

The regular meeting of the Conway Planning Commission was held Monday, November 18, 2019 in the Russell L. "Jack" Roberts District Court Building. The following members, being a quorum, were present and acting: Brooks Freeman, Dalencia Hervey, Bryan Quinn, Brandon Ruhl, Latisha Sanders-Jones, Anne Tucker, and Rhea Williams. Arthur Ingram, Brian Townsend, and Justin Brown were absent.

Minutes from the October meeting were approved 6-0 on a motion made by Bryan Quinn and seconded by Brooks Freeman.

I. PUBLIC HEARINGS

A. Request to annex +/-31.18 acres along Emphy Trail

James Walden, Director of Planning, explained that the annexation request is prompted by the Orchard Hills Subdivision, a 10-lot single family development, that is in progress. The property is contiguous to current city limits and some adjacent property owners are requesting annexation as part of the same petition. Conway Corporation water and electric service will be available to the property, but sewer will not. All reviewing agencies recommend approval of the request. Frank Shaw (1315 Main St) spoke in favor of the request. Mr. Shaw described the properties and owners that are part of the request and the utility improvements that are in progress. He noted that Conway Corporation has informed him that this addition to the City of Conway is the last in that area that can be served by the existing water infrastructure.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval 6-0 on a motion made by Rhea Williams and seconded by Dalencia Hervey.

B. Request to rezone from R-2A to PUD property located at 472 Ingram Street

Levi Hill, Assistant Director of Planning, explained the rezoning request and proposed development of 2 townhouses and 1 single-family residence for a total of 5 units. Access will be provided via a private drive from 4th St. Staff recommends approval with 6 suggested conditions included in the staff report. Bobby French (1021 Front St) with Central Arkansas Professional Surveying spoke in favor of the request on behalf of property owner, Theo Baughn. Brian Pruitt (411 Fourth St) spoke in opposition to the request. Mr. Pruitt is purchasing property adjacent to the east and mentioned a property boundary disagreement. He described a verbal agreement to take access to his property on the west side of his residence from the property at 472 Ingram St. The Commission explained that property boundary/access disagreements are not within their control.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval, including 6 conditions noted below, 6-0 on a motion made by Brooks Freeman and seconded by Dalencia Hervey.

Conditions:

1. Permitted uses shall be limited to 5 residential uses.
2. Buildings shall be of the following materials:
 - a. Brick/stone
 - b. Cement fiber board (Hardie Board)
 - c. Wood
 - d. Other materials as approved by the Planning Director.
3. No fences are allowed to exceed 3 feet in the front yard setback area.
4. No accessory structures shall be permitted.
5. Applicant shall plat the property in accordance with the Subdivision Regulations.
6. Applicant shall submit plans for Development Review for all proposed site improvements in accordance with Section 1101 of the Zoning Code.

C. Request to rezone from A-1 to C-3 property +/-7.0 acres located at 2505 Salem Road and 2890 Meadowlake Road

Levi Hill explained the applicants proposal to rezone the property to develop as self-storage and office uses. Staff notes that though the property is in close proximity to major arterials the majority of nearby development is residential in nature. While commercial development of this area could fill a void, several additional, relatively intense, uses are permitted by right in C-3 and thus staff suggests that the Planning Commission considered a revised rezoning to C-2 (Neighborhood Commercial). Planning Staff recommends denial of the requested C-3 zoning, but approval of the rezoning to the less intense C-2 zoning district. Bobby French (1021 Front St) with Central Arkansas Professional Surveying spoke in favor of the request on behalf of applicant, Tom Watson. He shared a preliminary site plan for the storage buildings. He clarified the request for C-3 as it allows self-storage by right, where as C-2 will require a conditional use permit. Mr. French confirmed that the property owners, Mr. and Mrs. Irby, have given consent to seek the rezoning. Tom Watson (1515 Briley Dr) spoke in favor of the request. The Commission noted that the conditional use permit would have to be a separate application considered by the Planning Commission at a subsequent meeting.

The public hearing was closed and presented to the Commission for discussion. The Commission modified the request to reduce the intensity to C-2 and recommended approval 6-0 on a motion made by Bryan Quinn and seconded by Rhea Williams.

