



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

October 17, 2022 • 6:30pm • 1111 Main Street

**Decisions made by the Planning Commission acting as the Board of Zoning Adjustment are final. Decisions may not be appealed to City Council.*

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

October 17, 2022

PLANNING COMMISSION

Rhea Williams, Chair
Rebekah Fincher, Vice-Chair
Laura King, Secretary
Alexander Baney
Adam Bell
Latisha Sanders-Jones
Ethan Reed
Drew Spurgers
Larry Webb
Greg West

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 25, 2022**.

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. September 19, 2022

I. Subdivision Review*

- A. Request for preliminary plat approval Bell Valley Subdivision, Phase 5 (SUB-0922-0348)
- B. Request for waiver to allow a double frontage lot in minor subdivision Ridgeland Subdivision (SUB-0922-0329)

II. Public Hearings**

- A. Request to rezone property at 4106 Prince St from R-1 to C-3 (REZ-0922-0336)
- B. Request for conditional use permit to allow *up to 12 dwelling units per acre, single lot* use in an R-2A zoning district for 1.28 acres ± located at 82 Lower Ridge Rd (CUP-0922-0337)
- C. Request to rezone 0.86 acres ± located at 3455 Dave Ward Drive from A-1 to C-2 (REZ-0922-0347)
- D. Request for conditional use permit to allow *automobile accessory tire or battery store without tire recapping* use in a C-2 zoning district for 0.86 acres ± located at 3455 Dave Ward Drive (CUP-0922-0343)
- E. Request for major modification to the Central Landing PUD to add Light Industrial and Institutional and remove Residential and Multi-Family as permitted uses on certain parcels (PUD-0922-0345)
- F. Request to annex 1.99 acres ± located at 48 Southshore Lane, to be zoned R-1 (ANN-0922-0349)
- G. Request for conditional use permit to allow *Publicly-Owned Service Facility and Utility Facility* uses in an A-1 zoning district for property located at 1320 S German Lane (CUP-0922-0350)

III. Announcements/Additional Business

- A. Items as decided by the Commission

Adjournment

Request for Preliminary Plat Approval: Bell Valley Subdivision Phase 5

I.A

14.27 acres ± east of S German Lane at intersection of Fawn Trail

APPLICANT/AUTHORIZED AGENT

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

OWNER

Frank Shaw Properties, LLC
1327 Main St
Conway, AR 72034



SITE DATA

Location. East of S German Ln; approximately 250 feet south of the intersection of Favre Ln, immediately east of Deerfield Subdivision at the intersection of Fawn Trl.

Site Area. 14.27 ± acres.

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

Comprehensive Plan. Single-family.

Master Street Plan. South German Ln (Collector - 80' ROW).

