

The regular meeting of the Conway Planning Commission was held Monday, October 21, 2019 in the Russell L. "Jack" Roberts District Court Building. The following members, being a quorum, were present and acting: Chairman Justin Brown, Brooks Freeman, Dalencia Hervey, Bryan Quinn, Brandon Ruhl, Brian Townsend, and Anne Tucker, and Rhea Williams. Arthur Ingram and Latisha Sanders-Jones were absent.

Minutes from the September meeting were approved 7-0 on a motion made by Anne Tucker and seconded by Rhea Williams.

I. SUBDIVISION REVIEW

The Commission voted 7-0 to approve the report from the Subdivision Committee meeting as presented by Brandon Ruhl.

A. Request for preliminary plat approval – Longing Round Mountain Subdivision

The preliminary plat for the Longing Round Mountain Subdivision was reviewed and approved, with conditions, by the Subdivision Committee subject to completion of the amended punch list.

The following items required correction on the plat:

1. Show all hydrant locations.
2. Corrections as noted on the Preliminary Plat.

Conditions:

1. Distance of proposed dead-end street shall be reduced to a maximum distance of 1,120 feet to the nearest point of access.
2. Proposed dead-end fire apparatus turnaround shall be located within the proposed platted boundary of the subdivision.
3. Preliminary Plat approval from all reviewing agencies shall be obtained.
4. 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.
5. 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.
6. Minimum clearance of twenty-six (26) feet must be provided around a hydrant.
7. Utility easements as required by Conway Corporation are needed.
8. Drainage easements as required by the City Engineer are needed.
9. All other applicable provisions of the City of Conway Subdivision Ordinance (#O-00-03) shall be satisfied and accounted for prior to Preliminary Plat approval.
10. 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.

II. PUBLIC HEARINGS

A. Request for zoning variance to allow increased total accessory building area for property located at 607 Davis Street

James Walden, Director of Planning, explained that the zoning variance request is justifiable as the lot is larger than most in the vicinity at nearly half an acre and this form of accessory structure development is normal in the Historic District within which the property is located. These factors, coupled with the code requirement, limiting total accessory structure area to no more than 50% of the footprint under roof of the main structure, not considering multiple stories typical in this historic area, make the request reasonable and the Planning Staff recommends approval. He also noted that the Historic District Commission had already reviewed the design and placement of the proposed accessory structure. Steve Hurd (607 Davis St) spoke in

favor of the request and offered to answer any questions. He mentioned that there had previously been a larger accessory structure on the property, but it had fallen into disrepair and was removed prior to him purchasing the property. He is formally merging the 3 lots which comprise the property.

The public hearing was closed and presented to the Commission for discussion. The request was approved 7-0 on a motion made by Bryan Quinn and seconded by Brian Townsend.

B. Request for zoning variance to allow reduced minimum lot size in the S-1 zoning district for properties located at 1920 South Blvd and 212 Baridon St

James Walden explained that Planning Staff has directed the applicant to seek S-1 zoning for the property, which is most appropriate for the proposed use. However, when the S-2 zoning district was removed from the Zoning Code, converting all S-2 properties to S-1, there was not a related change to the Zoning Code to reduce the minimum lot requirement to less than 1 acre. As such, the Planning Staff recommends approval of the variance request. Ryan Scantling (2250 Linda Dr), representing the Baptist Collegiate Ministry (BCM) spoke in favor of the request.

Scott McGarrell (218 Baridon St) spoke in opposition to the request. Mr. McGarrell is opposed to the scale of the proposed building in relation to the context of the neighborhood and the student housing that is proposed in the building. He is also concerned about additional traffic and noise. Mr. McGarrell said he had been told that if the BCM's request was denied, the University of Central Arkansas would build the facility and lease it back the BCM. Mr. Walden explained that UCA, as an Arkansas State agency, would not be subject to the same review/approval processes as the BCM. Aaron Penn (217 Mitchell St) spoke in opposition to the request. Mr. Penn is concerned about increased traffic and noise as well as a decline in his property value.

