



MAY

Conway Planning Commission
Staff Report

7:00pm • May 21, 2018 • 810 Parkway Avenue

CONWAY PLANNING COMMISSION

Jerry Rye, Chairman

Justin Brown, Vice-Chairman

Wendy Shirar, Secretary

Brooks Freeman

Dalencia Hervey

Arthur Ingram

Bryan Quinn

Brandon Ruhl

Anne Tucker

Rhea Williams

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Contact the Conway Planning Commission at planningcommission@cityofconway.org

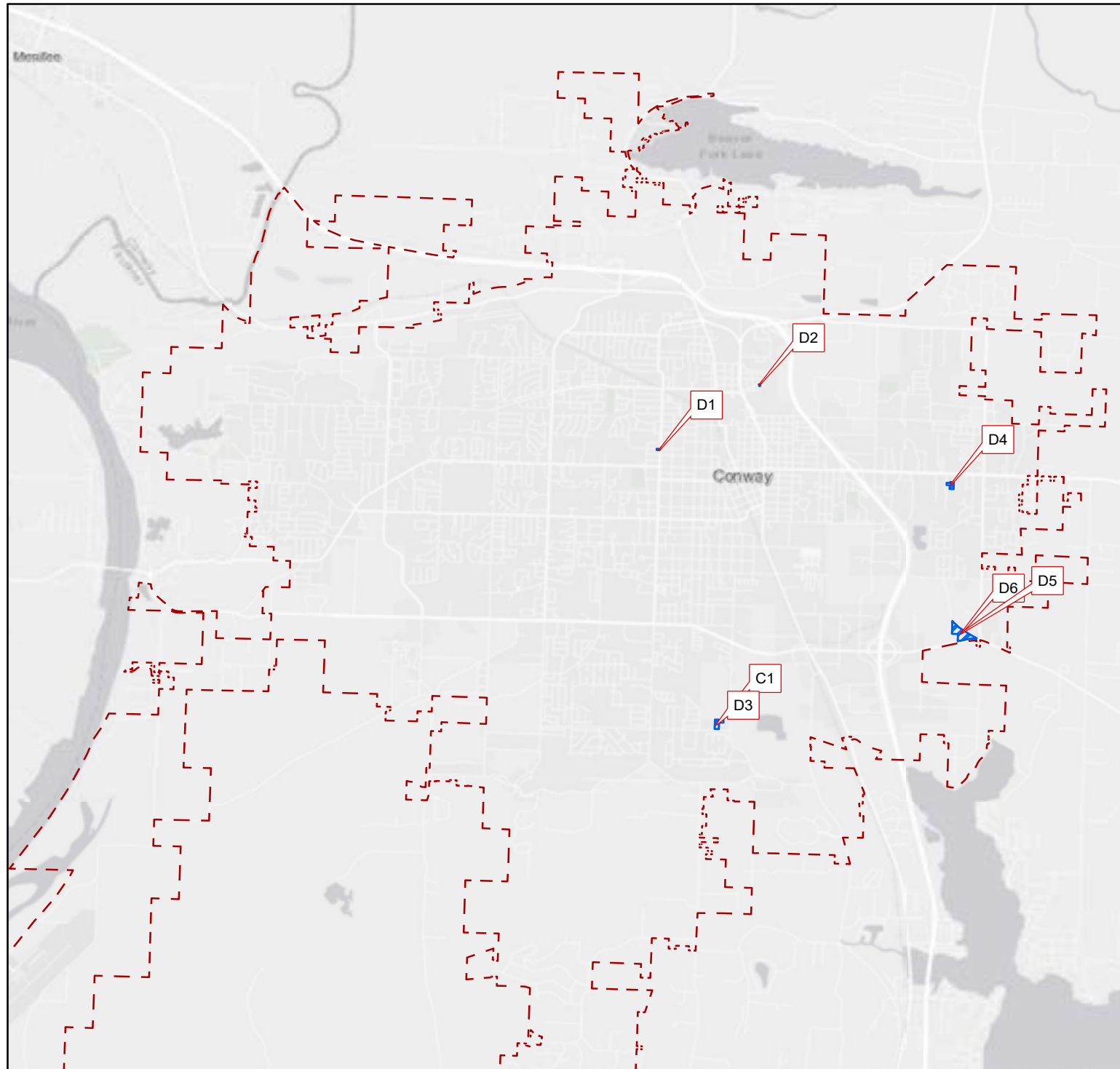
The Conway Planning Commission makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the Planning Commission recommendations as a guide. Items reviewed at tonight's Planning Commission meeting may be considered by the City Council on **June 12, 2018**.

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.

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

CONWAY PLANNING COMMISSION AGENDA

May 21, 2018 • 7:00 pm • 810 Parkway Street



C. Subdivision
1. Cherry Hill, Phase II request for preliminary plat approval* *Held in committee at April 16, 2018 meeting.

D. Public Hearings
1. Derek Sherwood request for zoning variances to allow reduced lot depth, reduced lot width, reduced lot area, reduced building setbacks for property located at 1117 Donaghey Avenue*
2. Chris Thornton request for zoning variance to allow reduced rear building setback for property located at 855 Ellis Avenue*
3. Hal Crafton request to rezone property located at 1350 Favre Lane from A-1 to R-1
4. Danny Linn request to rezone property located at 850 Simon Street from C-3 to PUD
5. Holloway Engineering request to rezone property located at 1550 E Dave Ward Drive from A-1 to RU-1
6. Holloway Engineering request for conditional use permit to allow mini-warehouse in RU-1 for property located at 1550 E Dave Ward Dr

- A. Call to Order**
- B. Approval of Minutes**
 - 1. April 16, 2018
- C. Report from Subdivision Committee**
Subdivision Committee will meet prior to the Planning Commission at 6:45 pm in City Hall
 - 1. Cherry Hill, Phase II request for preliminary plat approval*
**Held in committee at April 16, 2018 meeting.*
- D. Public Hearings**
 - 1. Derek Sherwood request for zoning variances to allow reduced lot depth, reduced lot width, reduced lot area, reduced building setbacks for property located at 1117 Donaghey Avenue*
 - 2. Chris Thornton request for zoning variance to allow reduced rear building setback for property located at 855 Ellis Avenue*
 - 3. Hal Crafton request to rezone property located at 1350 Favre Lane from A-1 to R-1
 - 4. Danny Linn request to rezone property located at 850 Simon Street from C-3 to PUD
 - 5. Holloway Engineering request to rezone property located at 1550 E Dave Ward Drive from A-1 to RU-1
 - 6. Holloway Engineering request for conditional use permit to allow mini-warehouse in RU-1 for property located at 1550 E Dave Ward Dr (*public hearing for request is dependent upon approval of item D.5*)
- E. Discussion**
 - 1. 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**
 - Old Conway Village, Pine Street area
- H. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)**
 - Bradley Place Sub Replat Lot 19 (P2018-00011)
 - Tree Farm Addition Correction Plat (P2018-00013)
 - Candlewood Suites Replat (P2018-00014)
 - Cadron Valley Estates Replat (P2018-00015)
 - Westin Estates Replat Lot 6-R (P2018-00016)
- I. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals (submitted for review)**
 - Westin Estates Replat Lot 6A (SUB2018APR02)
 - Elry's Addn Replat (SUB2018APR03)
 - Guardsmart SW Addition (SUB2018APR04)
 - Audubon Place Replat (SUB2018APR05)
 - Shelton Subdivision (SUB2018APR06)
 - Allens Subdivision (SUB2018APR07)
 - South Sterling PUD Final (SUB2018MAY01)
 - Tyler Manor Subdivision (SUB2018MAY02)
 - Mayor's Place Replat Lot 3 (SUB2017DEC08)

C1 CHERRY HILL PHASE 2 PRELIMINARY SUBDIVISION

RUSH-HAL DEVELOPMENT REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF CHERRY HILL PHASE II

APPLICANT

Central Arkansas Professional Surveying
1021 Front Street
Conway, AR 72032

STAFF REVIEW BY

Scott Grummer, Planner
1201 Oak St
Conway, AR 72032

SITE DATA

Location. Part of Lots 6 & 7 and Lot 8, Cherry Hill Phase 1; and 1350 Favre Lane

Site Area. ±2.98 acres

Current Zoning. R-1 (Single-family residential)

Existing Structures. One single-family home on 1350 Favre Lane.

Overlay. None.

STAFF COMMENTS

Planning Commission action is required for items 16, 17, and 21.

STAFF RECOMMENDATION

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

CONWAY CITY PLANNING DEPARTMENT REVIEW CHERRY HILL PHASE 2 PRELIMINARY PLAT

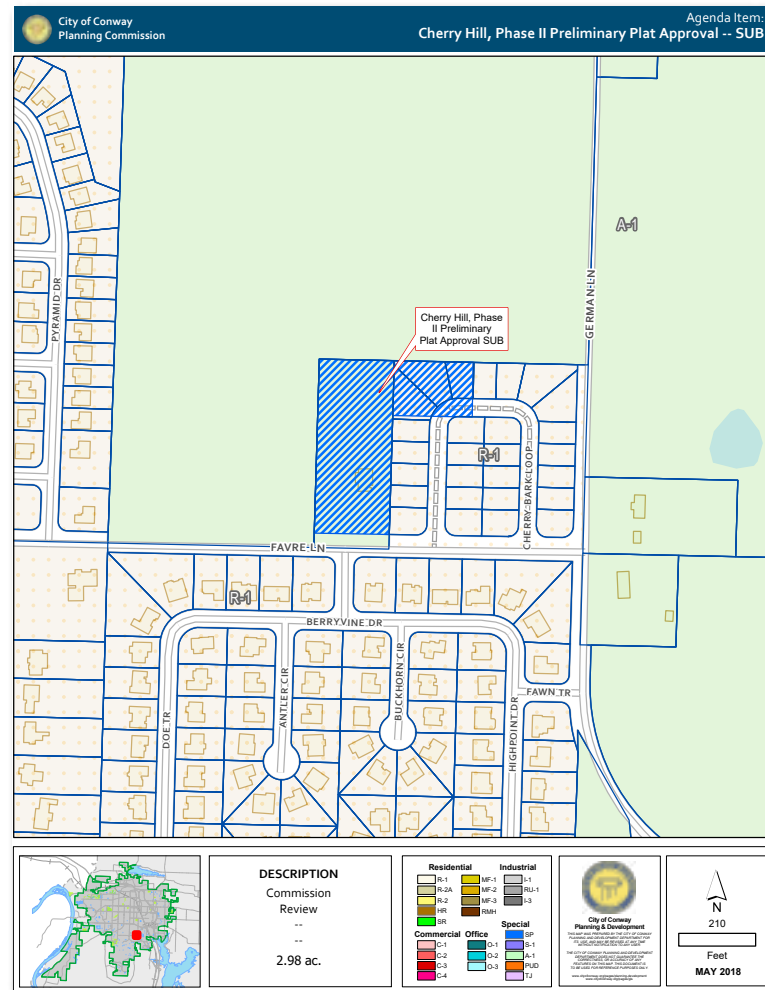
This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for preliminary plat approval.