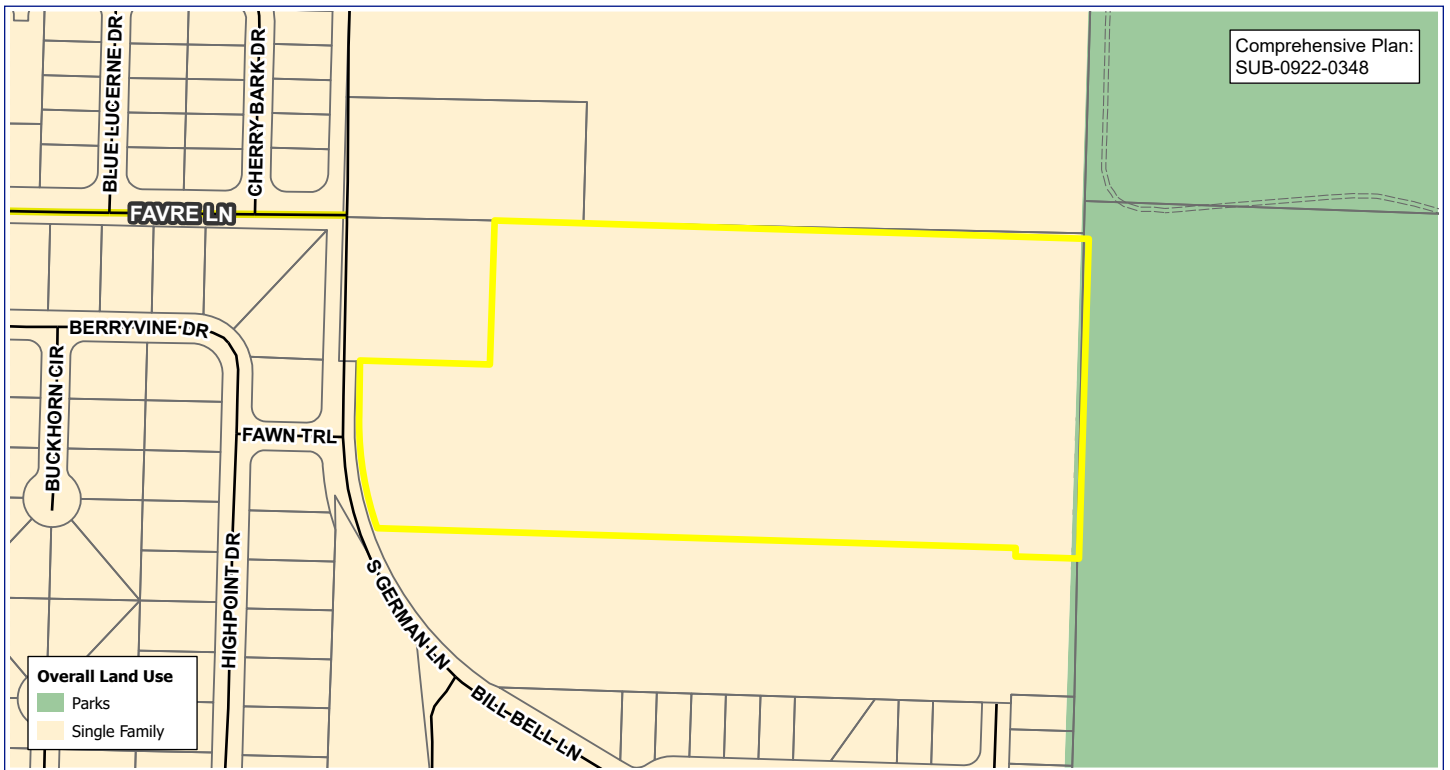
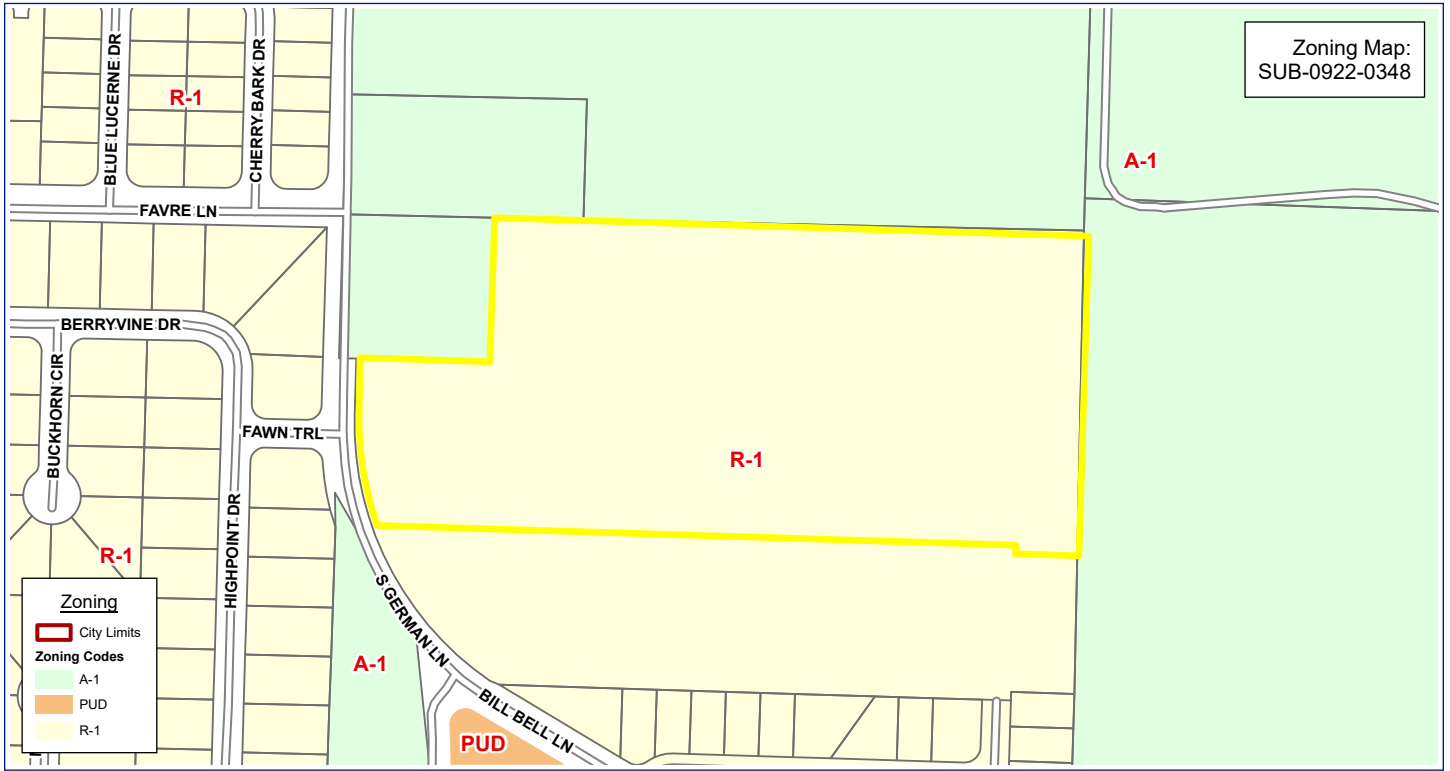
Existing Structures. None.

Overlay. None.

Item Request for Preliminary Plat Approval: Bell Valley Subdivision Phase 5

I.A

14.27 acres ± east of S German Lane at intersection of Fawn Trail



REQUEST

The applicant is requesting preliminary approval of a 67-lot subdivision located on the east side of S German Ln opposite Deerfield Subdivision, approximately 250 feet south of the intersection of Favre Ln and S German Ln. The development represents Phase 5 of Bell Valley Subdivision. The proposed buildable lots range from 0.15 acres to 0.32 acres, consistent with the requirements for the R-1 zone. The subdivision proposes access via S German Ln. Lots will front 2 internal streets. Lots 54 and 120 are corner lots with frontage on S German Ln, but access will be limited to internal streets. All proposed streets will require 5-foot sidewalks with a 6.5' greenspace.

STAFF COMMENTS

- The subdivision is designed so that no lots in this phase directly access S German Ln; a 10-foot planting easement is included along the S German Ln frontage of Lots 54 and 120.
- The subdivision will connect to Phase 4, adjacent to the south via Carillon Ln.
- This subdivision should serve as the final plat of the Bell Valley Subdivision unless additional property is acquired.
- As proposed, the development is consistent with the Comprehensive Plan.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of the preliminary plat 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.

CORRECTIONS NEEDED ON THE PLAT

1. Show location of all fire hydrants.
2. Corrections as noted on the Preliminary Plat and Street & Drainage Plans as provided to the applicant.

