



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

September 16, 2024 • 5:30pm • 1111 Main Street

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

**Subdivision Review items are included for consideration as administrative reviews to determine compliance with the Conway Subdivision Ordinance, Zoning Code, and applicable plans. Such items are not conducted as public hearings.*

***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

September 16, 2024

PLANNING COMMISSION

Rebekah Fincher, Chair
Drew Spurgers, Vice-Chair
Ethan Reed, Secretary
Lori Quinn
Mark Ferguson
Alexander Baney
Jensen Thielke
Jay Winbourne
Brooks Davis
Teneicia Roundtree

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 **09 24, 2024.**

Items not approved by the Planning Commission/Board of Zoning Adjustment may be appealed to the City Council within 30 days of the date of denial.

Call to Order [Planning Commission] and Roll Call.

Finding of a Quorum.

Approval of Minutes. August 19, 2024

I. Subdivision Review*

A. Request for preliminary plat approval of Lot 7 replat of Orchard Hills Subdivision, Phase II (SUB-0724-0102)

II. Public Hearings**

A. Request to rezone property at 3310 Prince St from R-1 to O-3 (REZ-0824-0110)

B. Request to rezone property at 377 Reedy Rd from R-1 to R-2A (REZ-0824-0113)

C. Request for conditional use permit to allow MF-1 density in a R-2A zoning district for property located at 377 Reedy Rd (CUP-0824-0112)

III. Announcements/Additional Business

A. Items as decided by the Commission

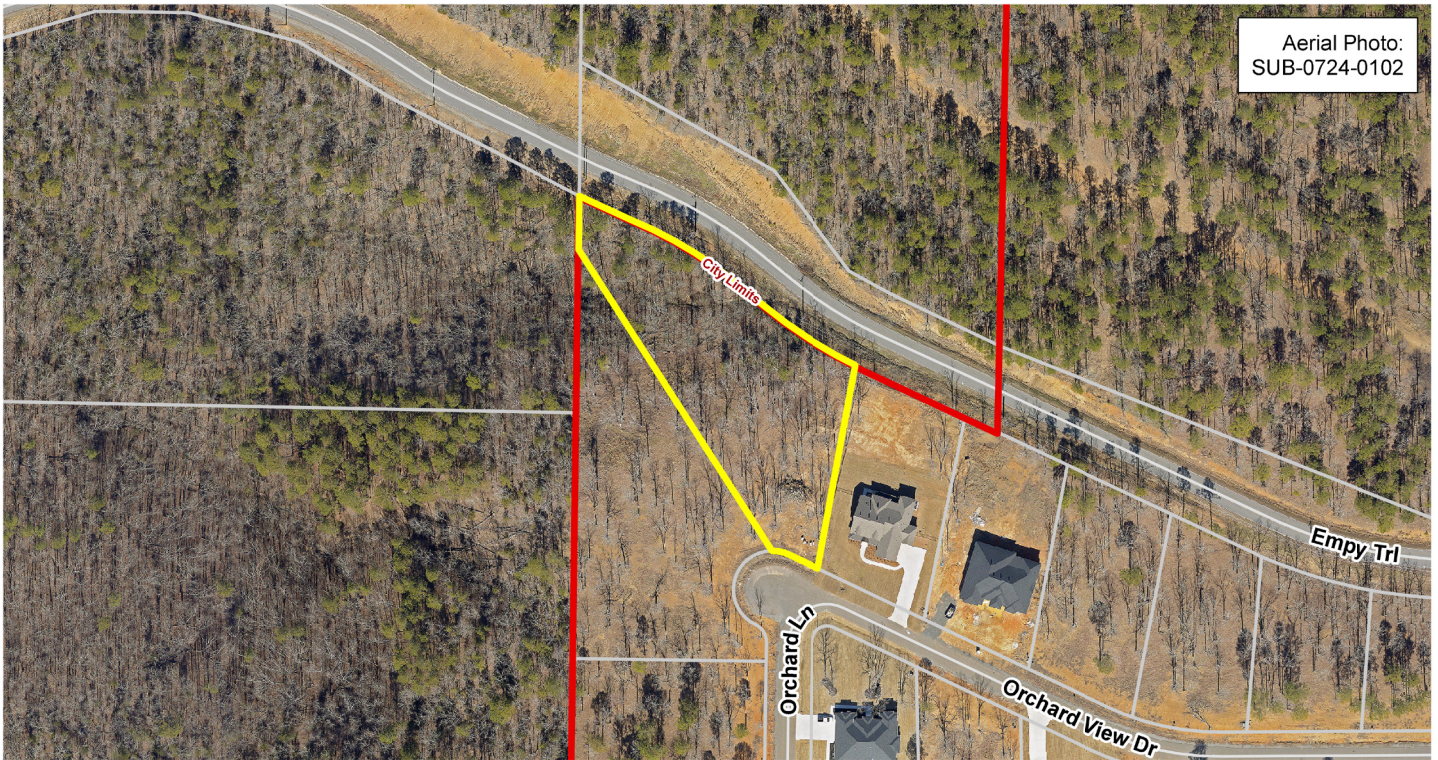
Adjourn.

APPLICANT/AUTHORIZED AGENT

The Tyler Group
240 Skyline Drive
Conway, AR 72032

OWNER

Frank Shaw Properties, LLC
1315 Main Street
Conway, AR 72032



SITE DATA

Location. 2980 Orchard View Drive. Lot 7 of Orchard Hills Subdivision Phase II.

Site Area. ±1.73 acres.

Current Zoning. R-1 (One Family Residential District).

