



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

October 18, 2021 • 7:00pm • 1111 Main Street



City of Conway PLANNING COMMISSION

October 18, 2021

PLANNING COMMISSION

Brandon Ruhl, Chairman
Arthur Ingram, Vice-Chairman
Anne Tucker, Secretary
Adam Bell
Rebekah Fincher
Drew Gainor
Latisha Sanders-Jones
Laura King
Larry Webb
Rhea Williams

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 **October 26, 2021**.

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.

Roll Call.

Approval of Minutes. September 20, 2021

I. Old Business - Public Hearing

- A. Request for conditional use permit to allow Auto-related Sales or Service Establishment in the C-MU zoning district of the Markham Street Neighborhood Specific Plan for property located at 1061 Markham Street and 1056 Spencer Street (CUP-0821-0098)

II. New Public Hearing Items

- A. Request to rezone 16.71 acres +/- located at the northwest corner of Dave Ward Drive and S Country Club Road from O-1 to MF-3 (REZ-0921-0107)
- B. Request to rezone property located at 1320 E German Lane from R-1 to MF-1 (REZ-0921-0109)
- C. Request to rezone 48.52 acres +/- located at 5690 and 5700 Tyler Street from A-1 from R-1 (REZ-0921-0112)

III. Subdivision Review

- A. Request for preliminary plat approval of Lands End Subdivision (SUB-0921-0110)

IV. Additional Business

- A. Selection of new Commission members
- B. Additional items as decided by the Commission

Adjourn.

Request for Conditional Use Permit: Auto-related Sales and Service establishment in C-MU

I.A

1061 Markham Street and 1056 Spencer Street

APPLICANT/DESIGN PROFESSIONAL

Brandon Ruhl/Ruhl Design Build, PLLC
PO Box 10146
Conway, AR 72034

OWNER

Chris Crain/Chris Crain Enterprises
380 Savannah Park Cir
Conway, AR 72034



SITE

Location. 1061 Markham St and 1056 Spencer St; property along Smith St between Spencer St and Markham St.

Site Area. 0.58 acres ±.

Current Zoning. C-MU (Commercial Mixed-Use, Markham Street Neighborhood Specific Plan).

Abutting Zoning. North, East, West, South: C-MU (Commercial Mixed-Use).

Existing Structures. 5,800 sf metal office building and 4,000 sf metal office/garage building.

Overlay. Markham Street Neighborhood Specific Plan.

Requested Conditional Use. Auto-related sales or service establishment.

Comprehensive Plan. Special Study Area.

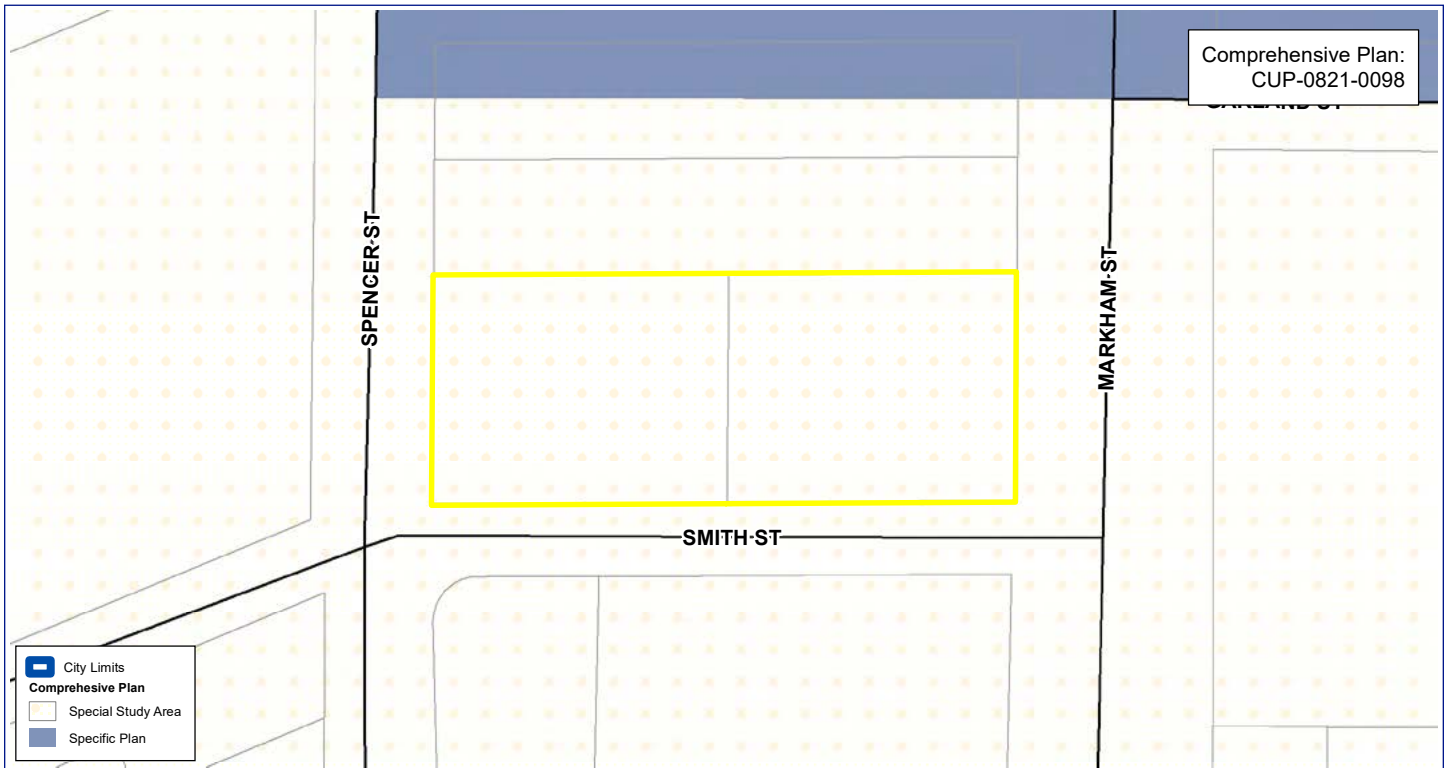
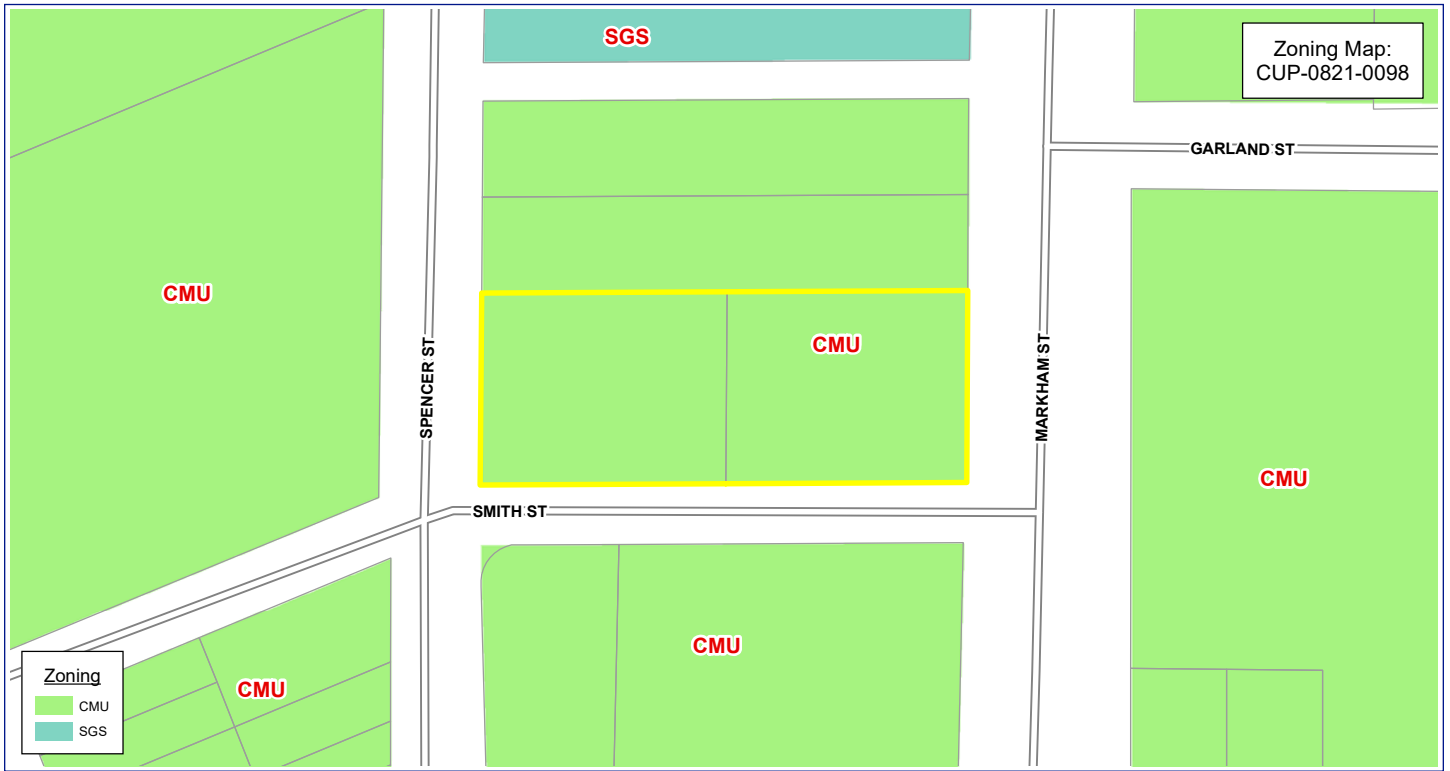
Projected Traffic Impact. It is estimated the use will generate approximately 350 vehicle trips per typical weekday.

