



# CONWAY PLANNING COMMISSION

## PLANNING COMMISSION MEETING

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

**October 16, 2017, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, October 16, 2017 in the Russell L. "Jack" Roberts District Court Building. The following members, being a quorum, were present and acting: Chairman, Anne Tucker, Vice-Chairman, Jerry Rye, Dalencia Hervey, Bryan Quinn, Wendy Shirar, and Justin Brown. Marilyn Armstrong, Brooks Freeman, and Arthur Ingram were absent.

Chairman Tucker called the meeting order at 7:08 pm.

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

Chairman Tucker informed the audience that 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 reviewed by the Planning Commission on this agenda may be considered by the City Council October 24, 2017. 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).

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 public hearing will be closed and the item will be brought back into commission for discussion.

### **I. SUBDIVISION COMMITTEE REPORT**

The subdivision committee report was presented by Justin Brown.

#### **A. Request for Preliminary Plat Approval - Salem Oaks Subdivision**

The preliminary plat for Salem Oaks Subdivision was reviewed and approved by the Subdivision Committee subject to the amended punch list. Punch list item that was amended is as follows:

##### **Lot Design Requirements**

16. Double frontage lots other than corner lots fronting on two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission. ***Future extension of Favre Lane will create double frontage lots 13, 14, & 15. Planning Commission approved these lots as double frontage lots.***

#### **B. Request for Preliminary Plat Approval Extension - Carmichael Place Subdivision**

The preliminary plat for Carmichael Place Subdivision was reviewed and approved by the Subdivision Committee on October 17, 2016. Applicant requested a 1-year extension of the approved preliminary plat to September 30,

2018. *The Planning Commission approved this request.*

## II. PUBLIC HEARINGS

### A. **Rush-Hal Development request to rezone from A-1 to R-1 property located at 3840 Tyler Street [proposed Charleston Place Subdivision]**

Hal Crafton, 5460 Lost Canyon Drive, presented the request. Mr. Crafton explained that Rush-Hal Development intends to develop a single-family subdivision on the property. He explained that he plans to relocate the necessary drainage for the property to the western side of the development and, if the city agrees to accept the property, to create a walking trail that will connect McConnell Drive to Tyler Street. Kat Vance, 1525 Amelia Drive, asked if the area of trees that borders her property to the west will remain. Mr. Crafton explained that the trees may have to be cleared for utilities and drainage, but if not whether the trees remain will be up to the builder/home owner. Scott Harrison, 1645 Amelia Drive, spoke in opposition to the request. Mr. Harrison is concerned about the possibility of the new homes becoming rental properties as well as possible trespassing. Jennifer Hobbs, 1635 Amelia Drive, asked why Charleston Place was chosen as the name for the new neighborhood instead of an additional phase of St. John's? Mr. Crafton explained that, due to the age of the homes in St. John's, the newer properties proposed for Charleston Place would not appraise at the appropriate value if the subdivisions were identified the same. The homes planned will be comparable in size to those in St. John's subdivision.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval. Wendy Shirar seconded the motion. The motion passed 7-0.

### B. **Rush-Hal Development request to rezone from A-1 to R-1 property located at 1300 Favre Lane [proposed Cherry Hill Subdivision]**

Hal Crafton, 5460 Lost Canyon Drive, presented the request. Mr. Crafton explained that Rush-Hal Development intends to develop a single-family subdivision on the property. Andy Cochran, 1496 Pyramid Drive, spoke in opposition. Mr. Cochran expressed concerns about the number of homes planned and the additional traffic the development will generate, especially with no access from S German Lane to the development.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Justin Brown motioned that the request be forwarded to the City Council with a recommendation for approval. Bryan Quinn seconded the motion. The motion passed 7-0.

