



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

February 21, 2023 • 6:30pm • 1111 Main Street

Planning Commission meeting procedures (per by-laws adopted July 19, 1993; amended September 20, 2021)

***Order and conduct for public hearings: Following the announcement of the item by the Chair, Planning Staff will present the report findings. Following Staff presentation the Applicant is granted up to 10 minutes for additional presentation with subsequent favorable public comments limited to 3 minutes per person. If opposed parties are present the initial speaker is then granted up to 10 minutes with each subsequent public comment limited to 3 minutes per person. No person shall address the Planning Commission without first being recognized by the Chair and stating his/her name and address for the public record. All questions/remarks shall be made from the podium and addressed through the Chair to the Commission as a whole. Any group with common interest shall select a speaker to address the Commission on behalf of the group; repetitive comments will be limited.*



City of Conway

PLANNING COMMISSION

February 21, 2023

PLANNING COMMISSION

Rebekah Fincher, Chair
Laura King, Vice-Chair
Drew Spurgers, Secretary
Alexander Baney
Adam Bell
Mark Ferguson
Latisha Sanders-Jones
Lori Quinn
Ethan Reed
Jensen Thielke

The Conway Planning Commission makes recommendations to the City Council on public hearing items. Items reviewed on this agenda will be considered by the City Council as early as **February 28, 2023**.

Items not approved by the Planning Commission may be appealed to the City Council within 30 days of the date of Planning Commission denial, with exception of decisions made by the Planning Commission acting as the Board of Zoning Adjustment.

Call to Order and Roll Call.

Finding of a Quorum.

Approval of Minutes. January 17, 2023

I. **Public Hearings****

- A. Request to rezone 2.30 acres located at 3130 Nutters Chapel Road from A-1 to R-1 (REZ-0123-0007)
- B. Request to modify The Estates PUD Final Development Plan (PUD-0123-0010)

II. **Announcements/Additional Business**

- A. Oak Street Ahead corridor plan:
 - Open House - February 21, 2023
 - Plan presented to City Council and Planning Commission - February 28, 2023

Adjournment

Request to Rezone: A-1 to R-1

2.30 acres ± at 3130 Nutters Chapel Road

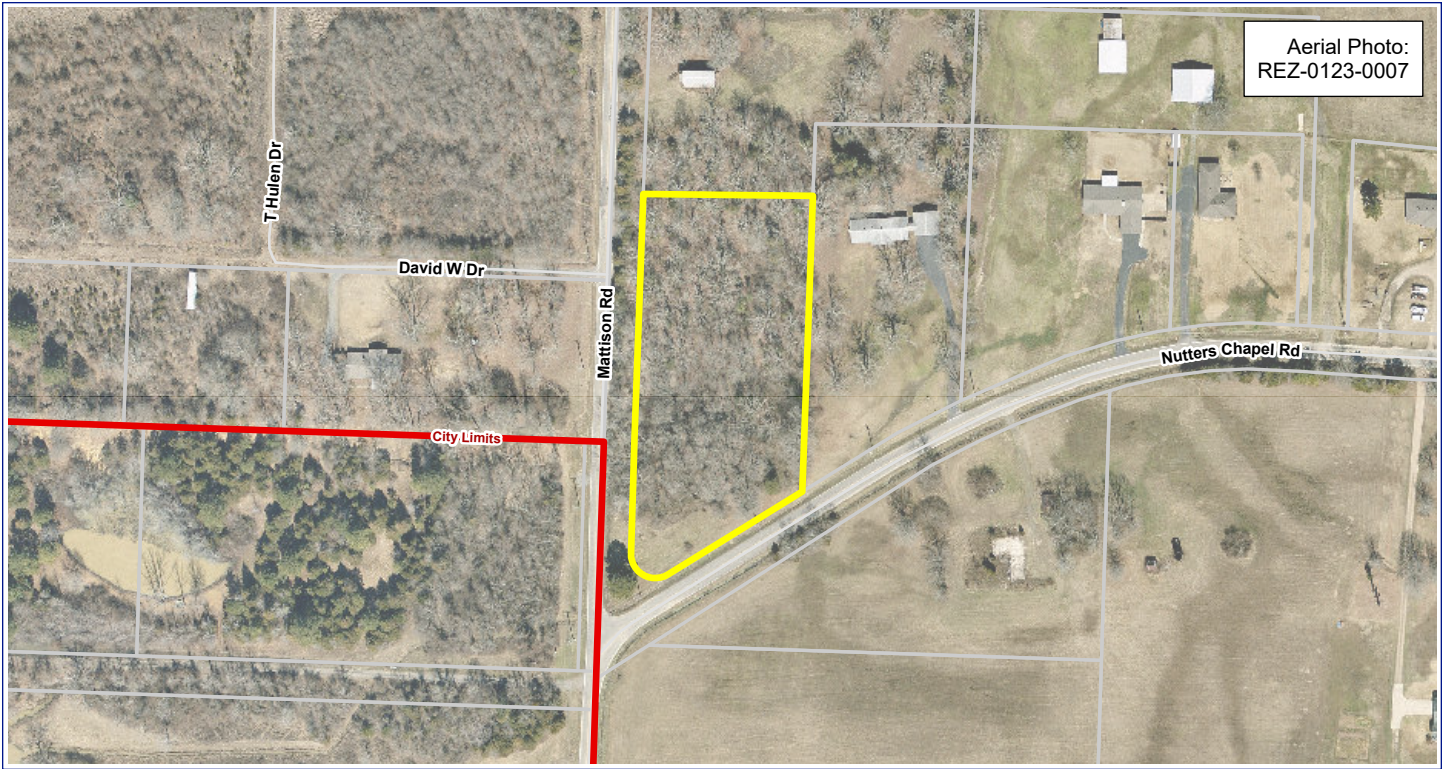
I.A

APPLICANT/AUTHORIZED AGENT

Tyler Group, Inc.
240 Skyline Dr, Ste 3000
Conway, AR 72032

OWNER

David Starkey
251 Hwy 216
Houston, AR 72070



SITE DATA

Location. Lot 2 of DB Starkey Subdivision. Northeast corner of the Nutters Chapel Rd/Mattison Rd fork.