D. Request to rezone from A-1 to R-1 property located at 105 Eve Lane

James Walden explained that the applicant is requesting to split the existing +/-1.29 acre lot for the purpose of constructing a second single-family residence on the new lot. He noted that at the time of the original development the area was served by septic, hence the large lots, but Conway Corporation has since installed sanitary sewer system allowing for the creation of smaller lots. To create lots smaller than 1 acre a rezoning to R-1 is required. Bobby French (1021 Front St) with Central Arkansas Professional Surveying spoke in favor of the request on behalf of Bryce McGhee.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval 6-0 on a motion made by Anne Tucker and seconded by Latisha Sanders-Jones.

E. Request to amend the Zoning Code and Subdivision Ordinance

James Walden explained that current application submission deadlines are the shortest in comparison to surrounding cities and do not allow adequate time to properly review applications which in turn causes requests with multiple contingencies to be sent to the Planning Commission. He explained that the change is in an effort to move more of the review and allow for revisions before presenting information to the Planning Commission. This will allow for Planning Commission action to be clearer with fewer contingencies. This change should save applicants time in the long run by preventing instances where applicants must wait a month for the next meeting if applications are deficient or require revisions. This new review/revision cycle calendar will establish defined deadlines for returning review comments to the applicant and for the applicant to submit revisions. Bobby French (1021 Front St) with Central Arkansas Professional Surveying spoke in favor of the request.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval 6-0 on a motion made by Anne Tucker and seconded by Dalencia Hervey.

F. Request to amend Section 1301 of the Zoning Code/the Sign Ordinance

James Walden explained that in researching previous changes to the sign ordinance and considering City Council discussion from meeting minutes it is apparent the intent of the ordinance is for the loss of legal nonconforming sign status in the event of a street relocation/construction project. The sign

ordinance currently contains conflicting language regarding this matter. The requested amendment will reconcile this discrepancy.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval 6-0 on a motion made by Bryan Quinn and seconded by Latisha Sanders-Jones.

G. Request to amend the Planning Area Boundary

James Walden described the difference between Territorial Jurisdiction and Planning Area Boundary. The territorial jurisdiction is the area, beyond the city limits, in which a municipality may create plans and regulations. For the City of Conway this area is up to 1 mile. The planning area boundary is a designated area within the territorial jurisdiction which the municipality defines as the area where it will create plans and regulation. There is some conflict with existing maps, the Comprehensive Plan and Master Street Plans, and language in the Zoning Code and Subdivision Ordinance which confuses the two terms/areas or where the boundary is not defined. This amendment will reconcile the limits of the planning area boundary as closely as possible with those of the territorial jurisdiction and will create defined boundaries for existing plans. This planning area boundary has no affect on annexations or water service boundaries. Regulating subdivision/development beyond city limits requires street construction and improvements to conform to current city standards so if, in the future, those areas are incorporated into the city, the infrastructure will be standardized and not cause undue hardship to taxpayers for improvements/maintenance of substandard conditions. Bobby French (1021 Front St) with Central Arkansas Professional Surveying spoke in opposition to the request. Mitch Hart (1401 Hogan Ln) spoke in opposition to the request.

The public hearing was closed and presented to the Commission for discussion. The request was recommended for approval 6-1 on a motion made by Dalencia Hervey and seconded by Brooks Freeman; Bryan Quinn abstained.

III. DISCUSSION

The Commission discussed the Planning Commission nominees who were interviewed on November 13, 2019 and voted to recommend Rebekah Fincher and Drew Gainor for 5-year terms.

IV. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

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

1. None

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

1. Talley Subdivision (P2019-00057)
2. Sunset Point Replat, Lots 3-4 (P2019-00059)
3. Hart Plaza Subdivision (P2019-00060)
4. Eubanks Lot Merger (P2019-00061)

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

1. Eubanks Lot Merger (SUB2019OCT03)
2. Hart Plaza Subdivision (SUB2019OCT04)
3. Woodland Cove PUD (SUB2019OCT05)
4. Replat Lots 9-13 Adcock Subdivision (SUB2019OCT06)
5. Sunset Point Replat Lots 3-4 (SUB2019OCT07)
6. Talley Subdivision (SUB2019OCT09)
7. Hurd Lot Merger (SUB2019OCT10)

8. Lewis Ranch Phase 1 Replat (SUB2019NOV02)

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