Current Traffic Counts. Front St – 4,100 ADT, North St – 3,700 ADT. No current traffic counts exist for Markham St. It is estimated current traffic on Markham St is less than 5,000 ADT.

Request for Conditional Use Permit: Auto-related Sales and Service establishment in C-MU

I.A

1061 Markham Street and 1056 Spencer Street



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

Utilities. The site is developed and currently served by utilities.

Master Street Plan. Markham St – Collector; Smith St – Local Non-Residential; Spencer St – Local Non-Residential.

Street Improvement. Markham St, between Oak St and Walnut St, has been completely reconstructed as a two-lane street with a cycle track, planter islands, and wide sidewalks. **Woonerfs** are additionally proposed north of the site adjacent to Markham Square (currently under construction).

STAFF COMMENTS

- The applicant is proposing to renovate the existing structures for the purpose of establishing an automotive accessory sales and installation business.
- The property's C-MU (Commercial Mixed Use) zoning is intended to, "... provide opportunities for appropriately scaled office, retail, live-work, and urban residential infill...". As such the use is not consistent with the intent of the zoning for site.
- The development of site would constitute improvement in an area where improvement is needed. The use could be a valuable transitional use for the area.
- The structures on the site are more industrial in nature and intended for uses similar to the proposed use.
- The use could serve as a deterrent to future residential development in the area without proper conditions that limit its impact.
- The site is in very close proximity to Markham Square which is currently under construction. The park is intended to help create dense walkable development in the area.
- The use will require separate staff review for a Certificate of Appropriateness in accordance with Section 7.2 of the Markham Street Neighborhood Specific Plan.
- Section 901.2, paragraph J – "Conditional Use Development Standards and Review Guidelines" require that use be in conformance with all off-street parking and loading requirements, landscaping and screening requirements, and all applicable provisions for the district in which it is located. Based on informal review of the applicant's plans, the use will meet the requirements of the Markham Street Neighborhood Specific Plan.



View of Markham St looking N



Markham Square Overlook Deck Concept (image credit: SWA Group)

STAFF RECOMMENDATIONS

Staff recommends approval of the request with conditions. While the use is not directly compatible to the area, it could prove valuable to the area in helping catalyze development. Those portions of the use which may potentially harm adjacent property or impede development can be mitigated with proper conditions.

1. Vehicle sales of any kind are prohibited. This includes, but is not limited to, automobiles, trucks, motorcycles, and all-terrain vehicles.
2. Sales shall be limited to OEM and after-market parts and may include on-site installation.
3. Storage, staging, and outdoor display of vehicles within parking or loading areas along Smith St and Spencer St shall be prohibited.
4. No tires, merchandise, or parts for sale shall be displayed outside.
5. All repair or installation work shall be conducted indoors.
6. Any equipment stored outside shall be screened from view from a public street or right-of-way.
7. Car shows and similar special events shall be prohibited.
8. Hours of operation shall be limited to 7 AM to 7 PM, Monday through Saturday. Outside of these hours operation of the site shall

Request for Conditional Use Permit: Auto-related Sales and Service establishment in C-MU

I.A

1061 Markham Street and 1056 Spencer Street



View of the subject property from Smith St looking N



View of the subject property from Markham St looking SW



View of the subject property from Smith St looking W



View of subject property from Smith St looking N



View of the subject property and adjacent property from Spencer St looking NE



View of the subject property and adjacent property from Spencer St looking E

Request for Conditional Use Permit: Auto-related Sales and Service establishment in C-MU

1061 Markham Street and 1056 Spencer Street

Applicant provided conceptual site plan

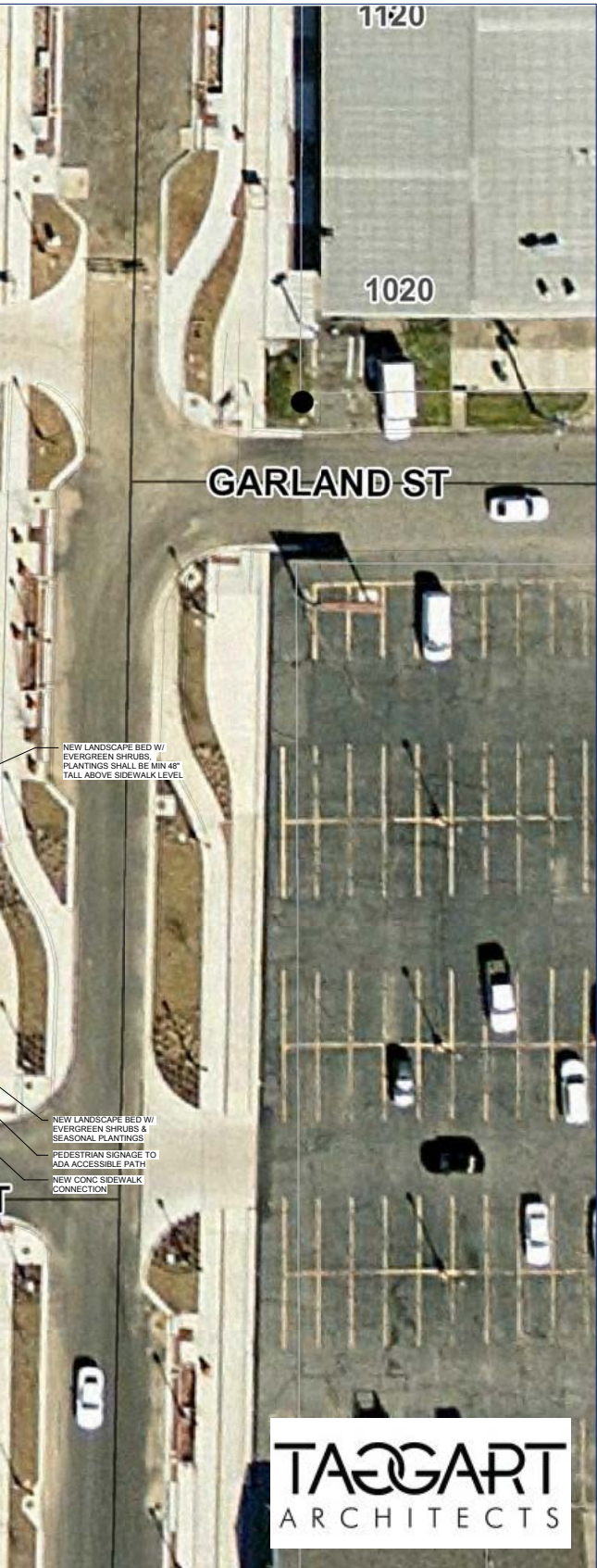


Request for Conditional Use Permit: Auto-related Sales and Service establishment in C-MU

I.A

1061 Markham Street and 1056 Spencer Street

Applicant provided perspective renderings



4 1056 SPENCER - BIRDSEYE



3 1056 SPENCER - NW PERSPECTIVE



2 1056 SPENCER - SE PERSPECTIVE



1 1056 SPENCER - SW PERSPECTIVE

Request to Rezone: O-1 to MF-3

16.71 acres +/- at northwest corner of Dave Ward Drive and S Country Club Road

APPLICANT/AUTHORIZED AGENT

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

OWNER

Paladino Real Properties, LLC
225 Sturgis Rd
Conway, AR 72032



SITE

Location. Northwest corner of the intersection of Dave Ward Dr and S Country Club Rd, immediately south of the New Life Church development.

Site Area. 16.71 acres +/-.

Current Zoning. O-1 (General Office).

Requested Rezoning. MF-3 (Multi-Family Residential; maximum 24 units/acre).

Adjacent Zoning. North – O-1; East – O-2; South, West – O-1 and A-1.

Existing Structures. None.