Site Area. 2.30 acres ±.

Current Zoning. A-1 (Agricultural District).

Requested Rezoning. R-1 (One Family Residential District).

Adjacent Zoning. North, East, West, South: A-1. Portion of area to the west is outside city limits.

Existing Structures. None.

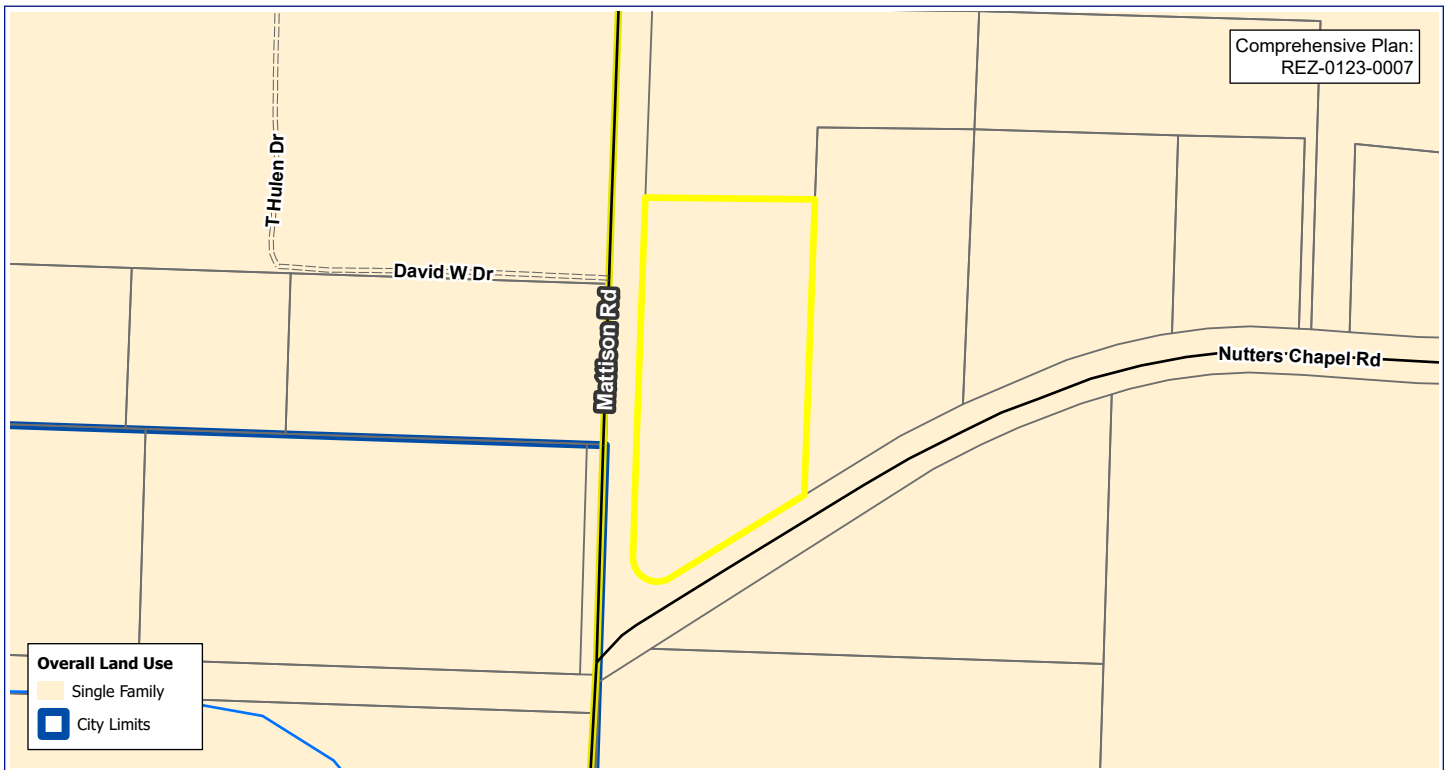
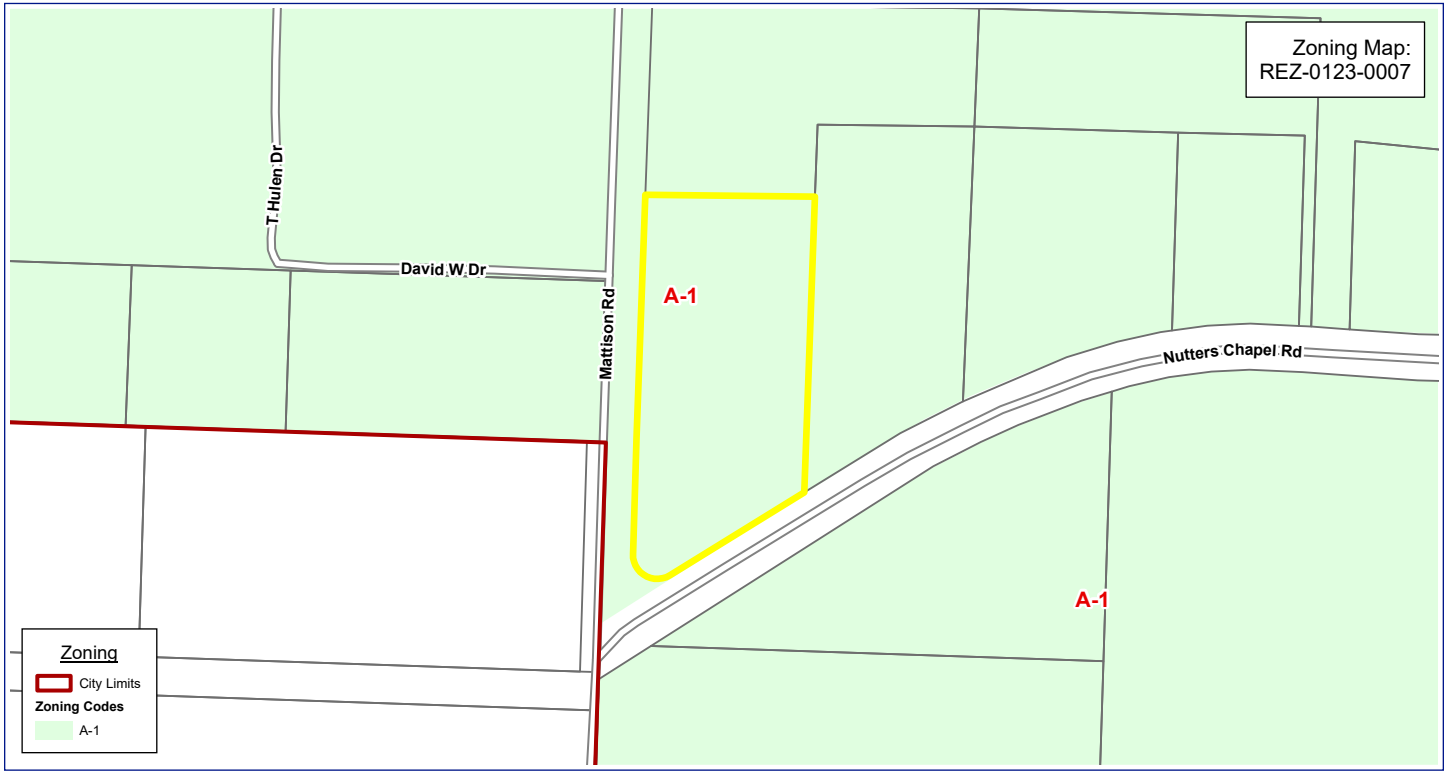
Overlay. None.

