

The regular meeting of the Conway Planning Commission was held Tuesday, January 19, via Facebook Live from City Hall due to the restrictions imposed by the Covid-19 pandemic. The following members, being a quorum, were present and acting: Rebekah Fincher, Rhea Williams, Brandon Ruhl, Laura King, Anne Tucker, Arthur Ingram, Drew Gainor, and Latisha Sanders-Jones. Larry Webb and Brian Townsend were absent.

Minutes from the December 21st meeting were approved 7-0-1 on a motion made by Anne Tucker and seconded by Arthur Ingram. The chairman did not vote.

I. SUBDIVISION REVIEW

A. Request for preliminary plat approval of Twin Rivendale Subdivision

Levi Hill, Assistant Director of Planning, explained that this item was heard at a previous Planning Commission meeting, but has since been modified into phases rather than one whole development to correct and remove issues from the original preliminary plat. This phase is a proposed 51-lot subdivision located west of the intersection of Nutters Chapel Rd and Pebble Beach Dr and represents Phase 1 of the subdivision. The property is currently unzoned due to being located outside of the City limits, but an annexation petition has been submitted. Lots are proposed to range from 0.25 acres to 2.5 acres. Access is proposed via a new street from Nutters Chapel Rd and through a second new street to be constructed through from the subdivision to the west along Ridgedale Cir. One waiver was requested for the creation of double frontage lots. Staff recommends approval of the Phase 1 preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. This approval shall be applicable to Phase 1 only as indicated on the associated drawings. The applicant shall apply for a new preliminary plat including subsequent Planning Commission approvals for any future phases.
2. Preliminary Plat approval from all reviewing agencies shall be obtained.
3. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
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 not more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
6. Utility easements as required by Conway Corporation are needed.
7. Drainage easements as required by the City Engineer are needed.
8. 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.
9. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat.

Tim Tyler spoke in favor of the subdivision and was aware of the conditions proposed.

Jason Lyon (2971 Eggman Ln) spoke in opposition to the development from an email sent in on 12/9/20. His overall concern is the amount of development being added to the area and there seems to be no plans from the City to upgrade the roads to be able to handle such an increase in traffic flow. He sees the increased traffic and lack of infrastructure upgrades without regards to utilities and roads as troublesome for that many lots and terrain. Chairman Ruhl agreed with the state of the roads and addressed that this development and impact fees will help with the repairs to these streets. Planning Director James Walden mentioned that the roll of the Planning Commission is to verify that the proposed plat meets the subdivision regulations.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat. A motion to approve was made by Arthur Ingram and seconded by Anne Tucker; passed 8-0 unanimously, with the chairman voting.

B. Request for preliminary plat approval of Southcrest PUD Subdivision

Levi relayed that the applicant is requesting preliminary approval of a 19-lot subdivision located at 1630 and 1640 S Donaghey Ave. The property was recently zoned to Planned Unit Development with proposed lots ranging from 4,300 square feet to 5,600 square feet. The subdivision proposes access via a new private street from S Donaghey Ave with a secondary access point connecting the new private drive into the adjacent development to the east. Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. The new internal street shall be labeled and platted as a private drive.
3. A Property Owners' Association shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, sidewalks, and drainage infrastructure.
4. The sidewalk along S Donaghey Ave shall be revised in width to meet the minimum requirements of the Master Street Plan or an alternative design approved by the Transportation Department.
5. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
6. 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.
7. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is not more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
8. Utility easements as required by Conway Corporation are needed.
9. Drainage easements as required by the City Engineer are needed.
10. 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.
11. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat.

No one spoke in favor of the subdivision.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat. A motion to approve was made by Anne Tucker and seconded by Drew Gainor; passed 8-0 unanimously, with the chairman voting.

II. PUBLIC HEARINGS**A. Request to rezone ± 2.32 acres located at the terminus of Sagegrass Drive, south of South Sterling Subdivision, from R-1 to PUD**

Beth Sketoe, Planner, described the applicant is requesting a rezoning to PUD for the purpose of developing a second phase, consisting of 15 lots, of an existing PUD. Access to the development is proposed as an extension of Moody Gardens, which shall be designated as a private drive. The proposed hammerhead style turnaround proposed on lots 27 and 28 must be constructed and those lots left otherwise undeveloped until future connection to S Donaghey Ave is established. A public information meeting was held virtually on December 1, 2020 and no comments or questions were received. Planning Staff and the other departments recommend approval of the rezoning with the following conditions:

1. Permitted uses are limited to single-family residential.
2. All standards and uses other than those defined shall be governed by restrictions of the R-1 zoning district.

3. Exterior shall be composed of brick, rock, or cement fiber board (i.e. Hardie Board).
4. Vinyl siding shall be prohibited.
5. 8/12 roof pitch or greater unless porches.
6. Architectural shingle roofing only.
7. 280 square feet of landscaping shall be provided in the front yard of each lot.
8. Each home shall be different.
9. Garages cannot protrude past the front of the house more than 7 feet unless side entry.
10. No accessory structures shall be allowed.
11. Building setbacks shall be: Front, Exterior, and Rear – 15'; Interior – 6'.
12. PUD shall be generally developed as shown on site plan. The density and intent of the site plan shall be followed.
13. Platting shall be required. Any additional right-of-way, sidewalks, fire apparatus turn around, etc. as required by the Subdivision Ordinance shall be dedicated and constructed by the developer.
14. The extension of Moody Gardens shall be dedicated as 50' public right-of-way and constructed as a Local Residential Street in accordance with Conway Transportation Department standards.
15. An approved fire apparatus turn around shall be constructed in accordance with the Subdivision Regulations, prior to issuance of building permits.
16. Applicant shall return a signed copy of the final development plan agreement prior to the issuance of building permits.