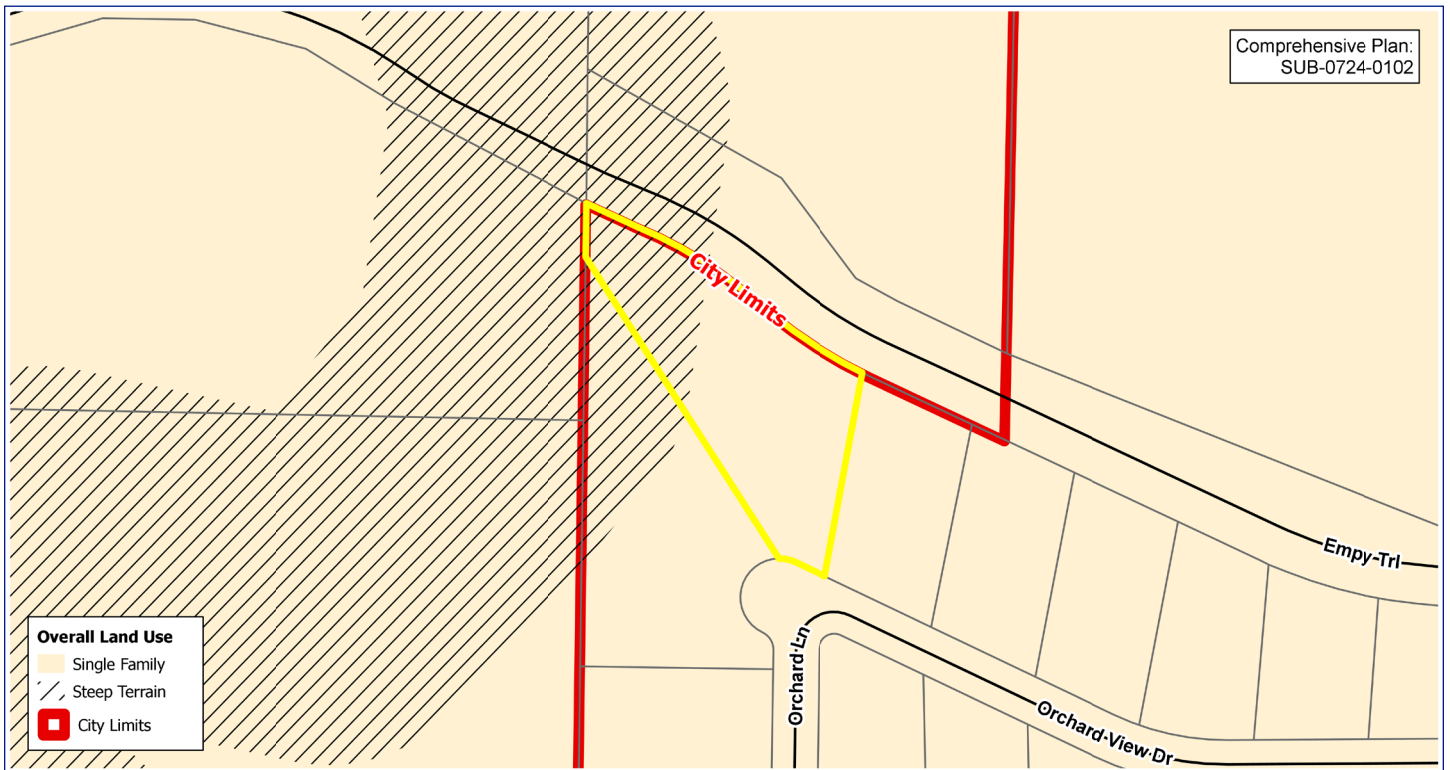
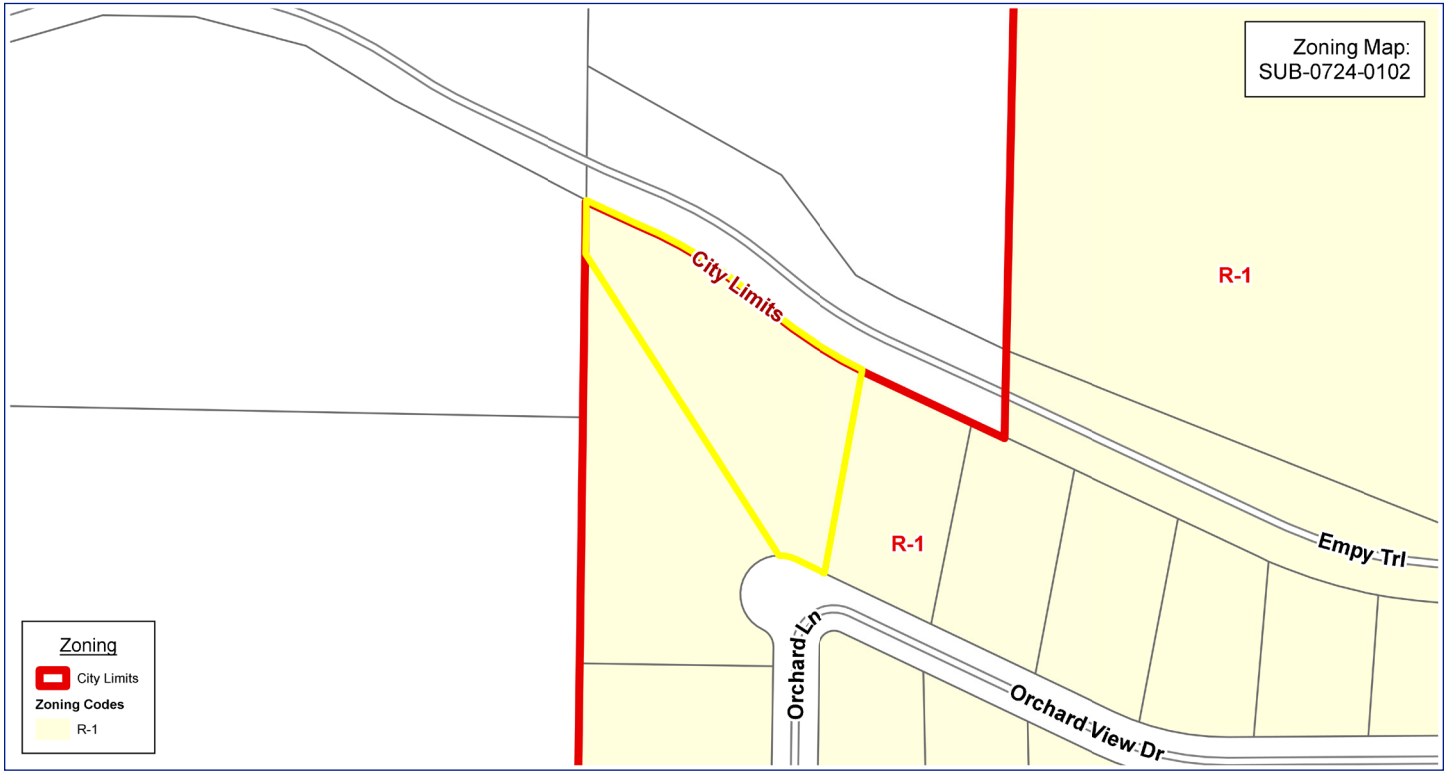
Adjacent Zoning. North: Outside city limits. East/South/West: R-1.

Comprehensive Plan. Single-Family.

Master Street Plan. Orchard View Dr – Local Residential (50' ROW); EmPy Trail – Collector (60' ROW).

Existing Structure. None.

Overlay. None.



REQUEST:

The applicant is requesting preliminary approval of a replat for Lot 7 of Orchard Hills Subdivision, Phase II. Due to the Arkansas Fire Prevention Code and Subdivision Regulations (Article 4, Section 6 (1)), the applicant is required to install two ingress/egress points to the subdivision. The creation of Orchard Lane is the second access point. This area was previously platted and then annexed into the city. Lot 7A and Lot 7B are both unbuildable lots.

