

The regular meeting of the Conway Planning Commission was held, in person, Monday, September 20<sup>th</sup> at Conway City Hall. The following members, being a quorum, were present and acting: Brandon Ruhl, Laura King, Arthur Ingram, Adam Bell, Larry Webb, Anne Tucker, Latisha Sanders-Jones, and Rhea Williams. Rebekah Fincher and Drew Gainor were absent.

Minutes from the August 16<sup>th</sup> meeting were approved 7-0 on a motion made by Anne Tucker and seconded by Larry Webb. The chairman did not vote.

## **I. OLD BUSINESS**

### **A. Request for conditional use permit to allow a bank/savings and loan in an O-2 zoning for property located at 841 Donaghey Avenue**

Beth Sketoe, Planner, recapped that this item was reviewed by the Planning Commission at the August 2021 meeting and was tabled until this month's meeting. The use for a bank or savings & loan is not a permitted use by right in the O-2 zone but is allowed as a conditional use. Staff recommended approval of the conditional use, as conditioned, as the requested use would have minimal impact on traffic and will not likely negatively impact adjacent properties:

1. No drive-thru services shall be permitted.
2. All signage shall comply with Article 1301 of the Conway Zoning Code (Sign Ordinance).

Christian Lenderman (2033 Foster Dr) spoke in favor of the use and there was no public opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Anne Tucker and seconded by Arthur Ingram; passed 7-0-1, with the chairman voting and Rhea Williams abstaining.

## **II. PUBLIC HEARINGS**

### **A. Request to rezone ± 25.45 acres along Bill Bell Lane and Stanley Russ Road from A-1 to R-1**

Beth explained the applicant is requesting to rezone from A-1 to R-1 for the purpose of constructing a single-family residential development on three different portions of property along Bill Bell Ln and Stanley Russ Rd. This item was heard originally at the July 2021 Planning Commission meeting with a different rezoning request and acreage of the same property and that request was not approved. As this current rezoning request is more consistent with Comprehensive Plan, staff recommended approval of the rezoning request.

Frank Shaw (1315 Main St) spoke in favor of the rezoning.

Jim Dunbar (3190 Majestic Cr) spoke in neither favor nor opposition but expressed his concern that adequate green space remains at the development along with the instillation of a sidewalk system with newly planted trees.

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 Arthur Ingram; passed 8-0, with the chairman voting.

### **B. Request to rezone ± 55.16 acres located at East Dave Ward Drive and Thomas G Wilson Drive from A-1 and C-3 to PUD**

James Walden, Director of Planning, described the applicant is requesting to rezone from A-1 and C-3 to PUD as the development of Lewis Crossing adjacent to the site has dramatically changed the context of the area and the proposed uses are appropriate to the site. The proposed PUD will constitute a significant addition to the city with multiple types of entertainment venues, retail sales, office space, and multi-family residential use that are

not currently present in the city. Planning staff recommended approval of the rezoning request, as it will allow appropriate use of the property, with the following PUD conditions:

1. The development shall be constructed in a manner consistent with the proposed sketch plan with regard to the general location of buildings.
2. The height of structures shall not exceed 35 feet; with exception of Lots 1, 4, and 5 shall not be developed with structures that exceed the ability of the fire department's apparatus to effectively provide fire protection.
3. Except where explicitly permitted as a condition of approval, the zoning, landscaping, and signage requirements of the C-3 district shall apply to lots 1, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 5, and any subsequent subdivision of these lots.
4. Except where explicitly permitted as a condition of approval, the zoning, landscaping, and signage requirements of the MF-3 district shall apply to Lot 4 and any subsequent subdivision of this lot.
5. The development shall be recognized as a regional scale development and permitted up to 2 ground-mounted multi-tenant signs in addition to other permitted signage. Such signs shall not exceed 40' in height or 550 sf in total area for each sign, shall have a design consistent to the theme of the development, and shall require approval of the Planning Director.
6. With exception of design standards for building facades, the development shall meet all applicable standards for Article 1101.
7. Design standards for building facades for Lot 1 shall be governed by the development review plans approved on March 31st, 2021.
8. Design standards for building facades for Lots 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 5, and any subsequent subdivision of these lots will be as described below: Architecture shall be modern with sharp, clean lines; Predominant exterior finishes shall be Exterior Insulation Finish System (EIFS); Color schemes shall be mainly white mixed with smaller percentages of grays; Architectural metal cladding and brick and/or EIFS brick to be used as accents; No structure may have less than 25% of its exterior covered in masonry – EIFS or cement fiber siding in any form shall not be considered masonry; Other products may be approved by the Planning Director when complementing the overall development theme; Painted CMU or Economy or industrial style metal wall panels similar to standard R-Panel shall be prohibited.
9. Design standards for building facades for Lot 4 and any subsequent subdivision of this lot will be as described below: Architecture shall be modern with sharp, clean lines; Color schemes shall be mainly white mixed with smaller percentages of grays; Architectural metal cladding to be used as accents; Other products may be approved by the Planning Director when complementing the overall development theme; All facades shall fully comply with the standards of Article 1101.
10. Articles 4 and 7 of the Declaration of the Covenants, Conditions, and Restrictions for Maly District shall become a part of the requirements of this PUD and may not be modified without approval of the Planning Director.
11. All proposed site improvements shall be subject to Development Review as handled within Article 1101 of the Zoning Code.
12. Uses shall be restricted to the uses indicated on the submitted plan except that for lots 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 5, and any subsequent subdivision of these lots; any use permitted in C-3 shall be permitted by right with exception of any use involving the outdoor display of goods, aircraft sales or service, auto glass or muffler shop, tire shop, auto auction, boat sales or storage, lumber yard, bus garage, bus sales or service, mini-storage, cesspool cleaning, cold storage plant, construction equipment sales, contractor yard, manufacturing, diaper service, exterminator, glass sales or service, industrial hardware sales, machinery sales or service, manufactured home sales, automotive or motorcycle sales or service, oil field equipment sales or service, packing or crating, pawn shop, plumbing or air conditioning sales or service, secondhand auto parts dealer, taxi garage, taxidermist, tire recapping, tool and equipment rental with outside storage, truck terminal, vehicle sales, large animal veterinary clinic, or warehousing.