BASIC INFORMATION NEEDED ON THE PLAT

1. Street names that are not similar to existing street names are needed for all proposed streets.
2. Proposed easements with appropriate dimensions are needed.
3. 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.

ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

4. The direction of flow of all water courses entering the tract shall be indicated. (p. 15)
5. The direction of flow of all water courses leaving the tract shall be indicated. (p. 15)
6. The drainage area of all water courses above the points of entry shall be noted.



7. The downstream drainage channel and drainage structures substantially impacted by the subdivision/replat shall be shown.
8. Improvement plans for each new utility system are needed.
9. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat is needed.

GENERAL DESIGN REQUIREMENTS

10. 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.



11. 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." (p. 41)
12. 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. (p. 41)
13. Storm water detention or another storm water flow reduction measures shall be provided where existing downstream subdivisions or developments have storm drainage systems with a capacity of less than a ten (10) year frequency storm. The requirement does not apply to the inadequate natural streams or creeks flowing through undeveloped areas. The storm water detention facilities shall be designed to provide a holding area such that storm water runoff can be accumulated and released through at an outlet structure. The required storage volume and outlet structure shall be sized to release the storm water at a rate that does not exceed the capacity of the downstream storm drainage system or a computed runoff rate equal to that of the pre-development conditions of the proposed development, whichever is the greater. The detention facilities shall be based on a twenty-five (25) year frequency storm event. Computations for the sizing of the

- detention facilities and outlet structure 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. (p. 41)
14. 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. (p. 41)
15. An easement shall be placed around the high water limits of the detention area.

STREET DESIGN REQUIREMENTS

16. Compliance is required with all the footnotes in Table 2, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. ***Street Classification & Design Standards #5: Curb Cut/Traffic Conflicts-For subdivisions and replats that abut collectors, minor arterials, and major arterials, the lots shall be configured to allow curb cuts on those streets only as a final option for providing access. Applicant requests curb cuts onto Favre Lane from Lots 1, 2, and 3. Planning Commission Approves / Does not Approve this request, or this condition must be corrected.***
17. 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

C1 CHERRY HILL PHASE 2 PRELIMINARY SUBDIVISION

Proposed Preliminary Plat

requirement must be approved by the Conway Fire Marshall. **The proposed turnaround exceeds 150' from the end of the dead end street and is not a cul-de-sac which requires Conway Fire Marshall approval. Planning Commission Approves / Does not Approve this condition, or this condition must be corrected.**

18. Cul-de-sac turnarounds shall have a right-of-way diameter of 120 feet and a pavement diameter of 96 feet. Measurements assume back of curb to back of curb for a roll curb.

EASEMENT DESIGN REQUIREMENTS

19. Utility easements as required Conway Corporation are needed. **Preliminary Plat approval is contingent upon Conway Corporation review and approval of Utility Easement needs.**
 20. Drainage easements as required by the City Engineer are needed. **Preliminary Plat approval is contingent upon City Engineering review and approval of Street and Drainage plans.**

LOT DESIGN REQUIREMENTS

21. All existing buildings must be shown to meet the minimum setback requirements from all lot lines or they must be modified or moved to meet those setback requirements. **Existing house on Lot 4 now faces Proposed Road, so southern lot boundary becomes the rear setback. 25' min. rear setback required in R1 zone. Planning Commission Approves / Does not Approve this request, or this condition must be corrected.**

UTILITY DESIGN REQUIREMENTS

22. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.

OTHER REQUIREMENTS

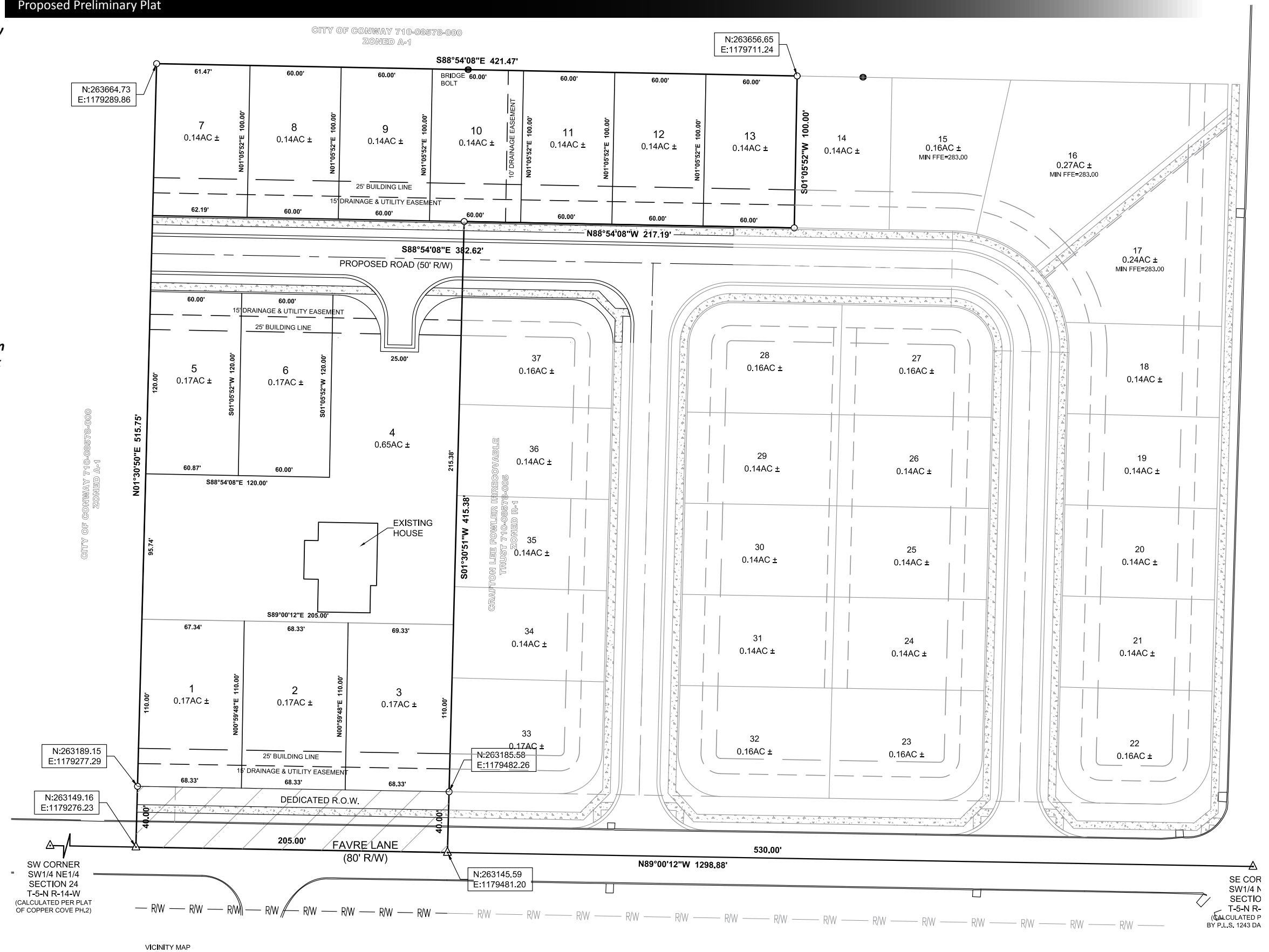
23. In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies. (p. 48)

AUTHORIZATION TO PROCEED

24. 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. (p.9)

EXPIRATION OF PLAT

25. 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. **Cherry Hill Subdivision Ph 2 will expire 03/30/2019 unless an extension is granted by the Planning Commission.**



D1 REQUEST FOR ZONING VARIANCE - 1117 DONAGHEY AVE

BOARD OF ZONING ADJUSTMENT REQUEST FOR REDUCED LOT DEPTH, REDUCED LOT AREA, AND REDUCED SETBACKS FOR PROPERTY LOCATED AT 1117 DONAGHEY AVENUE

APPLICANT

Derek Sherwood
1117 Donaghey Ave
Conway, AR 72034

STAFF REVIEW BY

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

SITE DATA

Location. 1117 Donaghey Avenue

Site Area. ±0.23 acres

Current Zoning. R-1 (Single-family residential)

Existing Structures. A 1356 s.f. single family residence

Overlay. Old Conway Design Overlay District.

Requested Zoning Variances.

