



# CONWAY PLANNING COMMISSION

## PLANNING COMMISSION MEETING

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

**December 18, 2017, 7:00 pm**

The regular meeting of the Conway Planning Commission was held Monday, December 18, 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, Marilyn Armstrong, Justin Brown, Brooks Freeman, Dalencia Hervey, Arthur Ingram, Bryan Quinn, and Wendy Shirar.

Chairman Tucker called the meeting order at 7:01 pm.

Minutes from the November meeting were approved unanimously on a motion made by Wendy Shirar and seconded by Marilyn Armstrong.

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 on January 9, 2018. 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. PUBLIC HEARINGS

#### A. **Soul Food Cafe Mission (SFCM) request for Conditional Use Permit to allow Religious Activities in A-1 zoning district for property located at 1715, 1717, & 1727 S Donaghey Ave**

Rick Harvey, 168 Sunshine Farms Rd, Bigelow, presented the request. Mr. Harvey introduced 2 attorneys from the American Center for Law and Justice that are helping SFCM with this request. Mr. Harvey explained that SFCM's intent and history is that of a [non-denominational] church and the mission is to fulfill The Great Commission. He also gave the history of the different facilities that SFCM has used in the past for it's weekly program each Tuesday and described a typical day at the Mission as beginning with breakfast and 'shopping; for clothing and toiletry needs followed by a church service, then lunch, more 'shopping', and finally the distribution of food boxes. Mr. Harvey addresses concerns that had been previously voiced, some of which include *this location is the wrong location*, Mr. Harvey noted that churches are located in neighborhoods; *decreasing property values*, he shared a real estate study showing property values higher to the south of Spring Valley Subdivision; *overnight stay*, there will be no overnight stay at this location; *children's safety*, Mr. Harvey described how his children grew up in SFCM and local schools have visited SFCM; *patron's safety*, Mr. Harvey explained that most SFCM patrons travel by car, not on foot; *proximity to school and daycare*, Mr. Harvey noted that many churches are close to

schools and daycares and many even house them; *the surrounding area being wooded*, Mr. Harvey suggested that the trees will likely be removed when Watson Construction develops the property into a neighborhood; *duplexes*, it was never SFCM's intent to build duplexes. Mr. Harvey explained that no SFCM volunteers receive payment. [Name inaudible], 329 Locust, spoke in favor of the request. She relocated after Hurricane Katrina and explained how SFCM provides her with food when she cannot afford it. Virginia Cogdale, Brookside Trailer Park on Oak St, spoke in favor of the request. Ms. Cogdale is disabled and relies on SFCM for food. She explained that everyone is welcome. Amanda Austin, 623 6th Ave, spoke in favor of the request. Ms. Austin described her experience with SFCM of being baptized and taught. Brittany Irby, 501 Waterplant Rd, Apt 38, Ola, spoke in favor of the request. Ms. Irby relies on SFCM for support, food, and clothes for her and her infant son, with whom she went into labor while at SFCM. Cindy Moore, 78 Azalea Loop, spoke in favor of the request. Ms. Moore described the comprehensive support program provided by SFCM. Cheryl Pickens, 21627 Jeff Rd, Hinsley, spoke in favor of the request. Ms. Pickens is also relocated to Arkansas after Hurricane Katrina and she described the support her family received from SFCM. She also told of how students she teaches in the DECA Club at Maumelle Charter School came to serve at SFCM. Dwayne Gurdon, 13 Bristol Ln, posed a question to the Commission, is it better for those in need to have a place to get help or to meet their need in other ways, i.e. criminal ways? Phillip Fletcher, 2652 Bruce St, spoke in favor of the request. Mr. Fletcher is the executive director of City of Hope Outreach and serves on the City of Conway Homeless Taskforce Committee. He commended SFCM for their efforts meeting human needs and bridging the gap between assistance provided by government agencies and what is needed. Dave Lefler, no address given, spoke in favor of the request. Mr. Lefler, a SFCM volunteer, thanked Rick Harvey for his efforts and he asked the Commission to allow it to continue. Ricky Harvey, 168 Sunshine Farms Rd, spoke in favor of the request assuring the Commission of the safety of SFCM. Mr. Harvey is Rick Harvey's son and has spent time at SFCM since he was 2 years old.