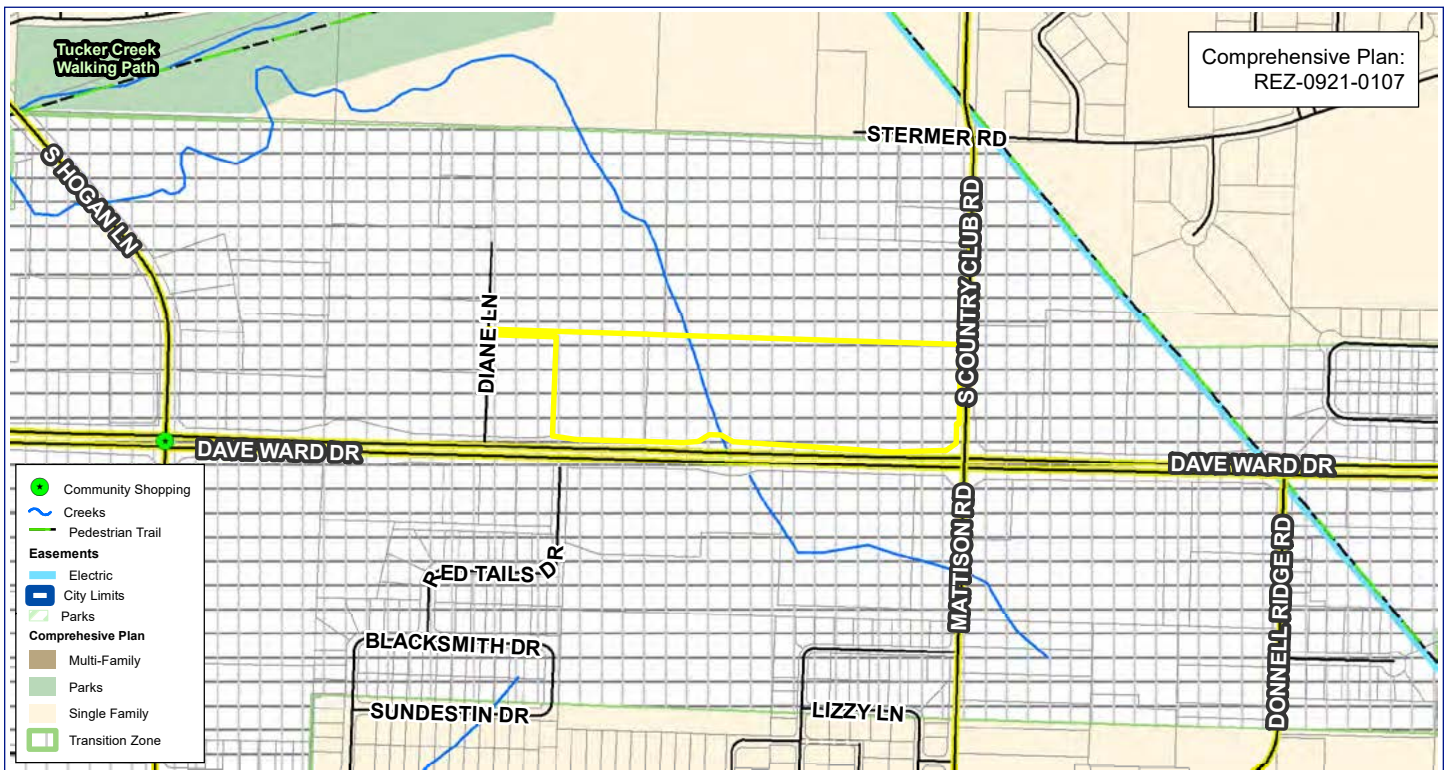
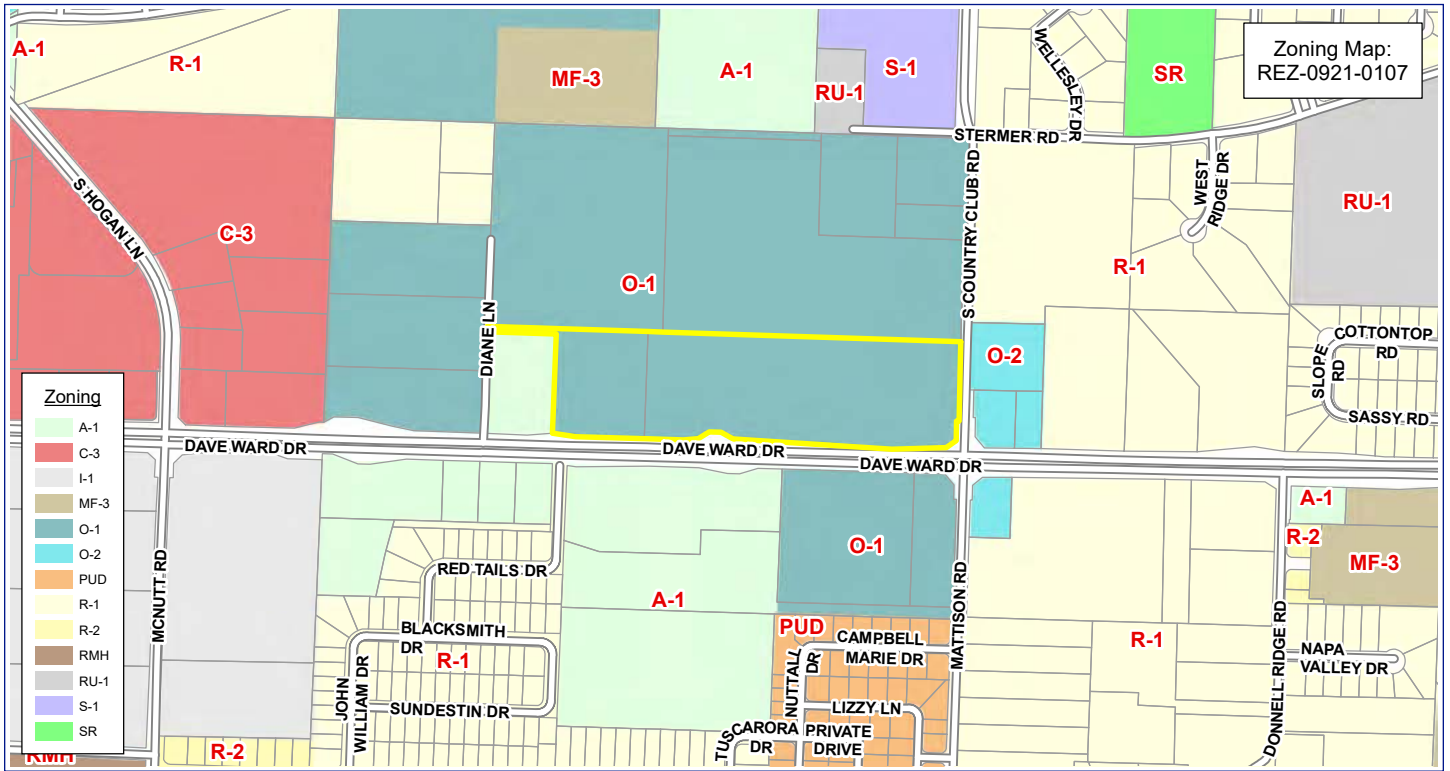
Overlay. None.

Comprehensive Plan. Transition Zone.

Projected Traffic Impact. With a rezoning to MF-3 and developed at 24 units per acre the likely increase in traffic impact would be significant as the site is currently vacant. Development of the property at that density would generate an estimated 2,135 vehicle trips per typical weekday. This estimate is based on the allowed density of the requested zoning district and the acreage included in the request.

Request to Rezone: O-1 to MF-3

16.71 acres +/- at northwest corner of Dave Ward Drive and S Country Club Road



Request to Rezone: O-1 to MF-3

II.A

16.71 acres +/- at northwest corner of Dave Ward Drive and S Country Club Road

Current Traffic Counts. Dave Ward Dr at UCA (32,000 average daily traffic).

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

Utilities. The applicant will need to coordinate the extension of utilities with Conway Corporation.

Master Street Plan. Dave Ward Dr – Major Arterial; S Country Club Rd – Minor Arterial.

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant is requesting a rezoning to MF-3 for the purpose of high-density residential development.
- The Comprehensive Plan designates the area as Transition/Mixed Use. Although no multi-family zoning currently exists in the area the Transition/Mixed Use designation supports more intense uses along major roadways, including multi-family, "...when sensitivity to adjoining residential areas is taken into account". Surrounding area uses consist of institutional (churches), office, single-family residential, and rural/undeveloped.
- The site was rezoned to O-1 in 2001 as part of a larger, 75-acre request. Since that time a sizable portion of the property has been developed for use as a church, a use permitted by right in O-1.
- Also in 2001, Conditional Use Permit No. 1154 was approved permitting restricted retail for a 21.88-acre portion of the property. This conditional use permit no longer seems applicable as it does not align with current property boundaries or common ownership.
- Planning staff suggests considering revoking the permit if a zoning change is recommended for approval.
- Given that the site has not developed in 20 years under current zoning, it appears some form of multi-family development may be more appropriate for the site.
- If approved, any development would be subject to subdivision regulations, site development review, and the Dave Ward Drive Access Management Plan.
- MF-3 zoning uses permitted by right are primarily residential and some agricultural, but also certain institutional uses such as elementary and secondary schools, college, and nursing home.
- The development of the property under MF-3 zoning would represent a substantial increase in intensity. Development under MF-2 would be more similar to that as allowed under the current O-1 zoning.



STAFF RECOMMENDATIONS

Staff recommends denial of the requested MF-3 zoning as the considerable density is unprecedented in the immediate area and would represent an abrupt change without suitable transition or buffer to surrounding uses. While some level of multi-family zoning is appropriate in this location, MF-3 would create a stark change to the established development pattern of the area and could negatively impact surrounding properties.

As an alternative to denial of the request, staff recommends approval of MF-2 (Multi-Family Residential; maximum 18 units/acre), as it would allow appropriate use of the property with density compatible to the surrounding area.