1. Building setbacks - Somewhat variable in the Old Conway Design Overlay District
2. Lot areas
3. Lot depths

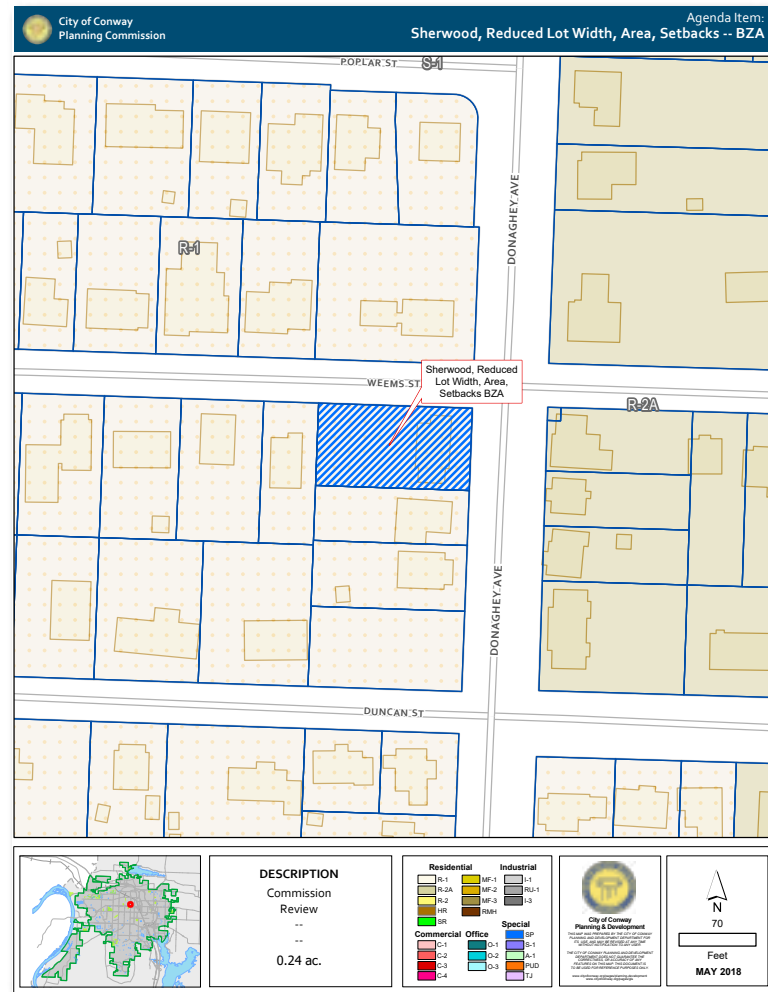
General Overview. The applicant would like to divide the existing lot creating two lots. The property is in the Old Conway Design Overlay District. There is some precedent in the area for similar size lots and land division. Future expansion of Donaghey and required right of way dedication creates some hardship in regards to setbacks and lot size.

Zoning Ordinance Regulations.

R-1 zoning district requires:
Setbacks: 25 foot front and exterior (side street) setbacks
25 foot rear setback
Lot Area: 6,000 square foot lot area minimum
Lot Depth: 100 foot minimum lot depth

Basis of Variance.

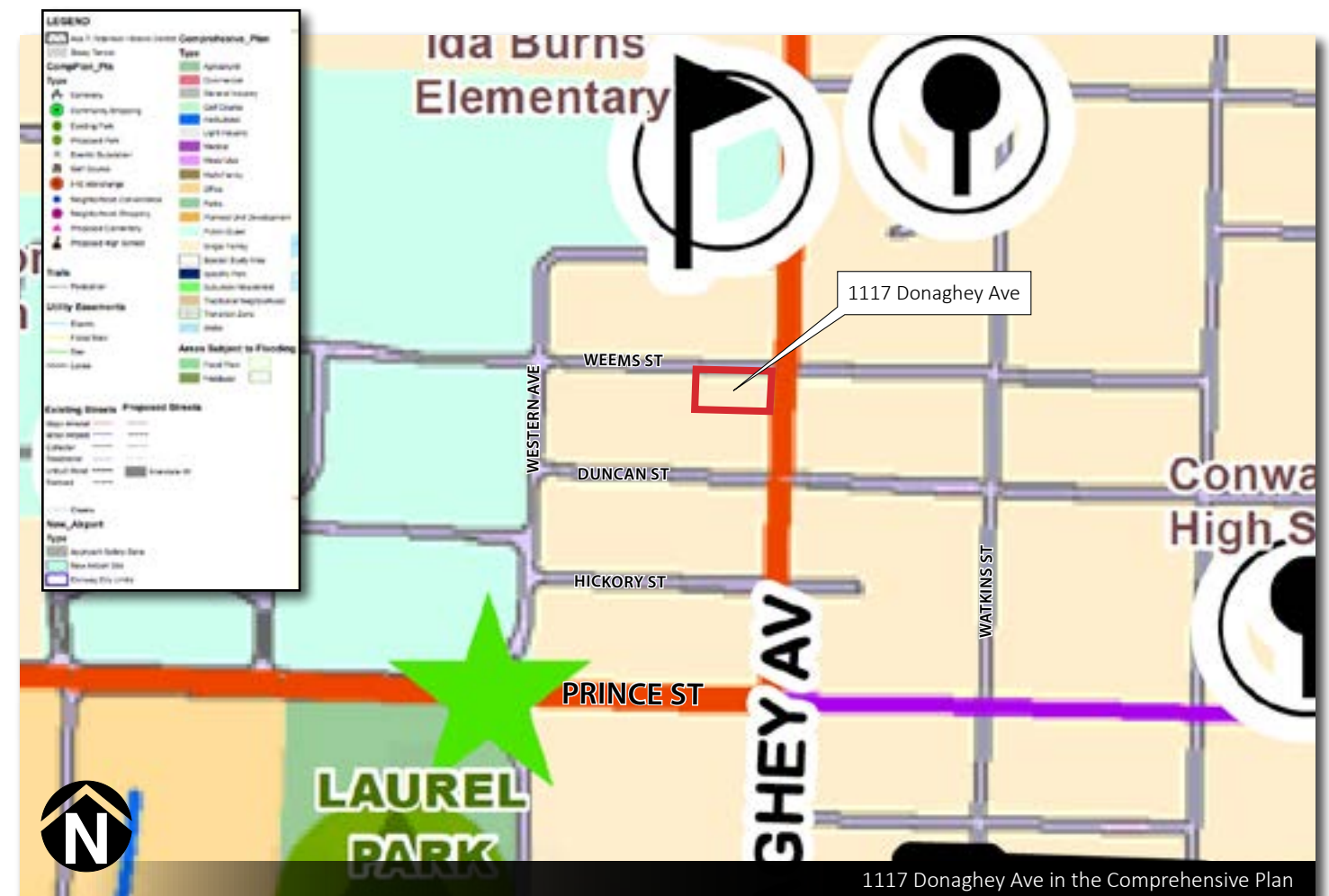
The Planning Commission acting as the Board of Zoning Adjustment, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to insure compliance and protect adjacent property.



STAFF COMMENTS

The applicant is seeking 3 variances in order to divide the lot into 2 parcels:

Setbacks. The zoning ordinance requires a 25 foot front, 25 foot exterior (side street) setback, and a 25 foot rear setback. However, the property is within the Old Conway Design Overlay District where in the past, there were no City regulated setbacks. In order to help create appropriate streetscapes and structure placement in the older parts of town, the Historic District Commission may determine the proper setbacks as part of new construction review in the Old Conway Design Overlay District. In this request, there are several factors at play concerning setbacks. The existing residence's setbacks are less than the zoning ordinance requirements and can be considered "grandfathered" and appropriate as the building's location is correct in respect to other area residences. Platting of the property will create the requirement for dedication of an additional 10 feet of right of way along Donaghey Avenue. Donaghey has 70 feet of right of way at this location. The proposed new Master Street Plan sets Donaghey as a minor arterial with 80 feet of right of way. The Donaghey east right of way line is already set at 40 feet from the centerline, therefore, an additional 10 feet will be required along the west Donaghey frontage of the property under review. This is a common imposition along Donaghey as most area residences have the same approximate front setback.



D1 REQUEST FOR ZONING VARIANCE - 1117 DONAGHEY AVE

The side setback between the existing residence and Weems is also a grandfathered setback. A recent change to the subdivision ordinance potentially takes away the need to dedicate additional right of way along Weems.

The east parcel's rear setback as shown on the proposed lot division is 22.1 feet. Reduced rear yard setbacks are somewhat common in the Old Conway area. However, if the property is divided as recommended in the Planning Staff sketch, the rear setback line will be over 25 feet.

Lot Areas. Prior to subdividing, the existing lot is approximately 10,200 s.f. or .23 acre in area. As shown on the submitted proposed plat, lot sizes would be: West, 5211 s.f. and East, 4989 s.f. The proposed plat shows a jog in the property line that attempts to split the existing concrete driveway between properties. The proposed plat does not take Donaghey right of way dedication into account. With Donaghey right of way dedication and the creation of a lot line that divides the remaining property in two equally sized lots around 4704 s.f. These lot areas are somewhat smaller than most area lots, however, there are 3 precedents; the southwest corners of Duncan and Donaghey, Weems and Watkins, and Duncan and Mitchell. The most direct comparison are the lots at Duncan and Donaghey.

Lot Depths. The existing lot is approximately 136 feet deep. The proposed lot split would create two lots with 75 feet of depth on the west and 65 feet of depth on the east (or 75 feet if measured north-south). This same land division has occurred at the southwest corner of Duncan and Donaghey resulting in lots with 75 foot depths. Although the lot depths are less than required by the zoning ordinance, the lot widths are slightly greater at around 63 feet (Staff Sketch). A 60 foot lot width minimum is required in an R-1 zone.

STAFF RECOMMENDATIONS

Due to past precedent, the variable nature of setbacks in the Old Conway Design Overlay, the hardship caused by required street right of way dedication, and the desire to provide infill development, Planning Staff recommends approval of the requested variances with conditions.

Planning Staff recommends that the dividing property line be placed at the mid point creating two approximately equal sized lots after Donaghey right of way dedication. The submitted plat shows a property line jogging around and through an existing parking pad. Planning Staff recommends that mid point property line be set without regard to the parking pad. The existing parking pad should be demolished in order to create appropriate parking for both lots. The existing pad is likely too small to be divided in two. A property line down the center could also create potential parking disputes. Expansion of the parking pad would create a large area of concrete that would not blend well with the area. A new parking pad should be created for the existing residence and a separate parking pad or driveway can be created on the west side of the newly created lot.

Per Subdivision Ordinance regulations, no sidewalk construction is required as part of platting. There are existing 3 lots being merged into 2 lots. A sidewalk or in-lieu fee will be required as part of the Historic District Commission review of a new residence on the west lot.