The public hearing was closed and presented to the Commission for discussion. The request was approved 7-0 on a motion made by Bryan Quinn and seconded by Dalencia Hervey.

C. Request to rezone from R-2A to S-1 properties located at 1920 South Blvd and 212 Baridon St

James Walden explained the request to rezone to S-1 (Institutional) for the purpose of constructing a student religious facility. Some appropriate uses in the S-1 zone include schools and day care centers. The Comprehensive Plan indicates R-1 for the area. A rezoning to S-1 would bring a modest increase in traffic, but the street has the capacity to handle the increase based on current traffic count estimates. Given the site's proximity to UCA the request seems appropriate, but Planning Staff is sensitive to the issue of a college campus encroaching on single-family neighborhoods. Mr. Walden noted that given this route of review, Planning Staff, the Historic District Commission, and area residents have some input regarding the project whereas if UCA takes over the property and the project, the City of Conway will have no oversight. Planning Staff recommends approval of the request. Ryan Scantling (2250 Linda Dr), representing the Baptist Collegiate Ministry (BCM) spoke in favor of the request. Mr. Scantling explained the BCM's desire to build their own facility and not lease long term, since selling their previous property on Bruce St to UCA. He went on to describe the services offered to students by the BCM. Mr. Scantling cited some nearby uses that are similar in intensity and program to the BCM's request. He also explained that the floor plan, rooftop placement of air conditioning units, and parking were all designed in an effort to minimize the impact on surrounding properties. Micah Walter (797 Howard Ln) spoke in favor of the request. She is a UCA student who shared her experience with the BCM and the importance of having a student ministry building on campus.

Allison Wallace (532 Faulkner St) spoke in opposition to the request. Ms. Wallace is concerned about area churches and UCA "eating up" properties in the historic Old Conway area. She is also most concerned with the student housing component of the proposed facility. She feels that area property owners are "far more permanent" residents than college students. Shane Lindsey (221 Baridon St) spoke in opposition to the request. Mr. Lindsey is concerned with declining property value and increased traffic. Tracy Buchanan (422

Conway Blvd) spoke in opposition to the request. She is concerned about adverse economic effects given current occupancy rates of area apartment developments versus property ownership. Aaron Penn (217 Mitchell St) spoke in opposition to the request. Mr. Penn noted that the similar student ministry center use to the west of the subject property is a single-story residence that has been repurposed. He objects to the size of the proposed structure and feels that it does not fit with the other area structures.

The public hearing was closed and presented to the Commission for discussion. Mr. Walden explained, in response to a question from the Commission, that while conditions cannot be placed on the property as part of the rezoning process, the project will be subject to Historic District Commission review/approval during which conditions such as landscaping, screening, etc. can be added. There was some further discussion about uses of the property in the future, should the BCM leave. Mr. Walden explained that those uses would be very limited given the ratio of parking to the size of the structure and would most likely be another university-related use. The request was recommended for approval 7-1 on a motion made by Brian Townsend and seconded by Dalencia Hervey; Justin Brown voted in opposition.

D. Request for conditional use permit to allow restricted, general, and high-impact retail in the I-3 zoning district for property located at 815 Exchange Ave

James Walden described the site and explained that due to declining interest for industrial uses, much of the Industrial Park area is being rehabilitated to tenant lease spaces for commercial use. The traffic generated by the most intense use allowed by high-impact and general retail, a restaurant, can be handled by the surrounding streets. Planning Staff recommends approval including the conditions listed in the staff report. Jason Covington (2400 Robinson Ave) spoke in favor of the request. He described that the original warehouse use of the property is on the decline so it is being repurposed primarily for office use.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, including the conditions listed below, 7-0 on a motion made by Rhea Williams and seconded by Brian Townsend.