David Giorgi, 1680 Hosta, representing the Spring Valley Subdivision Property Owners' Association, expressed concerns for property values and possible future use for overnight stay. He also noted that traffic would be a concern if the Buttercup (connects to Watsons' property) and Violet (connects to SFCM property) stub outs were to be connected. Jackson Terrell, 2535 Apple Blossom, spoke in opposition to the request. Mr. Terrell spoke as a minor on behalf of children in the area. He noted that there are already safety concerns for students due to the high volume of traffic and feels that the SFCM program will increase traffic and therefore safety concerns. Lesley Hillemeier, 2315 Dahlia, spoke in opposition to the request. Ms. Hillemeier described how the SFCM property, which borders her property to the south, sits higher than her yard and she can see everything that happens. She shared some suggested conditions for the conditional use permit, including a [1] no overnight stay permitted, [2] an 8' privacy fence, on the level of the SFCM parking area, be required, [3] specified hours and days of operation, and [4] improvements to the parking lot. Kevin Watson, 680 Padgett Rd, spoke in opposition to the request. Mr. Watson echoed the need for conditions limiting the hours of operation. Jennifer Hyatt, 1675 Churchill, spoke in opposition to the request. Ms. Hyatt expressed concern that the existing barn on the property will become a place that homeless individuals stay. She also noted that traffic and ingress/egress to the site could be a problem. Rebecca Harper, 1470 Crosspoint Rd, spoke in opposition to the request expressing concern for an increase in foot traffic through the area neighborhoods. Ahsanul Huq, 2315 Apple Blossom, spoke in opposition. Mr. Huq described that his children cannot use the walking trail in Spring Valley Neighborhood because it is unsafe. He also commented on the condition of the barn on SFCM's property.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. The Commission asked Mr. Harvey questions regarding clarification of the intended use and ingress/egress and traffic. Mr. Harvey described the typical Tuesday program at SFCM and confirmed that primary ingress/egress to the site will be from S Donaghey Ave. Mr. Harvey was also questioned about the history of violent incidents/crime in the history of SFCM to which he answered that there have been none. Bryan Patrick explained the zoning ordinance definition of "religious activities". The Commission discussed the merit of hours and days of operations, but decided against adding any conditions. Bryan Quinn motioned that the request be forwarded to City Council with a recommendation for approval without conditions. Brooks Freeman seconded

the motion. The motion passed 7-2 with Justin Brown and Wendy Shirar voting opposition.

**B. Independent Living Services request to rezone from R-2 to MF-3 property located at 385 Denison St**

Elissa Douglas, Executive Director of Independent Living Services, 1810 Washington Ave, presented the request. Ms. Douglas explained that ILS has owned the property since 1998 and currently has 2 tenants. ILS is beginning a construction expansion of their day program at another location and would like to sell the Denison Street property to raise funds. Rezoning to MF-3 would increase the value of the property.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Bryan Quinn motioned that the variance request be approved. Arthur Ingram seconded the motion. The motion passed 8-1 with Jerry Rye voting in opposition.