The new residence that will occupy the west lot will also have Historic District Commission oversight and approval. The HDC will examine the mass, shape, and setbacks of the proposed structure along with adequate parking and driveway areas to help ensure that an appropriate structure and parking are constructed.

STAFF RECOMMENDED CONDITIONS

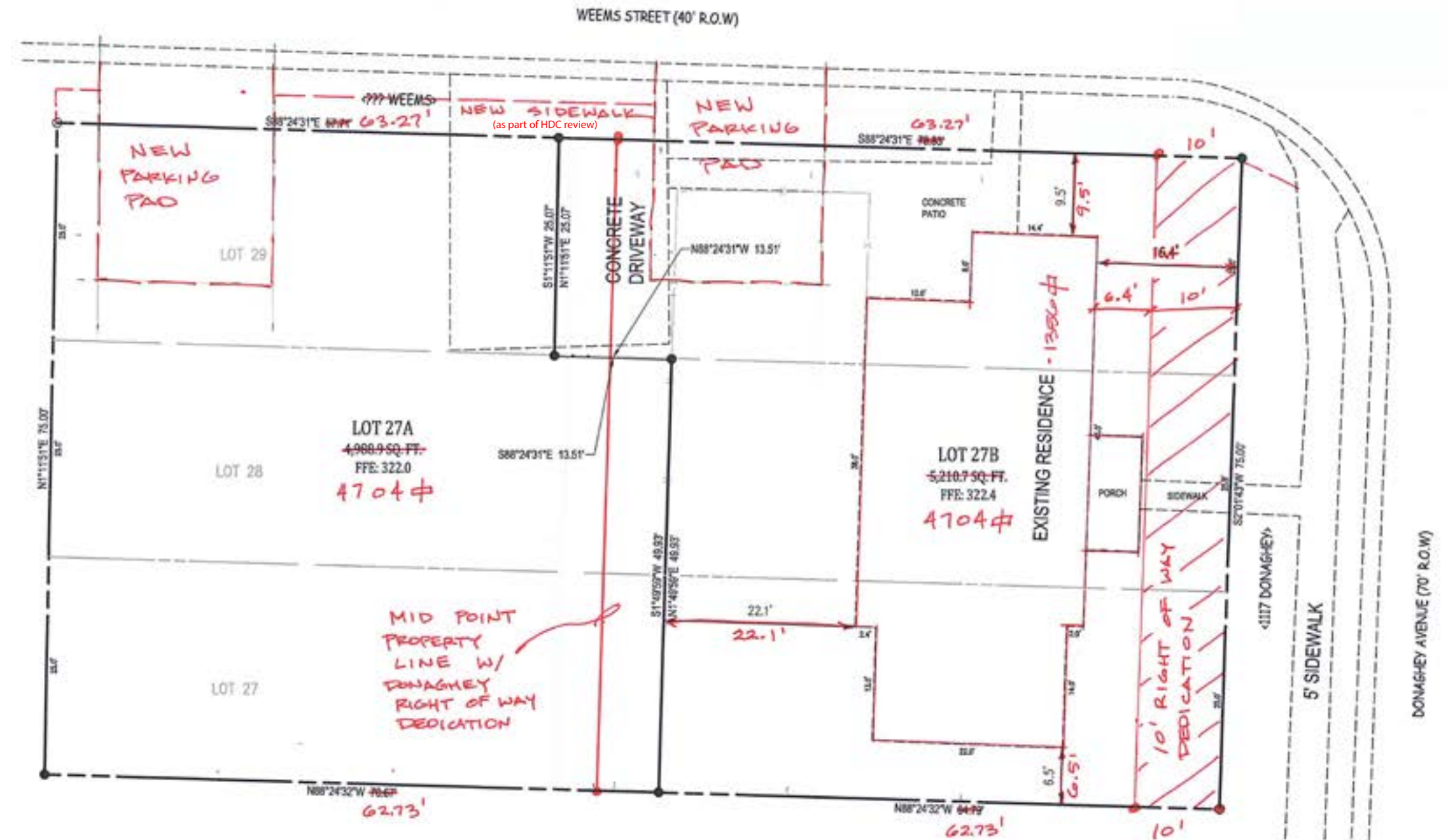
Approval of the following Zoning Variances:

1. Setbacks. Reduced setbacks for the existing residence shall be allowed as shown on the submitted plat. The Historic District Commission shall determine appropriate setbacks for the new residence.
2. Lot Area. The property may be divided as shown on the Planning Staff sketch. The Planning Director may approve minor adjustments as necessary to create the most appropriate lots.
3. **Lot Depth.** Lot depths shall be allowed as shown on the Planning Staff sketch. The Planning Director may approve minor adjustments as necessary to create the most appropriate lots.

Conditions:

1. The plat will be divided as shown on Planning Staff sketch removing the proposed jogged property line around the existing concrete parking pad.
2. The existing concrete parking pad shall be demolished and a new more appropriately located parking pad shall be created to serve the existing residence. The Historic District Commission shall determine the most appropriate location for a new driveway/parking pad on the newly created lot.
3. A sidewalk shall be constructed along the Weems Street frontage of the west lot as part of the new construction in the Old Conway Design Overlay District or an in-lieu fee may be paid if placement of the sidewalk is not appropriate due to trees, existing sidewalks, utilities, etc. This sidewalk construction or in-lieu fee must take place prior to issuance of a certificate of occupancy for the new residence.

Applicant provided sketch with proposed Planning Staff modifications in red



D2 REQUEST FOR ZONING VARIANCE - 855 ELLIS AVENUE

BOARD OF ZONING ADJUSTMENT REQUEST FOR REDUCED REAR SETBACK FOR PROPERTY LOCATED AT 855 ELLIS AVENUE

APPLICANT

Jay Weisenfelder on behalf of Chris Thornton
1025 Reynolds Avenue
Conway, AR 72032

STAFF REVIEW BY

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

SITE DATA

Location. 855 Ellis Avenue, Lot 95 RR, Village at Hendrix, Phase 1 Replat of 95R-103R, 104R-A, 104R-B

Site Area. ±0.14 acres

Current Zoning. T-4 (Urban Transitional) Part of The Village at Hendrix Traditional Neighborhood Development

Existing Structures. None.

Overlay. The Village at Hendrix Traditional Neighborhood Development.

Requested Zoning Variance. To allow a 4 foot reduction in the 12.3 foot rear yard setback.

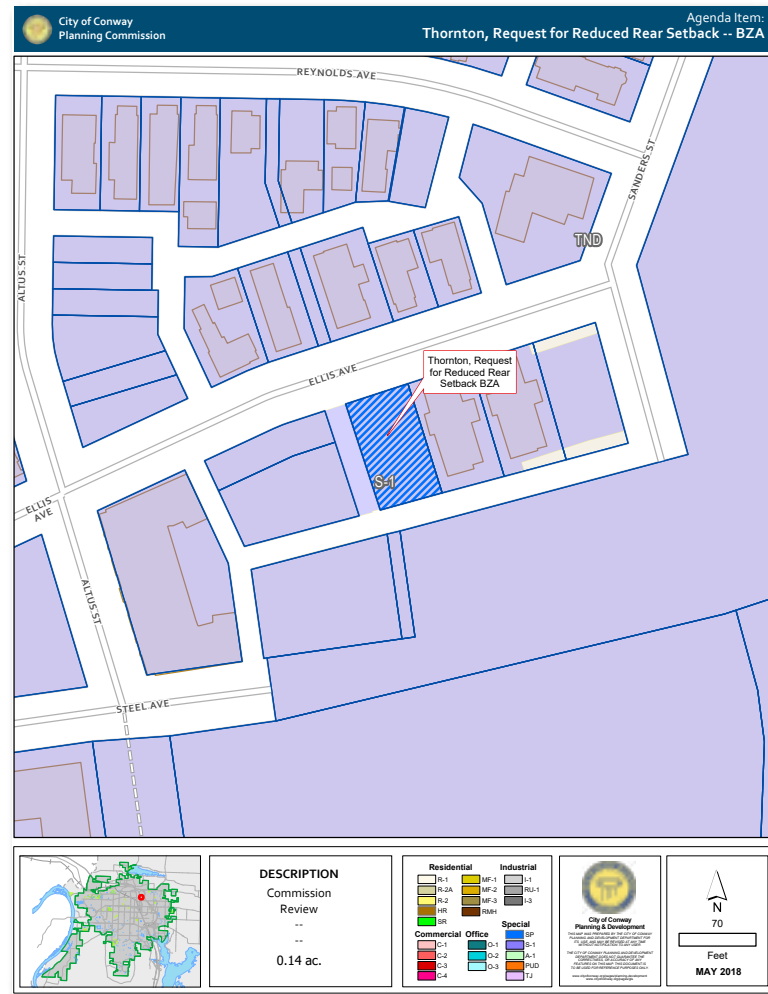
General Overview. Currently, there is a 12.3 foot utility easement and rear building setback line. This rear property line abuts an alley that provides rear vehicular access to the property. The applicant would like to construct a single family residence on the property that would encroach upon the 12.3 foot rear setback line by 4 feet. A 4 foot reduction in the rear setback is requested. Approval would result in an 8.3 foot rear setback/utility easement. The applicant is also seeking a utility easement reduction. An existing utility easement reduction must be approved by the City Council.

Zoning Ordinance Regulations. The Village at Hendrix is regulated by the Traditional Neighborhood Design Overlay Ordinance. This Overlay Ordinance can be seen as an extension of the zoning ordinance. The TND Overlay specifies a 3 foot minimum rear setback for this lot and others in the T4 zone. However, a plat was filed in October 2016 creating a 12.3 foot building setback and utility easement. Therefore, a zoning variance is requested to clarify the allowed rear setback.

Requested Variance. A 4-foot reduction in the platted 12.3 foot rear setback for Lot 95 RR, Village at Hendrix, Phase 1 Replat of 95R-103R, 104R-A, 104R-B.

Basis of Variance.