The applicant is also requesting a waiver regarding the distance between the two access points. Per the Subdivision Regulations, Article 4, Section 6 (1), "These two access roads shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses." This cannot be achieved due to lots being sold and homes being constructed prior to this street being constructed.

STAFF COMMENTS

- Replat needed for the creation of a new street, Orchard Lane. A second street is required due to the Arkansas Fire Prevention Code.
- The Arkansas Fire Prevention Code states that a subdivision must have two access points if there are a total of 30+ lots in a subdivision.
- Lots 7A and 7B are both labeled as unbuildable.
- The required distance by code between the two access roads cannot be achieved given the layout of the subdivision and the lots where homes have been constructed or lots have been sold.
- Sidewalk in-lieu fees will be paid for the required sidewalks prior to filing of the plat. No sidewalk system exists in this development.

CORRECTIONS NEEDED ON THE PLAT

1. Add addresses to the unbuildable lots for possible future utilities.
2. If exception is granted for the spacing of the two roads, please include note on plat.
3. Provide all easements as indicated by the City Engineer and Conway Corporation.
4. Other corrections as required by the City Engineer, Planning Director, and Conway Corporation on the Preliminary Plat/Street and Drainage Plans.

CONDITIONS

1. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
2. 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.
3. 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.
4. Lots 7A and 7B shall be unbuildable.
5. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions, and conditions applicable to the property shall be included with the final plat. Maintenance of all unbuildable lots/areas should be defined in the bill of assurance.
6. 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.

STAFF RECOMMENDATION

Planning Staff recommends approval of the preliminary plat and waiver request, contingent upon the completion of the amended punch list and associated conditions of approval.

SAMPLE MOTION

I move to accept the staff recommendation of approval with the corrections and conditions of approval indicated in the staff report.



View of subject property from Orchard View Dr looking N



View of subject property from Empy Trl looking S



View of subject property looking SW on Empy Trl



View of subject property from Empy Trl looking SW



Property adjacent to the W



Property adjacent to the E

Rezone property from R-1 to O-3

REZ-0824-0110

II.A

Approximately 650ft west of the intersection of Prince St and Country Club Rd

APPLICANT/AUTHORIZED AGENT

Emily Walter/Jamison Bonds
940 Center St
Conway, AR 72034

OWNER

Billy Joe & Nancy Morris
3310 Prince St
Conway, AR 72034



SITE DATA

Location. 3310 Prince St.

Site Area. ±0.57 acres.

Current Zoning. R-1 (One Family Residential District).

Requested Rezoning. O-3 (Restricted Office District).

Adjacent Zoning. North, South, East, West: R-1.

Existing Structure. 2,605-sf single family residence and 1 outbuilding.

Overlay. None.

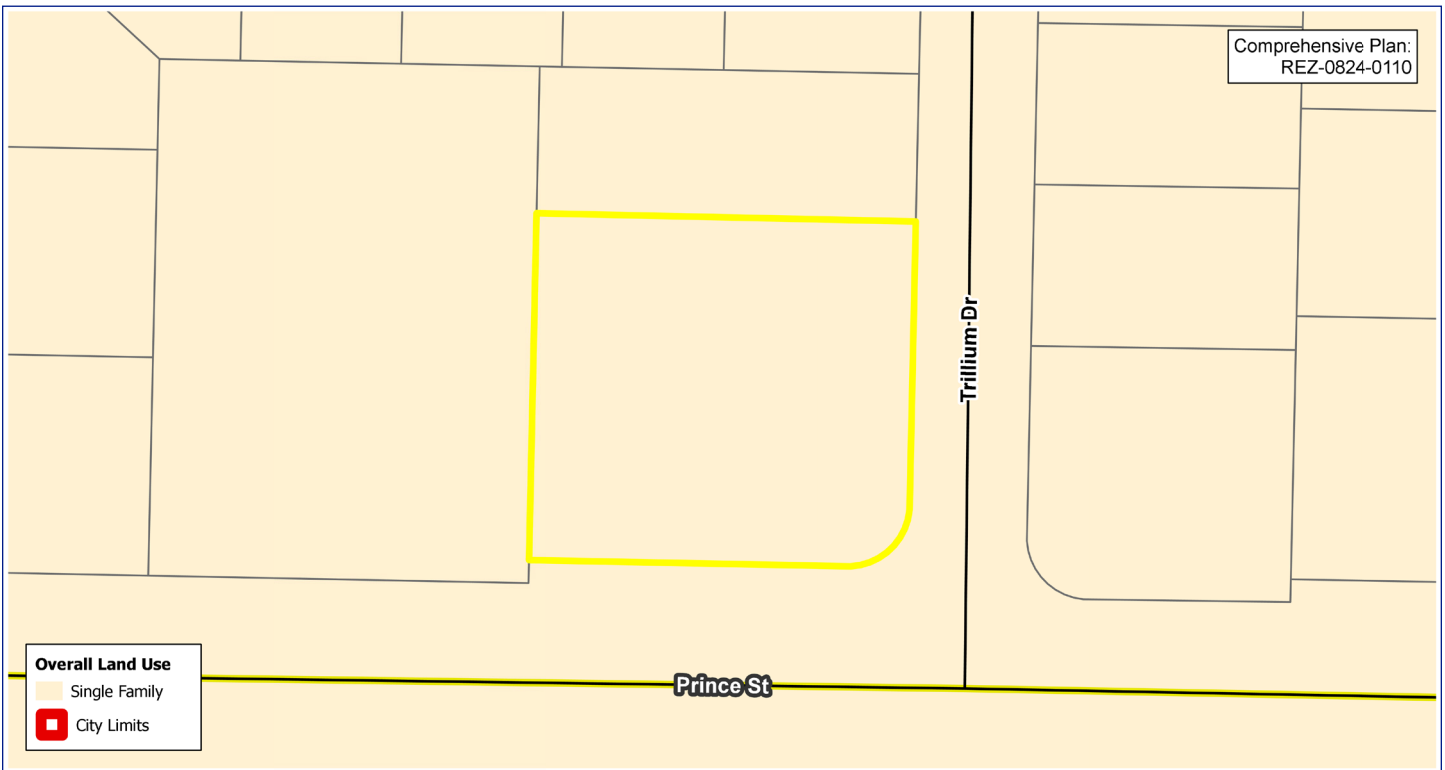
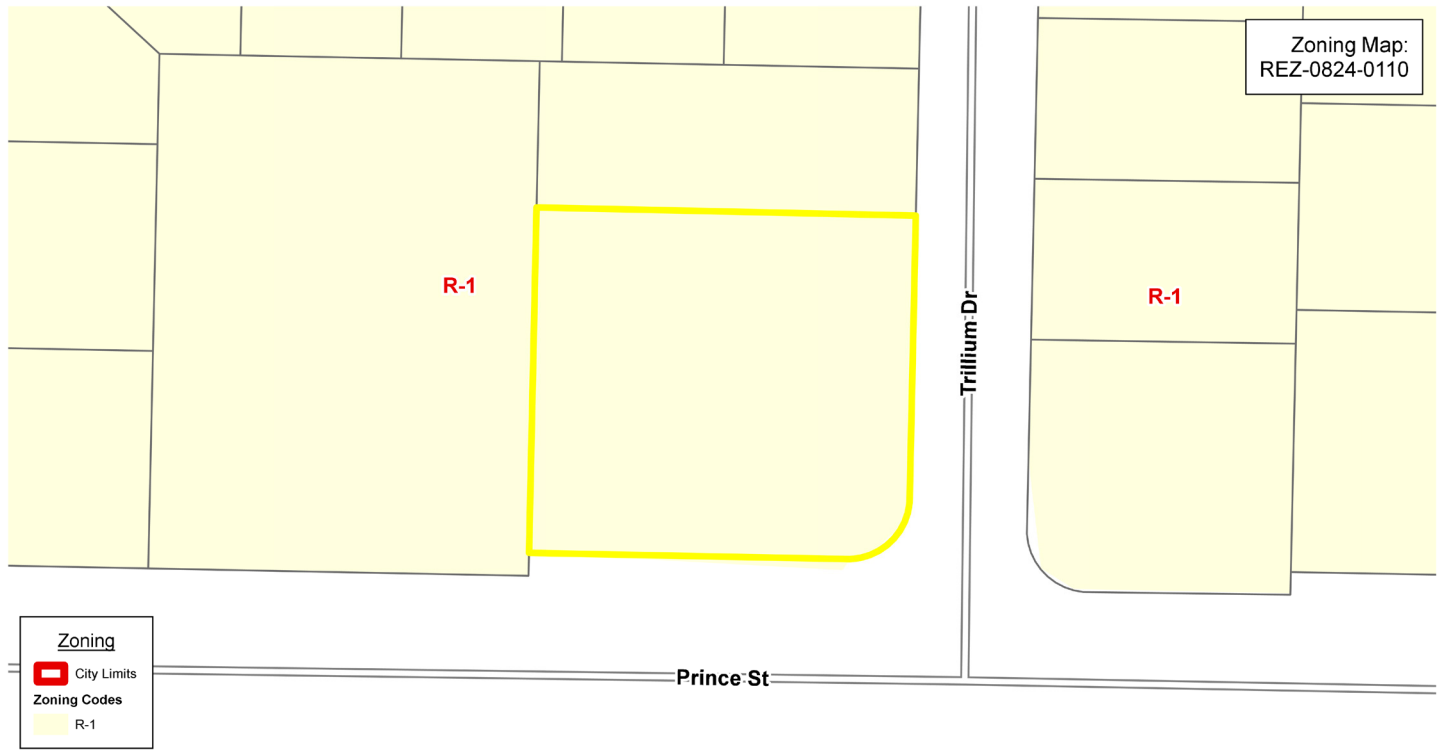
Comprehensive Plan. Single-Family.