### C. **Watson & Watson Construction request to rezone from A-1 to R-1 property located at 1555 South Salem Road [proposed Salem Oaks Subdivision]**

Bobby French, with Central Arkansas Professional Surveying, 1021 Front Street, presented the request on behalf of Watson & Watson Construction. Mr. French explained the Watson's intent to develop a single-family subdivision on the property.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval. Brandon Ruhl seconded the motion. The motion passed 7-0.

### D. **Gary Baker request to rezone from A-1 to RU-1 a portion of the property located at 185 Lower Ridge Road**

Gary Baker, 185 Lower Ridge Road, presented the request. Mr. Baker described his plans to rezone the southern third of his property, that fronts Lower Ridge Road [to be identified as 183 Lower Ridge Road], to RU-1 to operate a 'light-office' in order to share his research with potential investors/developers. He expects no more than 1 to 2 meetings per month.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Justin Brown motioned that the request be forwarded to the City Council with a recommendation for approval. Dalencia Hervey seconded the motion. The motion passed 7-0.

**E. Smith Communications request for a conditional use permit to allow a transmission tower in a C-3 zoning district for property located at 1499 Robins Street**

Dave Reynolds with Smith Communications, 520 North College Avenue, presented the request. Mr. Reynolds explained his company's intent to lease a small portion of Conway Station Park, to replace the existing water tower, and to install a replacement mono-pole tower to maintain cell coverage for the area. Mr. Reynolds explained the look of the proposed fencing [to match that at the neighboring Boys & Girls Club] and stated that the tower would be 170' high with a large graphic reading Conway Station Park with a baseball on 3 sides.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Justin Brown motioned that the request be forwarded to the City Council with a recommendation for approval including the conditions listed below. Dalencia Hervey seconded the motion. The motion passed 7-0.

**Conditions attached to the permit:**

1. All prescribed conditions per the Conway Zoning Ordinance shall be met along with the 4 specific conditions below.
2. An 8 foot tall brick and wooden privacy fence shall surround the enclosure. Any security fencing shall be behind this wall out of sight. Brick should be of similar color as the Boys and Girls Club
3. 2" caliper d.b.h. Evergreen trees shall be planted around the perimeter of the privacy fence on the west, north, and east as shown on submitted plans.
4. 170 ft. tower height shall be allowed.
5. A graphic "wrap" shall be provided and maintained by the applicant. The specific design and text shall be coordinated through the Mayor's Office. (see included proposed artwork)

**F. Chris Throneberry request for a conditional use permit to allow O-3 (Restricted Office) in an R-2A zoning district for property located at 823 Donaghey Avenue**

Chris Throneberry, 901 Reedy Road, presented the request. Mr. Throneberry explained he and his partners [3GI] plan to use the property as a law office. Patti Stobaugh, 47 Lakeview Drive, spoke in favor of the request. Ms. Stobaugh, owner of adjacent property, is in favor of the rezoning. Bryan Patrick, Director of Planning & Development, added that the requested use by conditional use permit fits with the Donaghey Corridor Study and recommended not tying the permit to the applicant. He also clarified that the request was made as a conditional use permit, not a rezoning, because the Donaghey Corridor Study recommends transitioning homes along Donaghey to office zoning through the conditional use permit process to be able to place conditions on the properties and control the development.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the request be forwarded to the City Council with a recommendation for approval with the conditions listed below. Brandon Ruhl seconded the motion. The motion passed 7-0.

**Conditions attached to the permit:**

1. **Hours of Operation.** The allowed hours of public operation will be Monday through Friday from 8:00 am to 8:00 pm, primarily normal business hours.
2. **Signage.** Wall signage shall be limited to a non-illuminated faceplate attached to the structure no greater than 2 sq/ft in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide. A non-illuminated post and arm sign as defined by Conway sign

regulations may be substituted for a monument or two pole sign. No banners shall be permitted. Any increase in freestanding sign above 16 sq/ft requires Old Conway Design Review Approval.