Comprehensive Plan. Single Family.

Request to Rezone: A-1 to R-1

2.30 acres ± at 3130 Nutters Chapel Road

I.A



Request to Rezone: A-1 to R-1

2.30 acres ± at 3130 Nutters Chapel Road

Projected Traffic Impact. With a rezoning to R-1, the projected maximum number of lots is 13. The formula for this calculation is as follows: $\text{Unit Yield} = \text{Area of Property} / (\text{Minimum Lot Size} + \text{ROW})$. In this case, $13.35 = 100,188 \text{ sq ft} / (6000 + 1500)$. Based on this calculation, traffic impact would be minimal. Development of the property at this density would generate an estimated 122 vehicle trips per typical weekday.

The applicant is currently proposing to replat this property into three lots. This density would generate an estimated 28 vehicle trips per typical weekday.

Current Traffic Counts. 500 ADT - Mattison Rd (near William T Drive, just north of the site location); No additional nearby data.

Flood/Drainage. The site is not within any FEMA flood zones.

Utilities. Water and electric are on site. There currently is no sewer, but current lot size is large enough for a septic system. The applicant will need to coordinate the extension of any utilities with Conway Corporation.

Master Street Plan. Nutters Chapel Rd/Mattison Rd (north/south) – Minor Arterial (80' ROW); Nutters Chapel Road (east/west) – Collector (60' ROW).

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant is requesting to rezone 2.30 acres+/- from A-1 to R-1.
- The zoning change is consistent with the land use plan which designates this area as single family.
- Single-family residential homes currently exist to the east, west, north, and south.
- Sidewalks are required for all street frontages on new lots, including Nutters Chapel Rd and Mattison Rd.
- The request will not likely negatively impact adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the request. Rezoning to a one family residential district is consistent with neighboring properties and with the Comprehensive Plan. This rezoning will allow for appropriate use of the property and will not likely negatively impact adjacent properties.

