



SEPTEMBER

**Conway Planning Commission
Staff Report**



7:00pm • September 18, 2017 • 810 Parkway Avenue

CONWAY PLANNING COMMISSION AGENDA

September 18, 2017 • 7:00 pm • 810 Parkway Street



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 at planningcommission@cityofconway.org

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 reviewed at tonight's Planning Commission meeting may be considered by the City Council on **September 26, 2017**.

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 and a public notice will be placed on the City's website: www.cityofconway.org.

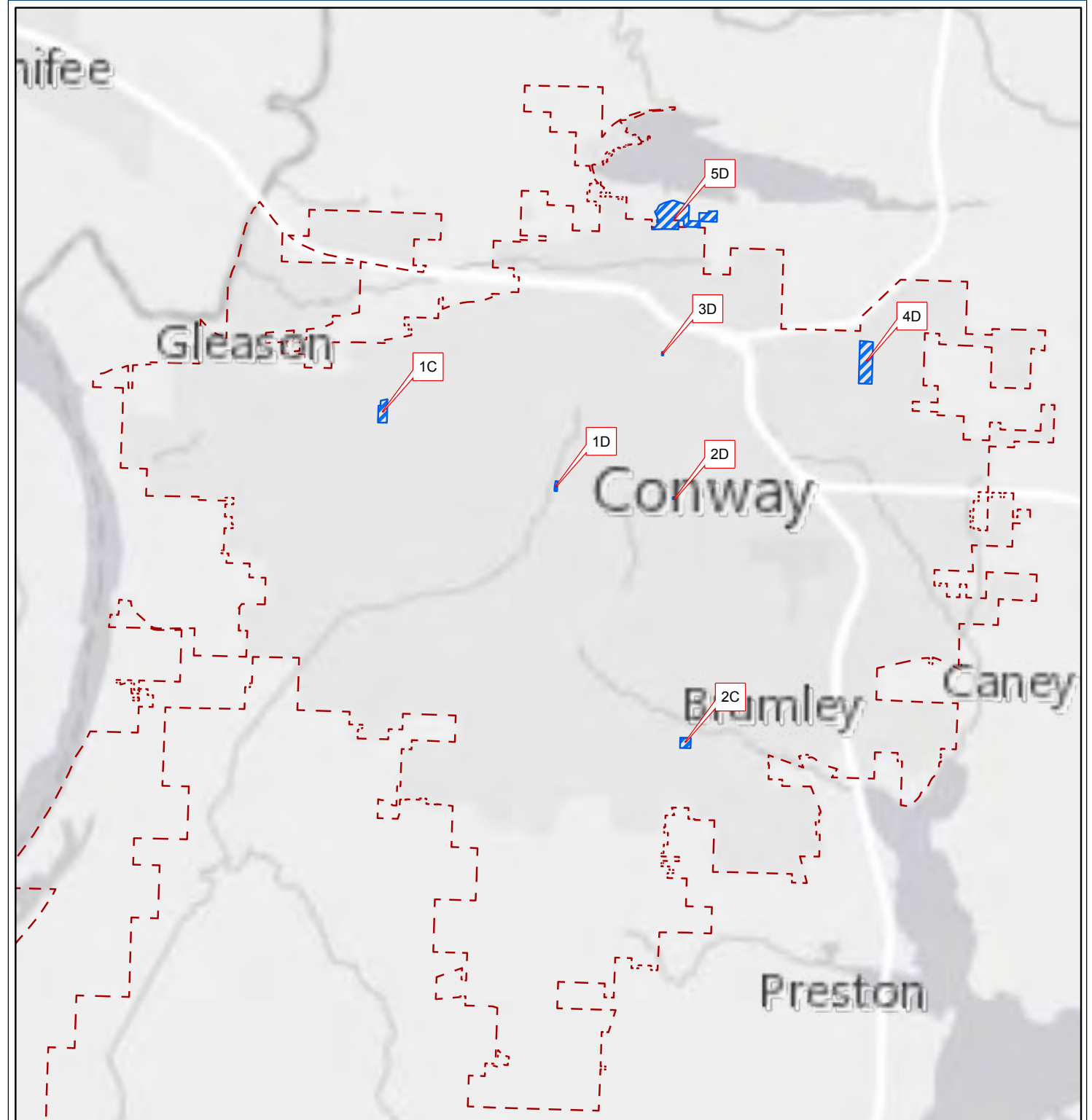
- A. **Call to Order**
- B. **Approval of Minutes**
 - 1. August 21, 2017
- C. **Report from the Subdivision Committee** (*Subdivision Committee meets prior to the Planning Commission at 6:30 pm in City Hall*)
 - 1. Charleston Place Subdivision
 - 2. Cherry Hill Subdivision
- D. **Public Hearings**
 - Old Business**
 - 1. Dayer request for a Conditional Use Permit to allow General Retail in an O-1 zoning district for property located at 2545 Prince Street (this item was postponed at the August 21, 2017 meeting)
 - New Business**
 - 2. Clark request to rezone from R-2A to O-2 property located at 1517 Caldwell Street
 - 3. Paguya request to rezone from R-2 to MF-1 property located at 2307 Stout Street
 - 4. Shaw request to rezone from A-1 to [Mathews Meadows] PUD property located south of Lower Ridge Road and West of Azalea Lane
 - 5. Hawks request to Annex +/- 52 acres located north of Northwoods Estates PUD, east of Highway 25 N, along Southshore Lane
- E. **Discussion**
 - 1. 2018 Planning Commissioner Nomination Schedule
 - 2. Items as decided by the Planning Commission
- F. **Adjourn**

Planning Staff Review reports to the Planning Commission

The following items (development reviews, minor subdivisions, plats filed for record, etc) 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:

- G. **Development Reviews**
 - Remax Office Building, 2450 Donaghey Avenue
 - Covington Front Street Apartments, 1121, 1123, & 1125 Front Street
 - David's Burgers, 1200 S Amity Road
- H. **Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)**
 - Harp's Lot Merger Correction Plat (Book L, Page 336)
 - Cedar Ridge Addition (Book L, Page 337)
- I. **Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals (submitted for review)**
 - Campbell Cove PUD [Major Final]
 - Winterbrook Ph II [Major Final]
 - Salem Woods Ph II [Major Final]
 - Covington Commercial Ph II [Major Final]
 - Lewis Ranch Ph II [Major Final]
 - Bradley Place Replat [Minor]
 - Conway Towne Center [Minor]
 - Furlow Subdivision [Minor]

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C1 CHARLESTON PLACE PRELIMINARY SUBDIVISION

REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF CHARLESTON PLACE SUBDIVISION

APPLICANT
 Central Arkansas Professional Surveying
 1021 Front Street
 Conway, AR 72032

STAFF REVIEW BY
 Scott Grummer, City Planner
 1201 Oak Street
 Conway, AR 72032

SITE DATA
Location. Property north of W Tyler St, immediately west of St. John's Subdivision, south of McConnell Drive

Site Area. ± 10.83 acres

Current Zoning. A-1 (Agricultural)

Existing Structures. None

Overly. None

STAFF COMMENTS
Planning Commission action is required for items 11, 17, and 29.

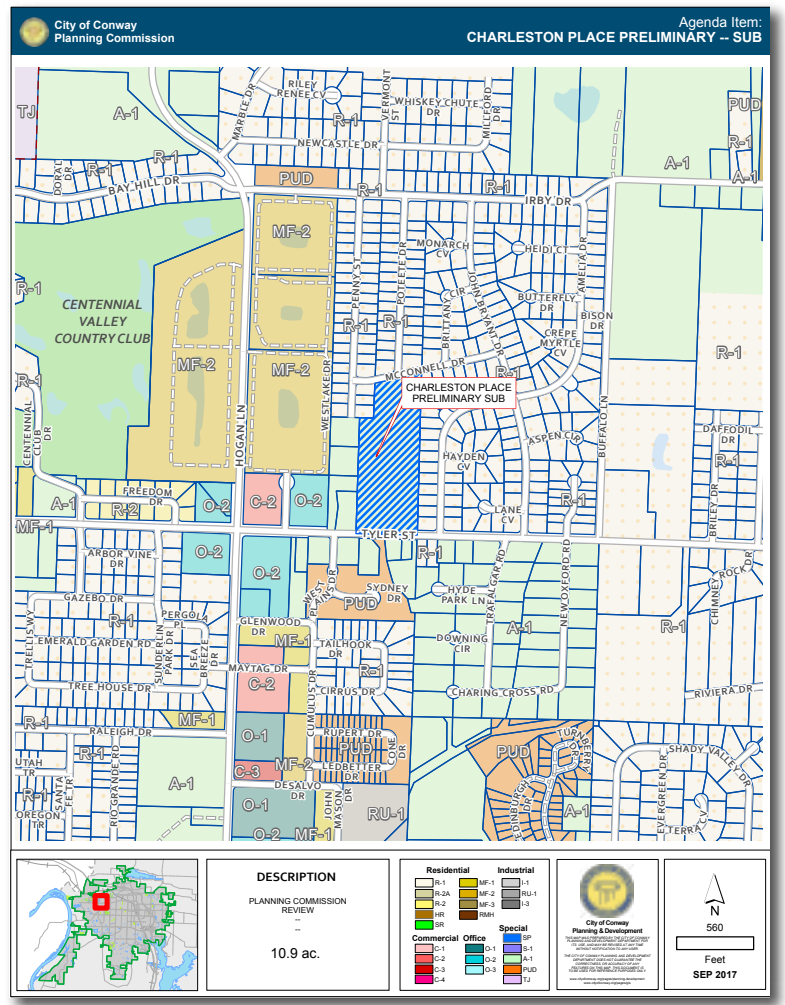
STAFF RECOMMENDATIONS
 Staff recommends the approval of the preliminary plat subject to the completed punch list.

CONWAY CITY PLANNING DEPARTMENT REVIEW CHARLESTON PLACE SUBDIVISION PRELIMINARY PLAT SUBMITTED BY CENTRAL ARKANSAS PROFESSIONAL SURVEYING

This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for preliminary plat approval.

NUMBER OF COPIES
 1. Five copies of the subdivision/replat are needed.

- BASIC INFORMATION NEEDED ON THE PLAT**
- If any portion of the land being subdivided is subject to flooding, the limit of such flooding shall be noted and the appropriate 100 year floodplain and/or floodway shall be identified.
 - The present zoning classification of A-1 does not conform to the proposed subdivision or land use. The Preliminary Plat approval is conditioned upon rezoning from A-1 to R-1.
 - Proposed easements are needed.
 - A minimum of two CAGIS monuments shall be placed in each subdivision or subdivision phase exceeding ten (10) acres.
 - The Certificate of Preliminary Plat Approval is needed. Add "Anne Tucker, Chairman".