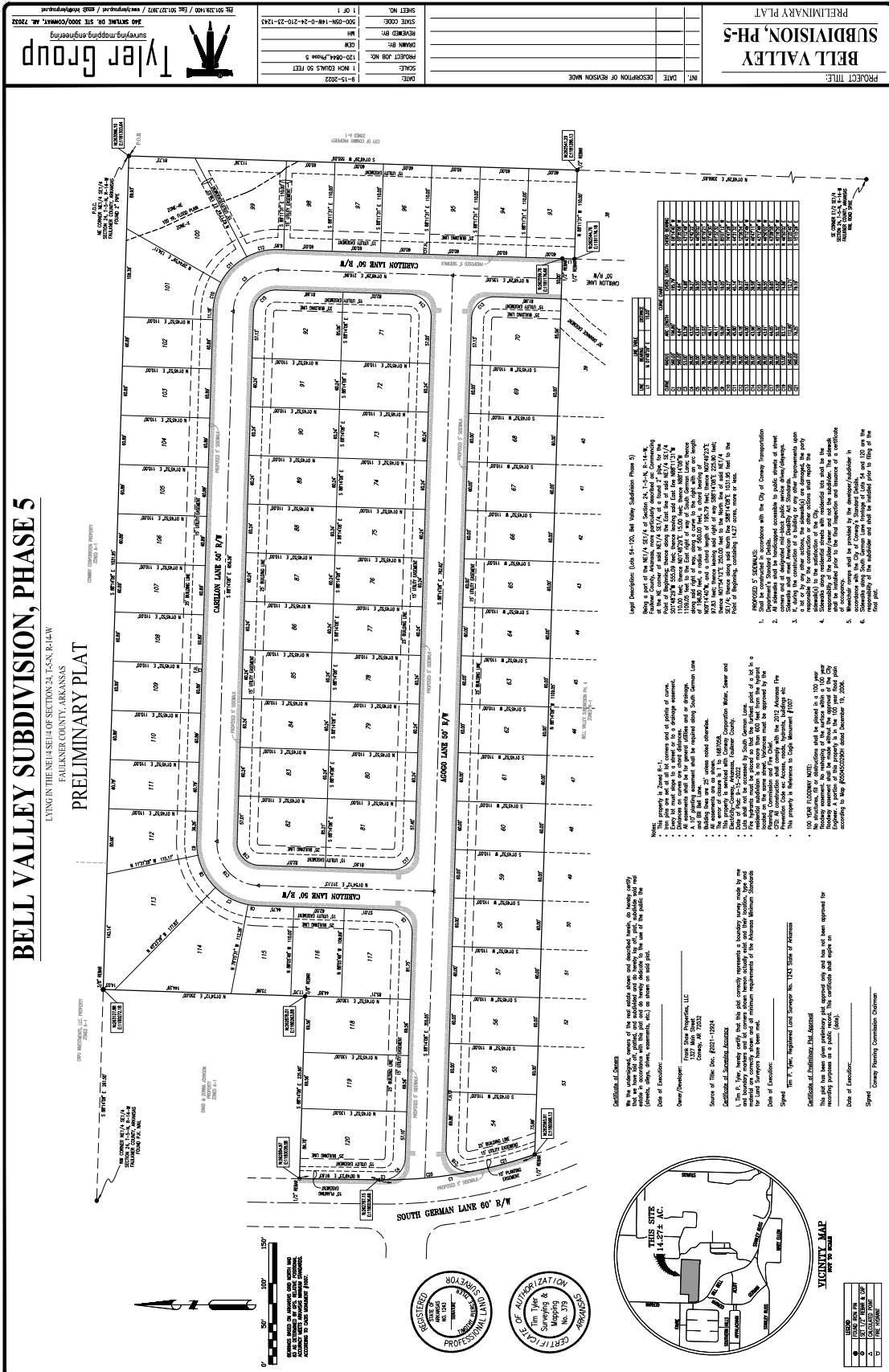
CONDITIONS

1. Wheelchair ramps shall be installed by the developer/subdivider in accordance with the City of Conway Transportation Department Standard Details.
2. Sidewalks along S German Ln frontage of Lots 54 and 120 shall be constructed by the developer/subdivider prior to filing the final plat, as the street is of a Collector classification, in accordance with the City of Conway Transportation Department Standard Details.
3. Lots 54 and 120 shall not take access from S German Ln.
4. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
5. 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.
6. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is not more than 600' from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
7. All other applicable provisions of the City of Conway Subdivision Ordinance (#O-00-03) shall be satisfied and accounted for prior to issuance of authorization to proceed. Receipt of an approved, signed copy of the Preliminary Plat along with approved Street & Drainage Plans shall constitute authorization by the Planning Commission for the developer to proceed with installation of improvements and preparation of the Final Plat.

Item Request for Preliminary Plat Approval: Bell Valley Subdivision Phase 5

14.27 acres ± east of S German Lane at intersection of Fawn Trail

I.A



BELL VALLEY SUBDIVISION, PHASE 5

LYING IN THE NE 1/4 OF SECTION 24, T-55N, R-14W, FAULKNER COUNTY, ARKANSAS

PRELIMINARY PLAT

Table with columns for Lot No., Area, and other details. The table lists individual lots within the subdivision, including their lot numbers and associated area measurements.

DATE: 9-15-2022
 SCALE: 1"=50'-0" HORIZONTAL
 PROJECT JOB NO.: 1201-004-THRU 5
 DOMAIN REF: CON
 SHEET NO.: 1 OF 1
 SHEET COORDS: 500'-05.00-148-24-210-24-1243

Tyler Group SURVEYING ENGINEERING
 405 EASTWING DR. STE. 3000, CONWAY, AR 72032
 (501) 303-1400 / (501) 303-2172 / www.tylergroup.com

PROJECT TITLE: BELL VALLEY SUBDIVISION, PHASE 5
 PRELIMINARY PLAT

LEGAL DESCRIPTION: (See 54-120, Bell Valley Subdivision Phase 5)

1. This property is Zoned "R-1", which allows for single-family detached dwellings, and the plat is intended to be used for such purposes.

2. The plat is based on the best available information, including but not limited to, the plat of the original owner, the plat of the subdivision, and the plat of the survey.

3. The plat is based on the plat of the original owner, which is a plat of the original owner, and the plat of the subdivision, which is a plat of the subdivision.

4. The plat is based on the plat of the original owner, which is a plat of the original owner, and the plat of the subdivision, which is a plat of the subdivision.

5. The plat is based on the plat of the original owner, which is a plat of the original owner, and the plat of the subdivision, which is a plat of the subdivision.

6. The plat is based on the plat of the original owner, which is a plat of the original owner, and the plat of the subdivision, which is a plat of the subdivision.