Rezone property from R-1 to O-3

REZ-0824-0110

II.A

Approximately 650ft west of the intersection of Prince St and Country Club Rd



Approximately 650ft west of the intersection of Prince St and Country Club Rd

Projected Traffic Impact. With a rezoning to O-3 and expected to be used for a law office, the likely increase in traffic would be minimal, generating 37 vehicle trips per typical weekday. As there is no existing access and a fence along the Trillium Dr exterior frontage, all egress and ingress will expressly be to and from Prince St.

Flood/Drainage. The site is not within any FEMA Special Flood Hazard Areas.

Utilities. Electricity and water are available at the site.

Master Street Plan. Prince St – Major Arterial (100' ROW); Trillium Dr – Local Residential (50' ROW).

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The applicant is requesting a rezoning to O-3 to accommodate his law office at the site.
- The purpose of the O-3 district is to provide conversion of older structures no longer useful, serviceable, or desirable in present use to office use and to provide appropriate locations for offices which are in proximity to both residential and nonresidential zones.
- The site is surrounded on all sides by single-family residential uses and located in a platted single-family subdivision.
- It is not anticipated that any site improvements will occur at the site, as the existing house can accommodate the use.
- In the event of any added parking, expansions to either structure, or the requirement of a building permit, the property will need to undergo site development review.
- The introduction of an inconsistent zoning district within a single-family district, with no adjacent buffer transition zones, could negatively impact adjacent properties.

STAFF RECOMMENDATIONS

Staff recommends **denial** of the rezoning request as it would allow inappropriate use of the property in context to the surrounding area, could negatively impact adjacent properties, and does not align with the Comprehensive Plan.

SAMPLE MOTION

I move to uphold the staff recommendation of denial of the request as the proposed development does not align with the Comprehensive Plan nor fit into the context of adjacent zonings and uses.

8/14/24

To whom it may concern:

I'm writing on behalf of Jamison Bonds, Attorney for Providence Law Firm and Estate Planning. They are currently renting in downtown Conway and would like to make a permanent home in Conway. Jamison is under contract for 3310 Prince St. Conway, AR 72034 with the intent to move his law office to this location. It is currently zoned R1. I am writing to request a rezoning of this one house. For a comparison, we know location 2947 Prince St. is zoned O3 and 2920 Prince and 2900 Prince is zoned O2. The law office would be used in a similar fashion to these two locations. The law firms' hours will be M-Thursday 9:00am – 5:00pm and Friday 9:00am to 12:00. Currently there is one employee (Jamison) working at this location although he plans to hire a secretary. Traffic would be minimal since he will not have a full waiting room of people since he is running this location on this own. We have obtained permission from the sellers to start the zoning process and will attach that signed letter separately. Our real estate contract is contingent upon this rezoning being approved so time is of the essence. Please let me know if there is anything else you need from me. We are hoping to apply to get on the September 2024 agenda.