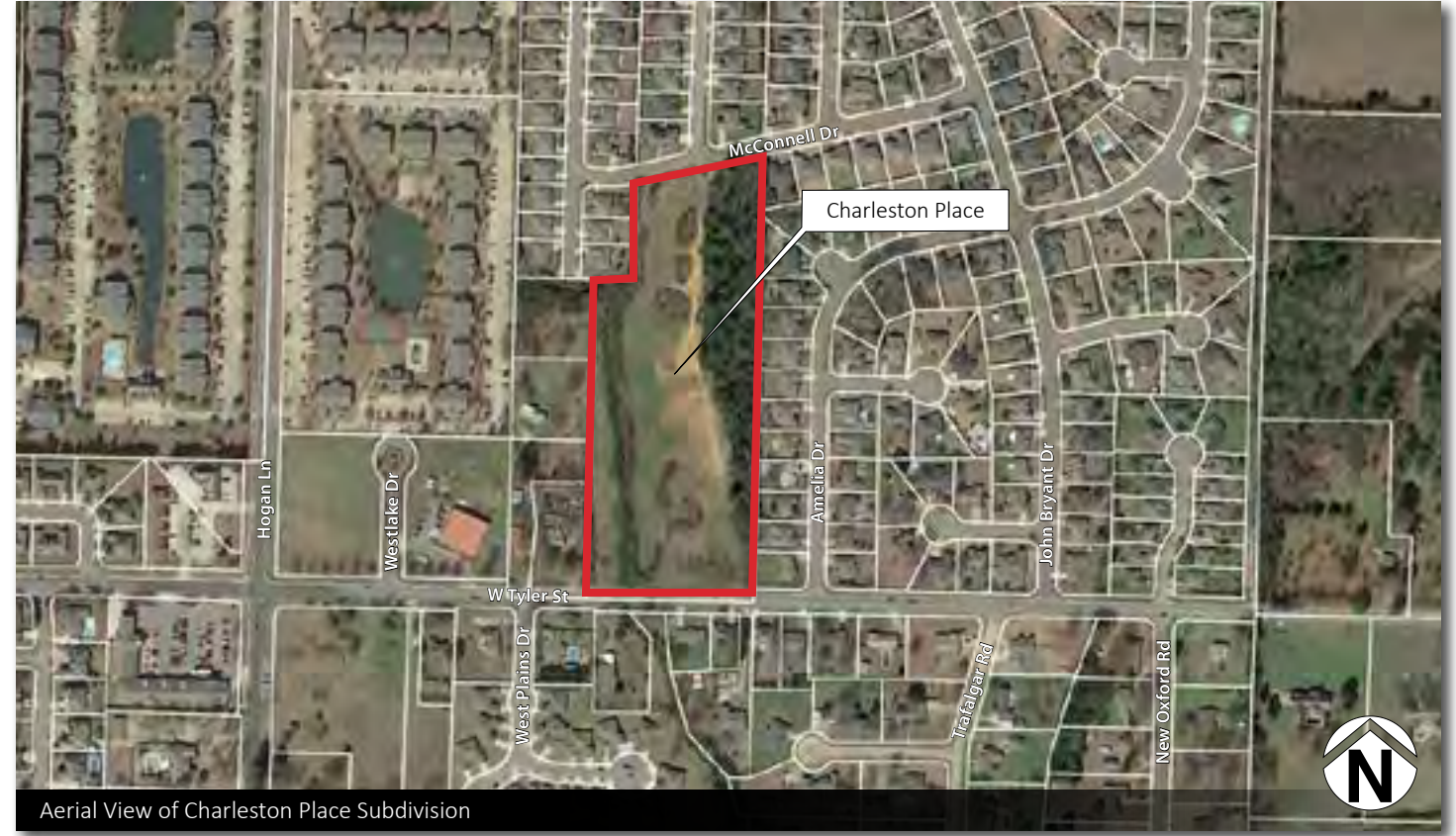


ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

- The drainage area of all water courses above the points of entry shall be noted.
- The downstream drainage channel and drainage structures substantially impacted by the subdivision/replat shall be shown.
- Improvement plans for each new utility system are needed.

GENERAL DESIGN REQUIREMENTS

- If the Planning Commission considers this land is subject to flooding or topographically unsuitable for residential occupancy, it shall not be platted for any use that may increase the danger to health, life, property or aggravate erosion or flood hazard and shall be set aside for such land uses as will not be affected by these problems unless adequate corrective measures are formulated by the developer and approved by the Planning Commission. Preliminary Plat approval is conditional upon Street Department approval of flood hazard corrective measures.
- Where proposed community or public facilities of the municipal plan are located in whole or in part in a proposed subdivision, the Planning Commission shall require that land for those public facilities to be reserved as a condition of preliminary plat approval. Such reservations shall be referred to the appropriate body to take appropriate action. **Applicant proposes donation of land to be used for park space and trails along the Western**



border of the property as a condition of preliminary plat approval. Planning Commission must require this land be reserved as a condition of preliminary plat approval and refer this Reservation to City Council, or this condition must be corrected.

- The development plans shall include and identify a prepared and dedicated flowage path or floodway that will accommodate a one hundred (100) year frequency storm event across and through the development. The floodway shall be uniformly graded along the length of the floodway such that water will not pond or accumulate on the surface due to humps or depressions along the route. Computations for the quantity of storm water runoff, sizing of the floodway and elevation of the one hundred (100) year flood shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer. A floodway will not be required where less than five (5) acres of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.
- An easement of adequate width to accommodate the required floodway shall be provided on the plat. The easement shall clearly identify the easement as a "100-year Floodway". The plat shall have a note that reads as follows: "No structures, fill or obstructions shall be placed in the 100 year Floodway easement. No reshaping of the surface within the 100 year Floodway easement shall be made without the approval of the City Engineer. No fences shall be in the floodway easement."

- Minimum floor elevations shall be placed on the plat for all lots less than three (3) feet above the computed one hundred (100) year flood elevation. The minimum finished floor elevation shall be established at one (1) foot above the computed one hundred (100) year flood elevation
- Detention basins may be either wet basins having a permanent pool of water for aesthetic purposes or a dry basin that retains no water other than that required during the storm event. A dry basin shall be graded and shaped to provide for the positive drainage of surface water from all portions of the basin. A concrete paved channel may be required from the inlet pipe to the outlet pipe to provide a maintainable bottom area.
- An easement shall be placed around the high water limits of the detention area.

STREET DESIGN REQUIREMENTS

- State Fire Code 503.0.5 states that dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Anything other than the following cul-de-sac requirement must be approved by the Conway Fire Marshall. **Applicant requests approval of an alternative Hammerhead adjacent to lots 30/31 & 37/38, which meets AR Fire Prevention Code 2012 standards. Planning Commission must approve this request, or this condition must be corrected.**
- Preliminary Plat approval is conditional upon Street and Drainage Plan approval by City Engineer.

continued on page 10

C1 CHARLESTON PLACE PRELIMINARY SUBDIVISION

EASEMENT DESIGN REQUIREMENTS

- Easements shall be provided for utilities where a subdivision is traversed by a water course, drainageway, channel or stream, or there shall be provided a storm water easement conforming substantially with the lines of the water course and shall be adequate for such intended purpose.
- Utility easements as required by Conway Corporation are needed.
- Drainage easements as required by the City Engineer are needed.

LOT DESIGN REQUIREMENTS

- A minimum building setback line shall be established on the plat not less than 25 feet from any floodway boundary.

UTILITY DESIGN REQUIREMENTS

- All subdivisions containing more than four lots within the corporate limits shall be provided with a water supply and distribution system approved by the Conway Corporation and meeting the requirements of the State Health Department.
- Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is no more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
- Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

SIDEWALK DESIGN REQUIREMENTS

- Sidewalks are required along both sides of all streets within all zoning districts within Conway city limits and within the Conway Territorial Jurisdiction.
- Any developer required sidewalk shall be constructed concurrently with other subdivision infrastructure. Such construction shall be completed or assurance for construction shall be required along with other infrastructure improvements prior to filing of the final plat. Sidewalks along Tyler St. and McConnell St. must be shown on the plat, along with all other required sidewalk construction.
- All sidewalk construction location, and responsibility for construction shall be clearly identified on the final plat. Detailed sidewalk construction drawings coordinating sidewalks with other street/lot/easement infrastructure shall be shown on or included with the final plat.

- Aside from the required sidewalks along collectors and arterials, an, internalized pedestrian circulation system in the form of pathways, either along streets or not, may be constructed within subdivisions upon the request of the applicant and the approval of the Planning commission. The system may be allowed to deviate from the construction requirements set out otherwise in this section, as long as the minion dimensional requirements are met. **Applicant requests to develop a pedestrian trail on the Western side of the subdivision in exchange for a reduction in required sidewalks along internal streets to lots just on the western side of Poteete Dr., the purpose to create a pedestrian loop within the subdivision. Planning Commission must approve this substitution or internal sidewalks must be added.**
- Sidewalk elevation. The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach. Add to Sidewalk Notes
- Driveway approach. The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk. Add to Sidewalk Notes.
- Garage Elevation. The elevation the garage or carport will need to be established to allow for the transition of the driveway from the street curb to the sidewalk, and from the sidewalk to the garage without adversely affecting the required 2% cross-slope of the sidewalk. Add to Sidewalk Notes.

OTHER REQUIREMENTS

- In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.

AUTHORIZATION TO PROCEED

- Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.

EXPIRATION OF PLAT

- Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. The Charleston Place Preliminary Plat will expire on September 01, 2018.

C2 CHERRY HILL PRELIMINARY SUBDIVISION

REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF CHERRY HILL SUBDIVISION

APPLICANT

Central Arkansas Professional Surveying
1021 Front Street
Conway, AR 72032

STAFF REVIEW BY

Scott Grummer, City Planner
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. Property at the northwest corner of the intersection of S German Ln and Favre Ln

Site Area. ± 6.26 acres

Current Zoning. A-1 (Agricultural)

Existing Structures. None

Overly. None

STAFF COMMENTS

Planning Commission action is required for item 15.

STAFF RECOMMENDATIONS

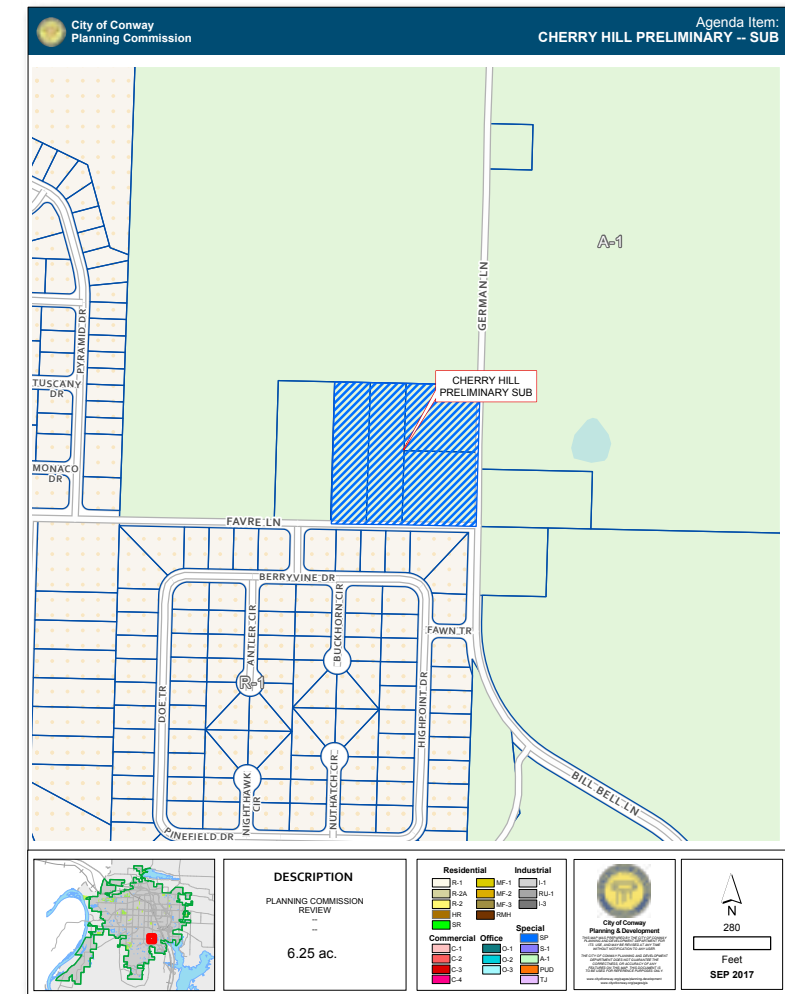
Staff recommends the approval of the preliminary plat subject to the completed punch list.

CONWAY CITY PLANNING DEPARTMENT REVIEW CHERRY HILL SUBDIVISION PRELIMINARY PLAT SUBMITTED BY CENTRAL ARKANSAS PROFESSIONAL SURVEYING

This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for preliminary plat approval.