**C. Alpha Holdings request for Conditional Use Permit to allow up to 12 dwelling units/acre in R-2 zoning district for property located at 1405 E Siebenmorgen Rd**

David White, 10705 Paul Eels Blvd, Little Rock, presented the request on behalf of the applicant. Mr. White explained that the applicant is asking for increased density over the existing R-2 zoning to construct several multi-unit townhouse and apartments. Tyler Turchi, one of the developers, 8800 Maumelle Blvd, NLR, explained that they are targeting a market in between home ownership and apartment living in an effort to serve retiring baby boomers and millennials. The units would rent for \$600-800.00/month. The plan includes parking in excess of the required minimum. Mr. Turchi noted that with the current R-2 zoning, a developer can develop without any conditions, drainage control, and limited design oversight. Dennis Gunter, 1500 Trison Ln, spoke in favor of the request. Mr. Gunter is the property owner and is seeking to sell the property as he prepares for retirement. Linda Demadura, 1510 Angeline Dr, spoke in opposition to the request. Ms. Demadura was trouble about the format of the notification letters sent as well as the public hearing sign that had been blown down. She expressed concerns regarding privacy, decreased property values, 2-story units, apartments, and increase in traffic. Lisa Davidson, 1555 Bill Lucy Dr, spoke in opposition to the request. Ms. Davidson expressed a concerns related to increased traffic and density. Brooke Morgan, 1645 Trison Ln, spoke in opposition to the request. Ms. Morgan was also concerned with traffic as well as noise. Allan Schnablen, 1475 Bill Lucy Dr, spoke in opposition to the request. Mr. Schablen is opposed to apartments abutting his proeprty. Sarah Klapsa, 1300 Josie Rea St, spoke in opposition to the request. Mr. Klapsa is primarily concerned with the increase in traffic. Bill Freyaldenhoven, 1575 Bill Lucy Dr, spoke in opposition to the request. Mr. Freyaldenhoven is opposed to the proposed 2-story design. Bryan Patrick explained that the Planning Staff suggested not installing a fence to make the development feel more open and less restrictive.

Chairman Tucker closed the public hearing and brought the item back before the Planning Commission for discussion. Chairman Tucker clarified that with the current zoning, 2-story duplexes are allowed by right. The Commission discussed the traffic in the area and the merit of fencing the development. Justin Brown motioned that the request be forwarded to the City Council with a recommendation for approval including the 6 conditions noted below. Dalencia Hervey seconded the motion. The motion passed unanimously.

Conditions attached to the motion:

1. The development shall be generally developed as shown on the submitted site plan and elevations. Minor variations from the submitted plans shall be allowed for technical reasons. However, the density and intent of the plans shall be followed.
2. The development is limited to 60 residential units maximum.
3. A reduced landscaping area is allowed on the north boundary of the property.
4. Exterior building materials; brick, "shake" style vinyl siding, and architectural roof shall be used as shown on submitted elevations.
5. Platting shall be required. Additional right of way, sidewalks, etc. as required by the Subdivision Ordinance shall be dedicated and constructed.

6. A 6' wooden privacy fence is required along the entire north boundary and along the north 162.5' of the west and east boundaries.

## II. DISCUSSION

### A. 2018 Officer and Committee Assignments

Jerry Rye was selected as 2018 Chairman. Justin Brown was selected as 2018 Vice-Chairman. Wendy Shirar was selected as 2018 Secretary. The Commission approved the following 2018 Committee Assignments  
Annexation: Bryan Quinn\*, Dalencia Hervey, Jerry Rye, Brandon Ruhl, and Wendy Shirar; Conditional Use: Wendy Shirar\*, Dalencia Hervey, Arthur Ingram, Justin Brown, and Anne Tucker; Subdivision: Justin Brown\*, Rhea Williams, Brandon Ruhl, Brooks Freeman, Bryan Quinn; Zoning: Anne Tucker\*, Rhea Williams, Jerry Rye, Arthur Ingram, Brooks Freeman. An \* indicates the committee chairman.

### B. 2018 Meeting Schedule

The proposed 2018 meeting and submission deadline schedule was approved as presented.

## III. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

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

1. Pelican Pointe, 1637 Clifton St

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

1. Winterbrook Subdivision, Phase 2 (L-347)

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

1. Browne Replat 2
2. Wilhelmina Cove, Phase 2

## Adjournment

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

Approved:

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*2018 Chairman, Jerry Rye*