Due to changes in the Planning Commission by-laws, any such request must be made by the applicant prior to closure of the public hearing and the public hearing shall be required to be continued to the following month's meeting prior to taking action on the item.

Request to Rezone: O-1 to MF-3

II.A

16.71 acres +/- at northwest corner of Dave Ward Drive and S Country Club Road



View of the subject property from Diane Ln looking E



View of the subject property from Dave Ward Dr looking NE



View of subject property from property adjacent to the N looking SW



Property adjacent to the N



Property adjacent to the E (across Country Club Rd)



Property adjacent to the S (across Dave Ward Dr)

Request to Rezone: R-1 to MF-1

1320 E German Lane

II.B

APPLICANT/DESIGN PROFESSIONAL

Terry Burruss / Terry Burruss, Architect
11912 Kanis Rd, Ste F8
Little Rock, AR 72211

OWNER

Lisa Ferguson
7 Shady Oak Dr
Greenbrier, AR 72058



SITE

Location. 1320 E German Ln.

Site Area. 1.0 acres +/-.

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

Requested Rezoning. MF-1 (Multi-Family Residential; 12 units/acre).

Adjacent Zoning. North – R-1; South, East – MF-3; West – MF-1.

Existing Structures. 1,069 sf single-family residence.

Overlay. None.

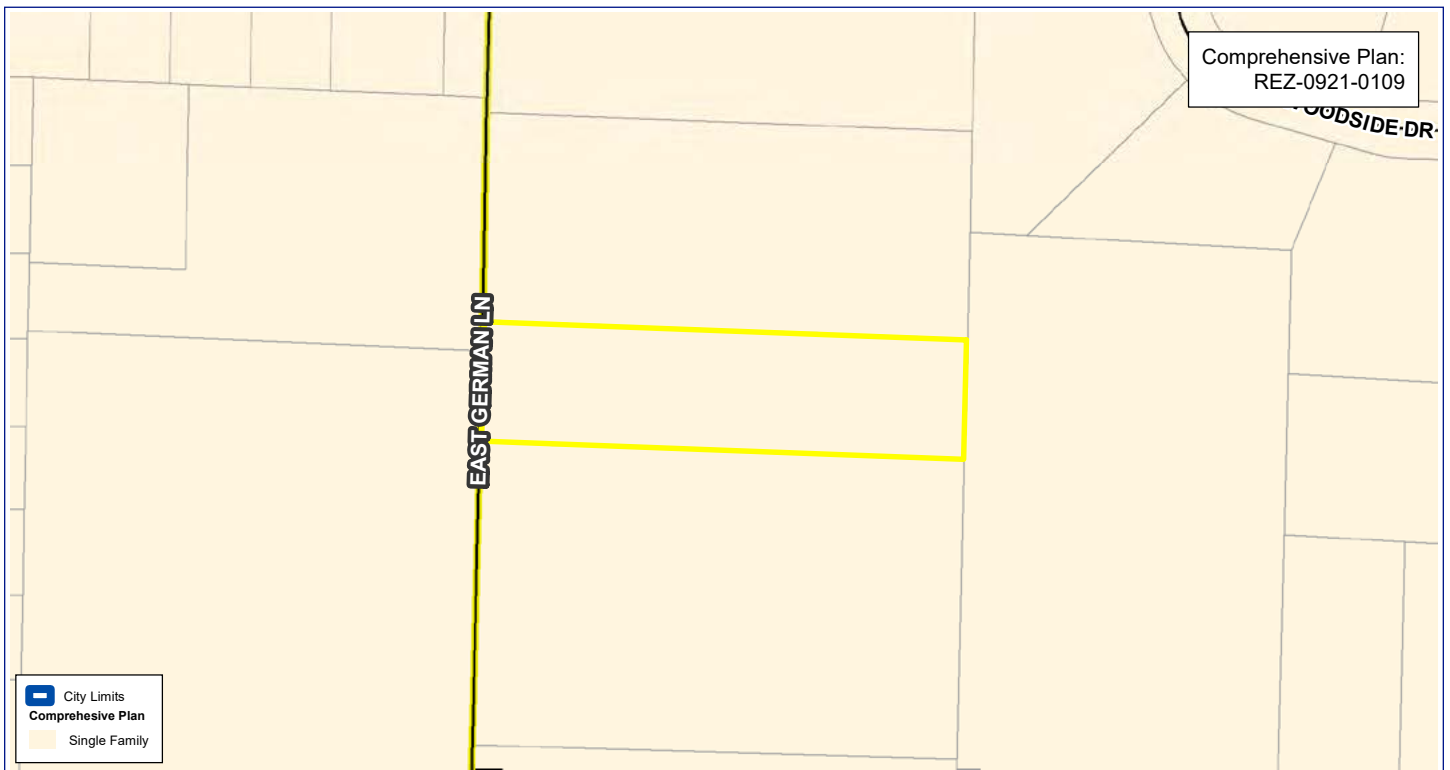
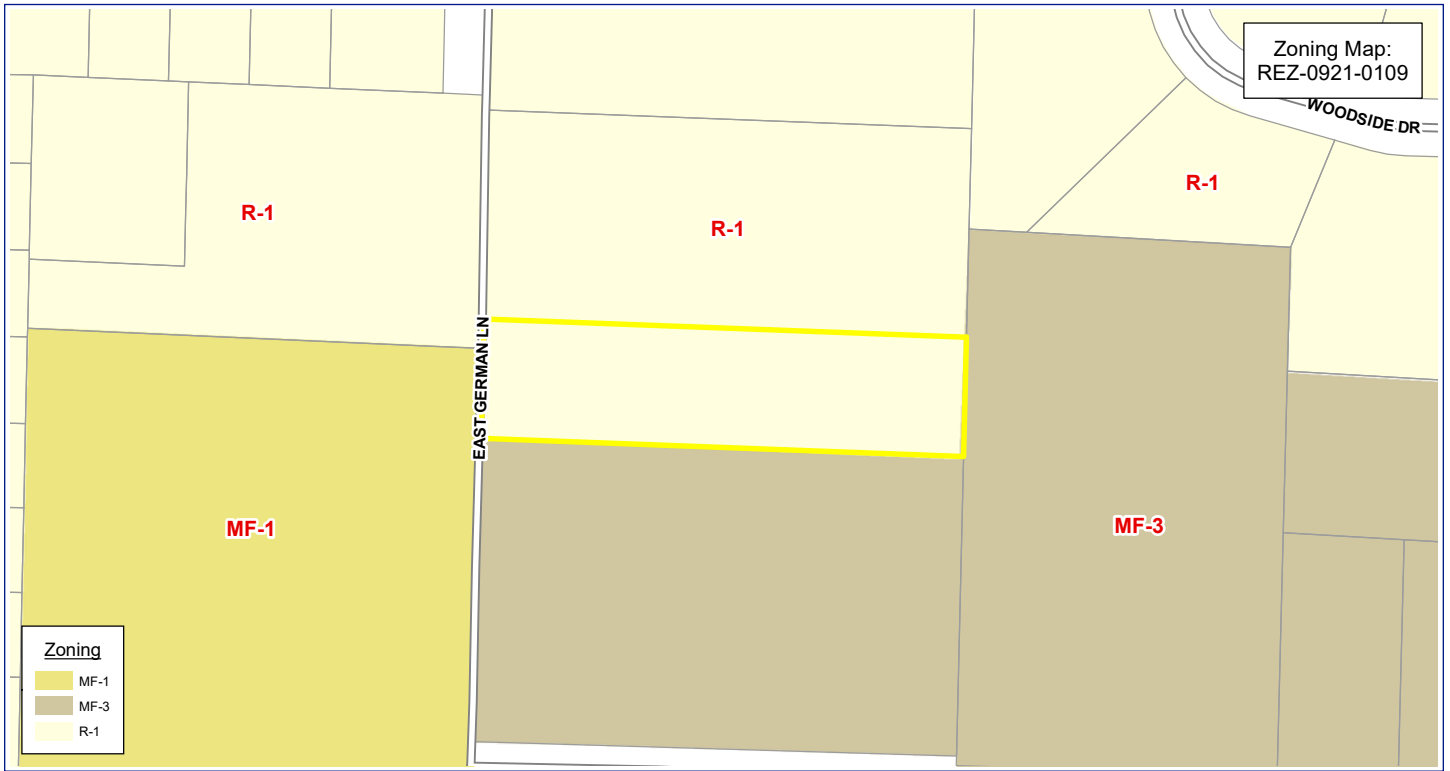
Comprehensive Plan. Single Family.

Projected Traffic Impact. With a rezoning to MF-1 and developed at 12 units per acre the likely increase in traffic impact would be minimal. Development of the property at that density would generate an estimated 50 vehicle trips per typical weekday. This estimate is based on the allowed density of the requested zoning district and the acreage included in the request.

Current Traffic Counts. E German Ln (8,200 ADT).

Request to Rezone: R-1 to MF-1

1320 E German Lane



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

Utilities. The site is developed for single family use, however the applicant will need to coordinate the expansion of utilities with Conway Corporation.

Master Street Plan. E German Ln – Minor Arterial.