BASIC INFORMATION NEEDED ON THE PLAT

- A legal description of the property with exact boundary lines, bearings and distances is needed. Legal Coordinates do not match Boundary Coordinates
- If any portion of the land being subdivided is subject to flooding, the limit of such flooding shall be noted and the appropriate 100 year floodplain and/or floodway shall be identified.
- The present zoning classification of A-1 is inappropriate for the proposed subdivision. Preliminary Plat approval is conditioned upon the current zone being changed from A-1 to R-1.
- The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings.
- For subdivisions of ten (10) acres or less in size, no new CAGIS monumentation is required. However, these smaller subdivisions must all be tied to CAGIS monumentation. Add CAGIS number to plat.
- The Certificate of Preliminary Plat Approval is needed. Add "Anne Tucker, Chairman".



ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

- Improvement plans for each new utility system are needed.

GENERAL DESIGN REQUIREMENTS

- The development plans shall include and identify a prepared and dedicated flowage path or floodway that will accommodate a one hundred (100) year frequency storm event across and through the development. The floodway shall be uniformly graded along the length of the floodway such that water will not pond or accumulate on the surface due to humps or depressions along the route. Computations for the quantity of storm water runoff, sizing of the floodway and elevation of the one hundred (100) year flood shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer. A floodway will not be required where less than five (5) acres of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.



Aerial View of Cherry Hill Subdivision

9. An easement of adequate width to accommodate the required floodway shall be provided on the plat. The easement shall clearly identify the easement as a "100-year Floodway". The plat shall have a note that reads as follows: "No structures, fill or obstructions shall be placed in the 100 year Floodway easement. No reshaping of the surface within the 100 year Floodway easement shall be made without the approval of the City Engineer. No fences shall be in the floodway easement."
10. Minimum floor elevations shall be placed on the plat for all lots less than three (3) feet above the computed one hundred (100) year flood elevation. The minimum finished flood elevation shall be established at one (1) foot above the computed one hundred (100) year flood elevation. Lots 7 thru 17 should have minimum floor elevations notated on the plat.

EASEMENT DESIGN REQUIREMENTS

11. Utility easements as required by Conway Corporation are needed.
12. Drainage easements as required by the City Engineer are needed.
13. Where possible, pedestrian trail and pathway systems shall link open space corridors through major utility, drainage and other easements and another easement for the pathways shall be established within that easement. **Pedestrian Pathway strongly recommended along the 15' Drainage Easement to the northeast for connection to existing City park space.**

LOT DESIGN REQUIREMENTS

14. Minimum lot width must conform with the requirements of the Zoning Ordinance. Lots 27 & 18 require 75' lot width for corner lots. Preliminary Plat approval is conditional upon developer seeking a variance for reduced lot width by board of zoning adjustments or these conditions must be corrected.
15. 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. The Planning Commission must approve lots 12-18 as double frontage lot or this condition must be corrected.**
16. Building lines shall be established for both front and rear lot lines for double frontage lots.

STREET DESIGN REQUIREMENTS

17. Preliminary Plat approval is conditional upon Street and Drainage Plan approval by City Engineer.

UTILITY DESIGN REQUIREMENTS

18. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is no more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
19. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

SIDEWALK DESIGN REQUIREMENTS

20. Sidewalks are required along both sides of all streets within all zoning districts within Conway city limits and within the Conway Territorial Jurisdiction.
21. When a developer created double frontage lots with one side along a street classified as a collector or above, the developer shall construct sidewalks along the collector or greater street frontage. Sidewalks along S. German Lane and Favre Lane are required and responsibility of developer. Sidewalks should be shown along S. German Lane.
22. Any developer required sidewalk shall be constructed concurrently with other subdivision infrastructure. Such construction shall be completed or assurance for construction shall be required along with other infrastructure improvements prior to filing of the final plat.
23. All sidewalk construction location, and responsibility for construction shall be clearly identified on the final plat. Detailed sidewalk construction drawings coordinating sidewalks with other street/lot/easement infrastructure shall be shown on or included with the final plat.
24. Sidewalk elevation. The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach. Add to sidewalk notes
25. Driveway approach. The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk. Add to sidewalk notes.
26. Garage Elevation. The elevation the garage or carport will need to be established to allow for the transition of the driveway from the street curb to the sidewalk, and from the sidewalk to the garage without adversely affecting the required 2% cross-slope of the sidewalk. Add to sidewalk notes.

OTHER REQUIREMENTS

27. In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.

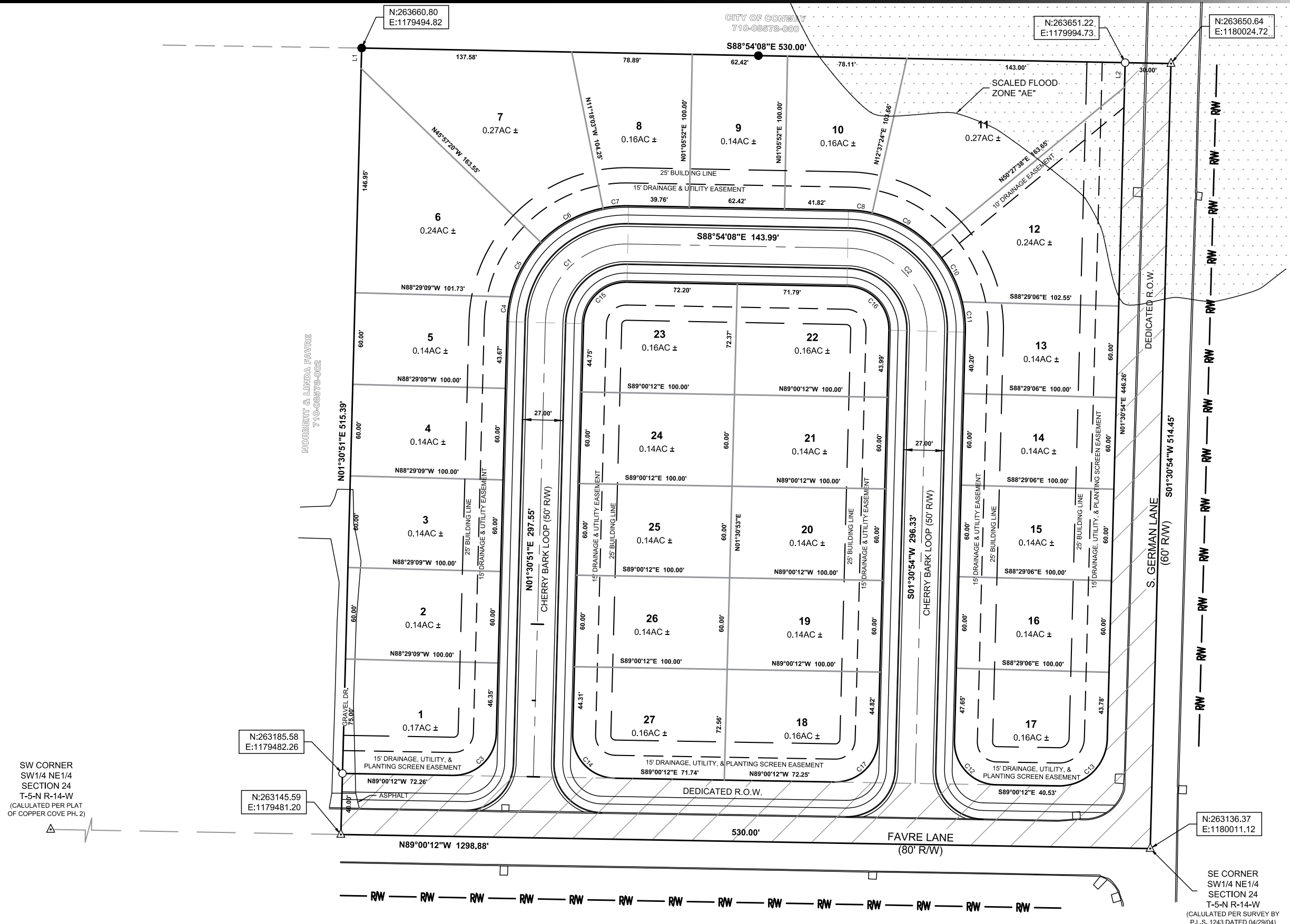
AUTHORIZATION TO PROCEED

28. Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.

EXPIRATION OF PLAT

29. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. The Cherry Hill Preliminary Plat will expire on September 1, 2018.

Preliminary Plat



SW CORNER
SW 1/4 NE 1/4
SECTION 24
T-5-N R-14-W
(CALCULATED PER PLAT
OF COPPER COVE PH. 2)

SE CORNER
SW 1/4 NE 1/4
SECTION 24
T-5-N R-14-W
(CALCULATED PER SURVEY BY
P.L.S. 1243 DATED 04/29/04)

D1 DAYER CONDITIONAL USE PERMIT REQUEST FOR GENERAL RETAIL IN O-1

DAYER REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW GENERAL RETAIL IN O-1 FOR PROPERTY LOCATED AT 2545 PRINCE STREET

APPLICANT

Phil Dayer
3270 Nutters Chapel Rd
Conway, AR 72034

STAFF REVIEW BY

Bryan Patrick, Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 2545 Prince Street

Site Area. ±1.43 acres

Current Zoning. O-1 (General Office) with an existing conditional use permit (1277) allowing 60% restricted retail divided across two abutting properties.

Requested Conditional Use. General retail in office zone

Existing Structures. None

Overlay. None

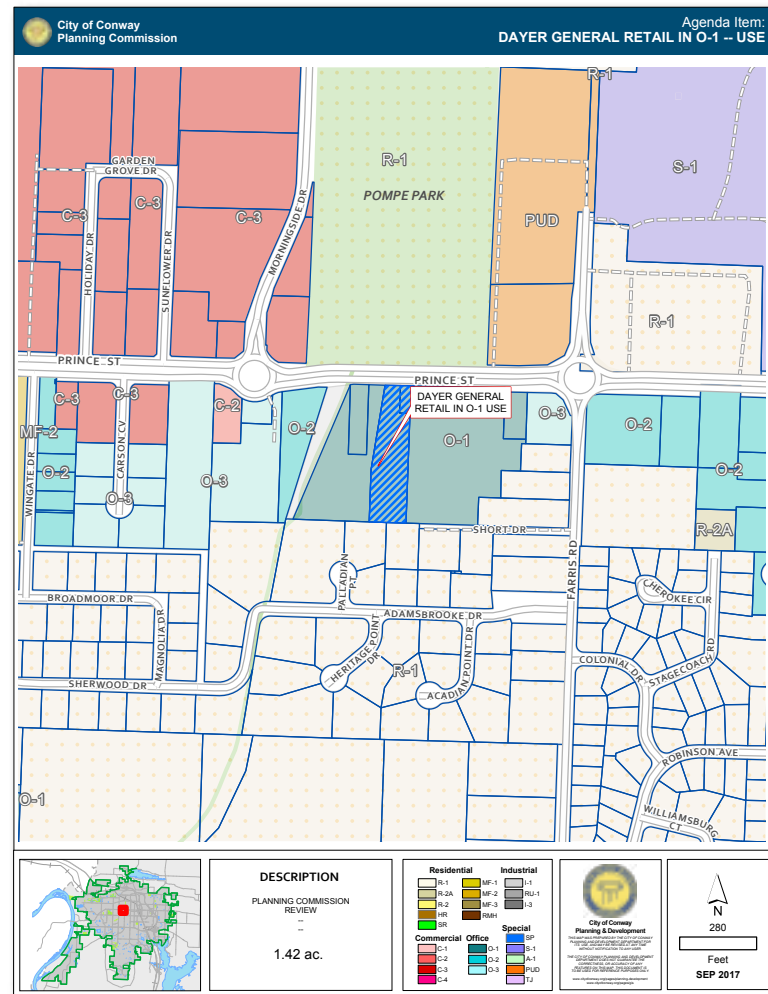
Comprehensive Plan. The 2004 Comprehensive Plan shows this area as appropriate for single family residential. However, the property was rezoned to O-1 with a conditional use permit to allow 60% restricted retail in May 2008.

