

The regular meeting of the Conway Planning Commission was held Monday, March 15th, 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, Brandon Ruhl, Laura King, Arthur Ingram, Drew Gainor, Larry Webb, Brian Townsend, Anne Tucker, and Latisha Sanders-Jones. Rhea Williams was absent.

Minutes from the February 16th meeting were approved 7-0 on a motion made by Rebekah Fincher and seconded by Larry Webb. The chairman did not vote.

I. SUBDIVISION REVIEW

A. Request for preliminary plat approval of Oak Grove Subdivision

Levi Hill, Assistant Director of Planning, explained the applicant is requesting preliminary approval of a 20-lot subdivision located at 1150 Museum Rd and 1-3 Oak Grove Dr, with lots ranging from 8,700 square feet to 23,500 square feet. Access points will be E Oak St and Museum Rd, connected by Oak Grove Dr, a private street proposed to be improved as a part of this development. 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. A 5-foot developer required sidewalk shall be constructed along the east side of the private drive.
3. Wheelchair ramps shall be provided by the developer/subdivider 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.
10. All roadway improvements shall be privately maintained.
11. 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.

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 Brian Townsend; passed 7-0. The chairman did not vote.

II. APPEAL REVIEW

A. Review of Development Review Appeal- Hervey Insurance Agency

Levi described the applicant submitted a site development plan proposing the reuse of an existing 1,947 square foot single-family residence to function as an insurance office, with a proposed new parking area located in the existing front yard of the property. Staff recommended disapproval of the site development plan as the parking was proposed in between the principal structure and street, a roundabout is proposed in this location in the future (which would create little space for a sidewalk and landscaping barrier), it would disrupt the character of the neighborhood, and the existing ample space behind the structure would make a more effective parking location.

Ben Temple (240 Skyline), Chris & Yolanda Hervey (owners), Rik Sowell (1315 North St), and Troupe Bryant (1010 Applewood Dr) spoke in favor of the development review appeal. Most of the reasoning for keeping the parking in front of the building was to ensure safety of staff and clients, ADA compliance, and the reusing of the structure on the lot makes parking in the rear less attractive to the owners. Mr. Bryant objected to the parking lot being adjacent to his backyard and concurred with the proposed location.

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

The public hearing was closed and presented to the Commission for discussion to which a motion to grant the appeal request was made by Larry Webb and seconded by Arthur Ingram; motion passed 6-3, with the chairman voting and Anne Tucker, Rebekah Fincher, and Drew Gainor opposing.

III. PUBLIC HEARINGS

A. Request to rezone property at 1850 E German Lane from R-1 to C-2

Beth Sketoe, Planner, relayed that the applicant has requested to rezone from R-1 to C-2 with the intent to develop the property as a self-storage facility, with a conditional use permit, if the rezoning passes. The requested zoning is not consistent with the Comprehensive Plan or Lower Ridge Road Corridor Study's designations of Traditional Neighborhood. Surrounding properties are predominantly agricultural, residential, and institutional. An increased density residential or mixed-use could be appropriate but establishing new commercial uses in the immediate vicinity would create a mixture of incompatible uses, which caused Staff to recommend denial of the rezoning.

Chris Siler (1513 E German) spoke in favor of the rezoning.

Letters of support were received from 3 individuals. Mark Paladino (10 Blake Ln) emailed a letter to Planning staff on 3/11/21 stating that he thought the rezoning would be beneficial with the current zonings in the surrounding area. Lynn and Lisa Ferguson (5105 Round Rock Dr) emailed a letter on 3/14/21 stating that the rezoning could open opportunities for future rezoning's to residential lots in the surrounding area. Jerrell Spradlin (1503 E German Ln) emailed a letter on 3/15/21 maintaining the current zonings in the area are changing along E German Lane and that he does not think this rezoning will affect his property value.

Letters of opposition were received from 3 parties. Danielle Litaker-Nall (1915 Rich Smith Ln) and Tara Burleson (1905 Rich Smith Ln) with The Cottages at Conway Phase 1 and 2 submitted letters via mail on 3/4/21 stating the rezoning would be out of character with the surrounding neighborhood and devalue residential properties in the area. Arby Smith (1910, 1950, 1985 and 2010 Rich Smith Ln and 1590 and 1620 E German Ln) with Rich Smith Holdings, LLC, Park Ridge at Conway Phases 1-3, and The Pointe at Conway, LLC voiced the same sentiments along with a commercial use being inconsistent with the surrounding areas zonings. Preston Robinson (property to the NW along E German) submitted a letter on 3/12/21 mentioning that he owns property with an existing conditional use permit for storage units near the subject property and is planning to begin construction soon. He does not feel that there is need for additional self-storage across the street.

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 Brian Townsend; failed 0-7-1, without the chairman voting and Latisha Sanders-Jones abstaining.

B. Request to rezone property located at 2310 E Oak Street from C-3 & R-1 to S-1

Levi explained the applicant is requesting to rezone from C-3 and R-1 to S-1 for an existing religious facility. The rezoning would provide consistency with the existing use as well as clean up the current split zoning of the property. Planning staff recommends approval of the rezoning request as it will allow appropriate use of the property.

Byron Mann (2310 E Oak St) spoke in favor of the rezoning.

There were no additional callers nor Facebook Live or YouTube 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 Rebekah Fincher and seconded by Drew Gainor; passed 8-0. The chairman did not vote.

IV. ADDITIONAL BUSINESS

A. Adoption of the City-wide Historic Preservation Plan

The City of Conway was issued a certified local grant from the Arkansas Historic Preservation Program in 2019 with the Walker Collaborative being the chosen consultant. The plan was approved by the Historic District Commission in February 2021. This plan will become an appendix to the Comprehensive Plan and the intent is for the plan to be used as educational outreach for historic assets, enhancing review within historic districts, and streamlining historical review processes. A motion to approve the Historic Preservation Plan was made by Rebekah Fincher and seconded by Larry Webb; passed 8-0. The chairman did not vote.

B. Discussion

Chairman Ruhl discussed the possibility of returning to in-person meetings for Planning Commission and asked the commissioners for their opinions. It was decided that next month a hybrid approach of some commissioners present while others remain virtual would be a good fit.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Lower Ridge Road Duplexes (SIT2020AUG02)

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

1. Orchard Hills, Phase II (SUB2021FEB03)

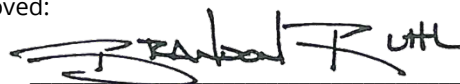
C. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)

1. Museum Meadows (P2021-00006)
2. Replat Lot 1R, Calvary Subdivision (P2021-00008)
3. Orchard Hill Replat (P2021-00010)
4. Esmerelda Subdivision (P2021-00011)

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 Larry Webb.

Approved:



2021 Chairman, Brandon Ruhl