Conditions:

1. Any uses which require outside display of goods unscreened from public view shall not be permitted.
2. Any outside storage of materials, goods, or equipment shall be placed behind opaque screening or fence that is at least 6 feet in height and no greater than 8 feet in height.
3. Any expansion or additions to the structure shall require an amended or new conditional use permit.

E. Request to rezone from R-2A to PUD properties located at 2001 and 2011 Tyler St

Levi Hill, Assistant Director of Planning, explained that the applicants are requesting rezoning and approval of a planned unit development for the purpose of operating a specialty grocery/goods retail store, community/education event space, garden, and single-family residence. Planning Staff recommends approval of the request. Kim Doughty (2001 Tyler St) and husband, Zack McCannon, spoke in favor of the request. She explained their plan to convert 2011 Tyler St into a small, local grocery which will provide local produce to the community and provide local, small farm families with another market for their goods. Shane Lindsey (221 Baridon St) spoke in favor of the request. Mr. Lindsey operates a small, local farm. Tracy Buchanan (422 Conway Blvd) spoke in favor of the request. Angela and Alan Mahan (484 Rabbit Ridge Rd, Bee Branch), owners of Rabbit Ridge Farms, spoke in favor of the request. Sandra Leyva (2125 Hickory St) spoke in favor of the request. Ms. Leyva is the director of a local non-profit that supports small farmers. She also noted the benefit the store will be to Faulkner County Library patrons. Jan Span (4 Ironwood Dr) spoke in favor of the request. Sarah Bryan (1704 Mill St) spoke in favor of the request. John McGraw (196 Scenic Hill Rd) spoke in favor of the request. Mr. McGraw is the Director of the Faulkner County Library, just across Tyler St from the subject property. He offered the library parking lot as overflow parking should it be needed. Molly Walchuk (825 Ellis Ave) spoke in favor of the request. Allison Wallace (532 Faulkner St) spoke in favor of the request. Ms. Wallace shared how connections made in small businesses and over food

connect community members.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, including the list of approved uses and conditions as outlined in Exhibit A (attached to these minutes), 7-0 on a motion made by Bryan Quinn and seconded by Rhea Williams.

F. Request to amend the Matthews Meadows PUD Final Development Plan to allow density of 12 units/acre

Levi Hill explained the request to modify the conditions of the Matthews Meadows PUD which was approved in September 2017, to assign underlying zoning regulation to the most northeasterly lot of the development, along Lower Ridge Rd. Originally the lot was earmarked for commercial use, but is now requested to be developed as multi-family with a density of 12 units per acre with a total of 18 units in 9 buildings. The development will be served by a new private drive from Matthews Meadows Ln. Planning Staff recommends approval of the request with some conditions to help maintain compatibility with surrounding uses. David White with The Tyler Group (240 Skyline Dr), spoke in favor of the project on behalf of the developer. Mr. White noted that the developer is also proposing 6 duplexes/12 units (Azalea Loop Duplexes) on the property immediately to the east, which will be connected by the same private drive between Matthews Meadows Ln and Azalea Lp. Daniel Ryan (18 Azalea Lp) spoke in opposition to the request. Mr. Ryan expressed concerns with the increase in traffic. Deborah Williams (55 Lower Ridge Rd) spoke in opposition to the request. Ms. Williams' concerns focused on traffic and the possible future improvements to Lower Ridge Rd. Jeremiah Johnson (16 Azalea Lp) spoke in opposition to the request. Mr. Johnson shared concerns for increased traffic and the speed of vehicular traffic.

The public hearing was closed and presented to the Commission for discussion. Levi Hill addressed some concerns by explaining that all right of way dedication for future Lower Ridge Rd improvements has already taken place, sidewalks will be installed along Lower Ridge Rd as part of this project, and the Planning Staff recommendation to only allow access from the new drive connecting Matthews Meadows Ln and Azalea Lp was in an effort to minimize traffic impact along Lower Ridge Rd. The request was approved, with conditions, 7-0 on a motion made by Anne Tucker and seconded by Brian Townsend.