The Planning Commission acting as the Board of Zoning Adjustment, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue



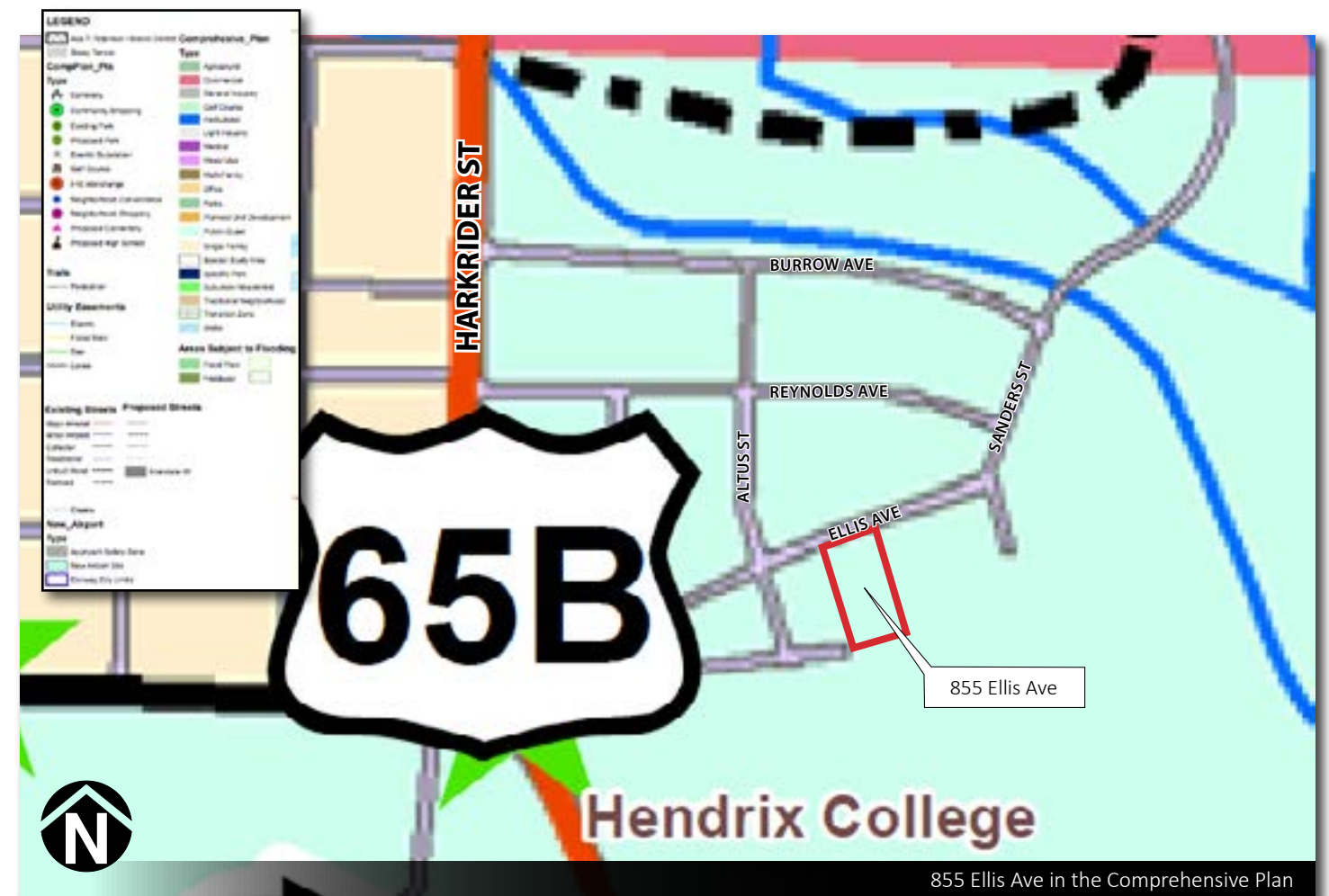
hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to insure compliance and protect adjacent property.

STAFF COMMENTS

The recorded setback as shown on the October 2016 re-plat can be seen as recorded in error. A 3 foot minimum setback is allowed per the Traditional Neighborhood Overlay ordinance. As evidenced throughout the Village at Hendrix, there are many residences with rear garages fronting alleys at or around 3 feet from the rear property line. Granting this variance will give the applicant the ability to have a similar small rear alley setback.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this rear setback variance.



D3 REQUEST TO REZONE FROM A-1 TO R-1 1350 FAVRE LANE

HAL CRAFTON REQUEST TO REZONE FROM A-1 (AGRICULTURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL)

APPLICANT

Central Arkansas Surveying
1021 Front Street
Conway AR 72032

STAFF REVIEW BY

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

SITE DATA

Location. 1350 Favre Lane. North side of Favre Lane across from Bramblebush Drive.

Site Area. ±2.92 acres.

Current Zoning. A-1 (Agricultural)

Requested Zoning. R-1 (Single Family Residential)

Existing Structures. One single-family residence.

Overlay. None.

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

Projected Traffic Impact. With the existing A-1 zoning and maximum allowed buildout of 2 houses, around 20 vehicle trips per day can be expected. With a rezoning to R-1 and developed with 13 single family residences, around 130 vehicle trips per day should be generated.

Flood/Drainage. The property is not within any FEMA flood zones.

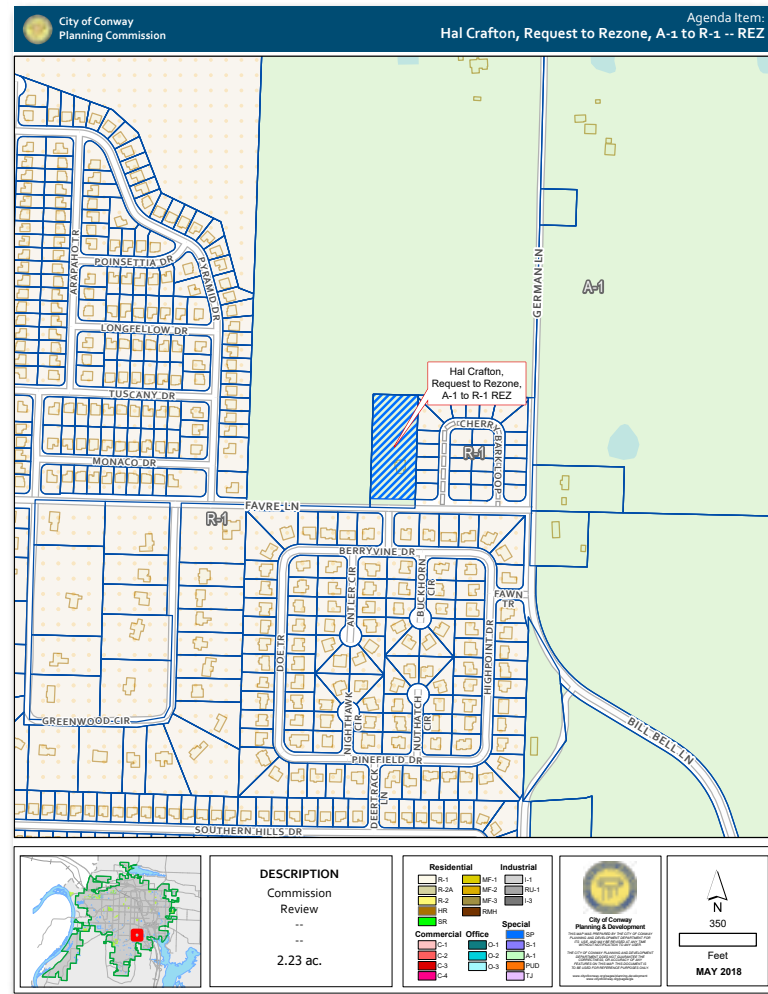
Utilities. Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

Street Improvement. No area street improvements are planned in the near future.

Conway 2025. Conway 2025 does not contain any specific statements directly applicable to this request.

STAFF COMMENTS

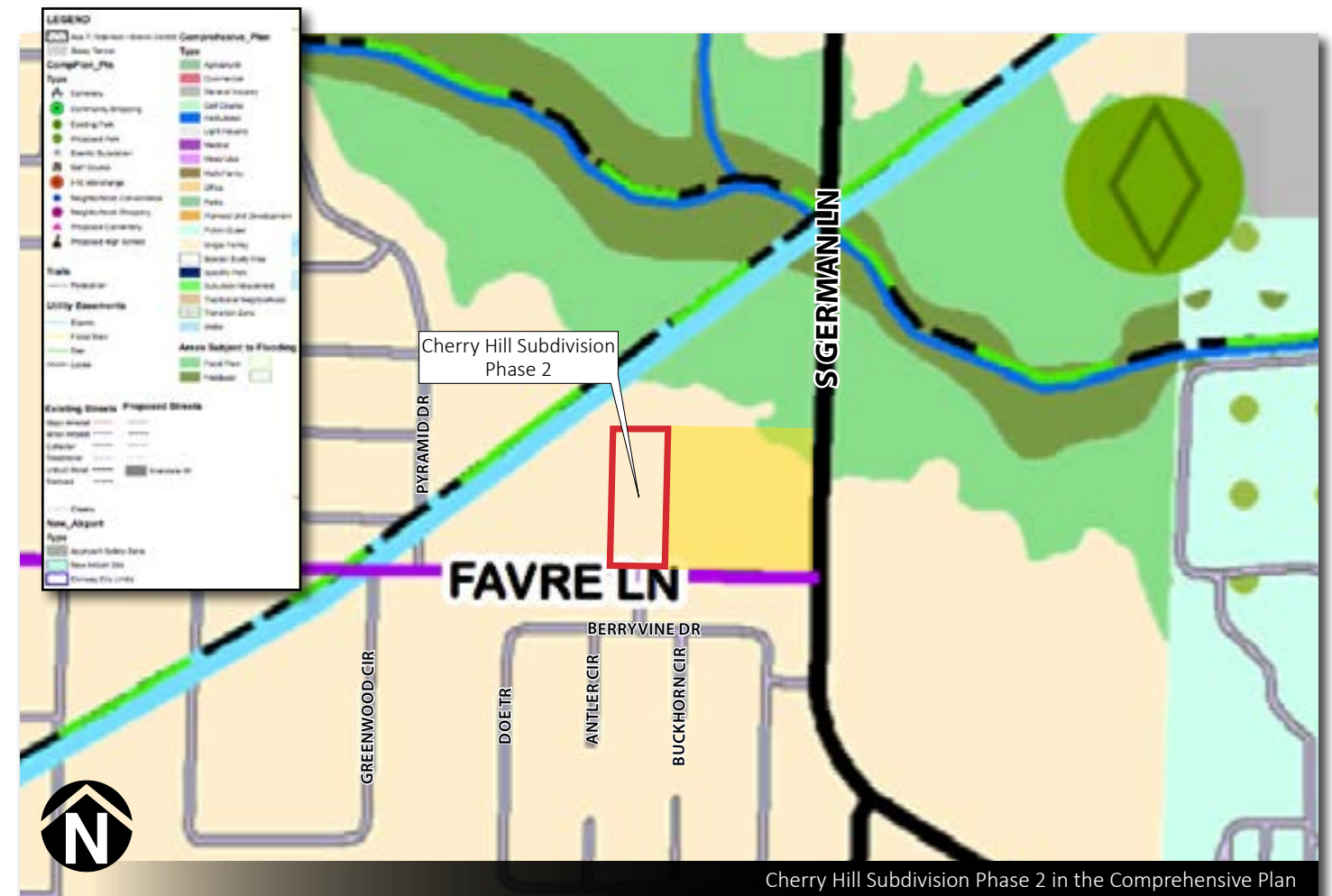
The applicant is seeking a rezoning from Agricultural to Single Family Residential in order to construct phase 2 of Cherry Hill Subdivision. After initial rezoning and platting of Cherry Hill Subdivision, this property became available. The developer is seeking a rezoning to coordinate the property with Cherry Hill Phase 1.