3. **Architectural Compatibility.** Any exterior remodeling or new construction must be compatible with the surrounding architecture. Within the Old Conway Design Overlay District, the Historic District Commission shall review and decide compatibility. This review shall include exterior appearance, materials, setbacks, height, lot coverage, etc. The setbacks, height, and lot coverage restrictions will be no greater than allowed by the lot regulations per zone, overlay, or historic district.
4. Lighting, parking, screening/buffering shall minimally match Conway Development Review Standards. Additional parking and/or screening/buffering requirements may be recommended by the Planning Commission and required by the City Council including, but not limited to, parking location and design, fencing or landscaping as required to provide an adequate buffer for neighboring properties.
5. **Sidewalks.** Construction and or repair of existing sidewalks, if necessary, is required as per Conway Development Review Standards. **There is an existing sidewalk along the property's Donaghey frontage.**
6. **Parking.** No additional front yard parking allowed.
7. **Trees.** Existing trees must remain unless diseased or damaged. The Planning Director shall make any decision on future necessary tree removal.

**G. PH LLC request to amend Club Villas Planned Unit Development Final Development Plan for Lots 1-3**

Landon Sanders, 2355 Springcrest Drive, presented the request on behalf of Pennington Homes. Mr. Sanders explained Mr. Pennington's desire to amend the Club Villas PUD [Lots 1-3] to allow 4 additional homes, for a total of 7 units, with rear [garage] parking access via an alley. Mr. Sanders noted the Conway 2025 plan seeks more high-density and walkable developments. He explained additional, proposed conditions that were developed as a part of public input meetings, primarily with the Ellis and Nash families. Mr. Sanders cited the recent change to minimum lot size requirements [minimum 6000 sf] in R-1 zoning districts and noted that the requested density is appropriate. He noted drainage concerns in the area and proposed a solution to route the stormwater to the existing drainage ditch on the north boundary of the property. Caroline Sellers, Country Club Road, spoke in favor of the request. Ms. Sellers owns the property adjacent to the north and was excited about the possibility of the Hendrix Village-like homes and the rear access parking. She felt the development would be good for the neighborhood. Martha Nash, 2334 Hermes Lane, spoke in opposition to the request on behalf of her son and daughter-in-law, Ryan and Courtney Nash, who own adjacent property to the west in Applewood Cove. Ms. Nash expressed concerns about the rear access parking/driveway and how easily it would be for a vehicle to come into the backyard of her son's home posing a risk to the safety of his family. She suggested a change to fewer lots which would make the border lot larger, effectively moving the access drive from Country Club further north. Rhonda Ellis, 1150 Applewood Drive, spoke in opposition to the request. Mrs. Ellis and her husband own 1150 and 1140 Applewood Drive, both adjacent to the west. She expressed concerns with the the proposed density and poor drainage in the area, but is hopeful that the development would improve the problem. She spoke of having invested a lot of money into her properties and is concerned for her family's privacy and safety as the proposed two-story homes would have "visual access" to her backyard. Ms. Ellis shared additional restrictions that she and Mr. Pennington have agreed to, including landscaping, window placement, etc., and asked that the Planning Commission consider adding them to the PUD Final Development Plan [for the subject lots].

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. The Commission discussed the possible safety concerns, drainage problems and possible solutions, as well as the proposed increased density and how it merits being a walkable village. Justin Brown motioned that the request be forwarded to the City Council with a recommendation for approval with the modified and additional conditions, as listed below. Dalencia Hervey seconded the motion. The motion failed 0-6-1. Bryan Quinn abstained from voting.