Projected Traffic Impact. With the current office zoning, an office development with the maximum allowed square footage of 31,000 square feet could be expected to generate 341 vehicle trips per day. With the addition of restricted retail as allowed at 18.9% of 60% (pro-rated), an 18,647 square foot restricted retail center could generate 820 vehicle trips per day. A 3500 square foot fast food restaurant could potentially generate 1736 vehicle trips per day. Prince Street was upgraded to a 4 lane divided median with roundabouts "bookending" this property and abutting properties. Due to the divided median, any traffic entering or exiting the property would be limited to right in/right out. The design of Prince would lessen the impact of traffic generated from an intensive commercial use.

Flood\Drainage. No flood issues on this property.

Utility Infrastructure. Developers will need to coordinate utilities with Conway Corporation to ensure that existing infrastructure can handle additional commercial growth.

Street Improvement. Prince Street was upgraded to a 4 lane divided median street with roundabouts in 2013. No near term improvements are scheduled for Prince Street or other area streets in the near future.



Conway 2025. Not directly applicable.

STAFF COMMENTS

The applicant is seeking a conditional use permit for general retail in order to sell the property to a fast food restaurant. Examples of businesses allowed by right in general retail; appliance repair, bank, contractor, clothing store, dance hall, delivery service, department store, drive-in restaurant, eating place with drive-through, gunsmith, feed store, appliance store, luggage store, medical appliance sales, office equipment sales, pet shop, plumbing fixtures, restaurant, rug cleaning, secondhand store, sewing machine shop, recording studio, upholstery shop, vending machine sales and service, and window blinds.

The property was rezoned to O-1 General Office in 2008. At the same time, a conditional use permit (1277) allowing up to 60% of the buildable floor area to be restricted retail was approved. Conditional Use Permit 1277 was amended in 2016 to remove .3 acres to allow a bank at the corner of Farris and Prince. Conditional Use Permit 1277 covers two abutting properties. Including the requested property there is approximately 7.5 acres total. The request for a new conditional use permit for this property would necessitate amending the existing conditional use permit to exclude the Dayer Property.

continued on page 18



D1 DAYER CONDITIONAL USE PERMIT REQUEST FOR GENERAL RETAIL IN O-1

Currently Approved Conditions: Conditional Use Permit 1277:

1. No more than 60% of the development's floor area may be used for retail.
2. The development must generally follow the conceptual site plan presented at the April 2008 Planning Commission meeting (see attachment). Key elements are interior parking, structure orientation to creek and trail, and the encouragement of plaza space and trail access points.
3. A 30 foot green space buffer strip with no parking or structures on the south to buffer residences.
4. Dedication of a riparian buffer area 30 feet in width, measured east of and parallel to the eastern Tucker Creek floodway boundary, also to be used for pedestrian/bike trail easement purposes.
5. Driveway separation/access management—curb cuts are to have 300 feet of separation and a minimum of 150 feet from side lot lines unless outstanding conditions warrant other locations.
6. Office uses only are allowed on the east and south sides of the development.
7. A brick wall must be constructed along the south property line to provide screening for residences. (Wall must be a minimum of 6 feet tall.)

In order to allow a new conditional use permit for general retail at 2545 Prince Street, these conditions must be examined and amended as necessary.

Condition 1 - 60% Restricted Retail. Limits the amount of restricted retail to 60% of the development's floor area. If the 7.55 acres covered by the conditional use permit is prorated; this property will receive 18.9% of the allowed 60% restricted retail. This translates into approximately 18,647 square feet of restricted retail.

Condition 2 - Unified Development. Required that the entire development, all 7.55 acres, be developed as a whole. Structures were to be closer to Prince Street with internal parking. Structures on the west side of the property were to be oriented to the pedestrian trail with plazas and trail access. The requested conditional use permit would break apart the unified development. All three parcels would be developed separately. It is likely that the proposed fast food restaurant would be oriented to Prince Street in a typical drive through manner. The requested property does not border the creek. Any creek oriented conditions would not be applicable.

Condition 3 - 30 foot buffer. A 30 foot non-parking buffer area is to be along south property line.

Condition 4 - Creek Buffer Area. Not applicable - buffer area adjacent to creek. Bike/pedestrian trail is constructed.

Condition 5 - Driveway Separation. Curb cuts are to be 300 feet apart and at least 150 feet from side lot lines unless there are outstanding conditions. This separation distance will likely not be possible without unified development. The requested property is 106 feet wide. Cross access and shared access would be required as part of development review. A shared driveway could possibly be created.

Condition 6 - Office Use. Office use only is required on the east and south sides of the property. The requested property does not abut residences on the east. Only a southern office use only condition could be applicable.

Condition 7 - Brick Wall. A 6 foot high brick wall is required along the south property line. The south property line of the requested property is 133 feet wide. Without additional wall across the entire vacant development area, this requirement may not be effective.

STAFF RECOMMENDATIONS

If a conditional use permit to allow general retail is approved for this property. There is little reason for future requests for general retail on abutting property to be denied. The property currently has a percentage of restricted retail that could allow up to 18,647 square feet of restricted retail. However, restricted retail does not allow a drive through restaurant. Existing conditions complicate development for more intensive retail.

Recommended Conditions.

If the Planning Commission feels that this conditional use permit is appropriate, new conditions need to be crafted to allow general retail along with necessary amendments to the existing conditional use permit.

New Conditions Applicable to requested property at 2545 Prince Street:

1. General retail shall be allowed
2. Driveway curb cuts shall meet development review standards. Cross access/shared access shall be used unless outstanding conditions warrant otherwise.
3. A brick wall must be constructed along the south property line to provide screening for residences. (Wall must be a minimum of 6 feet tall.) **8 foot wooden privacy fence?**

Amendments to Conditional Use Permit 1277:

1. ~~No more than 60% of the development's floor area may be used for retail.~~ **The allowed 60% restricted retail area of the approved conditional use permit is prorated according to parcel size. The east parcel: 710-08411-000 or 2525 Prince Street shall have no more than 51.6% of the developable area used for restricted retail. The west parcels: 710-08413-000 2565 Prince Street and 710-08413-000 2555 Prince Street shall have no more than 29.5% of the developable area used for restricted retail.**
2. ~~The development must generally follow the conceptual site plan presented at the April 2008 Planning Commission meeting (see attachment). Key elements are interior parking, structure orientation to creek and trail, and the encouragement of plaza space and trail access points. The 2008 conceptual site plan is abandoned with the exception of encouragement of creek oriented structures, plazas, and trail access points.~~
3. **A 30 foot green space buffer strip with no parking or structures on the south to buffer residences.**
4. **Dedication of a riparian buffer area 30 feet in width, measured east of and parallel to the eastern Tucker Creek floodway boundary, also to be used for pedestrian/bike trail easement purposes.**

D2 CLARK REZONING REQUEST R-2A TO O-2

JAN CLARK REQUEST TO REZONE FROM R-2A TO O-2 PROPERTY LOCATED AT 1517 CALDWELL STREET

APPLICANT

Jan Clark
100 Regina Cove
Conway, AR 72034

STAFF REVIEW BY

Jason Lyon, Assistant Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 1517 Caldwell St (Lots 1 & 2 Block 26 Robinson Plan)

Site Area. ± 0.33 acres

Current Zoning. R-2A (Two-Family Residential District)

Requested Zoning. O-2 (Quiet Office District)

Existing Structures. Existing Single Family Home (~2000 sq/ft), two accessory buildings

Overlay. Asa P. Robinson Historic District

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential.

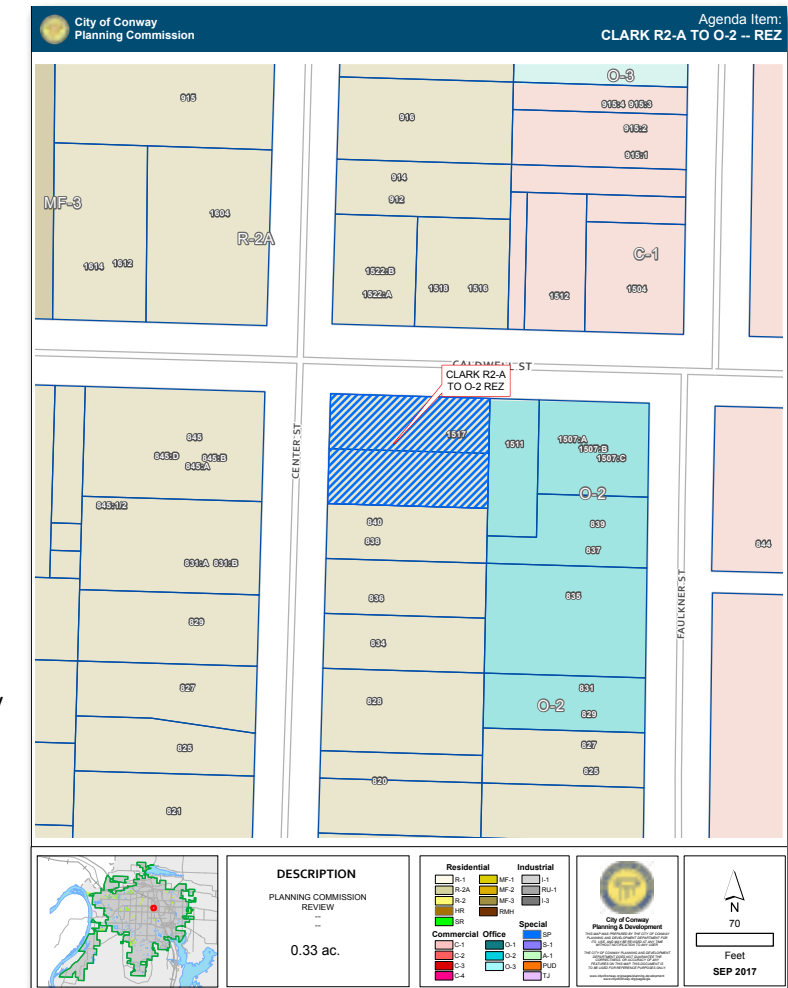
Projected Traffic Impact. With a rezoning to O-2, traffic impact would increase, however O-2 is limited on the types of land uses. O-2 "by right" uses are limited to quiet office or home occupation. Traffic generation would be smaller than a large office district. The highest potential use in O-2 could be a medical clinic. The current home is approximately 2000 sq/ft and could potentially generate 60 vehicle trips a day over a current 10-20 trips with a single family home or duplex.

Flood\Drainage. The site is not within any FEMA Flood Zones.

Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation as necessary for conversion of the single family residence to an office use.

Street Improvement. There are no current plans for area street improvements. Caldwell is classified as a minor arterial and is the primary road leading to Downtown. Center Street will be the ingress/egress point for the property.

Conway 2025. Not specified.