PROPOSED LOT SIZES:

1. Lot sizes shall be as indicated on the plat.

2. All areas shall be as indicated on the plat.

3. The plat is based on the best available information, including but not limited to, the plat of the original owner, the plat of the subdivision, and the plat of the survey.

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NOTES:

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DATE OF ELEVATION: _____

OWNER/SUBDIVIDER: Tyler Group Properties, LLC

SOURCE OF THE DATA: P021-119214

CERTIFICATE OF AUTHORIZATION: _____

SIGNATURE: _____

DATE OF ELEVATION: _____

DATE OF ELEVATION: _____

CERTIFICATE OF AUTHORIZATION: _____

SIGNATURE: _____

DATE OF ELEVATION: _____

UNIVERSITY MAP

THIS SITE IS 14.27± AC.

CONWAY, AR

DATE: _____

BY: _____

DATE: _____

BY: _____

Item Request for Preliminary Plat Approval: Bell Valley Subdivision Phase 5

I.A

14.27 acres ± east of S German Lane at intersection of Fawn Trail



View of subject property from Fawn Trl @ S German Ln looking E



Property adjacent to the S; Bell Valley Ph 4



View of subject property from S German Ln looking N



Adjacent property to the W, across S German Ln

Request for Waiver: Double frontage lot - Ridgeland Subdivision

I.B

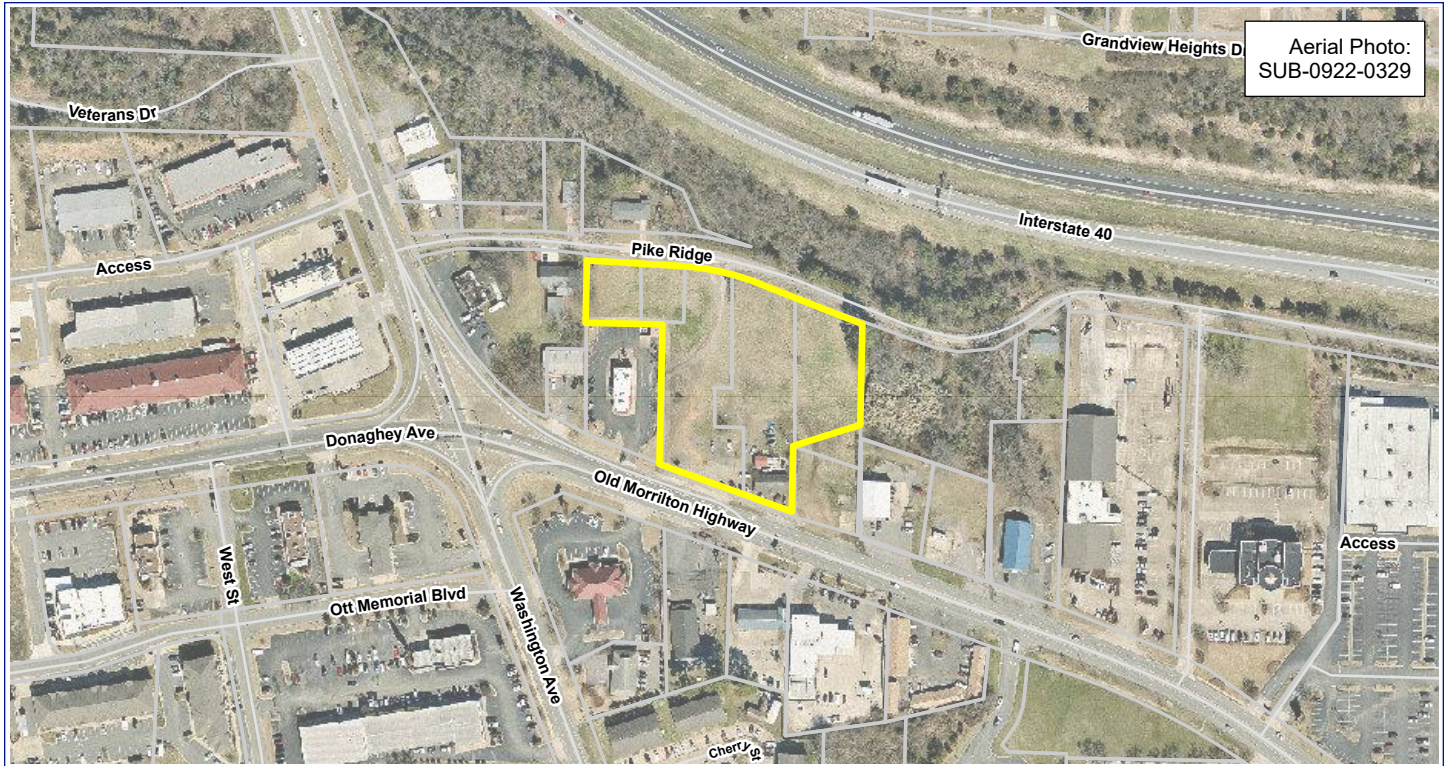
2.70 acres ± Old Morrilton Highway and Pike Ridge Road

APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

OWNER

Gene Salter Properties, Inc.
PO Box 1778
Conway, AR 72033



SITE DATA

Location. North of Old Morrilton Hwy/Hwy 64 approximately 200' east of the intersection at Washington Ave/Donaghey Ave.

Site Area. 2.70 acres ±.

Current Zoning. C-3 (Highway Service and Open Display Commercial) and R-1 (One-family Residential).

Exiting Structures. 1,350 sf concrete block building plus an accessory structure.

Overlay. None.

REQUEST

The applicant is requesting a waiver to the Subdivision Regulations to allow the creation of a double frontage lot as part of a 2-lot minor subdivision. Minor subdivisions, containing 4 or fewer lots and not requiring any new street or drainage construction, are reviewed administratively by Planning Staff. This request is presented to the Planning Commission because it represents a deviation from the regulations of Subdivision Ordinance, as amended (#O-00-03) which requires Commission approval.