STAFF RECOMMENDATIONS
Planning Staff recommends approval of this rezoning request.



Aerial View of Cherry Hill Subdivision Phase 2



Cherry Hill Subdivision Phase 2 in the Comprehensive Plan

D4 REQUEST TO REZONE FROM C-3 TO PUD 850 SIMON STREET

LINN REQUEST TO REZONE FROM C-3 (HIGHWAY SHOPPING DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) PROPERTY LOCATED AT 850 SIMON STREET

APPLICANT

Bill Adkisson on behalf of Danny and Linda Linn
711 Locust Avenue
Conway, AR 72034

STAFF REVIEW BY

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

SITE DATA

Location. 850 Simon Road. Property formerly operated as an auto salvage yard on the east side of Simon Road south of East Oak Street.

Site Area. ±1.64 acres.

Current Zoning. C-3 (Highway Shopping District)

Requested Zoning. PUD (Planned Unit Development)

Existing Structures. None.

Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential however, the property in question and abutting properties are zoned C-3 or PUD.

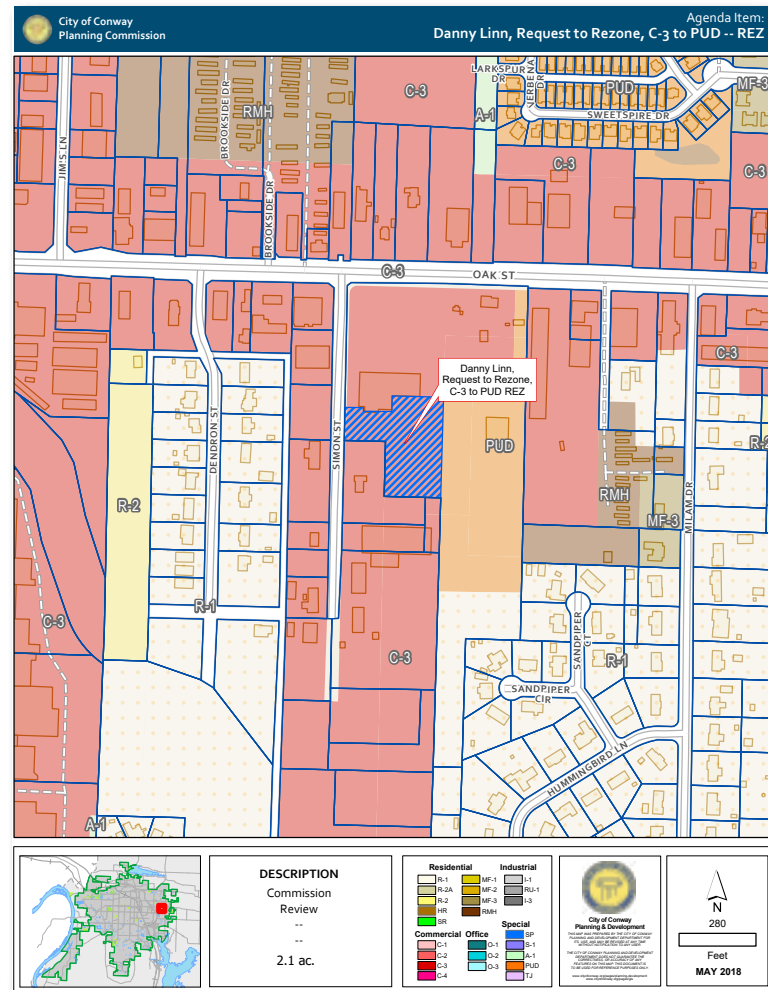
Projected Traffic Impact. Under current C-3 zoning and developed with the maximum sized shopping center, 1715 vehicle trips per day could be expected. With a rezoning to PUD and developed as proposed as a metal recycling machinery yard, 106 vehicle trips per day could be expected.

Flood\Drainage. A portion of the northwest corner of the property contains FEMA flood plain zone. Structures may be constructed in the flood plain, however the finished floor elevation must be set at an appropriate height.

Utility Infrastructure. There is ample utilities in the area to serve the PUD project. No additional water or sewer are needed at this time. Conway Corporation will provide additional electrical power.

Street Improvement. There are no area public street improvements planned in the near future.

Conway 2025. Not directly applicable

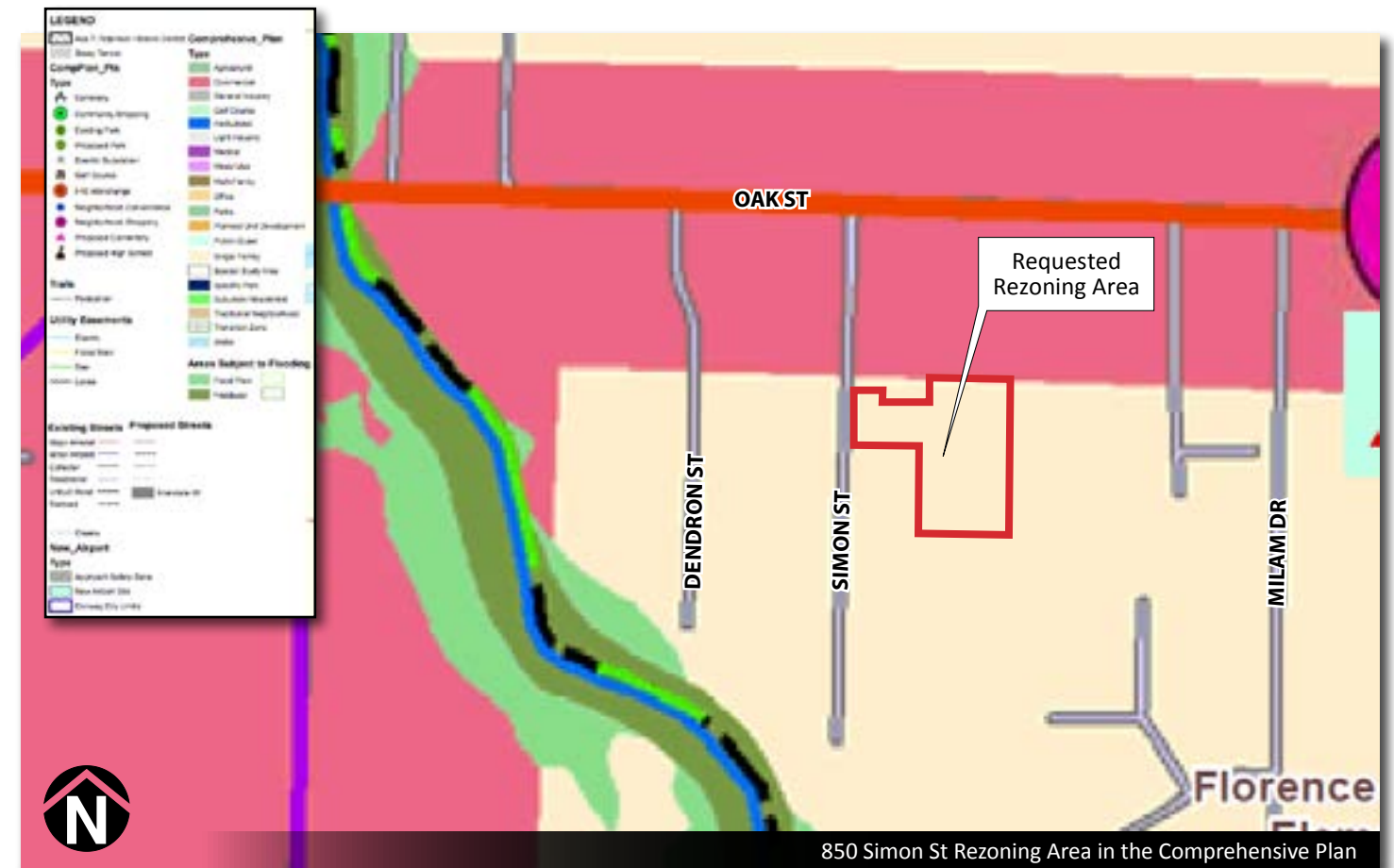


STAFF COMMENTS

This project would allow an expansion of the JSI metal recycling business. Currently, JSI operates on the property immediately to the west. The applicant has provided the following information:

"The Linns have for the past forty-seven (47) years been in the business of buying and selling damaged vehicles under contract with insurance companies. Over the years the business changed, and insurance companies now dispose of these damaged vehicles through auto auction companies rather than contractors such as the applicants. In 2012, the City of Conway approved their request for a PUD which allowed them to use 6.2 acres on the east side of their overall 17.6 acre tract for the recycling of metals and non-ferrous materials. That land is identified on the attached Exhibit A with yellow boundaries. Through their current application for a planned unit development, they now seek to expand the area to be used for recycling of metals and nonferrous materials to the property described above (shaded in green on the exhibit), which is adjacent to the existing PUD property to the east and their administrative offices to the north.