STAFF COMMENTS

The applicant is seeking a rezoning from R-2A (Large Lot Duplex Residential District) to O-2 (Quiet Office District) with plans to convert the existing home into an office. The property is within the Asa P. Robinson Historic District. Any exterior changes to the property and structure will require the approval of the Historic District Commission. The site is situated very close to downtown and O-2 zoning abuts the property on the east. Parking will need to be addressed if approved as well as site improvements such as sidewalks and landscaping upgrade

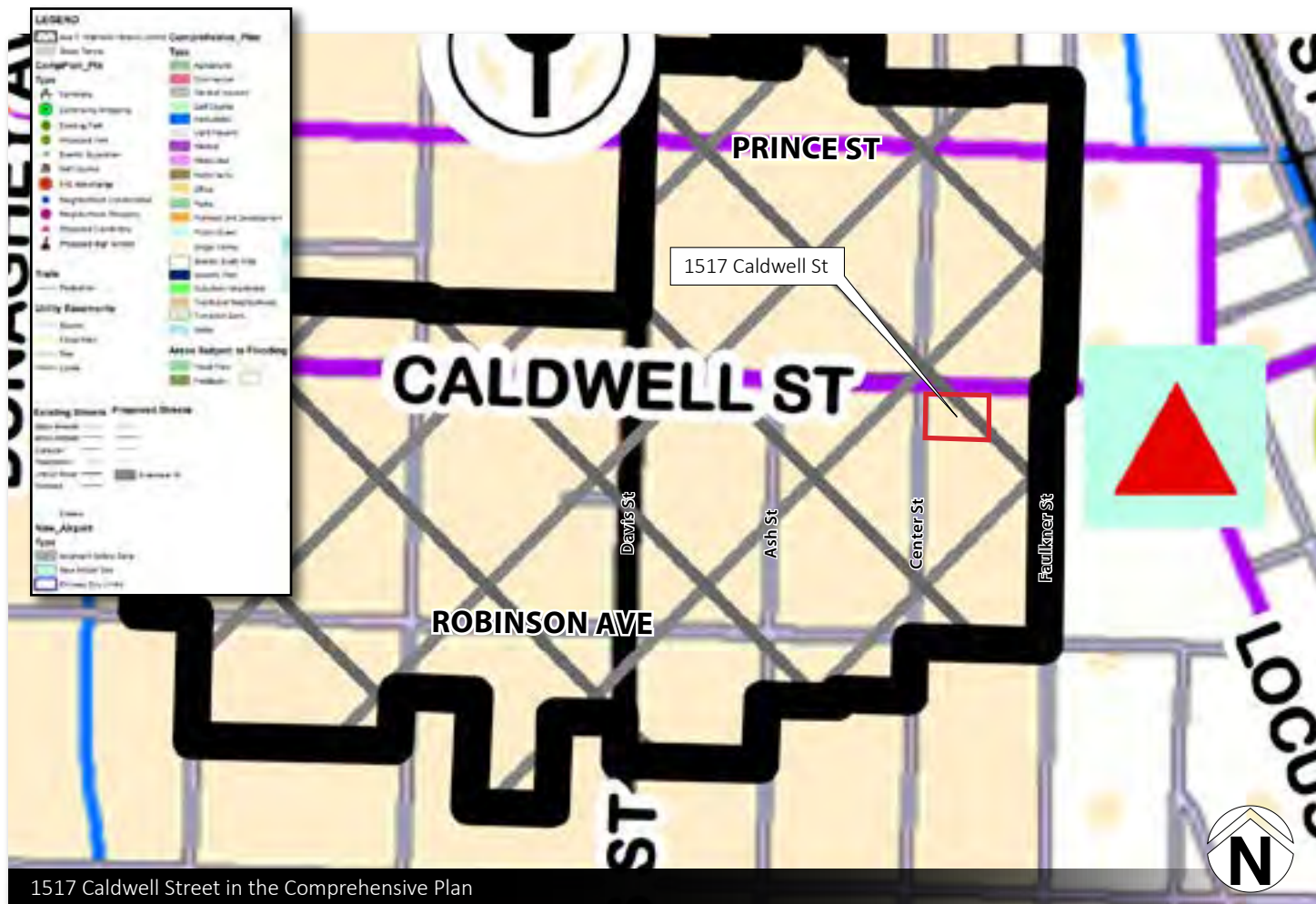
STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request, the rezoning is congruent and uniform with existing uses. Restricted office can be found adjacent to the site. A quiet office will have minimal impact to Caldwell traffic flow. The applicant will be required to meet with the Historic District Commission for any property improvements, such as parking upgrades, structure improvements, and structure demolition. The applicant plans to create a parking area on the west side of the structure accessed from Center Street. Center Street parking could possibly be used but likely not needed. Caldwell Street parking is not desirable as cars block the bike lanes. With on site parking this should not be a problem.

D2 CLARK REZONING REQUEST R-2A TO O-2



Aerial View of 1517 Caldwell Street



1517 Caldwell Street in the Comprehensive Plan

D3 PAGUYA REQUEST TO REZONE FROM R-2 TO MF-1

ABRAHAM PAGUYA REQUEST TO REZONE FROM R-1 TO MF-1 PROPERTY LOCATED AT 2307 STOUT STREET

APPLICANT

Abraham Paguya
109 Eve Ln
Conway AR 72034

STAFF REVIEW BY

Jason Lyon, Asst. Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. 2307 Stout St; Lot 1 and the East 25 ft of Lot 2, Block 2 J.A. Hutto Addition

Site Area. ±0.29 acres

Current Zoning. R-2 (Small Lot Duplex Residential)

Requested Zoning. MF-1 (Multi-Family District - 12 units per acre)

Existing Structures. Single Family Residence, current addition under construction

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential.

Projected Traffic Impact. With a rezoning to MF-1, and used as a triplex, traffic impact would increase slightly. A single family residence would be expected to generate around 10 vehicle trips per day. A triplex would triple that amount.

Flood\Drainage. The Planning Department is not aware of any flooding issues on this property.

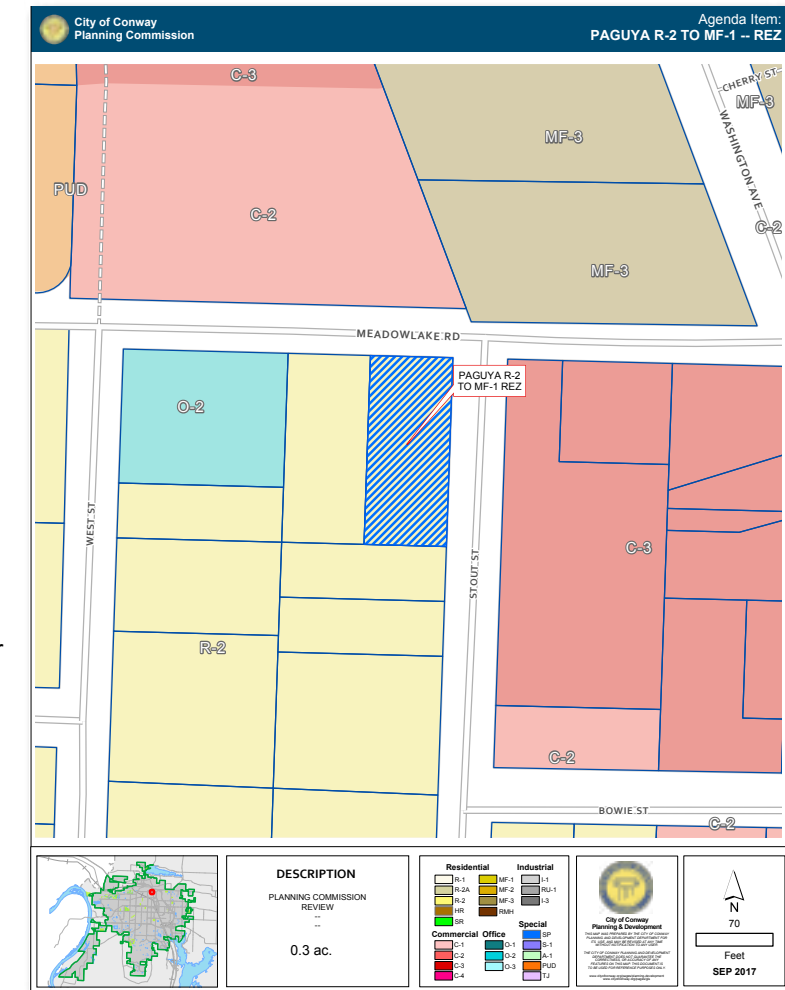
Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation.

Street Improvement. There are no current plans for road expansion. It is likely that Meadowlake will be expanded in the near future but no plans or timetable are available at this time.

Conway 2025. Not applicable.

STAFF COMMENTS

The applicant is seeking a rezoning from R-2 (Small Lot Duplex Residential District) to MF-1 (Multi-Family District - 12 units per acre). A rezoning to MF-1 would allow the applicant up to 3 units on the property. The current structure is a single family home. Over the past year, the applicant has constructed a significant addition to the structure. The applicant wants to create two family units in addition to the existing single family home. This creates a triplex. A triplex is not allowed "by right" in a duplex zoning district.

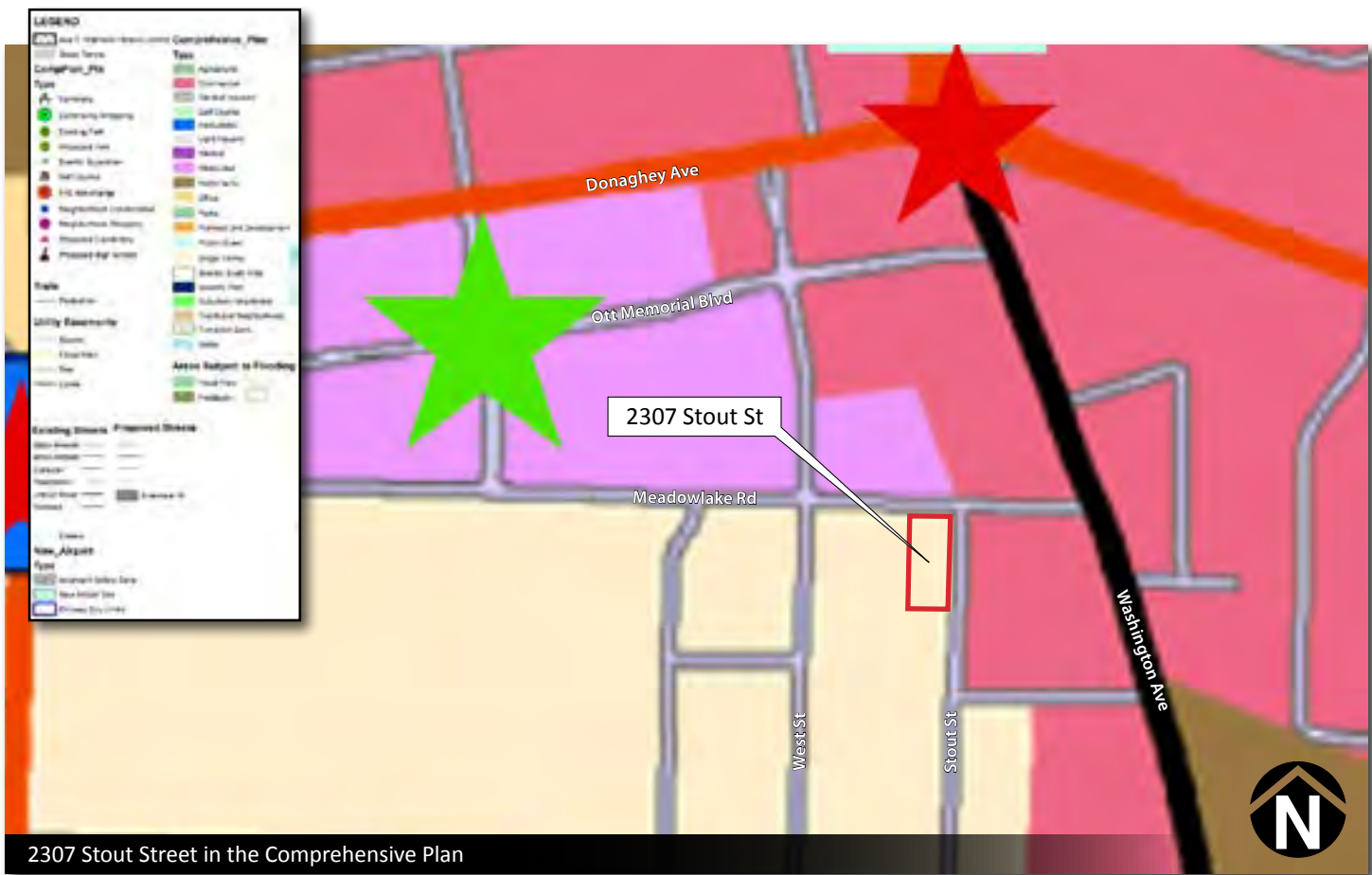


The original building permit was issued for a 900 square foot detached accessory building, "mother in law's quarters". Upon inspection by the Building Inspector, it was discovered that the applicant had instead created an attached addition to the existing residence. This increased the square footage of the new structure from 900 s.f. to 1536 s.f. The building permit was adjusted to allow the addition and the applicant was told that there could only be 2 units total on the property, a duplex. Upon later inspection, it was discovered that the new structure had been enlarged and was out of compliance with setbacks. The new structure was being built with 2 units instead of 1 for a total of 3 units on the property.