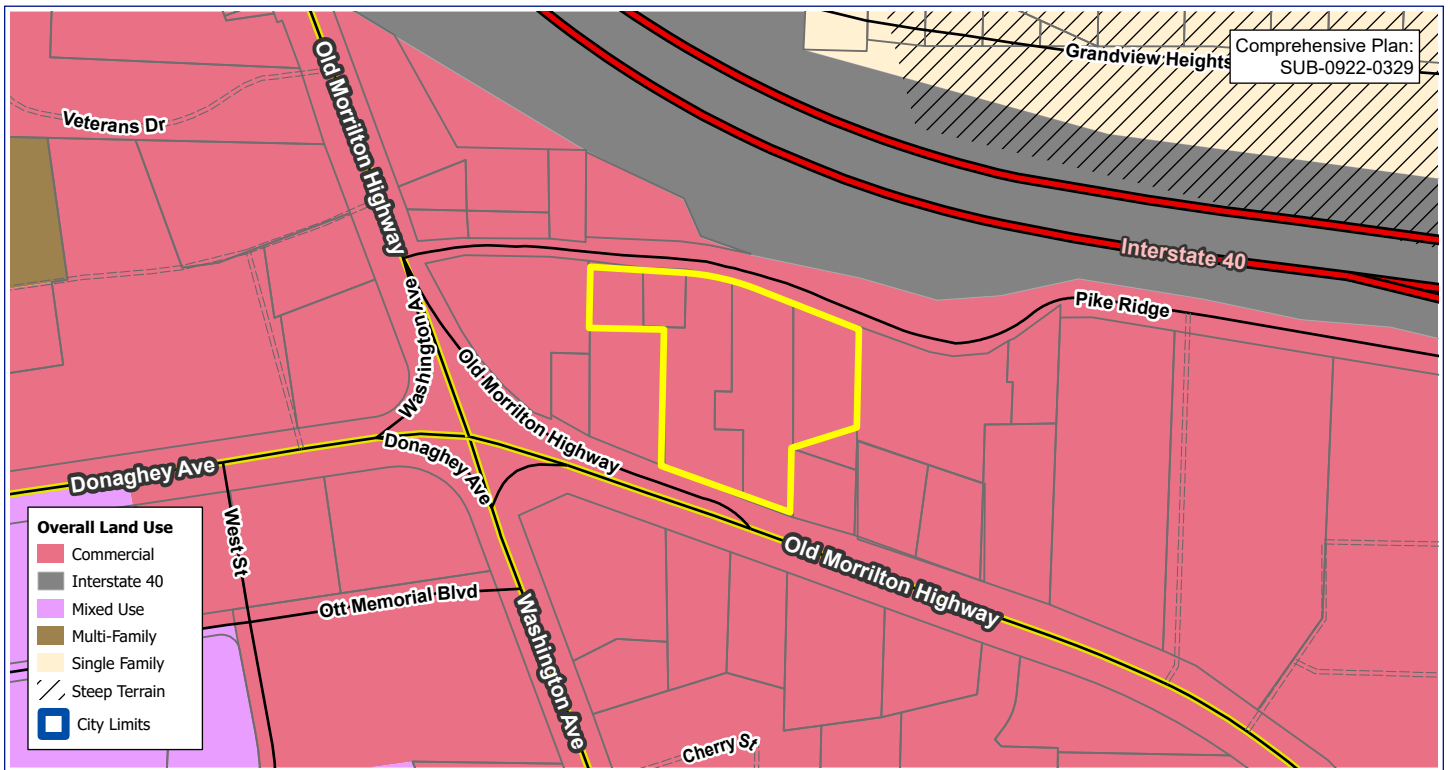
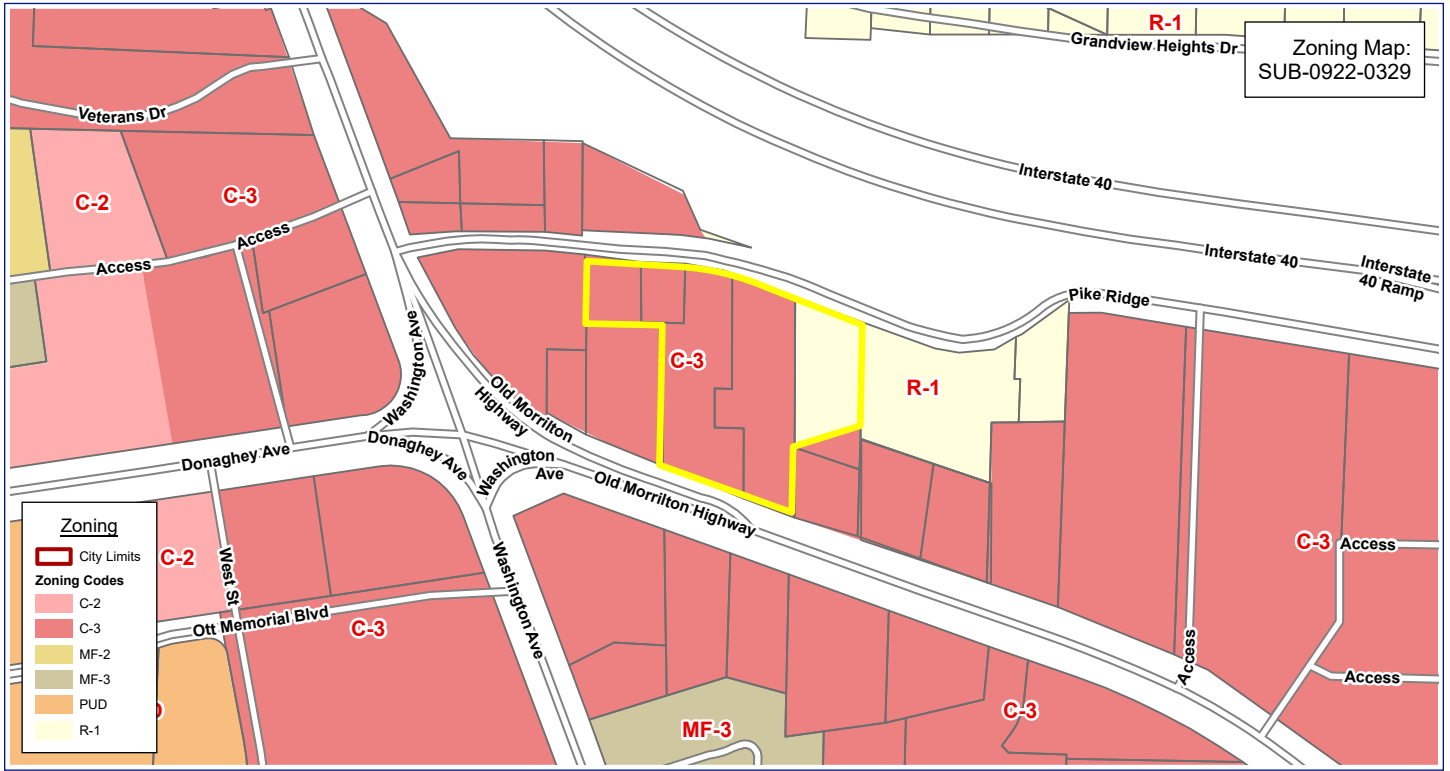
Waivers requested; Planning Commission action is required for the following:

1. *To allow the creation of a double frontage lot, other than corner lot, and waive the requirement for a planting screen easement (Article IV, §5.F(7))*

Request for Waiver: Double frontage lot - Ridgeland Subdivision

I.B

2.70 acres ± Old Morrilton Highway and Pike Ridge Road



Request for Waiver: Double frontage lot - Ridgeland Subdivision

I.B

2.70 acres ± Old Morrilton Highway and Pike Ridge Road

COMMENTS

- *“Double frontage lots other than corner lots fronting on two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission, in which case building lines shall be established for both front and rear lot lines. Double frontage and reverse frontage lots should be avoided except where they are needed...to overcome specific topographic or site constraints.” Article IV, §5.F(7)*
- The site is less than 375' at its deepest and is bound to the north and south by existing streets.
- The Comprehensive Plan designates the site as commercial.
- Given its proximity to the significant intersection of Old Morrilton Hwy (major arterial), Washington Ave (minor arterial), and Donaghey Ave (minor arterial), as well as Interstate 40, it is likely that the Pike Ridge Rd frontage will provide a secondary means of egress for any future development of the site. For this reason the planting screen easement requirement should also be waived.
- The secondary frontage, Pike Ridge Rd, is a substandard Local Non-Residential street. To the north, a portion of the subject property abuts 1 single-family residential property and the remainder is adjacent to property owned by the State of Arkansas, abutting I-40.

STAFF RECOMMENDATION

Staff recommends approval of the waiver given the site constraints resulting from topography and major traffic arteries.

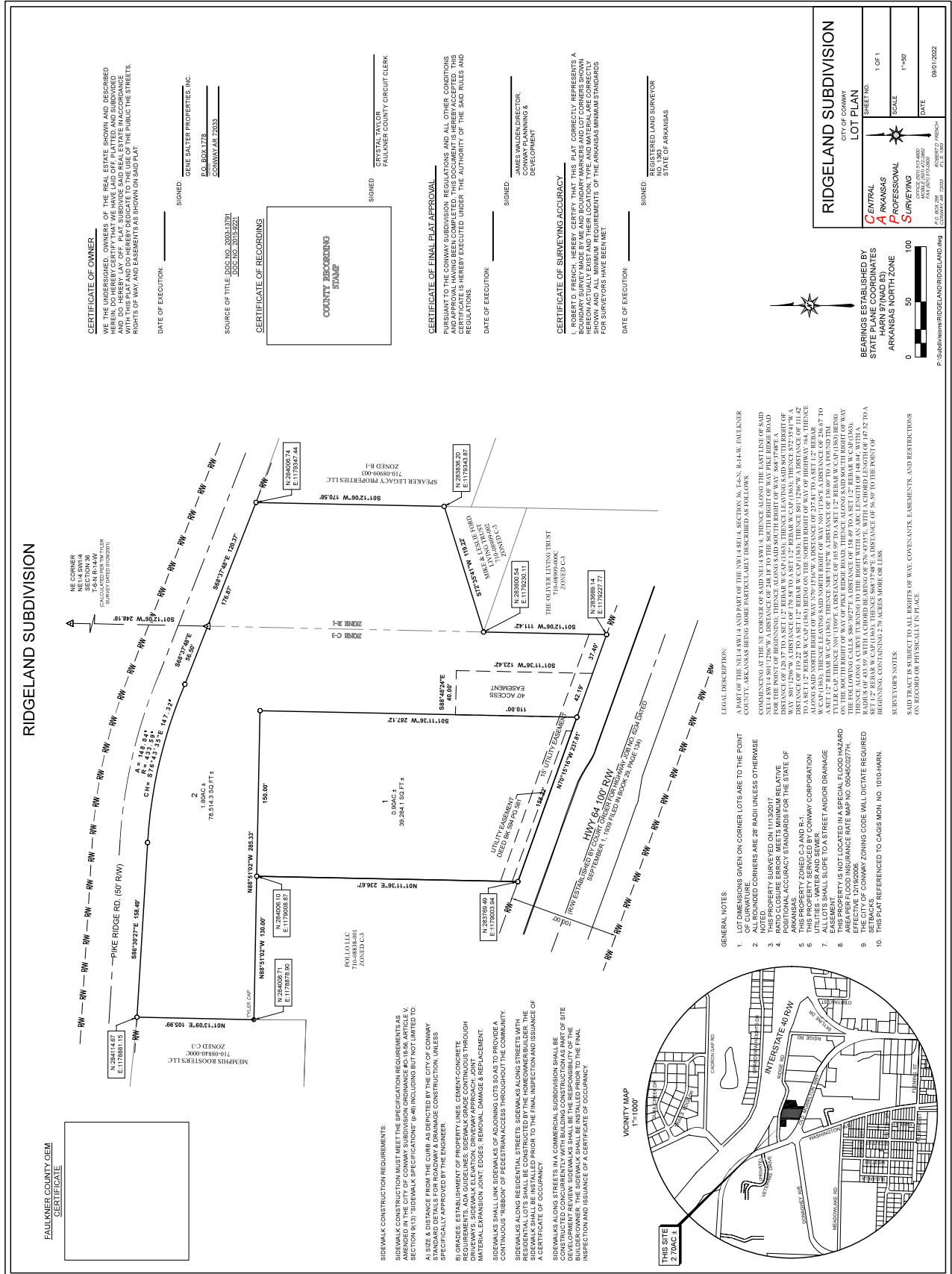
SAMPLE MOTION

I move to accept the staff recommendation of approval as it will allow for development that is consistent with the Comprehensive Plan.