The Linns do not expect the expanded recycling activities to add any additional noise or other potentially disruptive consequences than those which they have conducted on this site for many years. These activities, if approved, will be taking place during regular business hours, approximately 7:00 a.m. to 6:00 p.m., and possibly 7:00 a.m. to 1:00 p.m. on Saturdays. Following the approval of the original



D4 REQUEST TO REZONE FROM C-3 TO PUD 850 SIMON STREET

2012 PUD, they have had one complaint about noise from the nearest residential neighbor to the east, but that landowner later determined that the noise about which he complained was coming from the highway construction on Interstate 40 to the west, and apologized to the Linns. The Linns are participating as a member in the ISRI, the Institute of Scrap Recycling Industries, have complied with the rules and regulations of that association, and will continue to do so in the operation and use of the expansion area if approved by the City of Conway.

As required by the PUD ordinance, this plan includes the dedication of twenty percent of the property (20% of 1.64 acres, or .33 acre), in the PUD area to green space. As shown in green on Exhibit B, the proposed green space lies immediately south of the green space shown in yellow dedicated in the 2012 PUD. This land has essentially been used for this purpose since the Linns have been in operation at this site as an accommodation to the residential subdivision owners to the south and east."

The Linn's auto salvage business operated, as allowed by right, in a C-3 zone. In 2012, their business model changed to metal recycling. Scrap material handling is not allowed in a C-3 zone and is considered intensive manufacturing requiring an I-3 Intensive Industrial Zone. At that time, Planning Staff recommended that the zoning be changed to PUD in order to customize the zoning to fit the new business instead of rezoning the property to I-3. There are residences and commercial businesses in the area. I-3 allowed uses were not seen as favorable for the area.

PUD Specific Requirements. Below is an examination of requirements specific to PUD zoning requests. Due to the unique nature of the requested PUD, many of the requirements as listed in the Zoning Ordinance are not applicable:

- 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 expansion would not create any additional public or internal street networks.
- Sidewalk System - Unless there are outstanding reasons that warrant otherwise, all internal streets within the PUD shall include pedestrian sidewalks. The proposed PUD is industrial in nature and pedestrian activity within the PUD is not necessary or recommended.
- Common Space - The incorporation of plazas, courtyards, and other outdoor spaces for people to gather is encouraged. No common space is necessary or recommended for this PUD.

- 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 permeable area set aside for open space or landscaping. The 2012 PUD set aside a portion of vacant land on the south side of the PUD as 20% green space. Additional vacant property equal to 20% will be added to the original required green space.
- Property Owners Association - PUDs may require the formation of a property owners association to oversee the upkeep of common areas and green spaces. No property owners association is needed for the requested PUD.
- 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 May 8, 2018 at City Hall. This meeting is a technical meeting between the applicant and city officials to determine any technical development issues. Discussion centered on utilities, specifically electrical utilities.

A public input meeting is scheduled on May 17, 2018 at JSI offices at 850 Simon Street.

- 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 - No platting or development review will be required as the property will be used for additional recycling machinery and no new structures are to be built at this time.

STAFF RECOMMENDATIONS

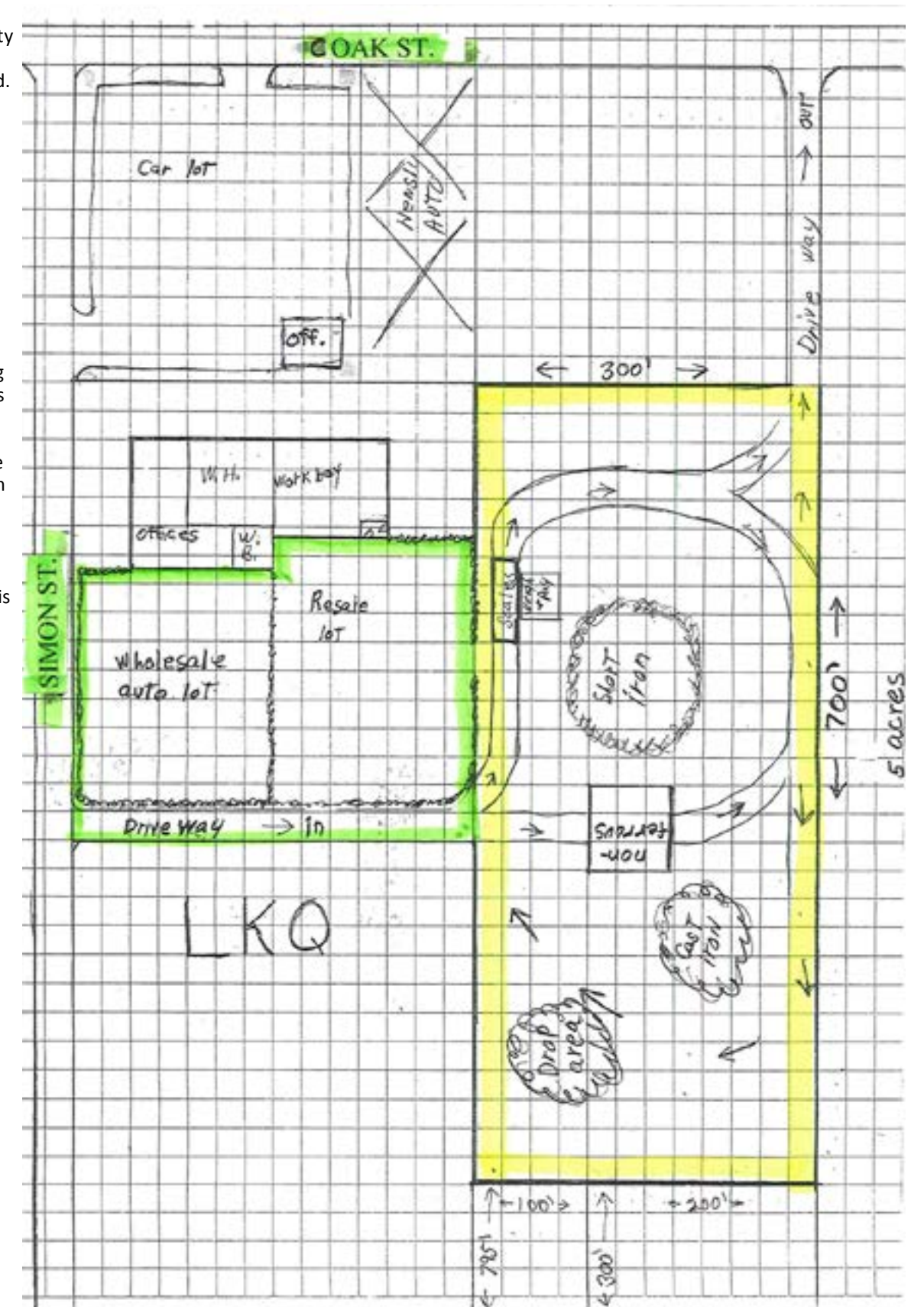
Planning Staff is not aware of any complaints associated with the JSI recycling business. An expansion of this use would seem appropriate based on other area uses including auto salvage and repair.

Suggested PUD Final Development Plan Conditions. A list of conditions that were applied to the original 2012 PUD are presented below. These same conditions could be extended to cover the PUD expansion property.

2012 PUD Conditions

1. Hours of operation shall be from 7:00 am until 6:00 pm Monday through Friday and possibly 7:00 am to 1:00 pm on Saturdays.
2. Ingress/egress – A curb cut shall be allowed on East Oak Street as presented. A drive access from Simon Street is also allowed.
3. Outdoor sound system must comply with Conway codes.
4. Metal buildings shall be allowed as part of this PUD.
5. Green space – 20% of the PUD area shall be set aside as green space/buffer as shown on the submitted site plan.
6. Signage – Any new signage shall conform with current Conway sign regulations.

7. Sidewalks, common space, and a property owner's association shall not be required.
8. An existing metal canopy can be used elsewhere on site.
9. Driveway shall be allowed within 100 feet of the property line.
10. Site is to be used for the recycling of metal and non-ferrous materials, and the necessary and related handling of these materials as defined in the PUD application.
11. Landscaping shall be limited to 20% green space area only; no further is required.
12. Parking Lot Ordinance shall not be enforced; gravel is permitted.



D5 REQUEST TO REZONE FROM A-1 TO RU-1 1550 E DAVE WARD DRIVE

CONWAY MALY PROPERTIES REQUEST TO REZONE FROM A-1 (AGRICULTURAL) TO RU-1 (RESTRICTED USE) PROPERTY LOCATED AT 1550 E DAVE WARD DRIVE

APPLICANT
 Holloway Engineering on behalf of Conway Maly Properties
 200 Casey Dr
 Maumelle, AR 72113

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

SITE DATA
Location. 1550 East Dave Ward Drive. North side of Dave Ward Drive immediately east of the Conway VA Clinic.

Site Area. ±10.5 acres.

Current Zoning. A-1 (Agricultural)

Requested Zoning. RU-1 (Restricted Use)

Existing Structures. None.

Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential. Abutting property to the west is shown as appropriate for industrial with commercial further west around the I-40 Dave Ward Drive intersection.