Thanks,

Emily Walter

Executive Broker/Realtor®

RE/MAX Elite

501.269.8688

emilywalterrealtor@gmail.com

Approximately 650ft west of the intersection of Prince St and Country Club Rd



View of subject property from Prince St looking N



View of subject property from Prince St looking NW



Property adjacent to the N



Property adjacent to the W



View of adjacent properties to the N on Trillium Dr



View of adjacent properties to the S across Prince St

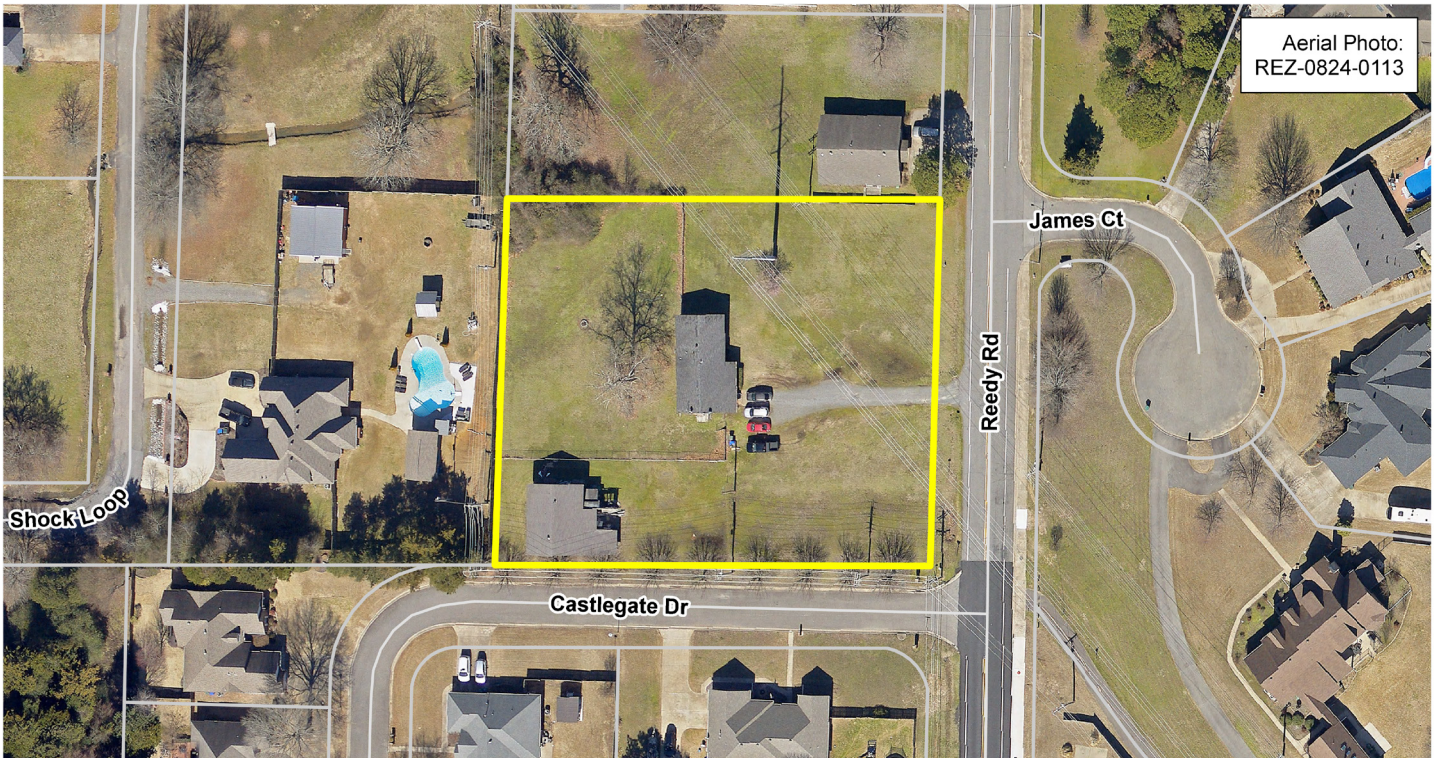
Southwest corner of Reedy Rd and Castlegate Dr

APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front Street
Conway, AR 72032

OWNER

D T Real Estate, LLC
1014 Front Street
Conway, AR 72032



SITE DATA

Location. 377 Reedy Road.

Site Area. 1.52 acres±.

Current Zoning. R-1 (One Family Residential District).

Adjacent Zoning. North: R-1; West: A-1 (Agricultural District); East and South: R-1 (One Family Residential District).