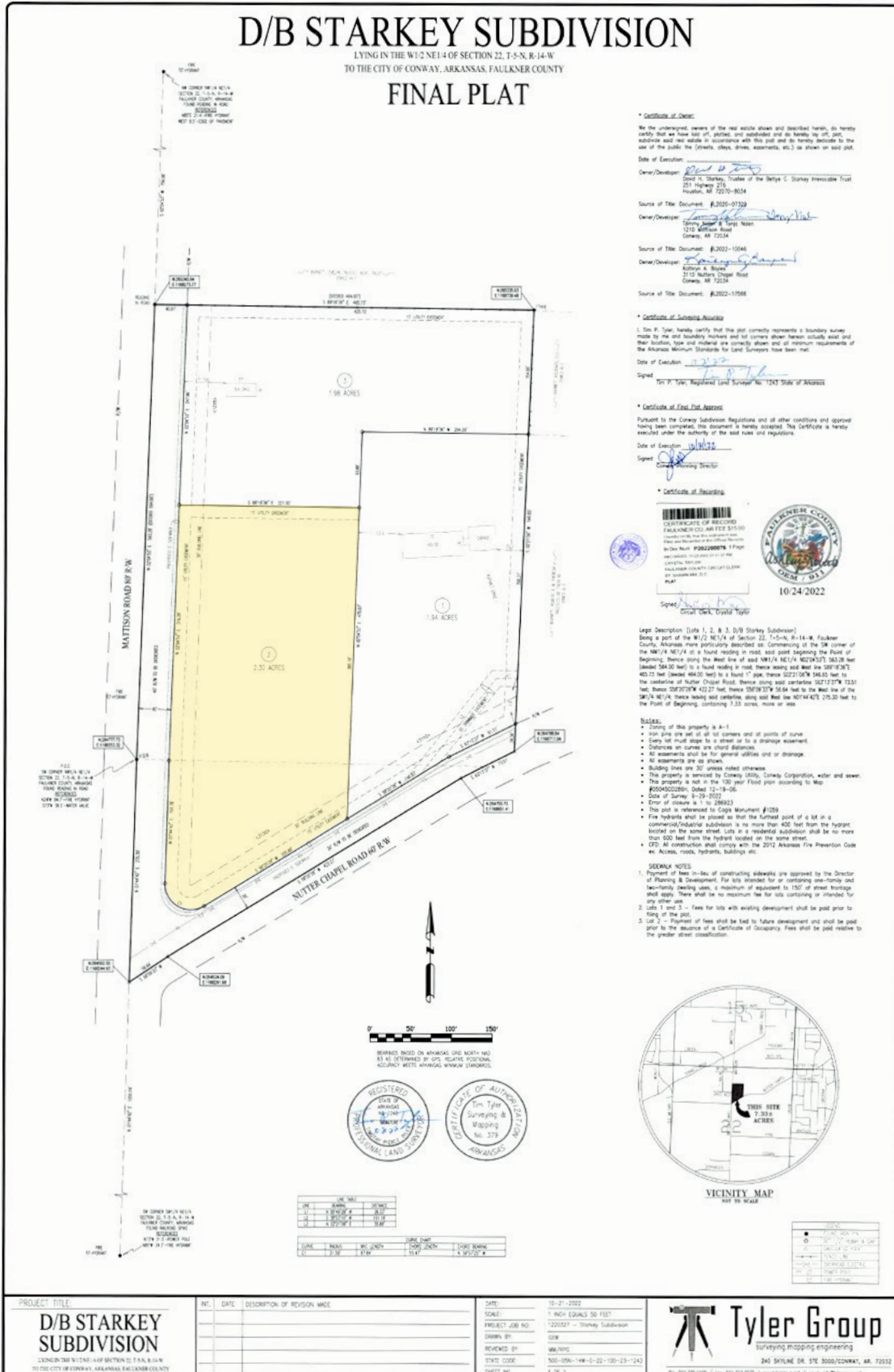
SAMPLE MOTION

I move to accept the staff recommendation to approve the rezoning request on the basis that it will allow for appropriate use of the property and will not likely negatively impact adjacent property.

Request to Rezone: A-1 to R-1

2.30 acres ± at 3130 Nutters Chapel Road

I.A



Request to Rezone: A-1 to R-1

2.30 acres ± at 3130 Nutters Chapel Road

I.A



View of subject property from Nutters Chapel Rd looking N



Property adjacent to the S



Property adjacent to the E

Request to modify PUD Final Development Plan: The Estates PUD

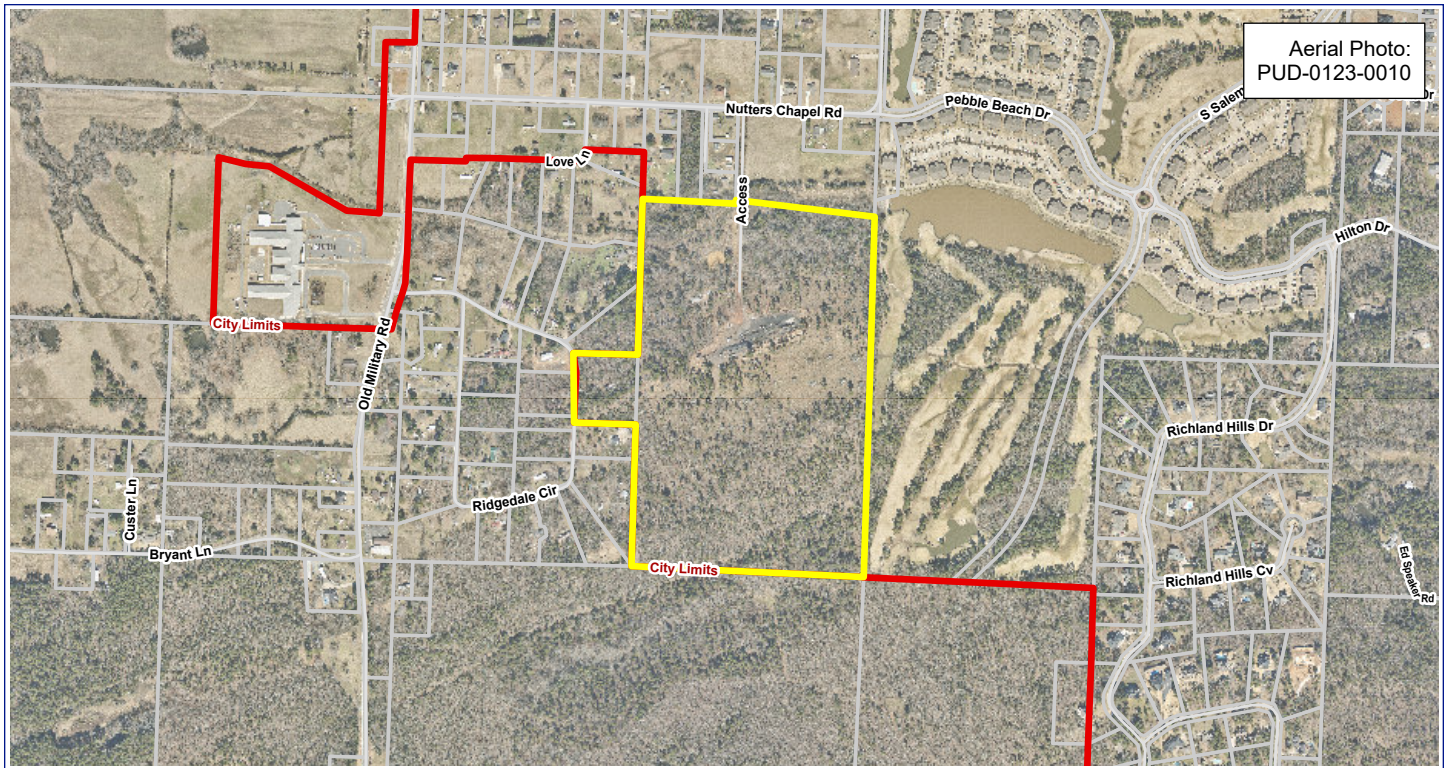
66.87 acres ± south of Nutters Chapel Road, east of Ridgedale Circle

APPLICANT/AUTHORIZED AGENT

The Tyler Group
240 Skyline Dr, Ste 3000
Conway, AR 72032

OWNER

Files Development, LLC
45 River Estates
Little Rock, AR 72223



SITE DATA

Location. 3547 Nutters Chapel Rd.