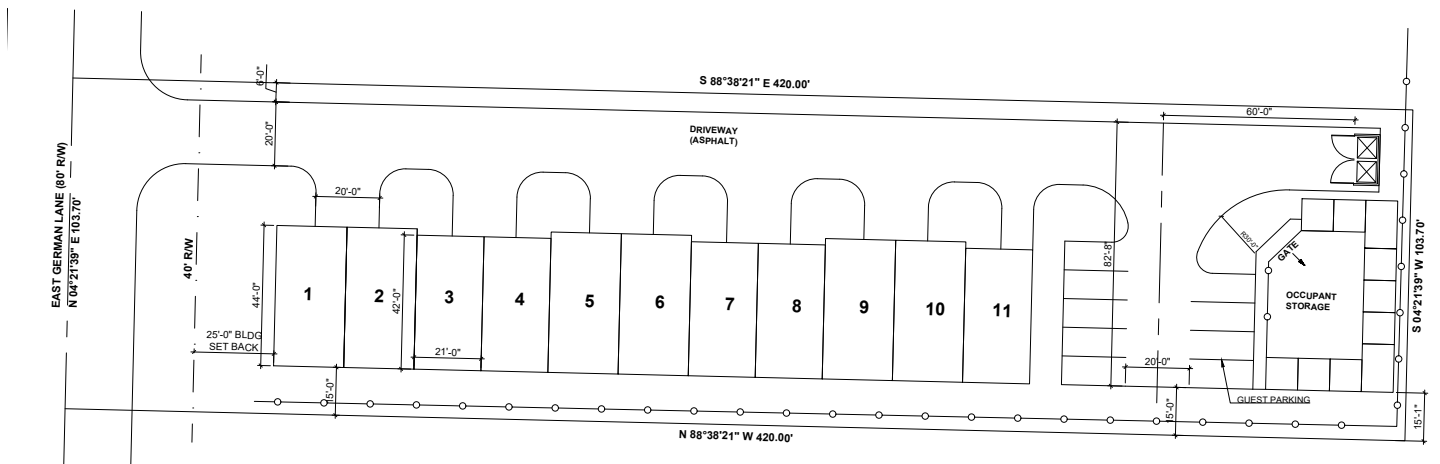
Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant is requesting a rezoning to MF-1 for the purpose of low-density residential development.
- The Comprehensive Plan designates the area as single-family, which is not consistent with the requested multi-family zoning, however the plan does not reflect the extent of multi-family, office, and commercial development, including the nearby grocery store and fuel station, which has occurred along this portion of E German Ln in recent years.
- South of the subject property are predominantly multi-family developments of various densities while to the immediate north is mostly single-family residential development.
- If approved, the proposed development would be subject to subdivision regulations and site development review.
- Moderate density residential development of the property would serve as an appropriate transition between the multi-family uses to the south and east and the single-family residential uses to the north.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning request as it would allow for appropriate use of the property in context to the surrounding area and would not likely negatively impact adjacent properties.



Applicant provided conceptual site plan

Request to Rezone: R-1 to MF-1

1320 E German Lane

II.B



Property adjacent to the N



View of subject property from E German Ln looking E



Property adjacent to the W (across E German Ln)



Property adjacent to the W (across E German Ln)



Property adjacent to the S

Request to Rezone: A-1 to R-1

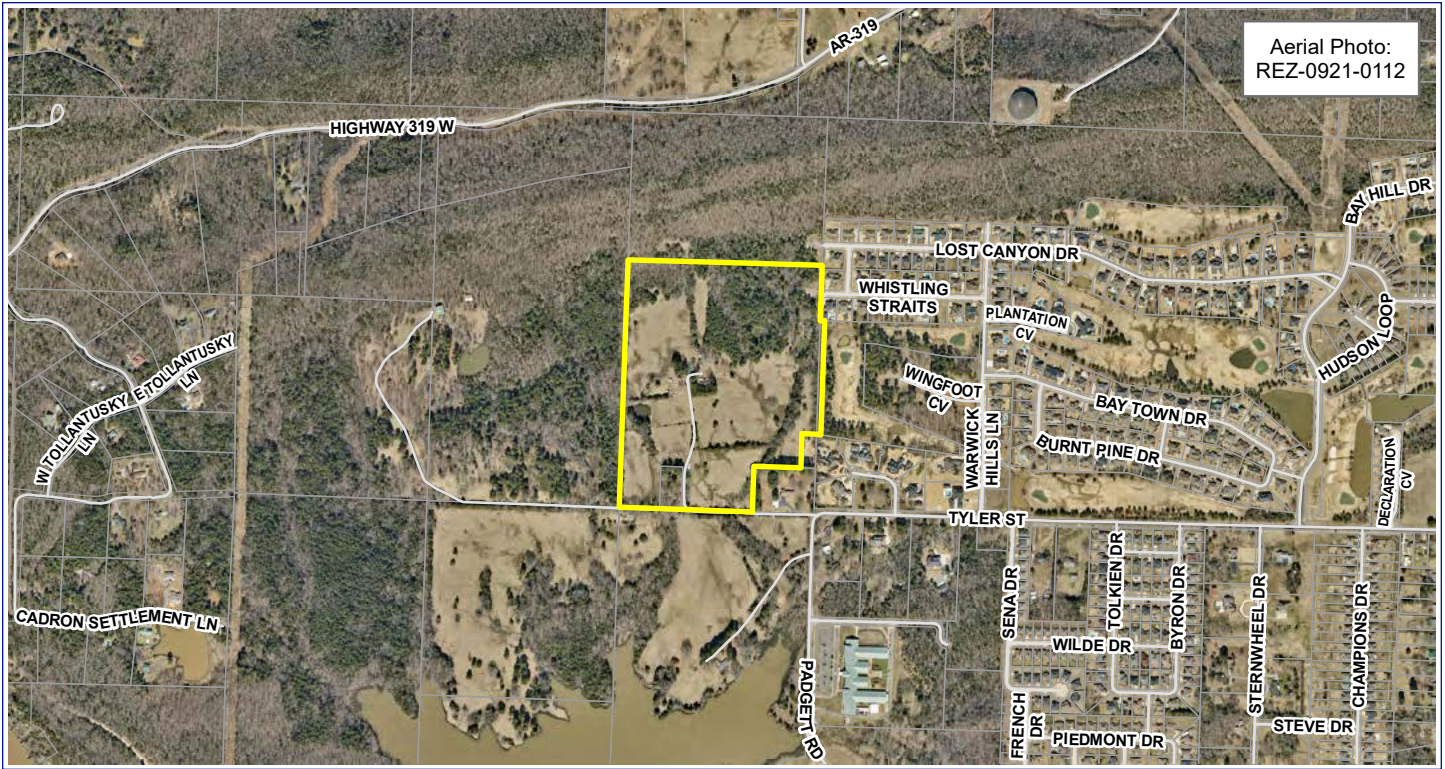
48.52 acres +/- at 5690 and 5700 Tyler Street

APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

OWNER

Harding-Crafton Investment Property, LLC
Hal Crafton
PO Box 10482
Conway, AR 72034



SITE

Location. 5690 and 5700 Tyler St, approximately 400 feet west of the intersection of Tyler St and Padgett Rd.

Site Area. 48.52 acres +/-.

Current Zoning. A-1 (Agricultural).

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

Adjacent Zoning. North, South, West – A-1; East – A-1 and R-1.