No one spoke in favor of the rezoning.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which they decided to approve the rezoning request. A motion to approve was made by Anne Tucker and seconded by Rhea Williams; passed 8-0 unanimously, with the chairman voting.

B. Request for zoning variance to allow reduced side setback for property located at 3398 Tuscarora Drive

Levi relayed that the applicant is requesting a 2-foot reduction in the required 6-foot side yard setback for the lot located at 3398 Tuscarora Drive due to a surveying error resulting in the foundation being poured 2 feet into the required side yard setback. The current location of the foundation has created an undue hardship unique to this property and granting a 4-foot side yard setback for the subject lot would not conflict with the 10-foot separation required by the Fire Code. This variance only applies to the portion of the lot that is developed with the existing encroachment. No future encroachments are allowed into this setback. Planning Staff recommends approval of the zoning variance.

Bobby French (1021 Front St) spoke in favor of the variance.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the variance was made by Rhea Williams and seconded by Rebekah Fincher; passed 8-0 unanimously, with the chairman voting.

C. Request to annex ± 66.87 acres south of Nutters Chapel Road, east of Ridgedale Circle

Beth explained the applicant is proposing a phased 154-lot single-family subdivision west of the intersection of Nutters Chapel Road and Ridgedale Circle. The applicant requests the property to be zoned R-1 upon annexation. The developers will need to coordinate with Conway Corp for approval of utility design. Planning Staff and all other departments recommend the annexation of this property.

Tim Tyler spoke in favor of the annexation. He mentioned the terrain will be the hardest issue for development and that Conway Corp will be working on the utilities design for water and sewer. When asked about the timeline of subsequent phases, he relayed mostly like 1-2 years.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the annexation was made by Rebekah Fincher and seconded by Drew Gainor; passed 8-0 unanimously, with the chairman voting.

D. Request to rezone ± 16.77 acres east of East German Lane, south of Lower Ridge Road from A-1 to R-2

Beth described that the applicant is requesting a rezoning from A-1 to R-2 for the purpose of developing a second phase of Miller's Creek Subdivision. Miller's Creek Phase 1 was granted conditional preliminary plat approval at the December 2020 Planning Commission meeting. The use is appropriate and Planning Staff recommends approval of the rezoning.

Bobby French spoke in favor of the rezoning.

Terry Sossong (2080 E German Ln) spoke in opposition to the rezoning in an email sent in on 1/19/21. He owns the adjacent property to the south and his concern is the narrowness of East German Ln. He mentioned all the developments going on in the area are going to make a narrow country road even more dangerous, with much greater average daily traffic. He also proposed a minimum 4-foot shoulder needs to be constructed with a middle turn lane so traffic can safely and efficiently travel this road, and that if this road is not addressed as part of this project, the area should not be allowed to expand until the road safety is addressed. Bobby French spoke to the use of impact fees to help fund repairing streets.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Drew Gainor and seconded by Anne Tucker; passed 8-0 unanimously, with the chairman voting.

E. Request to rezone property located at 4725 Prince Street from A-1 to R-1

Levi relayed the applicant is requesting a rezoning from A-1 to R-1 for an existing single-family use. No changes to the existing use of the property are proposed and the use of the property for single-family is appropriate. Planning Staff recommends approval of the rezoning as it will not harm adjacent property.

Latisha Sanders-Jones (4725 Prince St) spoke in favor of the rezoning and pointed out the prior use of the shop on the property.

There were no additional callers nor Facebook Live questions or comments on this topic.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Anne Tucker and seconded by Rhea Williams; passed 7-0-1 with the chairman voting and Latisha Sanders Jones abstaining.

III. DISCUSSION

A. Election of 2021 Officers

Chairman Ruhl explained the need to elect new officers of the Commission for 2021 and asked for any nominations or volunteers. Anne Tucker made a motion to appoint Brandon Ruhl as Chairman for 2021 and was seconded by Rhea Williams. Rhea Williams made a motion to appoint Arthur Ingram as Vice-Chairman and

was seconded by Anne Tucker. Anne Tucker volunteered to be Secretary and the motion was seconded by Rhea Williams. All three positions passed unanimously.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. 7Brew Drive-Thru Coffee, 900 Exchange Ave- SIT2020OCT02
2. CRMC Behavioral Health, 2302 College Ave- SIT2020NOV04
3. Azalea Loop Duplexes, 2 Azalea Lp- SIT2019JUN05

B. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals (submitted for review)

1. Fason Properties Replat SUB2020DEC04
2. Replat Lot 12, Club Villas PUD- SUB2021JAN01
3. Marvin Gardens- SUB2021JAN02

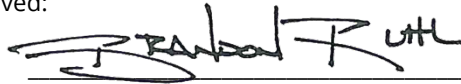
C. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)

1. Raising Cane's Restaurant (P2020-00064)
2. North View Estates PUD, Phase 1 (P2020-00067)
3. Woodland Cove PUD Replat (P2020-00068)

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 Rhea Williams.

Approved:



2021 Chairman, Brandon Ruhl