The setback problems will need to be addressed with a zoning variance request. No request has been made at this time. The new addition is around 17 feet from the west property line (rear). R-2A requires a 20 foot rear setback. MF-1 requires a 25 foot rear setback. The existing residence appears to be slightly deficient in the west (rear) setback, 25 feet and north (exterior) Meadowlake setback, 25 feet. They are both approximately 23 feet. These would be considered pre-existing non-conforming (grandfathered) conditions. However, they could also be addressed if a zoning variance is sought.



Aerial View of 2307 Stout Street



2307 Stout Street in the Comprehensive Plan

STAFF RECOMMENDATIONS

Planning Staff makes no recommendation on this project. There are apartments diagonally across Meadowlake to the northeast. There are numerous duplexes along Stout Street however, there are no multi-family units along Stout Street or in the area south of Meadowlake.

The addition and existing structure have not followed approved building permits. The structure is out of compliance with building setbacks. An MF-1 zone would be limited to 3 units due to the size of the property. However, zoning variances for setbacks must be obtained prior to completion of the structure whether it is ultimately a duplex or multifamily structure.



View of 2307 Stout St from Meadowlake Rd looking SW

D4 SHAW REQUEST TO REZONE FROM A-1 TO [MATHEWS MEADOWS] PUD

SHAW REQUEST TO REZONE PROPERTY FROM A-1 (AGRICULTURAL) TO [MATHEWS MEADOWS] PUD (PLANNED UNIT DEVELOPMENT) PROPERTY LOCATED SOUTH OF LOWER RIDGE ROAD ABUTTING SUN VALLEY ESTATES TO THE EAST, MAKENNA COVE TO THE SOUTH, AND CHDC PROPERTY TO THE WEST

APPLICANT
 Frank Shaw
 1315 Main St
 Conway, AR 72034

STAFF REVIEW BY
 Bryan Patrick, Director of Planning and Development
 1201 Oak St
 Conway, AR 72032

SITE DATA
Location. Vacant property on the south side of Lower Ridge Road abutting Sun Valley Estates (Azalea Loop) on the east, Arkansas Human Development Center property on the west, immediately north of Makenna Cove Subdivision.

Site Area. ±30.62 acres

Current Zoning. A-1 (Agricultural)

Requested Zoning. PUD (Planned Unit Development)

Existing Structures. None

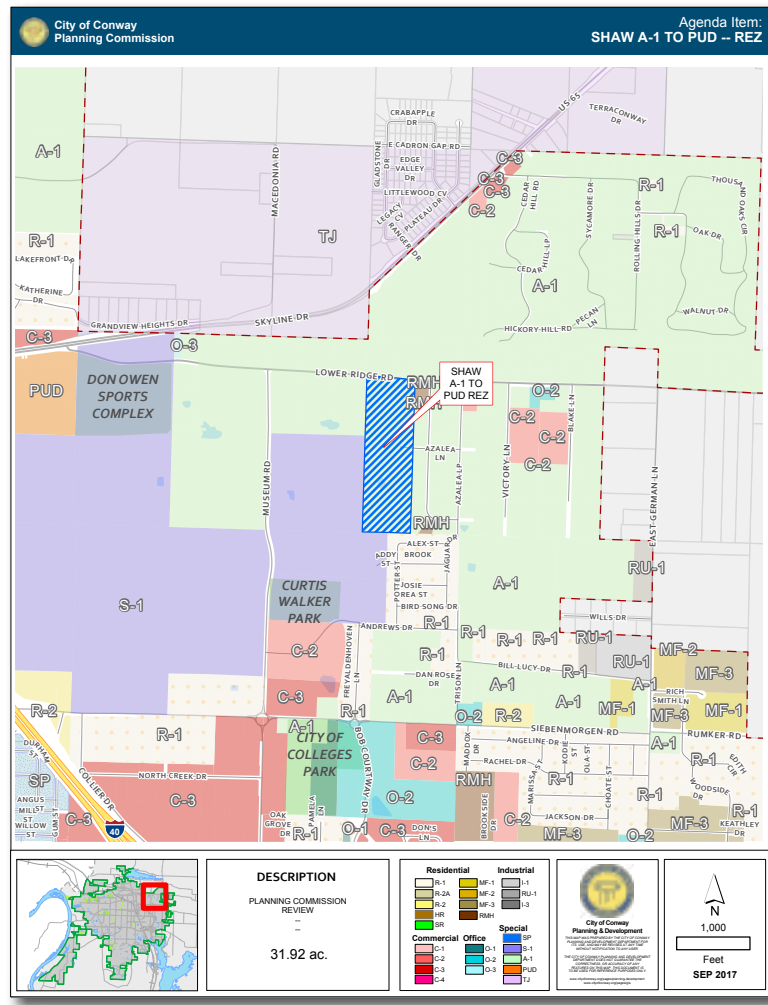
Overlay. None

Comprehensive Plan. The 2004 Comprehensive Plan shows this area as appropriate for single family residential. The 2008 Lower Ridge Road Study shows that the area is appropriate for Traditional Neighborhood. This "TN" designation envisions a more compact neighborhood development with a traditional street grid network similar to the Village at Hendrix.

Projected Traffic Impact. Under current A-1 zoning and developed with the maximum number of 30 single family residences allowed, approximately 30 vehicle trips per day could be expected. With a rezoning to PUD and developed as proposed with 147 single family residences and a 2.4 acre commercial lot, around 1976 vehicle trips per day could be expected; 1406 residential and 560 commercial. If developed as allowed in a typical R-1 subdivision with 140 lots, around 1340 vehicle trips per day could be expected.

Flood\Drainage. This property is not within the 100 year floodplain or floodway. If approved, the property will be platted. During plat review, City Engineering will review drainage patterns and require appropriate easements, detention areas, and piping structures.

Utility Infrastructure. Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities will be required.



Street Improvement. There are no street improvements planned in the immediate future for Lower Ridge Road or other area streets. The developer will construct new residential streets.

Conway 2025. Not directly applicable.

STAFF COMMENTS
 This project would allow the creation of a residential development with 147 single family homes and an approximately 2.4 acre commercial parcel. The proposed PUD is only slightly denser than typical R-1 single family residential development. The proposed lots are slightly less than the minimum required R-1 lot area of 6000 square feet. Lot widths exceed the minimum required 60 feet. Lot depths are slightly reduced as are street rights of way.

Comparison of proposed PUD to Typical R-1 Single Family Residential Development

R-1 single family residential zoning requires:

- Lot Size**
R-1. Minimum lot size = .1377 acre or 6000 square feet.
Proposed PUD. Average lot size = .1373 acre or 5,980 square feet.

Lot Street Frontage
R-1. Minimum required street frontage = 60 feet.
Proposed PUD. Minimum lot street frontage = 65 feet

Lot Depth
R-1. Minimum lot depth = 100 feet.
Proposed PUD. Typical lot depth = 92.40 feet. (4 lots have an 86 foot lot depth, however they are proportionally wider at 80-107 feet wide.

Street Right of Way Width
R-1. Street right of way width = 50 feet with 27 foot wide paved streets.
Proposed PUD. Right of way width = 35 feet with 27 foot wide paved streets

Setbacks
R-1. Setbacks; front: 25 feet, rear: 25 feet, side: 6 feet, street side of corner lot: 25 feet.
Proposed PUD. Setbacks; front: 20 feet, rear: ? feet, side: 5 feet, street side of corner lot: 20 feet.

In many respects, the requested subdivision is similar to a typical allowed R-1 single family development. Lot area and street frontages are larger than the required minimum. However a PUD is necessary due to the request to create:

- Reduced lot depths
- Streets with a reduced right of way width
- Reduced building setbacks

PUD Specific Requirements. Below is an examination of requirements specific to PUD zoning requests:

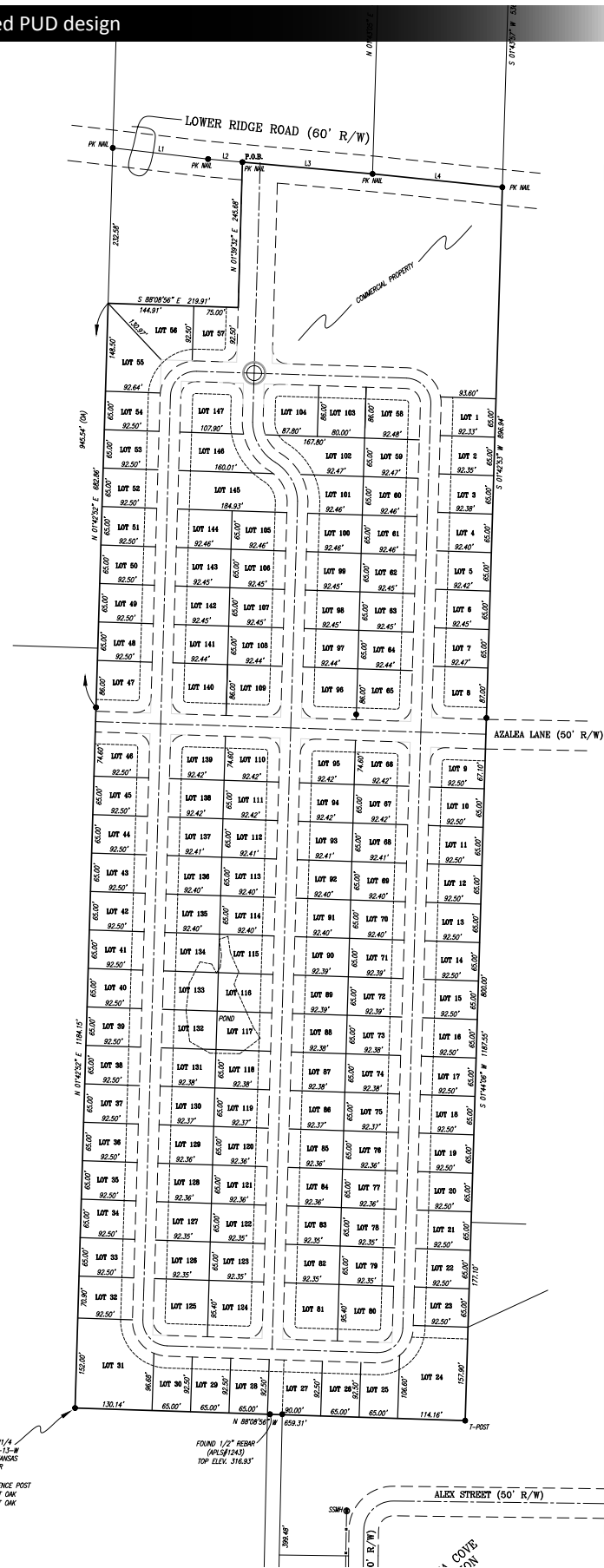
- **Relation to Utilities and Major Roads.** A PUD shall be located in relation to utility systems, drainage systems, and major roads so that neither extension or enlargement of public facilities shall be at the public's expense. *The proposal would not create any additional expense to the public. All required utility extension and construction will be the developer's expense.*
- **Internal Street Network.** A PUD shall include an internal system of streets, parking aisles, and/or cross access drives that can safely and efficiently accommodate vehicular traffic generated by the PUD. *The proposed PUD would create at one entrance from Lower Ridge Road and one entrance from Azalea Loop. The second entrance from Azalea is required due to Fire Code. Additional stub out streets will be necessary to provide for possible future connections to the property to the west and possibly to the south. However, a pedestrian trail to the south is advantageous to provide a safe route for area children to Theodore Jones Elementary School. Street rights of way are proposed to be 35 feet wide. These reduced rights of way will require a minimum 20 foot utility and pedestrian easement on each side of the right of way to provide adequate area for utility infrastructure and sidewalks. Additional street right of way dedication will be required along Lower Ridge Road during the platting process.*
- **Sidewalk System.** Unless there are outstanding reasons that warrant otherwise, all internal streets within the PUD shall

include pedestrian sidewalks. *The proposed PUD will include sidewalks along new streets. Sidewalks are also required along Lower Ridge Road; however, due to the current open ditch construction, the City Engineer may prefer an in-lieu fee instead of sidewalk construction along Lower Ridge Road at this time.*