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. Minimum 9' ceilings.
6. No accessory structures shall be permitted outside the envelope of the required primary structure setbacks.
7. Plans must be approved through development review prior to issuance of building permits.
8. Platting shall be required.
9. Access shall be limited to Matthews Meadows Ln.
10. The fronts of the units shall be oriented to Lower Ridge Rd with garages located on the rear of the structures.
11. No parking shall be visible from public right of way.
12. Enhanced landscaping shall be provided along street frontage and at the rear of the property. Minimum of one canopy tree every 20 feet. Additional hedge/bush row shall be provided to screen parking, mechanical equipment, or dumpster/trash enclosures.

G. Request to rezone from A-1 to R-1 and C-2 +/-23.56 acres located at Museum Rd and Lower Ridge Rd

Levi Hill explained the request to rezone for the purpose of developing the majority of the property as approximately 100 single-family lots and the remaining +/-2.76 acres at the corner of Museum Rd and Lower Ridge Rd as neighborhood commercial. The request is consistent with the Comprehensive Plan for the area

and while the traffic impact from this development could be significant this increase is largely due to the lack of traffic created by the existing use of the property. The Planning Staff recommends approval of this request. Frank Shaw spoke in favor of the request. Mr. Shaw echoed that the request is consistent with the Comprehensive Plan. He explained that the commercial area on the corner is intended for a convenience store and possibly another neighborhood commercial use as there is no neighborhood convenience in the nearby area. Daniel Ryan (18 Azalea Lp) spoke in opposition to the request. Mr. Ryan was not opposed to the rezoning for residential uses, but was opposed to the proposed commercial use. Jeremiah Johnson (16 Azalea Lp) spoke in opposition to the request. Mr. Johnson noted that commercial use was denied less than a mile to the east, at the entrance to Matthews Meadows Subdivision.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval 7-0 on a motion made by Brandon Ruhl and seconded by Brooks Freeman.

H. Request for conditional use permit to allow an automobile service station in the C-2 zoning district for +/- 2.76 acres at Museum Rd and Lower Ridge Rd

Levi Hill explained that the proposed convenience store with fuel pumps is consistent with the Comprehensive Plan and the Planning Staff recommends approval with suggested conditions included in the staff report. Mr. Hill noted that the Planning Commission could consider conditioning the hours of operation, but Planning Staff has not offered a recommendation. Frank Shaw spoke in favor of the request. Mr. Shaw repeated that the proposed commercial node at the corner of Museum Rd and Lower Ridge Rd is consistent with the Comprehensive Plan and a neighborhood convenience store would serve some traffic that would otherwise go to Skyline Dr/Hwy 65 or Oak St/Hwy 64. He noted that without the commercial component the project is not financially feasible. There was some discussion about conditions for hours of operation without knowing the end use. James Walden recapped the suggested conditions with modifications requested by the Planning Commission. He also suggested an additional condition, that the conditional use permit have a sunset or expiration date. The Planning Commission was not in favor of this. Deborah Williams spoke in favor of the request. Daniel Ryan (18 Azalea Lp) spoke in opposition to the request.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, with conditions, 7-0 on a motion made by Bryan Quinn and seconded by Brian Townsend.

Conditions:

1. The use shall be subject to Development Review prior to issuance of building permits. Development Review shall be conducted by the Planning Commission; the Planning Commission shall have the authority to impose conditions on the site plan.
2. Access to the site shall be from Museum Rd only. Access to Lower Ridge Rd is prohibited.
3. Any expansions or additions to the structure as well as any changes to the use shall require an amended or new conditional use permit.

III. DISCUSSION

The Commission discussed forming nomination committee and ultimately decided that the entire Commission would serve as the nomination committee until the number of nominees was known. If too many are received for the large group to interview the Commission will make alternate plans.