Eric Holloway (200 Casey Dr Maumelle, AR) with Holloway Engineering spoke in favor of the PUD as the developer, with Dr. James Thomas, the owner of the property. They explained the PUD zoning request is to help accommodate the uniformity of design of the development as to not appear like what is currently existing in the city. Dr. Thomas fielded commissioner questions regarding the event and entertainment centers and the requested reduced amount of masonry requirements. There was no public opposition to the rezoning request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Arthur Ingram and seconded by Larry Webb; passed 8-0, with the chairman voting.

**C. Request to rezone property located at 517 Fifth Street from R-2A to R-2**

James relayed the applicant is requesting to rezone from R-2A to R-2 for the purpose of constructing a duplex. The property is too small to meet the minimum lot requirements for duplex construction in the R-2A zone, as this zone is designed to intentionally limit the number of duplexes that can be constructed. Staff recommended denial of the rezoning, as this could set a precedent for future R-2 zonings in the area, which could drastically change the land use pattern in the area.

Esmeralda Castro spoke in favor of the rezoning as the real estate agent for the buyer. She requested this rezone as it would accommodate the plans that were drafted for the proposed duplex but would not meet R-2A zoning requirements. David White (240 Skyline Dr) with Tyler Group spoke in favor as did Naomi Castro, the applicant's mother, and Emily Walter (940 Center St) the realtor who sold this property initially. There was no public opposition to the rezoning request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Arthur Ingram and seconded by Larry Webb; passed 6-1-1, with the chairman voting, Anne Tucker in opposition, and Latisha Sanders-Jones abstaining.

**D. Request for conditional use permit to allow auto-related sales or service establishment in the CMU zoning district of the Markham Street Neighborhood Specific Plan for property located at 1061 Markham Street and 1056 Spencer Street**

Prior to the start of the Public Hearing items on the agenda, Brandon Ruhl, who is the design professional for this project, requested on behalf of the applicant to table this item until the October Planning Commission meeting for time to modify the request.

A motion to table the conditional use request was made by Larry Webb and seconded by Anne Tucker; passed 7-0-1, with the chairman abstaining.

**III. ADDITIONAL BUSINESS**

**A. Consideration to amend the Planning Commission By-Laws**

James presented the updated By-Laws at the August 16<sup>th</sup> Planning Commission meeting. At that time, the present commissioners chose to table the amendment to the By-Laws for further review of the changes and for more commissioners to be present at the meeting to vote.

A motion to amend the By-Laws as presented was made by Anne Tucker and Seconded by Arthur Ingram; passed 8-0, with the chairman voting.

**ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

**A. Development Review Approvals**

1. Caliber Collision (SIT2021APR01)
2. East German Storage (SDR-0721-0081)
3. Will's Hangar (SDR-0721-0076)

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

1. Replat of Lots 179 and 204, Campbell Cove Subdivision Phase II (SUB-0821-0084)
2. Replat of Lots 1-4 Fulmer Subdivision (SUB-0821-0086)
3. Moix Lot Merger (SUB-0821-0087)
4. AF&G Subdivision (SUB-0821-0088)
5. Ivy Place Subdivision, Phase I, Final Plat (SUB-0821-0090)
6. Replat of Lot 2, Maly District (SUB-0821-0094)
7. Replat of Lot 3, Maly District (SUB-0821-0095)
8. Replat of Lot 2, The Greens at Nutters Chapel (SUB-0821-0096)

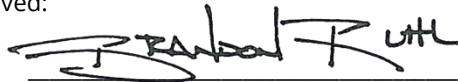
**C. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)**

1. 12 Hundred Place Phase I, Replat
2. Moix Replat
3. Campbell Cove Phase II, Replat of Lots 179 and 204
4. Thousand Oaks Subdivision, Replat of Lot 39
5. Ivy Place Subdivision
6. AF&G Subdivision

**Adjournment**

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Larry Webb and seconded by Arthur Ingram.

Approved:



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2021 Chairman, Brandon Ruhl