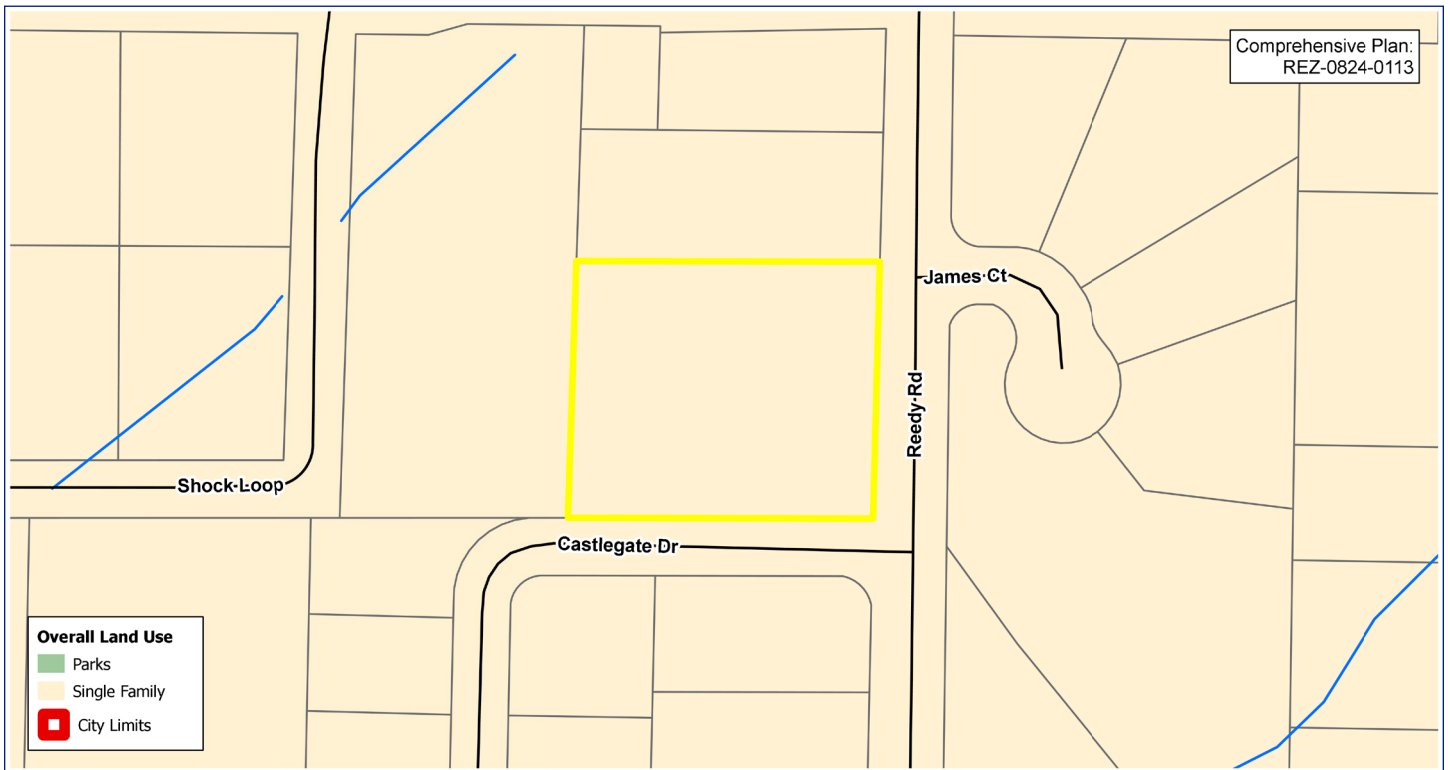
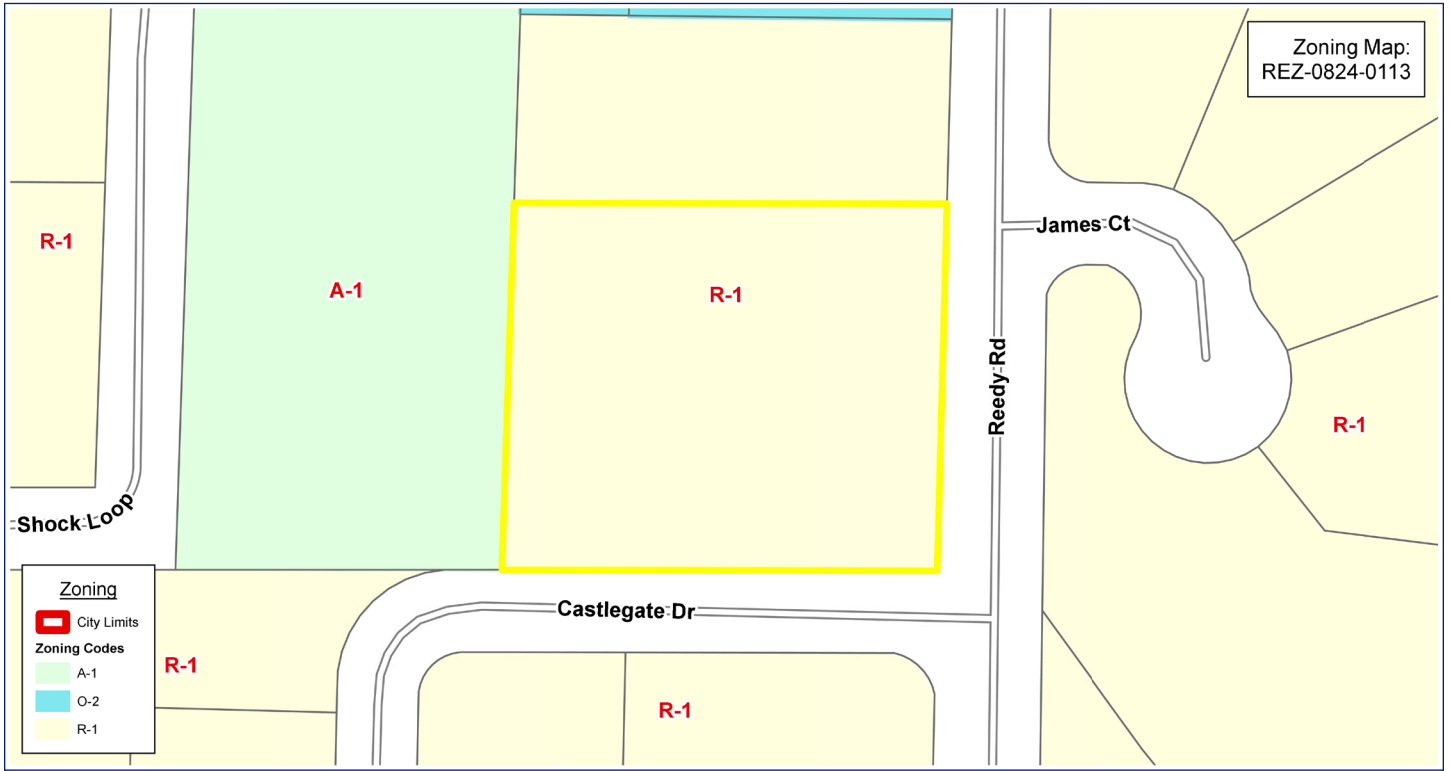
Existing Structures. 1375sf single family home with a 1200sf detached accessory building.

Overlay. None.

Requested Rezoning. R-2A (Two-Family Residential District).

Comprehensive Plan. Single-Family.

Southwest corner of Reedy Rd and Castlegate Dr



Southwest corner of Reedy Rd and Castlegate Dr

Projected Traffic Impact. The applicant is proposing attached single-family residences via a conditional use permit that runs concurrent to this rezoning (CUP-0824-0112). The proposed layout will add eight (8) single-family attached dwellings. The traffic impact would likely be minimal. This development is anticipated to yield approximately 58 vehicle trips per typical weekday. Trips would be distributed directly onto Reedy Rd.

If the Conditional Use Permit is denied, but the rezoning is allowed, this parcel could develop as four single family lots or two duplex lots. This would yield approximately 38 vehicle trips per typical weekday. However, development could be further limited due to the 100' utility easement on the property.

Current Traffic Counts. Just south of the Reedy Rd and Salem Rd intersection: 960 Average Daily Trips.

Flood/Drainage. The site is not within any regulated floodplains or floodways.

Utilities. The site will be served by Conway Corp for all utilities.

Master Street Plan. Reedy Rd – Collector (60' ROW); Castlegate Dr – Local Residential (50' ROW).

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The R-2A zoning district is designed for a slightly higher population density while maintaining the basic restrictions as R-1 districts. Attached single-family dwellings in this area are consistent with this type of zoning.
- The proposed rezoning is in conformance with the Comprehensive Plan, which calls for single-family residential in the area.
- R-2A falls under single-family as it pertains to the Comprehensive Plan.
- There is a mix of zoning in the area with R-1 to the east and south, A-1 (Agricultural) to the west, and O-2 (Quite Office) to the north.
- There is a large utility easement that runs through this property (100' powerline). Allowing for a higher density is appropriate given the restricted building space allowed.
- The rezoning will not likely harm adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning. The proposed zoning is consistent with the Comprehensive Plan and will not likely harm adjacent property.

SAMPLE MOTION

I move to accept the staff recommendation to approve the rezoning request on the basis that the area calls for single-family residential and will not likely negatively impact adjacent property.