**Conditions for Club Villas PUD; Approved February 15th, 2011**

1. 20 foot rear setback required on the office building.
2. The office building will be limited to those land uses allowed by right in the O-3 zoning district.
3. Office building hours of operation will be Monday - Friday 8 am to 6 pm.
4. Prince Street curb cut is to be right in, right out only.
5. ***Lighting shall be non intrusive to Applewood Cove Subdivision.***
6. Office building exterior materials shall be residential in nature and compatible with the surrounding neighborhoods.
7. Office building shall have a 6-12 roof pitch; maximum 10-12 pitch.
8. Before the office building may be constructed, the owner must have a binding legal lease agreement.
9. ***An 8 foot wood privacy fence between the PUD development and Applewood Cove Subdivision is required if no fence is present.***
10. Additional evergreen landscaping above development review standards is required within the 20 foot buffer area between the office building and Applewood Cove Subdivision.
11. Office building roof vents shall be painted.
12. Sound attenuating screening shall be used if ground mounted HVAC units are placed in the 20 foot buffer area between the office building and Applewood Cove Subdivision.
13. No structures permanent or temporary may be placed in the 20 foot buffer area between the office building and Applewood Cove Subdivision.
14. ***Hours of construction for the exterior development shall be 7 am to 7 pm.***
15. No signage is allowed on Prince Street other than signage allowed on the dumpster enclosure located at the Southeast corner of the property.
16. ***The requirement for a minimum of 20% green space for a PUD development of 3 or more acres is waived.***

**Recommended Changes to Plan "Option 4" to be added to the final development plan as 17-22**

17. The text concerning Lots 1-4 Club Villas PUD as shown on Plan "Option 4" approved on February 15, 2011 shall be superseded with conditions 18-22.
18. Lots 1-3 Club Villas PUD shall be allowed to replat into 7 single family residential lots as shown on the plan as reviewed by the Planning Commission on October 16, 2017. Single family residential shall be the sole allowed land use.
19. PUD shall be generally developed as shown on the October 16, 2017 site plan. Minor variations from the submitted plan shall be allowed for technical reasons. However, the density and intent of the site plan shall be followed.
20. The submitted conceptual front elevations as reviewed by the Planning Commission on October 16, 2017 shall be used as general guides for the overall style of the residences.
21. ~~The private drive providing rear access to the residences shall be a one way drive entering on the north and exiting on the south.~~
22. A 20 foot front setback and 5 foot side setbacks shall be allowed.

**Additional Conditions PH LLC agreed to at the request of adjacent property owners in Applewood Cove:**

23. Within the 8' screening area, placement of Evergreen species with the potential growth of 20'-30' at a maximum distance of 20' apart along perimeter of western fence with minimum of 2" caliper at planting. POA to maintain this ratio.
24. East-facing windows only on second story of Lots 4-7. East-facing and south-facing windows only on second story of Lots 1-3.

25. Placement of traffic bollards within the 8' screening area, situated at the western terminus of both the Northern and Southern access point. Three Bollards are to be 3-4' in height and placed 5' apart at each location.
26. There will be a private one-way drive with entry on the northern access point, and exit on the southern access point. There will be a "no entry" sign posted on the southern access point.
27. All exterior lights will be in a downward facing fixture.
28. All trees along the 8 ft. screening area and northern easement along the drainage ditch that can stay safely will remain.

**H. 2018 Planning Commissioner nomination and selection schedule**

The Commissioners discussed the possibility of forming 2 interview committees, but opted to wait to see how many nominations were received by the close of the nomination period. Should enough nominations be received to require multiple interview committees, the Commission selected Justin Brown to coordinate this effort and process.

**III. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

**A. The following Development Reviews were completed since the previous meeting.**

1. Robinson & Center Church of Christ Parking Expansion, 700 Grove Street
2. Honda World Expansion, 450 E Dave Ward Drive

**B. The following Lot Splits, Lot Mergers, and Minor Subdivisions were filed for record since the previous meeting.**

1. Remax Replat (L-338)

**C. The following Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals were submitted for review since the previous meeting.**

1. Prime Care Addition [Minor]
2. Golden Meadows, Replat Lot 44 [Minor]
3. Turnberry Replat [Minor]

**Adjournment**

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Justin Brown and seconded by Wendy Shirar.

Approved:



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Chairman, Anne Tucker