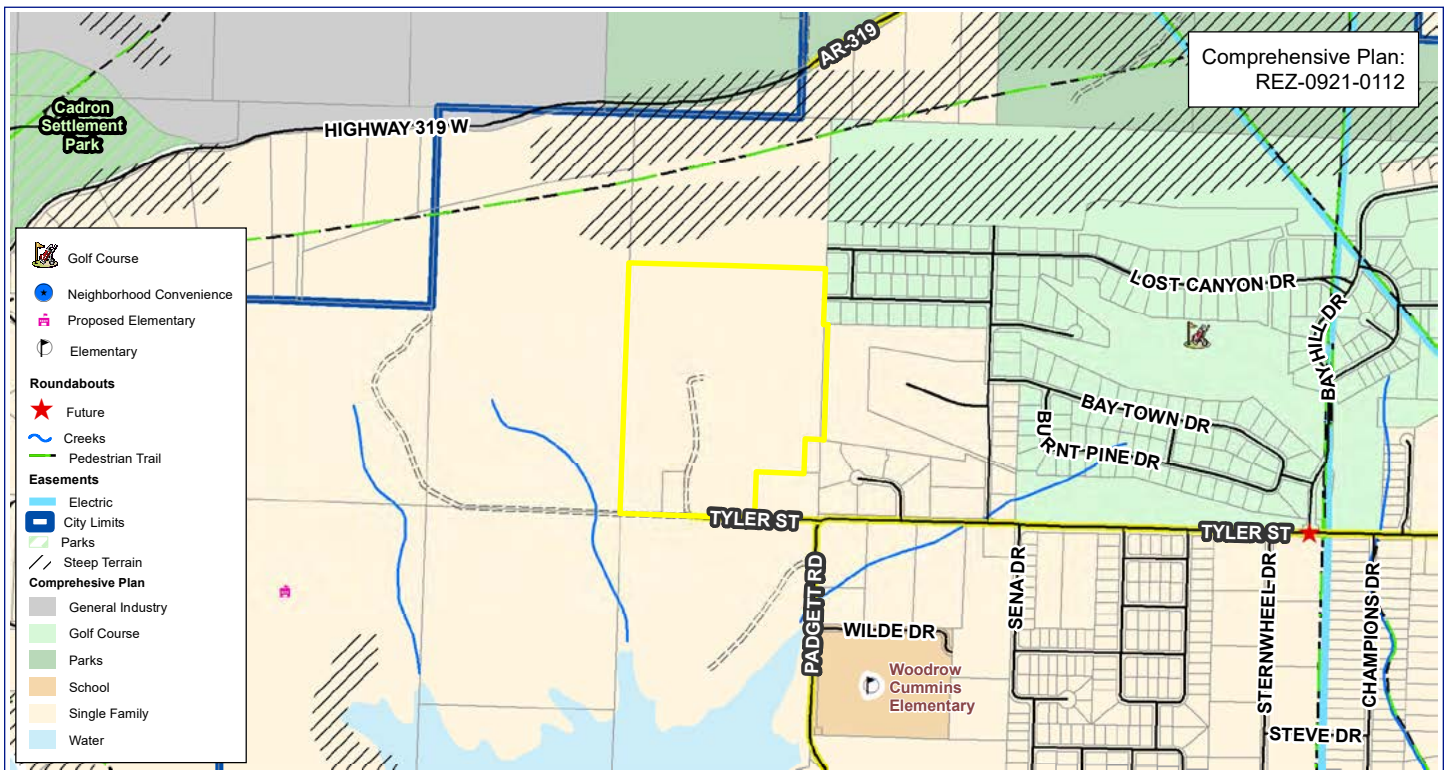
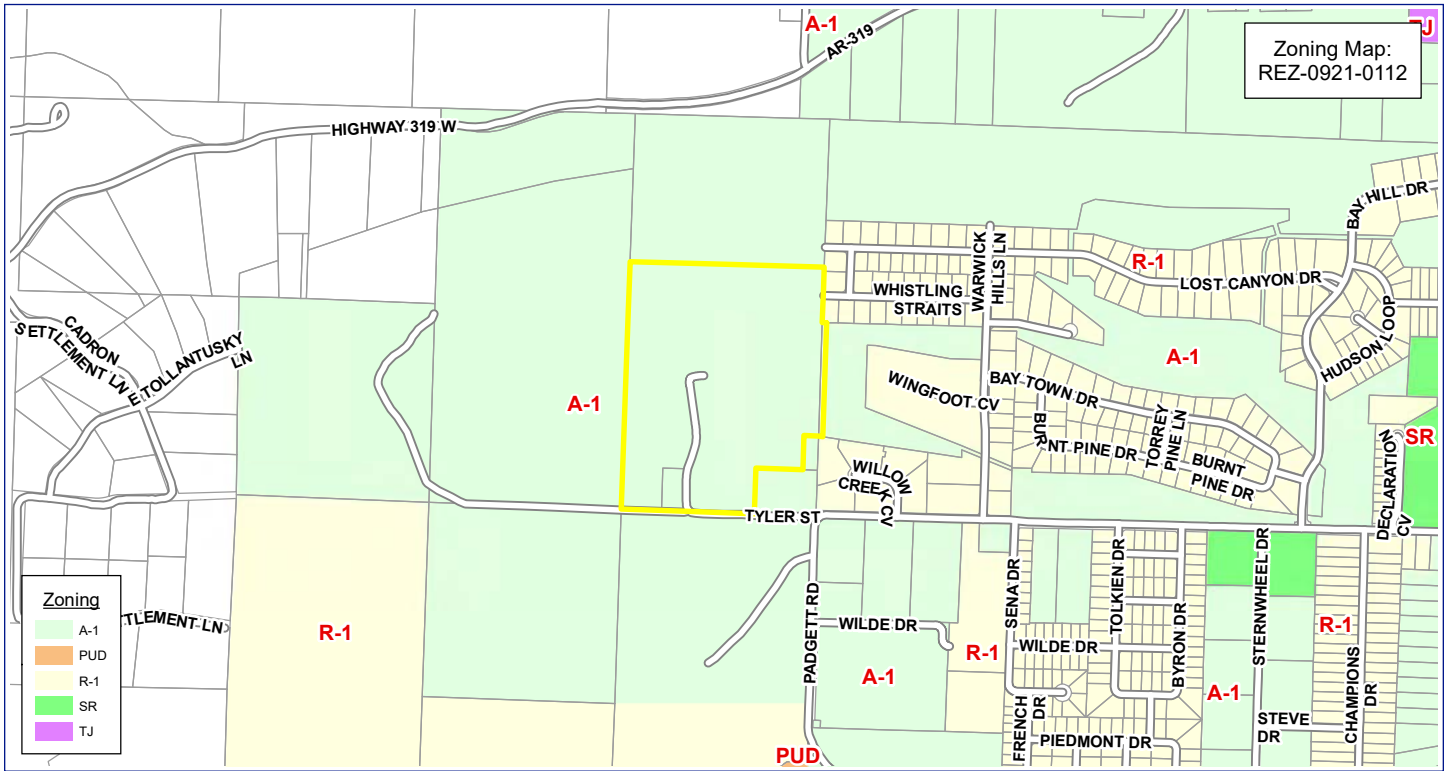
Existing Structures. 864 sf single-family residence with accompanying 640 sf carport; 1,814 sf single-family residence, 960 sf single-family residence, plus multiple accessory outbuildings.

Overlay. None.

Comprehensive Plan. Single Family.

Request to Rezone: A-1 to R-1

48.52 acres +/- at 5690 and 5700 Tyler Street



Request to Rezone: A-1 to R-1

II.C

48.52 acres +/- at 5690 and 5700 Tyler Street

Projected Traffic Impact. With a rezoning to R-1 and fully developed as single-family residential, the likely increase in traffic impact could be moderate. A concurrent application for preliminary plat approval included on this agenda represents proposed development of 35% of the total property. Based on this developer-proposed density it is anticipated the total development could generate an estimated 1,457 vehicle trips per typical weekday. It is anticipated that the remainder of the property will develop in a similar manner.

Current Traffic Counts. Tyler St (east of Hogan Ln) - 7,300 ADT.

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

Utilities. The applicant will need to coordinate the extension of utilities with Conway Corporation.

Master Street Plan. Tyler St – Minor Arterial. There is a required north-south Minor Arterial indicated for the property in the Master Street Plan, development of which will be addressed through the subdivision process.

Street Improvement. No improvements are planned at this time. The developer shall be responsible for new road construction, in accordance with City of Conway Transportation Standards, as part of any subdivision process.

STAFF COMMENTS

- The applicant is requesting a rezoning to R-1 for the purpose of developing single-family residential development.
- The applicant has a concurrent application on this agenda for preliminary plat approval of a 54-lot single-family subdivision accounting for 26.97 acres +/- of the property.
- The surrounding area is predominantly single-family residential and rural/undeveloped.
- The Comprehensive Plan designates the area as single-family, which is consistent with the requested zoning.
- The rezoning would not likely result in harm to adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning request as it would not likely negatively impact adjacent property and is consistent with the Comprehensive Plan designation for the site.

Request to Rezone: A-1 to R-1

48.52 acres +/- at 5690 and 5700 Tyler Street



Intersection of Tyler St and Padgett Rd looking W



View of the subject property from Tyler St looking W



Property adjacent to the SE



Property adjacent to the E



Padgett Rd looking S



Tyler St looking E

Request for Preliminary Plat Approval: Lands End Subdivision

26.97 acres +/- at 5690 and 5700 Tyler Street

APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

OWNER

Harding-Crafton Investment Property, LLC
Hal Crafton
PO Box 10482
Conway, AR 72034



SITE DATA

Location. 5690 and 5700 Tyler St; Approximately 400 feet west of the intersection of Tyler St and Padgett Rd.

Site Area. 26.97 acres +/-.

Current Zoning. A-1 (Property is currently under consideration to be rezoned to R-1).

Comprehensive Plan. Single-family.

Master Street Plan. Padgett Extension (Minor Arterial), Tyler St (Minor Arterial) – No public improvements are planned for either corridor within five years.