Site Area. 66.87 acres ±.

Current Zoning. PUD (Planned Unit Development).

Adjacent Zoning. North: A-1; East: PUD; West, South: County, no zoning.

Existing Structures. A 1,120 sf residence located in the northwest quadrant of the parcel.

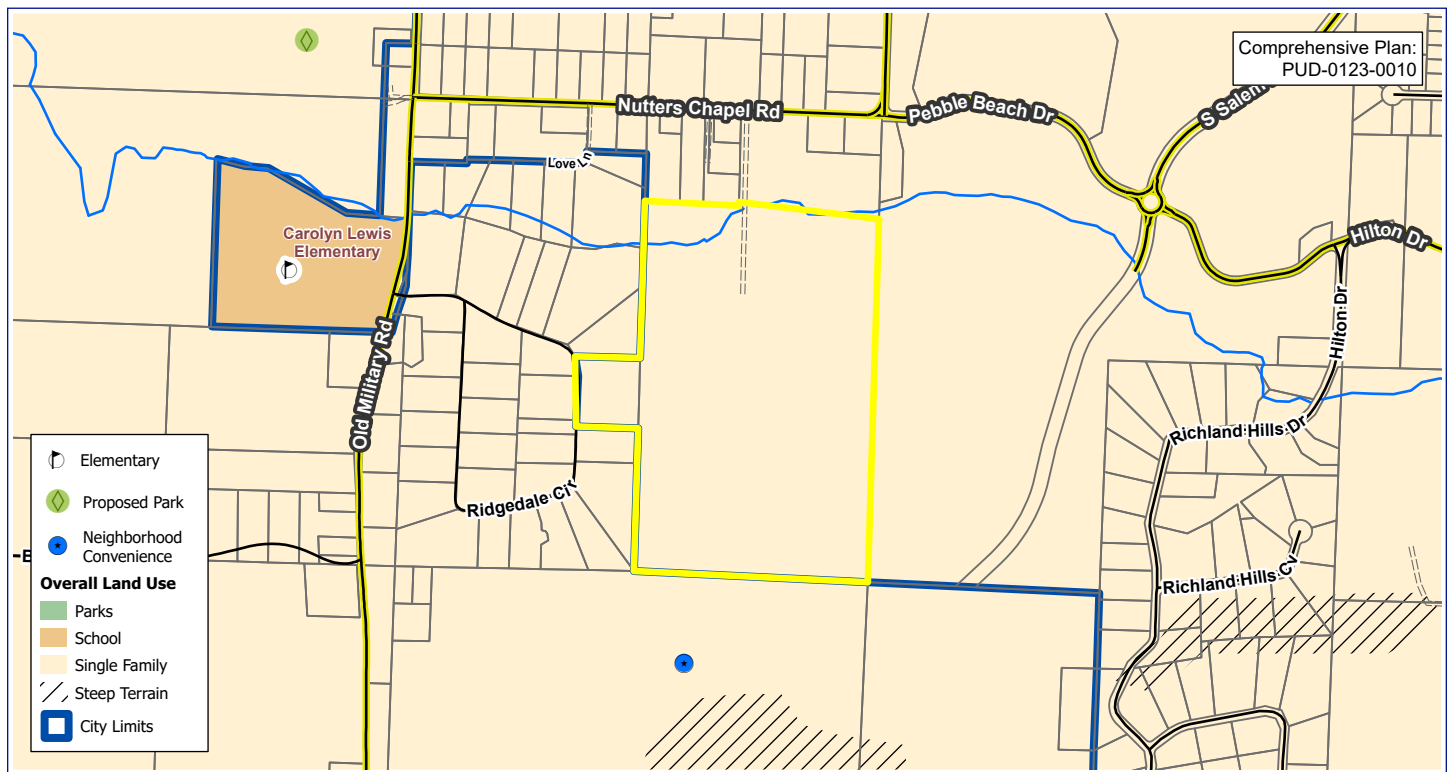
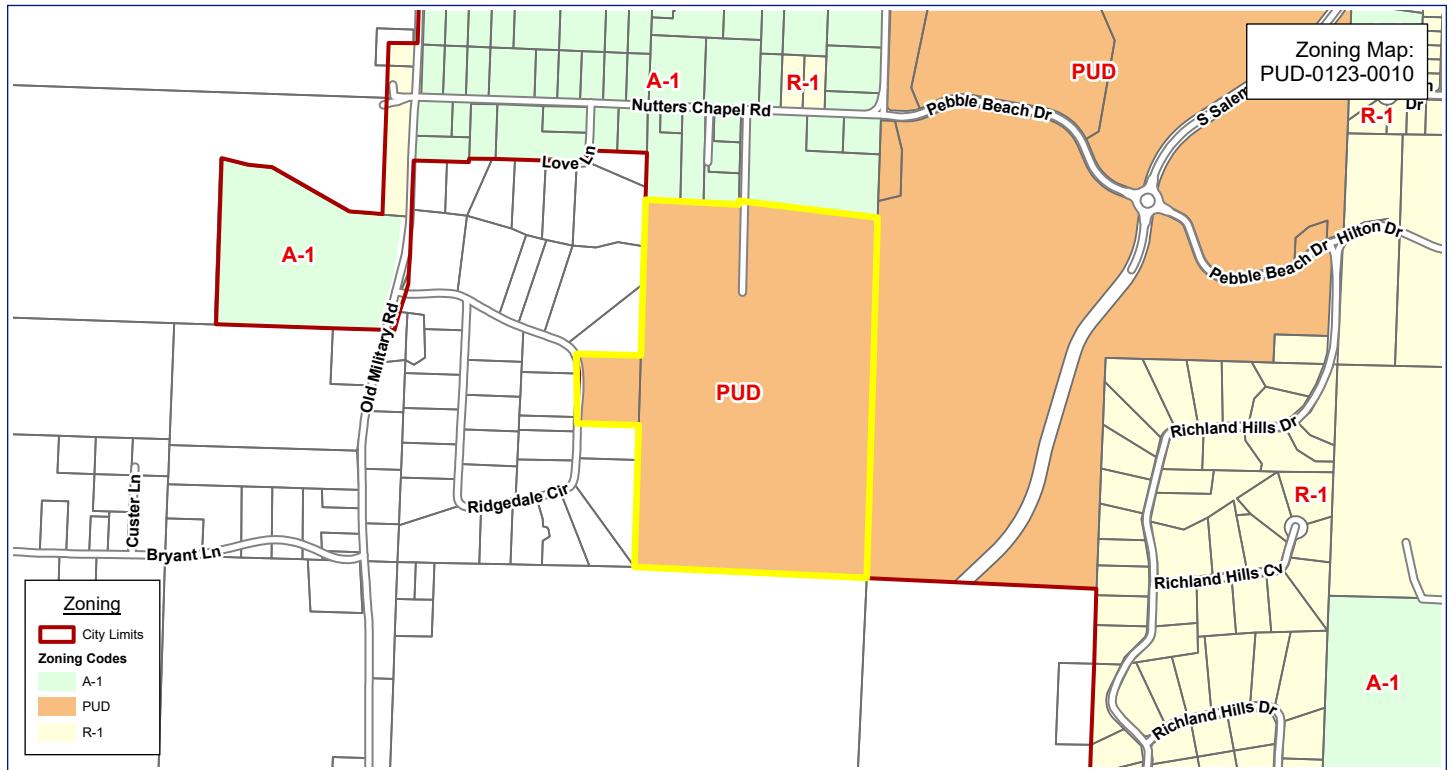
Overlay. None.