- **Common Space.** The incorporation of plazas, courtyards, and other outdoor spaces for people to gather is encouraged. *No common gathering space is proposed.*
- **Green Space.** PUDs over 3 acres in area shall dedicate a minimum of 20% of the development as green space. Green space is defined as pervious surface typically reserved for green space and/or landscaping. *20% green space is accomplished through private yards.*
- **Property Owners Association.** PUDs may require the formation of a property owners association to oversee the upkeep of common areas and green spaces. *No information has been presented concerning a property owners association at this time.*
- **Required Meetings.** A PUD request requires two specific meetings prior to the Planning Commission public hearing; a development review meeting and a public informational meeting. *The development review meeting was held on September 5, 2017 at City Hall. This meeting is a technical meeting between the applicant and city officials to determine any technical development issues. Discussion centered on utility easements, fire access, connectivity, drainage, and sanitation service. No outstanding problems with the proposed development were noted. The City Engineering Department wants to see a 60 foot right of way at the entrance off Lower Ridge Road terminating in a roundabout that feeds the 3 interior streets. Additional study will be required concerning allowance for 30 foot street rights of way. The Planning Department discussed additional connectivity in street stub outs to the west and possibly south. If a southern stub street isn't feasible, pedestrian access would be desirable.*
- *On September 11, 2017, a public information meeting was held at Conway City Hall at 5:30 pm. There were 6 members of the public from Makenna Cove subdivision and Azalea Loop. Questions were general in nature and no objections were voiced by those present.*
- **Signage.** Unless specified otherwise, a PUD is subject to current Conway sign regulations. However, as part of the PUD's final development plan, signage may deviate from these requirements. *There are no special sign variance requests as part of the PUD.*
- **Platting, Development Review.** The proposed PUD will be platted into individual lots that will be sold. A plat will be required to record this subdivision. *Platting will be required upon approval of the PUD prior to issuance of building permits. The plat should include necessary utility/pedestrian easements along all public streets, setbacks, and sidewalk locations.*

D4 SHAW REQUEST TO REZONE FROM A-1 TO [MATHEWS MEADOWS] PUD

Proposed PUD design



Possible pedestrian access paths



STAFF RECOMMENDATIONS

Staff recommends approval of the PUD as submitted with conditions that make the project most compatible with the surrounding area. As a subdivision with smaller street rights way, reduced setbacks, and slightly smaller lot areas and depths the appearance of residences becomes more critical due to compactness. Previously approved smaller lot PUD developers have provided a list of conditions to ensure quality home construction on par with other area residences. Staff suggested conditions include a condensed

list of conditions from a previously approved small lot PUD.

Suggested PUD Final Development Plan Conditions. A list of possible conditions is presented below. The Commission should examine these suggested conditions and delete, modify, or add to as needed.

Staff Suggested Conditions

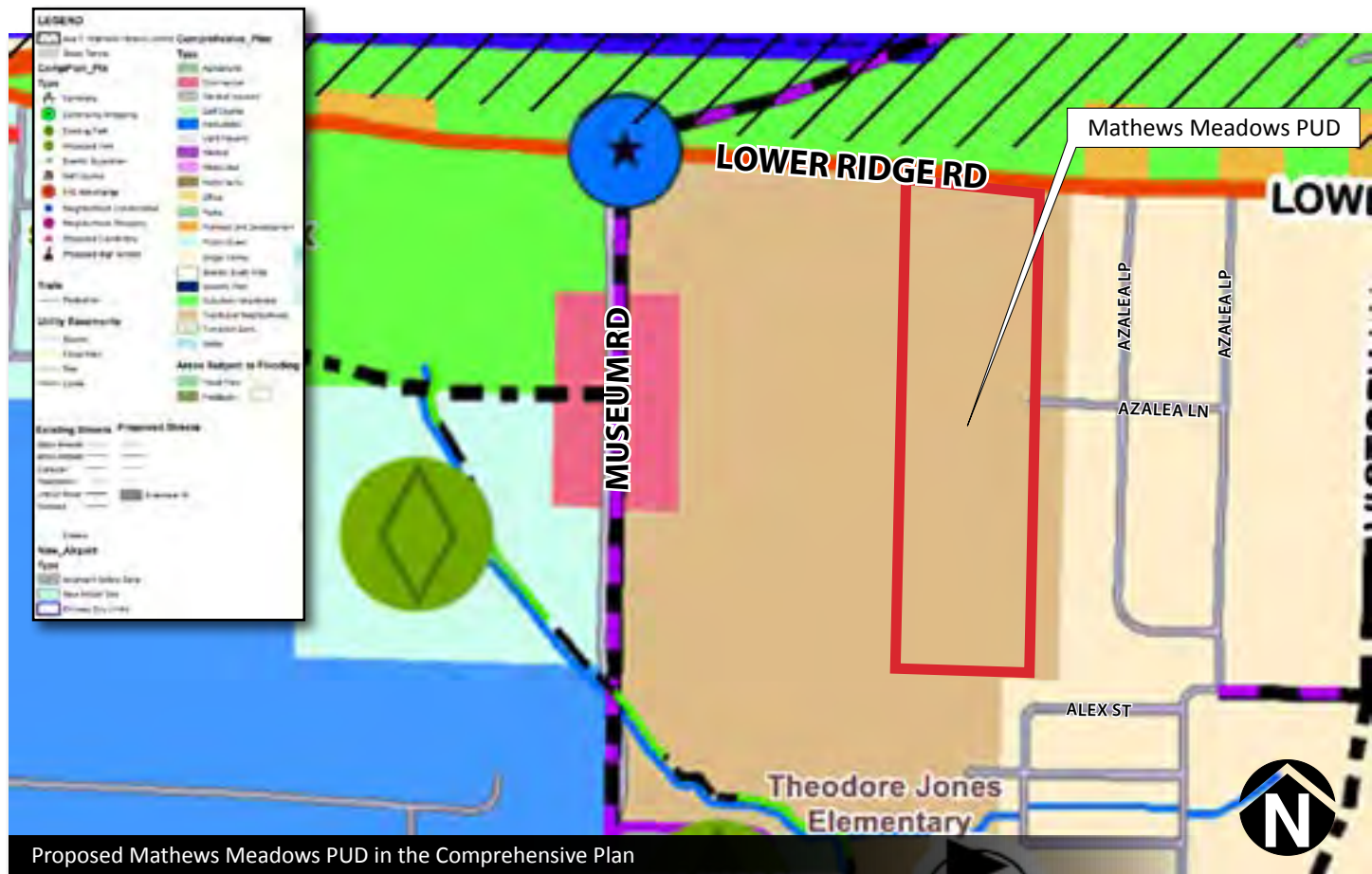
1. Exterior composed of brick, rock, or hardie board (cement fiber board).
2. Vinyl siding/shingles allowed on gables and dormers only.
3. 8/12 roof pitch or greater unless porches.
4. Garages cannot protrude past front of house more than 7 feet, unless side entry.
5. Architectural shingles or metal roofing only.
6. Minimum 9' ceilings.
7. Each home will be different.
8. PUD shall be generally developed as shown on the submitted 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.
9. Additional review of reduced street rights of way by the City Engineering and Planning Departments will be needed to ensure adequate space for utilities, sidewalks, drainage and street infrastructure. This review will be part of the platting process.
10. Platting shall be required. Any additional rights of way, sidewalks, etc. as required by the Subdivision Ordinance shall be dedicated and constructed. Any additional right of way per the Master Street Plan along Lower Ridge Road shall be dedicated as part of the platting process.
11. Setbacks, utility/pedestrian easements, public rights of way, etc shall be defined in the final development plan, plat, and PUD documents.
12. Pedestrian access shall be provided on the south and east to provide possible pedestrian access to elementary school.
13. Commercial lot shall be regulated as a C-2 Neighborhood Commercial District as specified in the Conway Zoning Ordinance. Additional uses as allowed in C-2 through the conditional use process may be requested per conditional use procedures without requiring a PUD amendment.
14. PUD may be developed in phases. Phases will be determined during the platting process.
15. Azalea Lane right of way must be improved by developer to meet Fire Code access requirements during the appropriate phase of development.

D4 SHAW REQUEST TO REZONE FROM A-1 TO PUD



Mathews Meadows PUD

Aerial View of proposed Mathews Meadows PUD



Proposed Mathews Meadows PUD in the Comprehensive Plan

D5 HAWKS ANNEXATION REQUEST

JIM HAWKS REQUEST TO ANNEX PROPERTY LOCATED EAST OF HWY 25 N AND NORTH OF NORTHWOODS ESTATES PUD

APPLICANT/OWNER

Jim Hawks
2111 E German Ln
Conway, AR 72032

STAFF REVIEW BY

Jason Lyon, Assistant Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA

Location. Acreage north of Northwoods Estates Sub and south of Southshore Dr

Site Area. ± 52.52 acres

Current Zoning. County (Upon Annexation R-1)

Existing Structures. Undeveloped.

Overlay. Not applicable.

Comprehensive Plan. The Comprehensive Plan shows this area as single family.

Projected Traffic Impact. With annexation and an initial zoning of R-1, the potential for 300+ lots could be potential, using a 6000 sq/ft lot size as minimum in R-1, however the intention of the applicant is to build a large lot subdivision with private roads and 24 lots. With 24 lots expected impact on surrounding roads would potentially be 240 vehicles trips a day, which Southshore Dr and Friendship Rd can easily handle.

Flood\Drainage. The site is not within any FEMA Flood Zones

Utility Infrastructure. The applicant will need to coordinate utilities with Beaverfork Water and Conway Corporation for development.