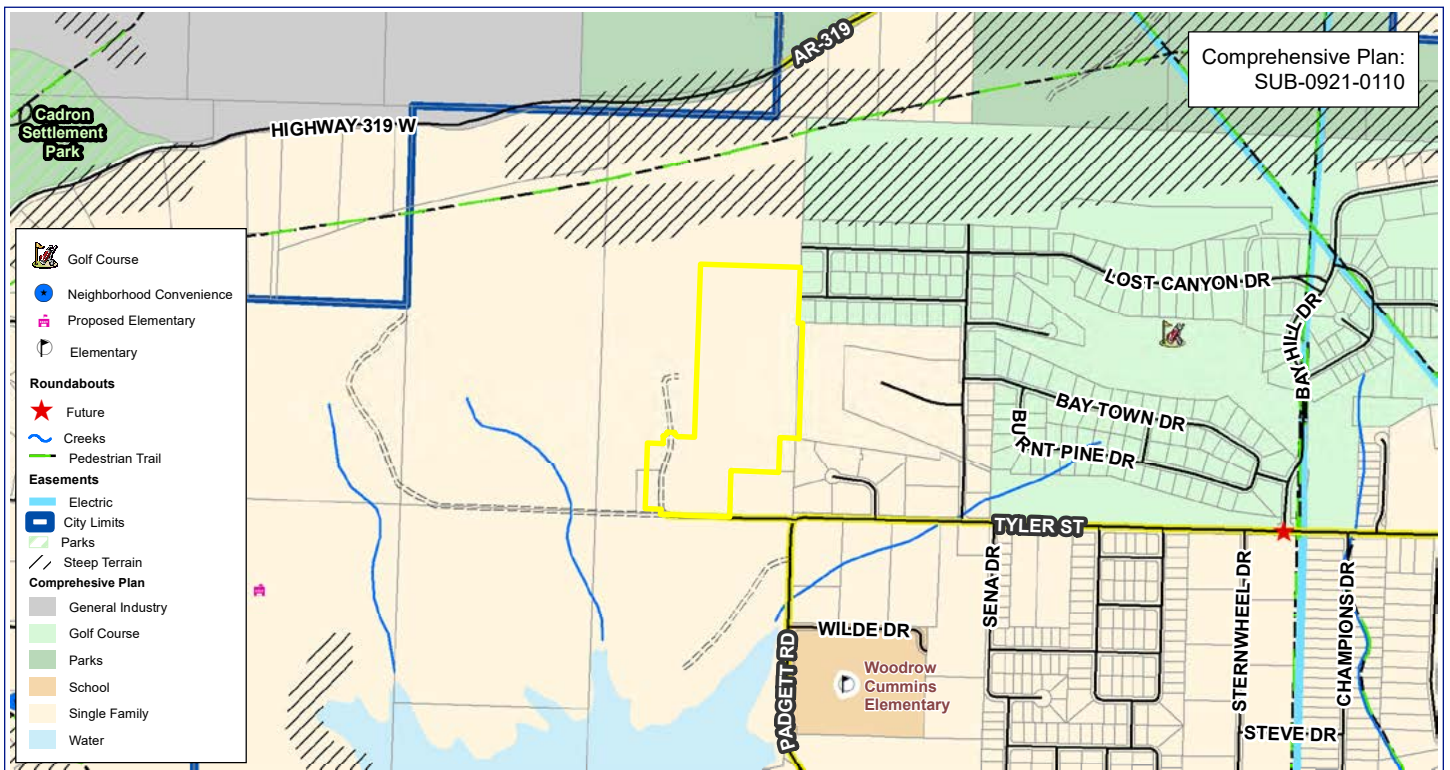
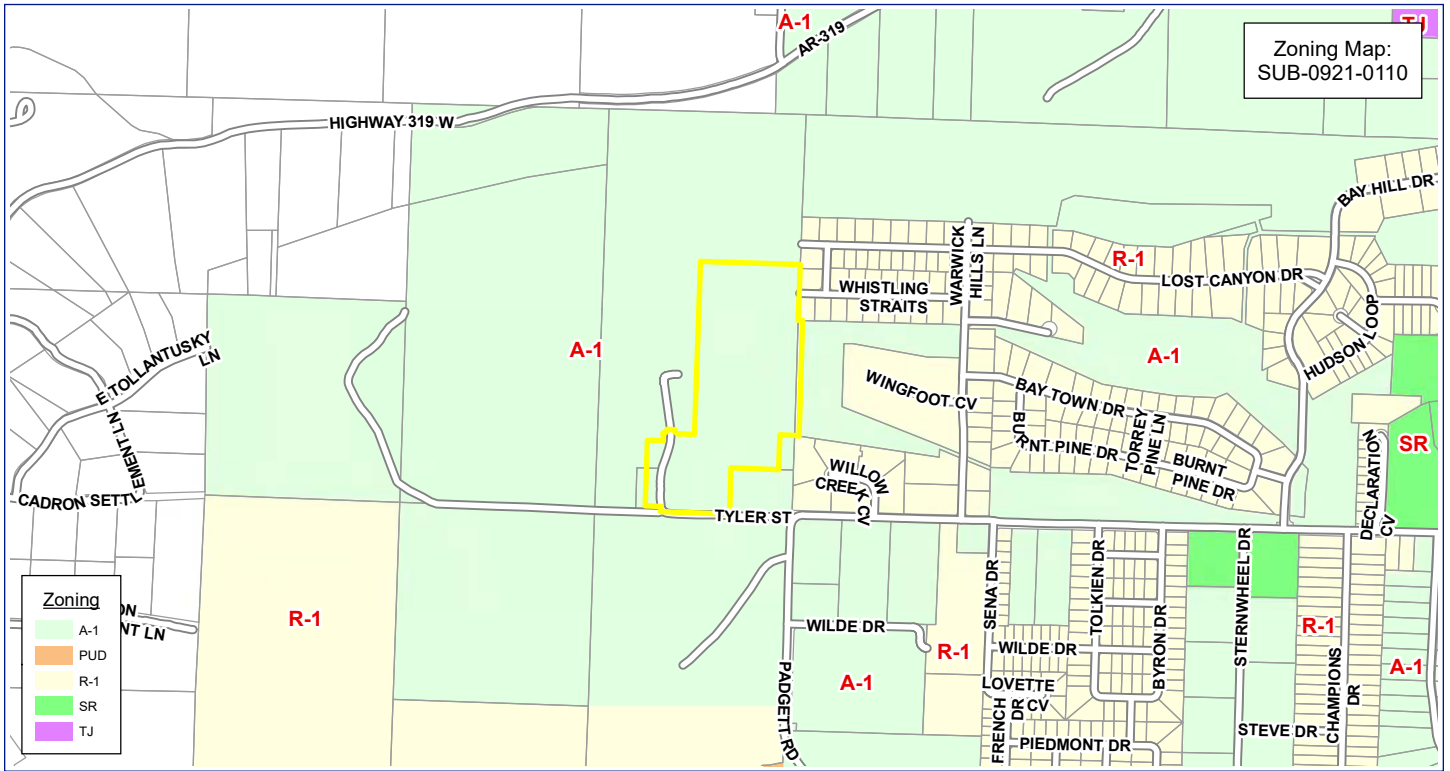
Existing Structures. One single-family residence.

Overlay. None.

Request for Preliminary Plat Approval: Lands End Subdivision

26.97 acres +/- at 5690 and 5700 Tyler Street

III.A



REQUEST

The applicant is requesting preliminary approval of a 54-lot subdivision located approximately 400 feet west of the intersection of Tyler St and Padgett Rd. The development represents Phase 1 of Lands End Subdivision. The property is currently zoned A-1, but the applicant has submitted a concurrent petition to rezone the property to R-1. This application will be contingent on the passage of that application. The proposed lots range from 0.32 acres to 0.71 acres, consistent with the minimum lot requirements for R-1. The subdivision proposes access via improvement of Tyler St and an extension of Whistling Straits from The Reserve at Centennial Ph II. A series of internal streets is proposed to provide access to the majority of the lots. All proposed streets will require 5-foot sidewalks with a 6.5 foot green space.

STAFF COMMENTS

1. There is a required North-South Minor Arterial indicated for the property. In discussion between staff and the applicant, staff agrees accommodation for the street shall be made in a future phase of the subdivision. Based on current needs, staff supports construction of the connection as a local street with dedication of ROW for a collector street. No action is needed on this item.
2. The development fronts onto Tyler St, which is a minor arterial. In discussion between staff and the applicant, staff has determined improvement of Tyler St to collector standards with dedication of ROW for a minor arterial is appropriate.
3. The applicant is making improvement to a vastly under improved section of Tyler St west of Padgett Rd, including over 400' of off-site improvements. The applicant shall be eligible to claim road impact fees for these improvements. The applicant shall be eligible for credits equivalent to the increased cost of improvement from a local to collector standards for the applicable frontage along lots 1, 53, and 54. The applicant shall be eligible for full credit for all improvements made off-site. No action is needed on this item.
4. The development is consistent with the Comprehensive Plan, including the following goals:
 - "Provide opportunities for a variety of housing choices both suitable and affordable situated throughout the City in desirable surroundings which reflect the needs for all citizens."
 - "Protect established residential areas from encroachment of incompatible uses and provide a high standard for development and redevelopment of residential areas."
 - "Provide a logical pattern of land uses throughout the community incorporating an efficient relationship between transportation, public services, residential, commercial, industrial, and business areas."

STAFF RECOMMENDATIONS

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval. This recommendation is contingent upon approval of the associated item rezoning the property to R-1.

CORRECTIONS NEEDED ON THE PLAT

1. Show all hydrant locations.
2. Add Certificate of Preliminary Engineering Accuracy.
3. Indicate proposed locations of CAGIS monuments.
4. Extend Street 2 to the extent of the western property line of Lot 4.
5. Extend Tyler St to the extent of the western property line of Lot 1.
6. Place all of Lot 54 in a drainage easement.
7. Relabel Lot 54 as Lot A - Unbuildable.
8. Provide general note: "Subdivider shall be responsible for construction of sidewalks along Lot A and all unbuildable lots."
9. Name all streets in the subdivision, pending approval by appropriate authorities.
10. Other corrections as noted on Preliminary Plat and provided to the applicant.