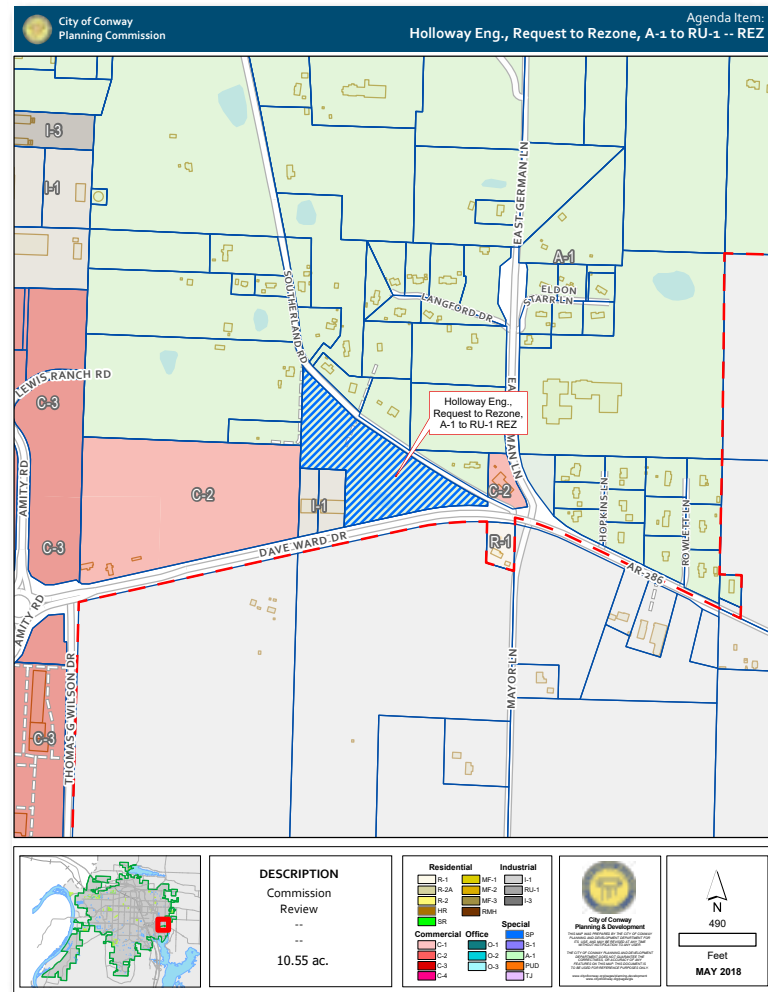
Projected Traffic Impact. With the existing A-1 zoning and maximum allowed buildout of 10 houses, around 100 vehicle trips per day can be expected. With a rezoning to RU-1 and developed with mini-storage covering 40% of the property, around 457 vehicle trips per day should be generated. If developed as a large office park as allowed in RU-1, around 2013 vehicle trips per day could be expected.

Flood\Drainage. The property is not within any FEMA flood zones.

Utility Infrastructure. Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

Street Improvement. No area street improvements are planned in the near future.

Conway 2025. Conway 2025 does not contain any specific statements directly applicable to this request.



STAFF COMMENTS

The applicant is seeking a rezoning from Agricultural to Restricted Use in order to construct a mini storage facility. RU-1 basically allows office use by right with many additional land uses available with a conditional use permit including mini-storage. The applicant is also seeking a conditional use permit on this same agenda (Item D6). Properties to the west are zoned I-1 (Light Industrial) and C-2 (Neighborhood Commercial). The convenience store at the intersection of Southernland and Dave Ward is zoned C-2. Property to the north is zoned A-1 (agricultural). Property to the south is outside the city limits in the county with no zoning. This area along Dave Ward Drive will see increased pressure for rezoning to commercial uses. Some degree of additional commercial use would seem reasonable; however, the area should not be allowed to “strip out” with commercial activity creating large amounts of traffic and traffic conflicts. The triangular property in question has an existing conditional use permit to allow a church. Mini-storage typically does not create large amounts of traffic and could be seen as a “tapering” down of commercial activity traveling eastward on Dave Ward Drive.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this rezoning request.



Proposed minor replat of property currently being reviewed by Planning Staff

LEGEND

Property Line	4/8" = 1' (Double Line)
Adjacent Property Line	4/8" = 1' (Single Line)
Survey Line	4/8" = 1' (Single Line)
Right-of-Way Line	4/8" = 1' (Double Line)
Utility Line	4/8" = 1' (Single Line)
Water Line	4/8" = 1' (Single Line)
Gas Line	4/8" = 1' (Single Line)
Electric Line	4/8" = 1' (Single Line)
Telephone Line	4/8" = 1' (Single Line)
Other Utility Line	4/8" = 1' (Single Line)
Survey Station	4/8" = 1' (Single Line)
Corner Mark	4/8" = 1' (Single Line)
Iron Nail	4/8" = 1' (Single Line)
Concrete Monument	4/8" = 1' (Single Line)
Other Monument	4/8" = 1' (Single Line)
Survey Error	4/8" = 1' (Single Line)
Other Error	4/8" = 1' (Single Line)

GENERAL NOTES

- This replat is based on the survey conducted by the engineer on the date shown on the title block.
- The replat is subject to the approval of the Faulkner County Planning Commission and the Faulkner County Board of Commissioners.
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THIS PLAT

VICINITY MAP

REPLAT OF LOT 3 MAYOR'S PLACE REPLAT TO LOTS 3A & 3B CITY OF CONWAY, FAULKNER CO., ARKANSAS 12/29/2017

LEGAL DESCRIPTION

CERTIFICATE OF SUBDIVISION ACCURACY

PLAT STATEMENT

SURVEYOR

HOLLOWAY ENGINEERING
Surveying & Geomatics, LLC
1000 N. Highway 101, Conway, Arkansas 72032
Phone: (501) 326-1111
Fax: (501) 326-1112
www.holloway-engineering.com

Replat of Lot 3
Mayor's Place Replat to Lots 3A & 3B
City of Conway, Faulkner County, Arkansas
For: Conway Properties, LLC

D6 REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW MINI-STORAGE IN RU-1

CONWAY MALY PROPERTIES REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW MINI-STORAGE IN RU-1 FOR PROPERTY LOCATED AT 1550 E DAVE WARD DR

APPLICANT

Holloway Engineering on behalf of Conway Maly Properties
200 Casey Dr
Maumelle, AR 72113

STAFF REVIEW BY

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

SITE DATA

Location. 1550 East Dave Ward Drive. North side of Dave Ward Drive immediately east of the Conway VA Clinic.

Site Area. ±10.5 acres.

Current Zoning. A-1 (Agricultural), request to rezone to RU-1 on this agenda.

Requested Conditional Use. Mini-Storage

Existing Structures. None.

Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential. Abutting property to the west is shown as appropriate for industrial with commercial further west around the I-40 Dave Ward Drive intersection.

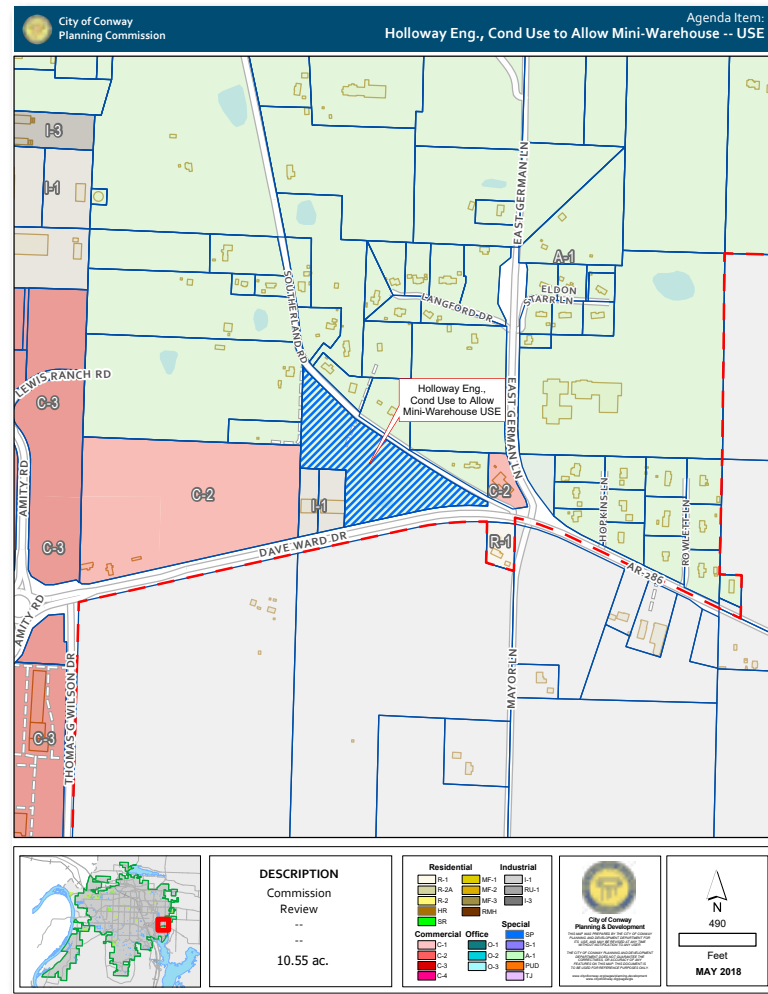
Projected Traffic Impact. With the existing A-1 zoning and maximum allowed buildout of 10 houses, around 100 vehicle trips per day can be expected. With a rezoning to RU-1 and developed with mini-storage covering 40% of the property, around 457 vehicle trips per day should be generated.

Flood\Drainage. The property is not within any FEMA flood zones. The Planning Department is not aware of any flooding problems on this property.

Utility Infrastructure. Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

Street Improvement. No area street improvements are planned in the near future.

Conway 2025. Conway 2025 does not contain any specific statements directly applicable to this request.



STAFF COMMENTS

The applicant is seeking a conditional use permit in addition to the previous RU-1 rezoning request. This area along Dave Ward Drive will see increased pressure for rezoning to commercial uses. Some degree of additional commercial use would seem reasonable; however, the area should not be allowed to “strip out” with commercial activity creating large amounts of traffic and traffic conflicts. The triangular property in question has an existing conditional use permit to allow a church. Mini-storage typically does not create large amounts of traffic and could be seen as a “tapering” down of commercial activity traveling eastward on Dave Ward Drive.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit request with conditions as seen as appropriate by the Planning Commission. There are 3 residences in the vicinity across Southerland Road. Conditions could be crafted to help the mini-storage blend with these residences.

Recommended Conditions.

1. Hours of operation?
2. Existing trees along Southerland Road shall be retained as much as possible. Tree removal shall be reviewed as part of Planning Staff development review.