IV. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. The following Development Reviews were completed since the last meeting

1. Detco, 1375 Thomas G. Wilson Dr (SIT2019AUG01)
2. Covington Tenant Building, 1110 Front St (SIT2019JUN01)

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

1. Replat Lots 17-19, Spencer Mountain at the Lake, Phase II (P2019-00048)

2. Winterbrook Phase III (P2019-00049)
3. Audubon Place Replat (P2019-00050)
4. Francisco Replat (P2019-00051)
5. Replat of Lot 2, Cedar Ridge Addition (P2019-00052)
6. Lisa Landing Subdivision (P2019-00053)
7. Pintail Cove Subdivision (P2019-00054)


C. Lot Splits, Lot Mergers, and Minor Subdivisions were submitted for review since the previous meeting.

1. Sylvia Springs (SUB2019SEP01)
2. Pintail Cove (SUB2019SEP02)
3. Matthews Meadows PUD Lot 155 (SUB2019OCT02)

Adjournment

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Anne Tucker and seconded by Brandon Ruhl.

Approved:



2019 Chairman, Justin Brown

EXHIBIT A



CITY OF CONWAY Planning and Development	1201 Oak Street Conway, AR 72032 T 501.450.6105 F 501.450.6144 www.conwayarkansas.gov
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October 18, 2019

BELL URBAN FARM PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN 2001 & 2011 TYLER STREET

Applicant:

Kim Doughty
Zachariah McCannon
2001 Tyler Street
Conway, AR 72032

Legal Description:

[Tract 1]

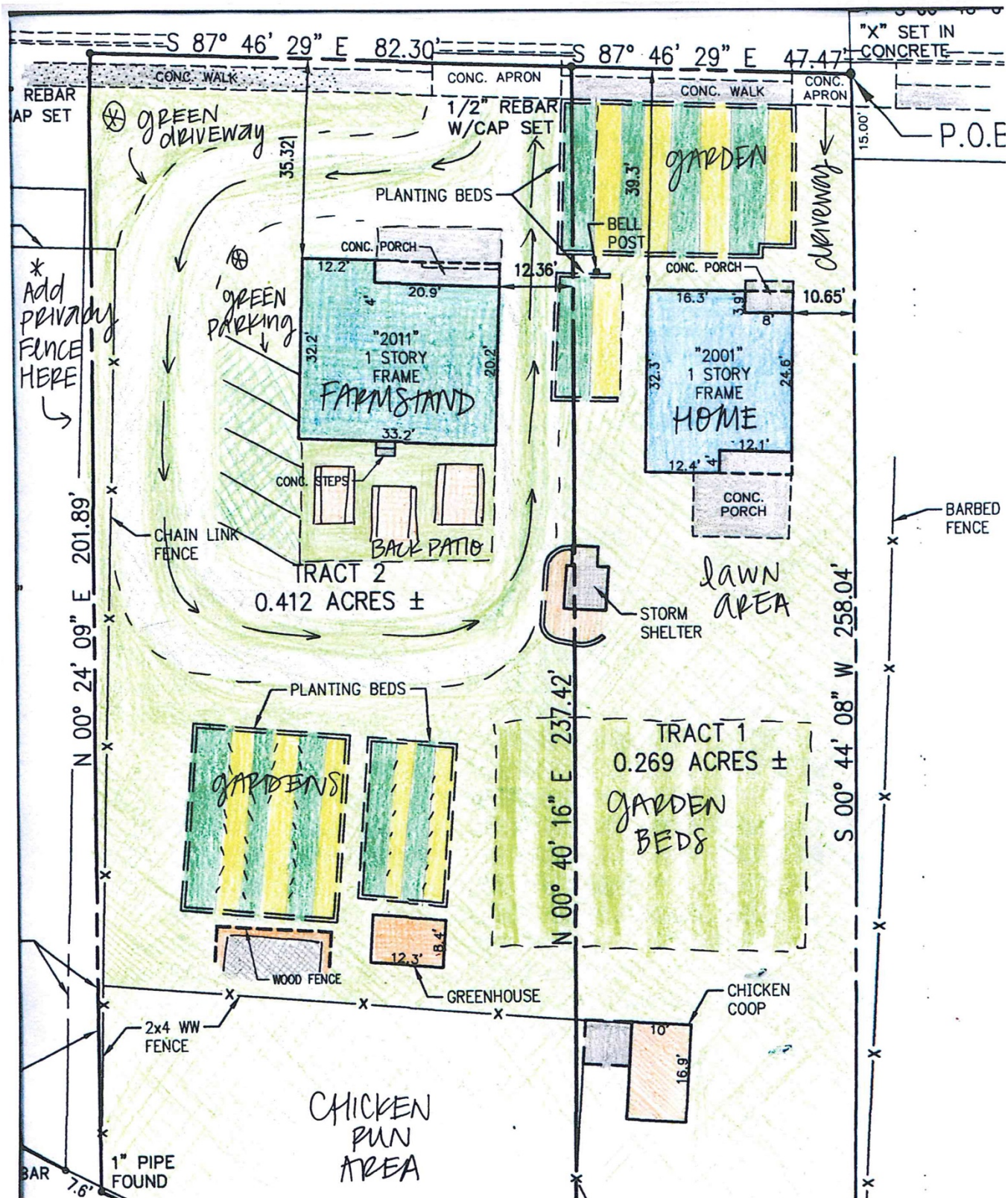
Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson's map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46'29" East 596.46 feet; thence South 00°48'04" West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44'08" West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25'06" West 52.00 feet; thence North 00°40'16" East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29" East 47.47 feet to the Point of Beginning, containing 0.269 acres, more or less.