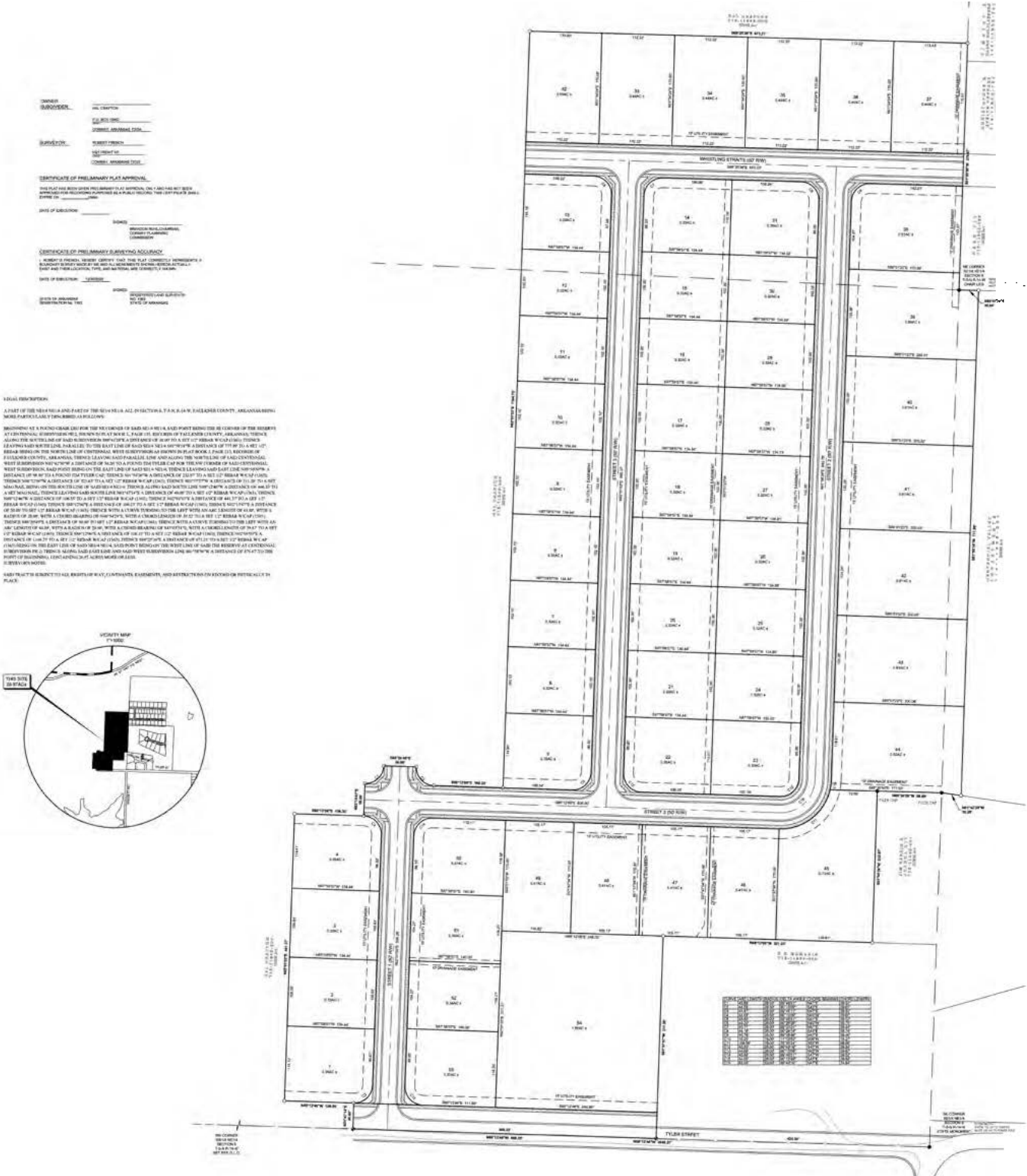
CONDITIONS

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
3. 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.
4. 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.
5. Utility easements as required by Conway Corporation are needed.

Request for Preliminary Plat Approval: Lands End Subdivision

26.97 acres +/- at 5690 and 5700 Tyler Street

6. Drainage easements as required by the City Engineer are needed.
7. 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.
8. 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.

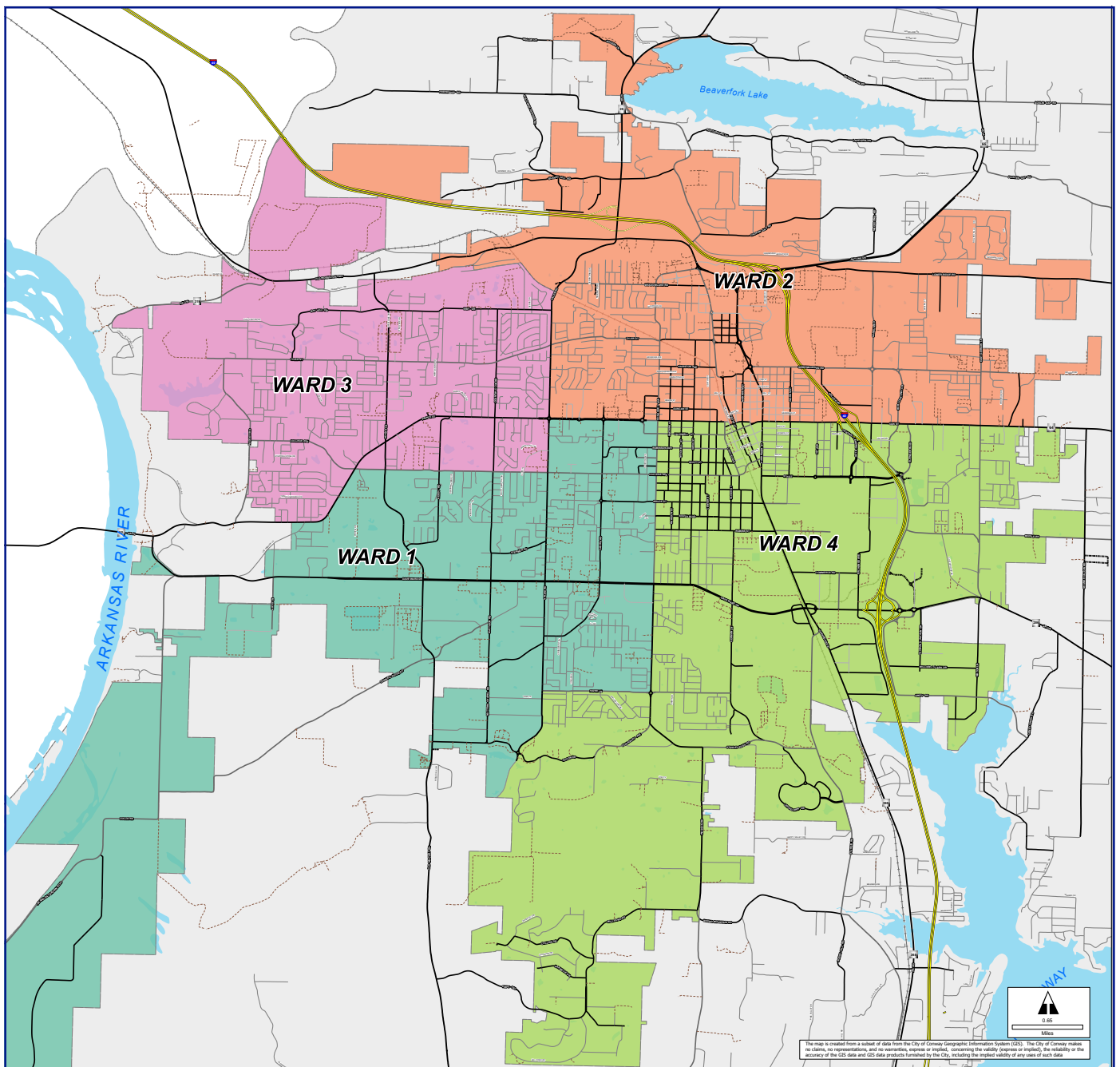


Two new Planning Commissioners will be selected for 2022 to fill vacancies as Brandon Ruhl and Arthur Ingram's terms end on December 31, 2021. The 2 new, 5-year terms will expire in 2026.

City-wide representation is a desirable trait of the Planning Commission. Not including the two outgoing members, the Planning Commission consists of:

- Ward 1 - 1 member
- Ward 2 - 2 members
- Ward 3 - 4 members
- Ward 4 - 1 member

The City's open nomination period for all boards and commissions is October 1 - 31, 2021. All eligible nominees will be considered and recommendations forwarded to the Planning Commission for approval. A special committee for the purpose of interviewing nominees will be needed.



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

- Walk-On's Patio Addition, 955 S Amity Rd (SDR-0821-0100)

Plats submitted for review (Lot Splits, Lot Mergers, and Final Plats)

- Cimarron Park Lots 12 & 13 Merger (SUB-0821-0097)
- Esmeralda Subdivision Replat (SUB-0921-0108)
- Fidar's Survey Replat of Lot 269C (SUB-0921-0118)
- All Secure Storage Replat (SUB-0921-0120)