Comprehensive Plan. Single-Family.

Projected Traffic Impact. With a modification to the plan to allow both one and two-family residential and developed as indicated per the proposed plan, the likely increase in traffic impact would be moderate. The applicant is proposing a total of 108 single-family residential units and 86 two-family residential units, developed in three phases. If approved, the total anticipated traffic increase is expected to be approximately 1,831 trips per typical weekday. This traffic will be distributed onto Nutters Chapel Rd and Old Military Rd via Ridgedale Cir.

Request to modify PUD Final Development Plan: The Estates PUD

66.87 acres ± south of Nutters Chapel Road, east of Ridgedale Circle



Request to modify PUD Final Development Plan: The Estates PUD

I.B

66.87 acres ± south of Nutters Chapel Road, east of Ridgedale Circle

Current Traffic Counts. 2,000 ADT (Nutters Chapel Rd @ The Fairways at Nutters Chapel apartments); 2,800 ADT (Old Military Rd north of Deerbrook Dr).

Flood/Drainage. A portion of this site lies within the FEMA 100-year floodplain.

Utilities. The developer will be responsible for bringing water/sewer to the site and extending the electrical connection point. All utilities will be provided by Conway Corporation.

Master Street Plan. Nutters Chapel Rd - Minor Arterial (80' ROW).

Street Improvement. No current improvement plans.

Requested Plan Modification. There is an existing PUD Final Development Plan, approved 4/26/22, permitting 151 single-family residential units to be built out in three phases. The applicant is requesting to allow increased density to two-family dwellings for the 43 [buildable] lots nearest Nutters Chapel Rd. The remaining lots will still permit only single-family development and all other elements of the PUD and preliminary plan shall remain in effect. As a condition of approval of the initial rezoning to PUD, the applicant was required to resubmit for new preliminary plat approval, which was done for Phase 1 in June 2022, though Authorization to Proceed has not yet been granted.

STAFF COMMENTS

- All original conditions of the PUD Final Development Plan shall remain.
- The proposed two-family portion of the development is adjacent to an undeveloped portion of a multi-family PUD to the east.
- All streets within the PUD will be developed and maintained as private streets.
- A portion of this site falls within the FEMA flood zone; this portion of the development may be designated for detention and should be platted as unbuildable.
- The single-family use and density are consistent with the Comprehensive Plan. Though the two-family density is not congruent with the Comprehensive Plan, the site is adjacent to an approved multi-family development and all lots designated for two-family development will meet the minimum lot area requirements for like development in the R-2A zoning district (10,000sf).
- Approved uses are limited to one and two family dwellings.
- Single-family development shall adhere to standards for the R-1 zoning district; two-family development shall adhere to standards for the R-2A zoning district except as noted.
- Due to topographical constraints, the applicant has requested that 1) the minimum lot width at the building line for two-family lots be reduced from 100' to 60' and 2) the front setback for two-family lots be reduced from 40' to 25'.
- Setbacks shall be 25' front, rear, and exterior, 6' interior side for all primary structures.
- This property has undergone multiple preliminary reviews beginning in late 2020. In an effort to progress the project, Planning Staff recommends a condition of approval of the modification that sets a deadline for preliminary plat approval and authorization to proceed.