**Central
Arkansas
Professional
Surveying, LLC**

1021 Front Street
Conway, AR 72032
501.513.4800
501.513.0900-fax

August 16, 2024

Re: R T Real Estate
377 Reedy Road
Conway, AR 72034

To Whom It May Concern,

On behalf of R T Real Estate, LLC we are sending applications to rezone parcel 711-12097-000 aka 377 Reedy Road, Conway, AR 72034 with a conditional use.

The intent is to rezone from R1 to R2A with a conditional use to allow MF-1 density in R2A zoning.

If you have any questions, please call me at 501.513.4800.

Sincerely,



Robert French, PS 1363

Central Arkansas Professional Surveying, LLC

Southwest corner of Reedy Rd and Castlegate Dr

1 SITE PLAN CONCEPT
T = 20'-0"



REEDY ROAD TOWNHOMES
ARCHITECTURAL SITE PLAN
08.05.2024

NUMBER OF UNITS			
BUILDING	SF PER UNIT	# OF UNITS	TOTAL SF
172' TOWNHOME	1,512	6	9,072
57' TOWNHOME	1,512	2	3,024

Southwest corner of Reedy Rd and Castlegate Dr



View of subject property from Reedy Rd looking W



View of subject property from Castlegate Dr looking N



Property adjacent to the N



Property adjacent to the S, across Castlegate Dr



View of adjacent properties to the NW along Castlegate Dr



View of adjacent properties to the SE

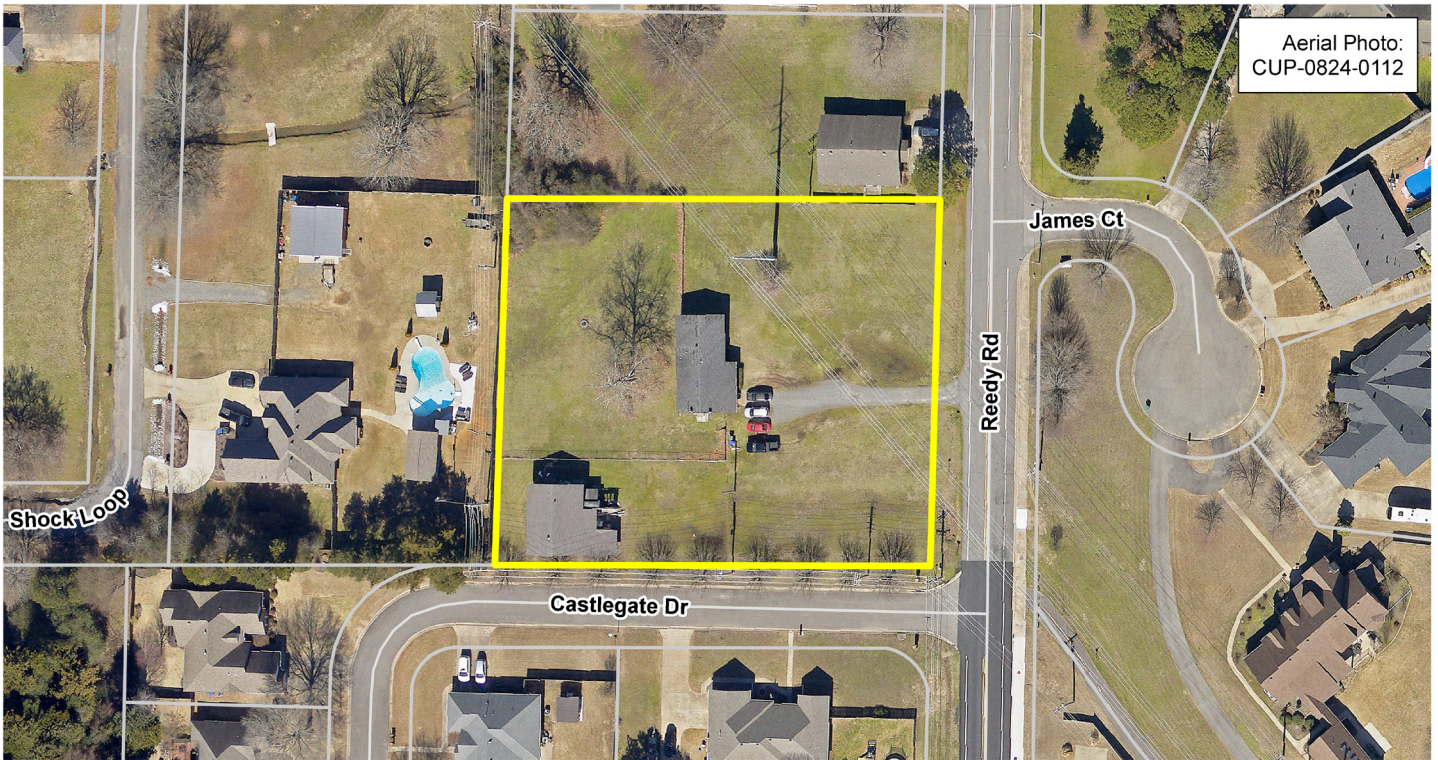
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APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front Street
Conway, AR 72032

OWNER

D T Real Estate, LLC
1014 Front Street
Conway, AR 72032



SITE DATA

Location. 377 Reedy Road.

Site Area. 1.52 acres±.

Current Zoning. R-1 (One Family Residential District).

Adjacent Zoning. North:R-1; West: A-1 (Agricultural District); East and South: R-1 (One Family Residential District).