Request for Waiver: Double frontage lot - Ridgeland Subdivision

2.70 acres ± Old Morrilton Highway and Pike Ridge Road

I.B



FALLKNER COUNTY OEM CERTIFICATE

SIDEWALK CONSTRUCTION REQUIREMENTS:
 SIDEWALK CONSTRUCTION MUST MEET THE SPECIFICATION REQUIREMENTS AS SET FORTH IN THE CITY OF CONWAY ZONING ORDINANCE, CHAPTER 121.00, ARTICLE 121.01, SECTION R13. SIDEWALK SPECIFICATIONS (6" MINIMUM BUT NOT LIMITED TO) SHALL BE INSTALLED TO THE CURB AND SHALL BE INSTALLED TO THE STANDARD DETAILS FOR ROADWAY & DRAINAGE CONSTRUCTION, UNLESS SPECIFICALLY APPROVED BY THE ENGINEER.

SIDWALKS SHALL BE CONCRETE OR COMPOSITE CONCRETE. SIDEWALKS SHALL BE INSTALLED TO THE CURB AND SHALL BE INSTALLED TO THE STANDARD DETAILS FOR ROADWAY & DRAINAGE CONSTRUCTION, UNLESS SPECIFICALLY APPROVED BY THE ENGINEER.

SIDWALKS SHALL BE CONCRETE OR COMPOSITE CONCRETE. SIDEWALKS SHALL BE INSTALLED TO THE CURB AND SHALL BE INSTALLED TO THE STANDARD DETAILS FOR ROADWAY & DRAINAGE CONSTRUCTION, UNLESS SPECIFICALLY APPROVED BY THE ENGINEER.

CERTIFICATE OF OWNER

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED AND SUBDIVIDED THE SAID REAL ESTATE AND THAT WE HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, RIGHTS OF WAY AND EASEMENTS AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

SIGNED: _____
 GENE SALTER PROPERTIES, INC.
 P.O. BOX 1278
 CONWAY, AR 72033

CERTIFICATE OF RECORDING

COUNTY RECORDING STAMP

SIGNED: _____
 CRYSTAL TAYLOR
 FALLKNER COUNTY CIRCUIT CLERK

CERTIFICATE OF FINAL PLAT APPROVAL

PURSUANT TO THE CONWAY SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND REQUIREMENTS OF THE CITY OF CONWAY, THE CITY ENGINEER HAS REVIEWED THIS CERTIFICATE AND HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED: _____
 JAMES WALDEN, DIRECTOR
 CONWAY PLANNING & DEVELOPMENT

CERTIFICATE OF SURVEYING ACCURACY

I, ROBERT O. FRENCH, HEREBY CERTIFY THAT THIS PLAT, CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACCURATELY SHOW THE LOCATION, TYPE AND MATERIALS OF THE SAID MARKERS AND CORNERS AND THAT THE SAID SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE STANDARDS FOR SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: _____

SIGNED: _____
 REGISTERED LAND SURVEYOR
 STATE OF ARKANSAS

LEGAL DESCRIPTION:

A PART OF THE SE1/4 SW1/4 AND PART OF THE SW1/4 SE1/4 SECTION 36, T4N, R14W, FALLKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID NE1/4 SW1/4, THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S81°20'00" W A DISTANCE OF 201.81 TO THE SOUTH RIGHT OF WAY PIKE RIDGE ROAD DISTANCE OF 120.37 TO SET 12° REAR W.C.P. (C&S), THENCE LEAVING SAID SOUTH RIGHT OF WAY DISTANCE OF 100.22 TO SET 12° REAR W.C.P. (C&S), THENCE LEAVING SAID SOUTH RIGHT OF WAY TO SET 12° REAR W.C.P. (C&S) BEING ON THE NORTH RIGHT OF WAY OF HIGHWAY 764, THENCE W.C.P. (C&S), THENCE LEAVING SAID NORTH RIGHT OF WAY 501'11.64' DISTANCE OF 236.07 TO SET 12° REAR W.C.P. (C&S), THENCE S81°20'00" W A DISTANCE OF 100.00 TO A POINT ON THE SOUTH RIGHT OF WAY OF PIKE RIDGE ROAD, THENCE ALONG SAID SOUTH RIGHT OF WAY DISTANCE OF 343.59' WITH A CHORD BEARING OF S79°49'55" W, WITH A CHORD LENGTH OF 471.32' TO A POINT ON THE EAST LINE OF SAID NE1/4 SW1/4, THENCE ALONG SAID EAST LINE OF SAID NE1/4 SW1/4 A DISTANCE OF 36.50' TO THE POINT OF BEGINNING, CONTAINING 2.70 ACRES MORE OR LESS.

SURVEYOR'S NOTES:
 SAID PLAT IS SUBJECT TO ALL RIGHTS OF WAY, COVENANTS, EASEMENTS, AND RESTRICTIONS ON RECORD OR PHYSICALLY IN PLACE.