STAFF RECOMMENDATIONS

Staff recommends approval of the modification to the PUD Final Development Plan with the conditions listed below. The proposed use and density are consistent with the Comprehensive Plan.

1. The development shall be constructed in a manner consistent with the proposed preliminary plan [included as Exhibit A] with regard to the general location and configuration of lots and streets. Streets H and I (proposed in Phases 2 and 3) require design revisions. The plan for those phases, as proposed, will not be approved until all applicable departments approve the street designs and layout.
2. Permitted uses are limited to one-family residential uses for Lots 20* through 121 and 123 through 128.
3. Permitted uses are limited to two-family residential for Lots 3 through 18*, 122, and 129 through 154. *There is no Lot 19 identified on the preliminary plat.
4. Total number of dwelling units allowed in all combined phases of The Estates is limited to 194.
5. Lots 1 and 2 are located in flood hazard areas and shall be platted as unbuildable.

66.87 acres ± south of Nutters Chapel Road, east of Ridgedale Circle

6. All standards [including setbacks] and uses other than those defined herein shall be governed by restrictions of the R-1 zoning district for Lots 20 through 121 and 123 through 128.
7. All standards [including setbacks] and uses other than those defined herein shall be governed by restrictions of the R-2A zoning district for Lots 3 through 18, 122, and 129 through 154.
8. Minimum lot width at the building line for Lots 3 through 18, 122, and 129 through 154 shall be 60'.
9. Minimum front setback for all lots shall be 25'.
10. All buildings shall only be of the following materials:
 - Brick/stone
 - Cement fiber board (such as Hardie® siding)
 - Wood
 - Other materials as approved by the Planning Director
11. Vinyl siding shall be prohibited.
12. Two-family buildings shall be developed in accordance with provided conceptual design; only minor architectural variations shall be allowed.
13. Two-family developments shall be developed with a single, shared driveway not to exceed 20' wide.
14. Any proposed fencing shall be approved by the Planning Director prior to installation.
15. Applicant shall plat the property in accordance with the Subdivision Regulations.
16. Preliminary Plat approval of Phase 1 and Authorization to Proceed shall be issued no later than October 21, 2023. If not complete by this date, modifications to the PUD Final Development Plan shall become void and conditions association with the original PUD Final Development Plan, issued April 26, 2022, shall become effective.
17. Preliminary Plat approval of subsequent phases shall be required prior to installation of improvements.
18. Applicant shall return a signed copy of the modified final development plan prior to the issuance of building permits.
19. All street and roadway improvement shall be privately maintained.
20. A Property Owners' Association or improvement district shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, sidewalks, and drainage. The association or district shall be required to be active prior to filing of the final plat.

SAMPLE MOTION

I move to accept the staff recommendation to approve the requested PUD Final Development Plan modification on the basis that it will allow for appropriate use of the property and, as conditioned, will not likely negatively impact adjacent property.

Request to modify PUD Final Development Plan: The Estates PUD

66.87 acres ± south of Nutters Chapel Road, east of Ridgedale Circle



Exhibit A



Exhibit B



Front Elevation



Front Elevation



Front Perspective



Rear Elevation



Side Elevation



Side Elevation

Request to modify PUD Final Development Plan: The Estates PUD

66.87 acres ± south of Nutters Chapel Road, east of Ridgedale Circle

I.B



View of subject property from Nutters Chapel Rd looking S



View of subject property from access road looking S



Property adjacent to the NE



Property adjacent to the NW



View of subject property from Ridgedale Cir looking SE



View of subject property from Ridgedale Cir looking E



CITY OF CONWAY | 1111 Main Street
Planning and Development | Conway, AR 72032
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Current PUD Final Development Plan

April 26, 2022

THE ESTATES PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN
SOUTH OF NUTTERS CHAPEL ROAD, EAST OF RIDGEDALE CIRCLE
CONWAY, AR 72034

The Conway City Council approved The Estates Planned Unit Development on April 26, 2022 (#O-22-47)

Applicant:

Files Development, LLC
45 River Estates Cove
Little Rock, AR 72223

Legal Description:

Being a part of the E1/2 NW1/4 of Section 27, T-5-N, R-14-W, and also Lots 19 and 20 Ridgedale Subdivision, and unrecorded plat, being a part of the W1/2 NW1/4 of Section 27, T-5-N, R-14-W, Faulkner County, Arkansas; more particularly described as: Commencing at the SW corner of said E1/2 NW1/4, said point being the Point of Beginning; thence along the West line of said E1/2 NW1/4 N01°43'54"E 805.13 feet to the SE corner of said Lot 20 Ridgedale Subdivision; thence leaving said West line N87°39'59"W 350.43 feet to the SW corner of said Lot 20, said point being in the centerline of Ridgedale Circle; thence along said centerline N02°19'22"E 284.16 feet; thence continue along said centerline N08°07'50"W 113.68 feet to the NW corner of Lot 19 Ridgedale Subdivision; thence leaving said centerline S87°32'12"E 366.98 feet to the NE corner of said Lot 19, said point being on the West line of said E1/2 NW1/4; thence along said West line N01°43'54"E 895.62 feet; thence leaving said West line S87°17'35"E 531.80 feet; thence N01°19'09"E 20.75 feet; thence S83°22'32"E 794.28 feet to the East line of said E1/2 NW1/4; thence along said East line S01°47'08"W 2075.08 feet to the SE corner of said E1/2 NW1/4; thence leaving said East line, along the South line of said E1/2 NW1/4 N86°44'25"W 1321.47 feet to the Point of Beginning, containing 66.87 acres more or less.

The Estates PUD Final Development Plan Conditions:

1. Permitted uses are limited to one-family residential uses.
2. All standards and uses other than those defined shall be governed by restrictions of the R-1 zoning district.
3. New buildings shall only be of the following materials:
 - Brick/stone
 - Cement fiber board (Hardie® siding board)
 - Wood
 - Other materials as approved by the Planning Director
4. Vinyl siding shall be prohibited.
5. Any proposed fencing shall be approved by the Planning Director prior to installation.