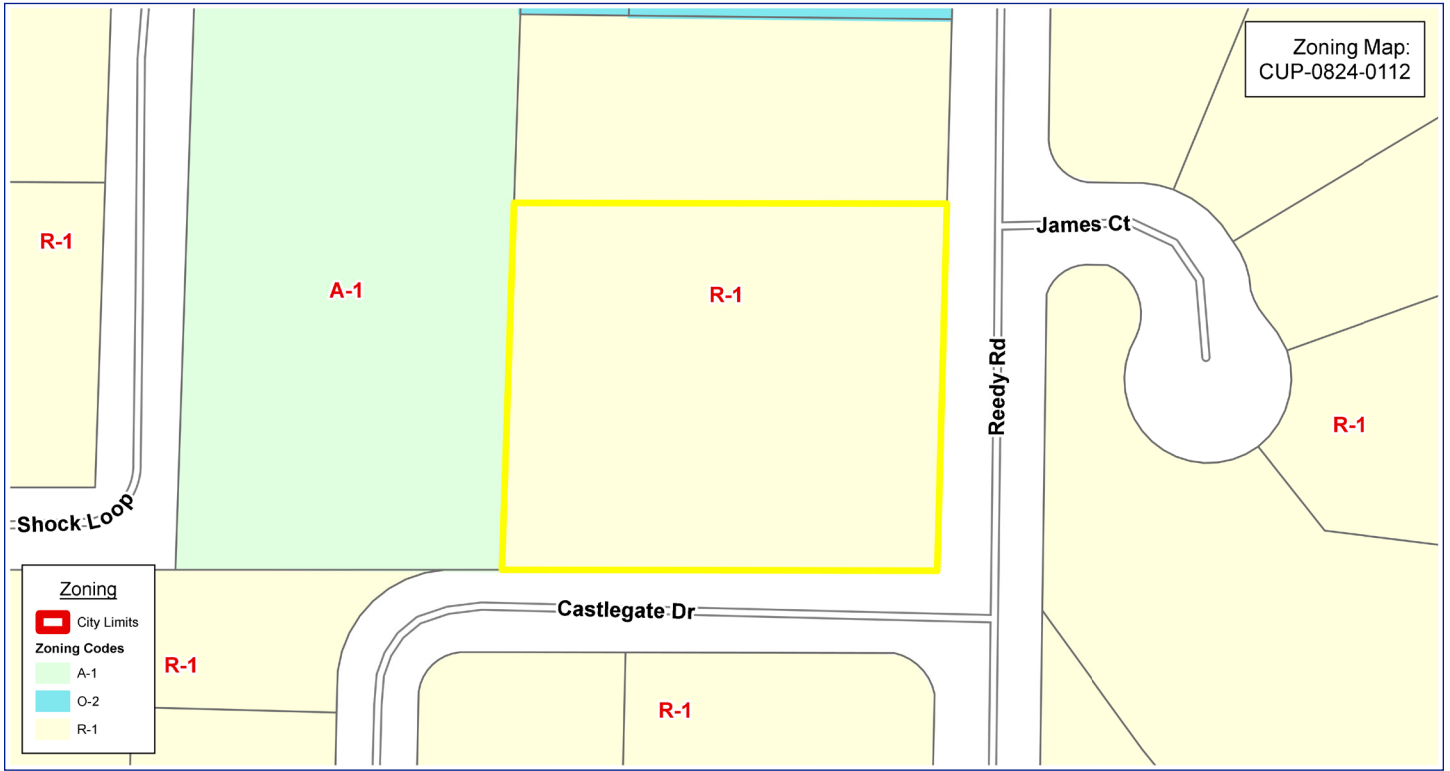
Existing Structures. 1375sf single family home with a 1200sf detached accessory building.

Overlay. None.

Requested Conditional Use Permit. To allow for MF-1 density in the R-2A zoning district.

Comprehensive Plan. Single-Family.

Southwest corner of Reedy Rd and Castlegate Dr



Southwest corner of Reedy Rd and Castlegate Dr

Projected Traffic Impact. The applicant is proposing attached single-family dwellings on this lot. Developed with (8) attached single-family dwellings, the traffic impact would likely be minimal. This development is anticipated to yield approximately 58 vehicle trips per typical weekday. Trips would be distributed onto Reedy Rd.

Flood\Drainage. The site is not within any regulated floodplains or floodways.

Utilities. The site will be served by Conway Corp for all utilities.

Street Improvements. No current improvement plans.

DESCRIPTION OF PROJECT

This request is to allow MF-1 density (No more than 12 units per gross acre) in the R-2A zoning district. The applicant is proposing eight (8) attached single-family dwellings. The development of this lot is limited due to a 100' utility easement that runs through the property. This request runs concurrently with the rezoning case, REZ-0824-0113.

STAFF COMMENTS

- The 100' utility easement that runs through this property effects large sections of developability for this lot, that, if not existing, would allow for greater density. The conditional use request helps to alleviate some of this hardship and for the development of the parcel to its highest and best use.
- Staff met with applicant prior to submission. It was determined that a rezoning to R-2A with a Conditional Use Permit allowing MF-1 density would be the most appropriate method to increase density without causing significant zoning issues with the surrounding area.
- As conditioned, the Conditional Use Permit would likely not negatively impact adjacent properties and will allow for appropriate redevelopment of the property.

STAFF RECOMMENDATIONS

Planning Staff recommends the approval of the request with the following conditions:

1. The development is limited to a maximum of eight (8) total dwelling units.
2. Access shall be limited via a driveway from Reedy Rd.
3. The building's primary exterior shall be composed of brick, rock, or a cement fiber board product.
4. Vinyl siding as a primary cladding material shall be prohibited; vinyl siding/shingles may only be used on gables and dormers.
5. The development shall be subject to site development review in accordance with Article 10 of the Zoning Code.
6. The property shall be platted in accordance with the Subdivision Ordinance.
7. Enhanced landscaping shall be provided along all property lines at the ratio of 1 canopy tree every 20' (or understory tree every 10') and additional shrubs, installed in the form of a hedgerow, shall be required to screen parking, mechanical equipment, and/or dumpster/trash enclosure.
8. The conditional use approval shall become null and void if construction for the use is not commenced within 18 months from the date of approval of this permit.
9. All signage shall be permitted and installed in accordance with the Conway Sign Code.
10. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
11. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
12. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.

SAMPLE MOTION

I move to accept the staff recommendation to approve the request with conditions indicated in the staff report on the basis that, as conditioned, the proposed development aligns with the area and will not likely negatively impact adjacent property.

Southwest corner of Reedy Rd and Castlegate Dr

**Central
Arkansas
Professional
Surveying, LLC**

1021 Front Street
Conway, AR 72032
501.513.4800
501.513.0900-fax

August 16, 2024

Re: R T Real Estate
377 Reedy Road
Conway, AR 72034

To Whom It May Concern,

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The intent is to rezone from R1 to R2A with a conditional use to allow MF-1 density in R2A zoning.

If you have any questions, please call me at 501.513.4800.

Sincerely,



Robert French, PS 1363

Central Arkansas Professional Surveying, LLC

Southwest corner of Reedy Rd and Castlegate Dr

1 SITE PLAN CONCEPT
1" = 20'-0"



REEDY ROAD TOWNHOMES
ARCHITECTURAL SITE PLAN

08.05.2024

BUILDING	NUMBER OF UNITS		
	SF PER UNIT	# OF UNITS	TOTAL SF
172' TOWNHOME	1,512	6	9,072
57' TOWNHOME	1,512	2	3,024

Southwest corner of Reedy Rd and Castlegate Dr



View of subject property from Reedy Rd looking W



View of subject property from Castlegate Dr looking N



Property adjacent to the N



Property adjacent to the S, across Castlegate Dr



View of adjacent properties to the NW along Castlegate Dr



View of adjacent properties to the SE

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

- (SDR-0324-0033) Pediatrics Plus Parking Lot Addition
- (SDR-0724-0104) Salter Building Warehouse Addition

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

- (P2024-00046) Still Water Replat