rezoned property line, a 20 foot landscape setback would be required in this section as well as on the south property line shared with the Pheasant Road residents.

The request to rezone the 2902 Pheasant Road property to multifamily is not congruent with surrounding area and is in direct conflict with the large lot single family residences along Pheasant Road.

Planning Staff does not have a clear recommendation for this rezoning request. The Comprehensive Plan shows that at least part of the property is appropriate for multi-family. However, the tract adjoining Pheasant Road would seem inappropriate for multi-family as it brings a high density element into an otherwise large lot, single-family area. Consideration might be given to a reduced rezoning area and a lesser density rezoning such as MF-1 (12 units per acre) or MF-2 (18 units per acre).



View of 905/945 Salem Rd looking SW



View of 2902 Pheasant Rd looking NW



View of property N of 905/945 Salem Rd



View of property S of 2902 Pheasant Rd