Request to modify PUD Final Development Plan: The Estates PUD

I.B

29.13 acres ± south of Nutters Chapel Road, east of Ridgedale Circle

6. Streets H and I require design revisions. The plan, as proposed, will not be approved until all applicable departments approve the street designs and layout.
7. Applicant shall plat the property in accordance with the Subdivision Regulations, at which time setbacks will be finalized. Setbacks shall generally follow applicant's proposal.
8. Applicant shall return a signed copy of the final development plan prior to the issuance of building permits.
9. All street and roadway improvement shall be privately maintained.
10. A Property Owners' Association or improvement district shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, sidewalks, and drainage. The association or district shall be required to be active prior to filing of the final plat.

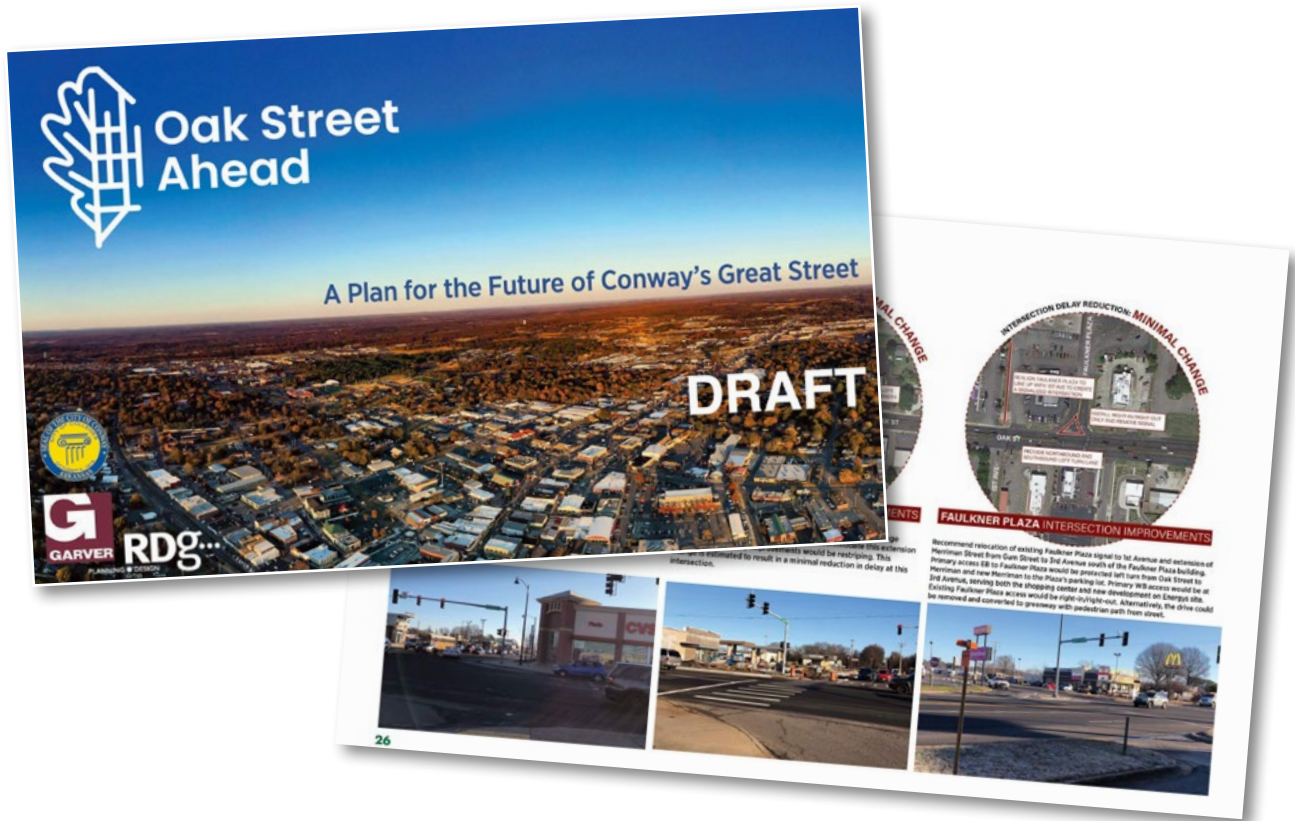


Applicant/Owner

4/28/22

Date

The combined design team of Garver and RDG will host an open house at City Hall on February 21st at 4:30 pm to present the Oak Street Ahead corridor plan and answer any questions from the public. The following Tuesday, February 28th, the design team will present the completed plan to both City Council and the Planning Commission at 5:30 pm in the Council Chambers prior to the City Council meeting. The plan will then be on the March 13th agenda for Planning Commission consideration and recommendation to City Council for adoption at the March 28th [City Council] meeting.



APPENDIX

The following items, which do not require public hearings or Planning Commission action, have been reviewed and approved by the Director of Planning & Development and are being reported to the Planning Commission as required by the Zoning Code and Subdivision Ordinance.

Development Review Approvals

- First Trust Home Loans (SDR-1022-0365)
- First Church of the Nazarene Addition (SDR-0822-0307)
- Shelby Trail Multi-Tenant Buildings (SDR-0522-0267)
- Rankin Gainor Hangar (SDR-1122-0383)

Plats filed for record (Lot Splits, Lot Mergers, and Final Plats)

- Lot 1 Westrock Addition (P2023-00004)
- Big Dog Subdivision (P2023-00006)
- Central Landing West (P2023-00007)
- 4555 Prince St LLC (P2023-00008)
- Lot 3 Replat, Maly District (P2023-00009)
- Bell Valley Subdivision Phase 4 (P2023-00010)
- Cima Plaza (P2023-00011)