[Tract 2]

Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson's map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46'29" East 596.46 feet; thence South 00°48'04" West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44'08" West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25'06" West 141.67 feet; thence North 00°24'09" East 201.89 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29" East 129.77 feet to the Point of Beginning; **Less and Except:** Part of Lot 1 of the SW ¼ NW ¼ Section 1 Township 5 North Range 14 West; as shown on B.G. Wilson's map of the City of Conway, Arkansas being more particularly described as follows: Commencing at the NW corner of the SW ¼ NW ¼ thence South 87°46'29" East 596.46 feet; thence South 00°48'04" West 20.00 feet to a point of on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44'08" West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25'06" West 52.00 feet; thence North 00°40'16" East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29" East 47.47 feet to the Point of Beginning, containing 0.412 acres, more or less.

Bell Urban Farm PUD Final Development Plan Conditions:

1. Permitted uses shall be limited to:
 - a. Specialty Retail/Grocery (2011 Tyler Street)
 - b. Community/Educational Event space
 - c. Greenspace/Garden
 - d. Single-Family Residence (2001 Tyler Street)
 - e. Excluding the approved uses listed above, R-2A zoning shall apply to the sites.
2. The City Council shall have the authority to revoke the PUD zoning if significant and verifiable complaints are received concerning the external impacts of the use specifically noise.
3. Excluding permitted uses, the rules of R-2A shall govern the site.
4. Applicant shall plat the property in accordance with the Subdivision Regulations.
5. Applicant shall submit plans for Development Review for all proposed site improvements in accordance with Section 1101 of the Zoning Code.
6. Business Hours shall be: Monday – Friday 10:00am to 7:00pm; Saturday 8:00am to 6:00pm; Sunday 10:00am to 3:00pm.
7. All deliveries shall occur during business hours.
8. Special events, including workshops and farm to table meals, may occur outside of regular business hours.
9. Parking shall be provided on-site; overflow parking provided by Faulkner County Library outside of library operation hours.



[Signature]

James Walden, AICP
Director of Planning & Development