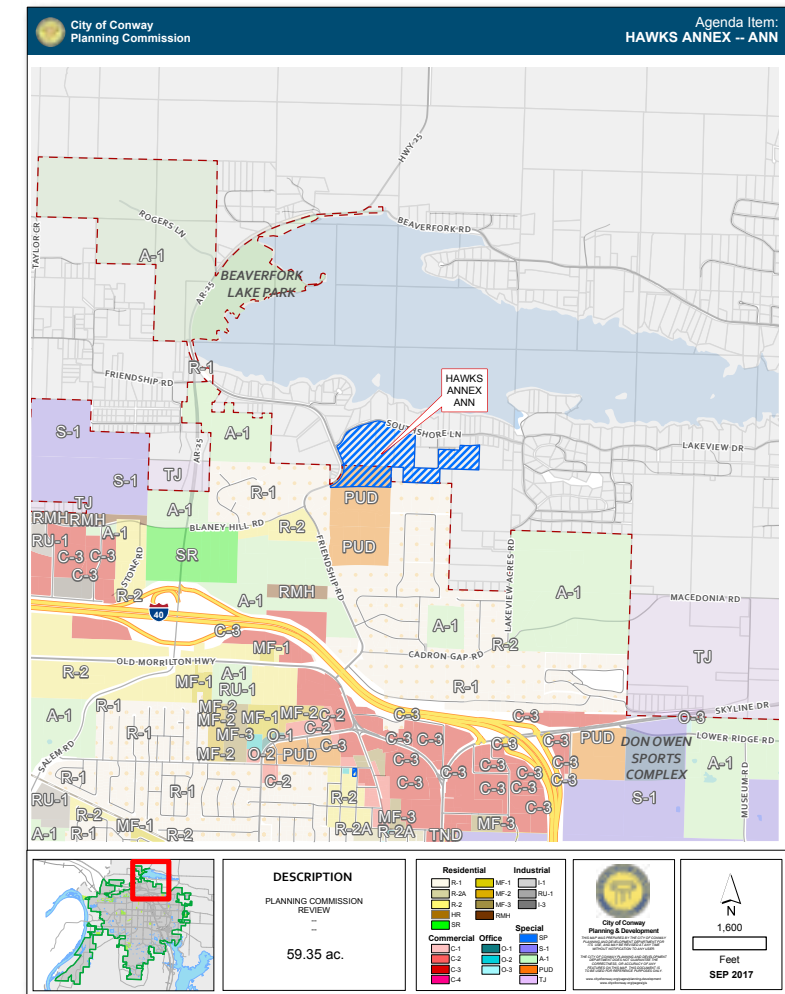
Street Improvement. There are no current plans for this area, Hwy 25 was recently renamed to Friendship Rd and became a City maintained road, the applicant intends for the annexed property to retain private roads only.

Conway 2025. Not specified.

STAFF COMMENTS

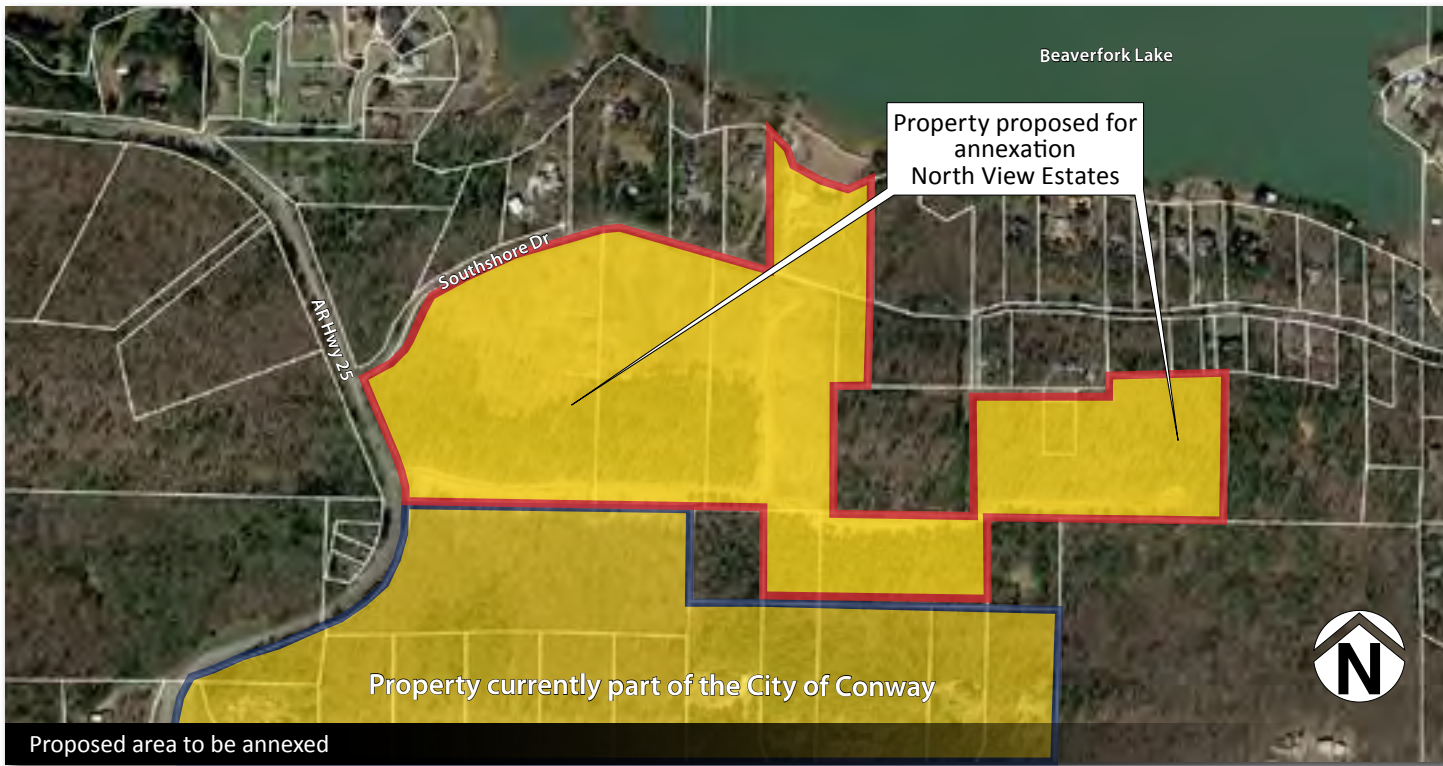
The applicant is seeking the annexation of the property with the intention to bring forth a rezoning request to Planned Unit Development (PUD) in the forthcoming months.

Currently plans are for a hearing with the County Judge on October 3rd and then a final ordinance presented to the City Council on October 10th.

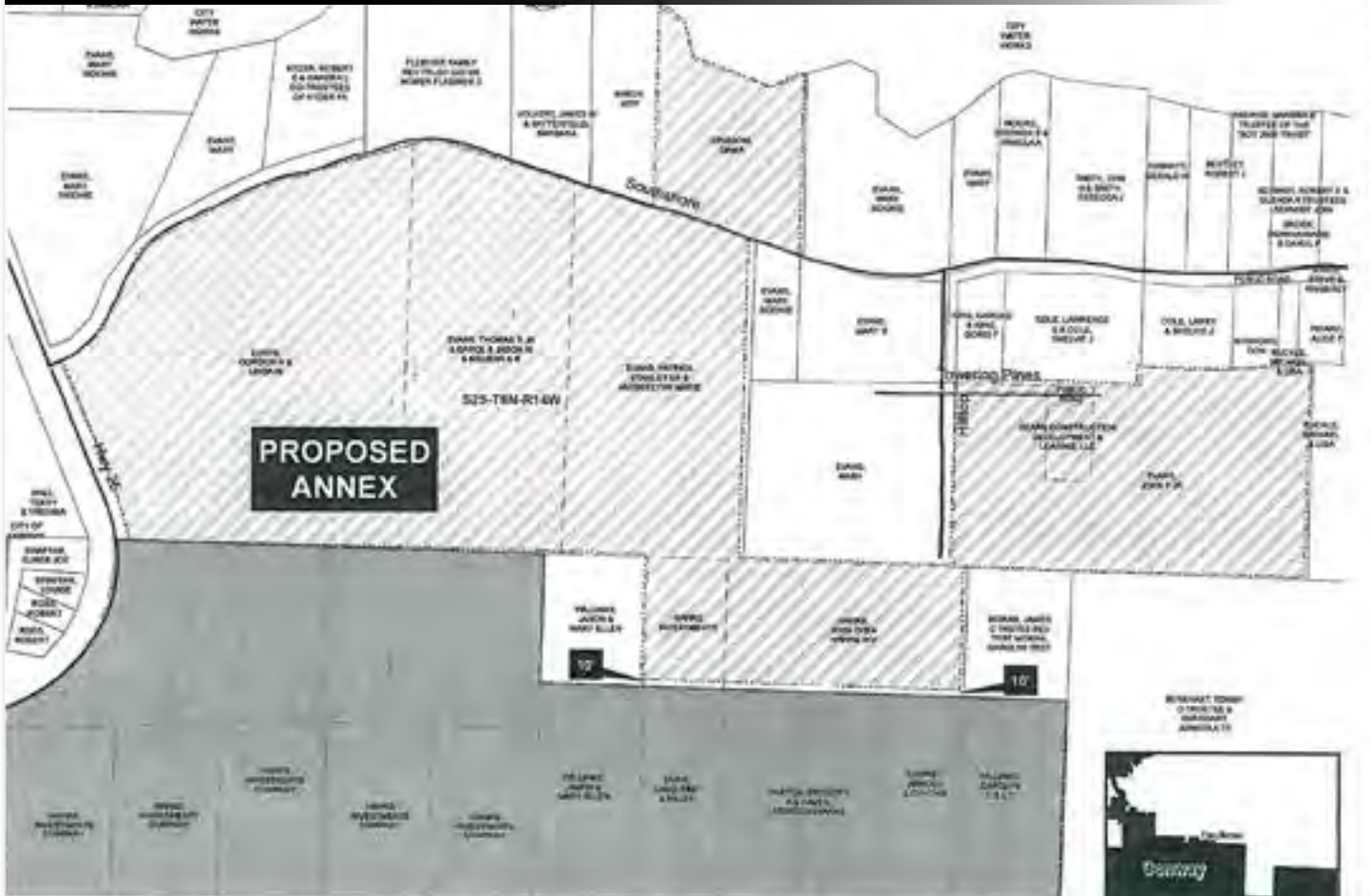


STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request, the annexation would have limited impact on the city infrastructure as all roads to be built in this area are planned to be private maintenance. Utilities is a concern but it is a developer issue that must be addressed as to coordination with Beaverfork Water and Conway Corporation. Fire Coverage should be extended by City of Conway, although water flow and water service needs to be coordinated. Sanitation would be extended with little extra needed due to the larger lots. Police coverage would shift from Faulkner County Sheriff to Conway Police, response time may need to be addressed.



Map of proposed area to be annexed provided by Arkansas GIS Office



Proposed Schedule for the Nomination of 2018 Planning Commission Members

The calendar below is presented for discussion.

Two new members will be needed in 2018 to fill Marilyn Armstrong's and Anne Tucker's positions, whose terms are expiring. The two new 5 year terms will expire in 2022.

City wide representation is a desirable trait of the Planning Commission. Not including the two outgoing members, the Planning Commission consists of:

- Ward 1: 1 member
- Ward 2: 2 members
- Ward 3: 2 members
- Ward 4: 2 members
- Territorial Jurisdiction: 1 member

Marilyn Armstrong resides in Ward 3 and Anne Tucker in Ward 2.

Ideally, one of the new members would represent Ward 1 and the remaining new member could represent any Ward.

The nomination schedule below shows a window for nominee interviews and selection available between November 1 and November 19, 2017.

STEP	DATE	ACTION	DAYS PRIOR TO TERM EXPIRATION	DAYS REQ'D PRIOR TO TERM EXPIRATION
1	October 1, 2017 (Sunday)	Planning Commission advertises for nominations	92	90
2	October 16, 2017 (Monday) October Planning Commission Meeting	Planning Commission discusses nomination process and creates nomination committee(s)	77	N/A
3	October 31, 2017 (Tuesday)	Planning Commission closes nominations	61	60
4	November 1, 2017 (Wednesday)	All Planning Commission nomination forms received by the deadline are sent to current Planning Commissioners		
5	November 1 to November 19, 2017	Nominee interviews, discussion and selection		
5	November 20, 2017 (Monday) November Planning Commission Meeting	Planning Commission chooses and submits nominees to the City Council. Nominee choices are released to the media	42	30
6	December 12 to December 26, 2016	City Council takes under advisement for 14 Days	20	10
7	December 26, 2017 (Tuesday) Second December City Council Meeting	City Council notifies Planning Commission of action	5	----