GENERAL NOTES:

1. LOT DIMENSIONS GIVEN ON CORNER LOTS ARE TO THE POINT OF CURVATURE.
2. UNBOUND CORNERS ARE 20' RADI UNLESS OTHERWISE NOTED.
3. THIS PROPERTY SURVEYED ON 11/13/2017.
4. THIS PROPERTY IS SUBJECT TO THE CITY OF CONWAY POSITIONAL ACCURACY STANDARDS FOR THE STATE OF ARKANSAS.
5. THIS PROPERTY ZONED O.S. AND R-1.
6. THIS PROPERTY SERVICED BY CONWAY CORPORATION UTILITIES - WATER AND SEWER.
7. EASEMENT - SMALL SLOPE TO STREET AND/OR DRAINAGE.
8. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. FLOOD HAZARD INFORMATION IS AVAILABLE AT THE CITY OF CONWAY ZONING CODE WEBSITE (WWW.CONWAYAR.GOV).
9. THE CITY OF CONWAY ZONING CODE WILL DICTATE REQUIRED EASEMENTS AND RESTRICTIONS.
10. THIS PLAT REFERENCED TO CAGIS NO. 10-10-18RN.



BEARINGS ESTABLISHED BY STATIONARY OBJECTS:
 HARKINS ROAD (N)
 ARKANSAS NORTH ZONE

SCALE: 1"=50'

DATE: 09/01/2022

SHEET NO. 1 OF 1

RIDGELAND SUBDIVISION
 CITY OF CONWAY
 LOT PLAN

CENTRAL ARKANSAS PROFESSIONAL SURVEYORS
 P.L. 2017-2022
 P.L. 2017-2022
 P.L. 2017-2022

Request for Waiver: Double frontage lot - Ridgeland Subdivision

2.70 acres ± Old Morrilton Highway and Ridge Road



View of subject property from Old Morrilton Hwy looking N



View of subject property from Pike Ridge Rd looking S



Property adjacent to the SW



Property adjacent to the N



Property adjacent to the N

Request to Rezone: R-1 to C-3

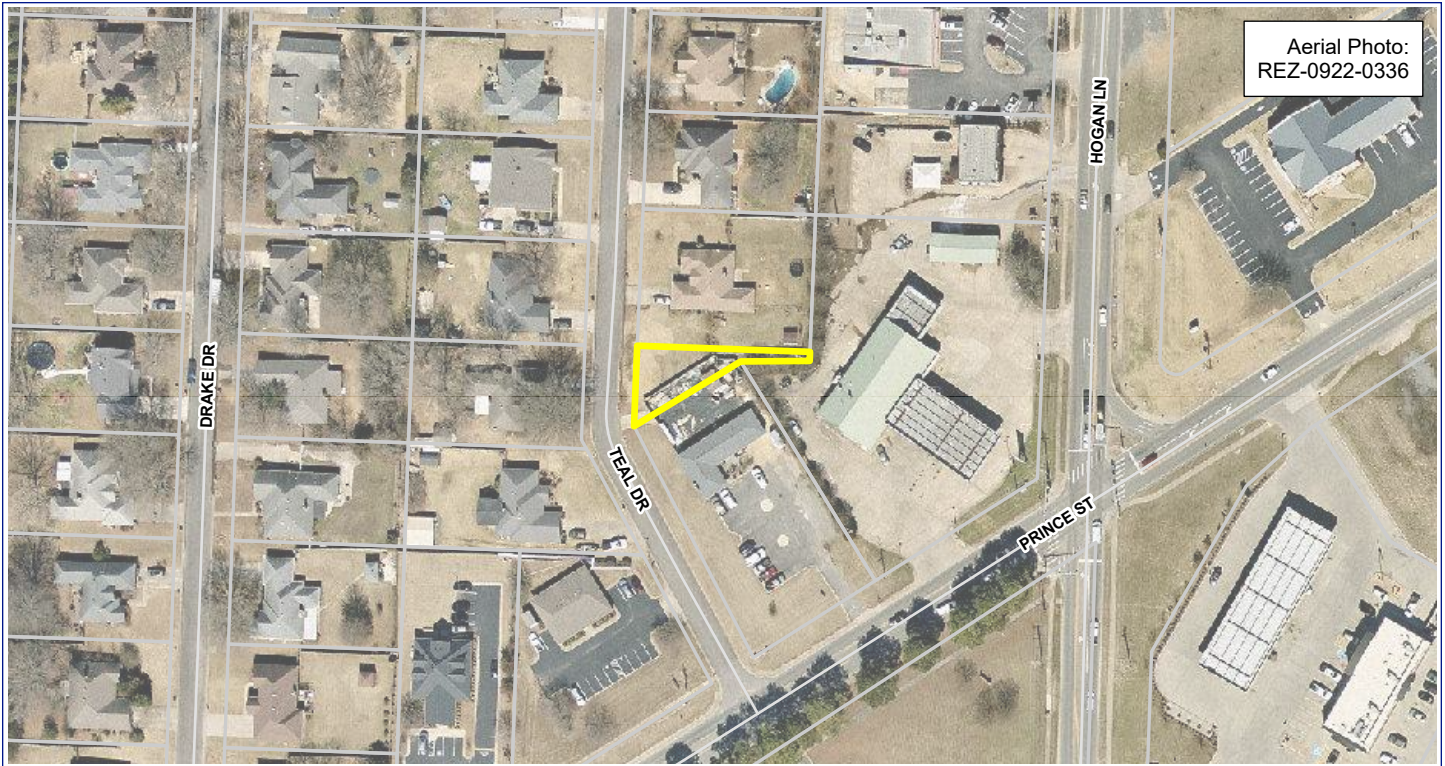
4106 Prince Street

APPLICANT/AUTHORIZED AGENT

Conway Dream Development
Josh Ferguson
1216 Clifton St
Conway, AR 72034

OWNER

Brechman Group, LLC
2200 Blackberry Ln
Conway, AR 72034



SITE DATA

Location. South 4,185 sf of Lot 93 Mallard's Crossing Subdivision.

Site Area. 0.1 acres ±.

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

Requested Zoning. C-3 (Highway Service and Open Display Commercial).

Adjacent Zoning. East and South: C-3; West: O-3 (Restricted Office); North: R-1.

Existing Structures. 1,459 sf converted single-family structure.

Overlay. None.

Comprehensive Plan. Single-family.

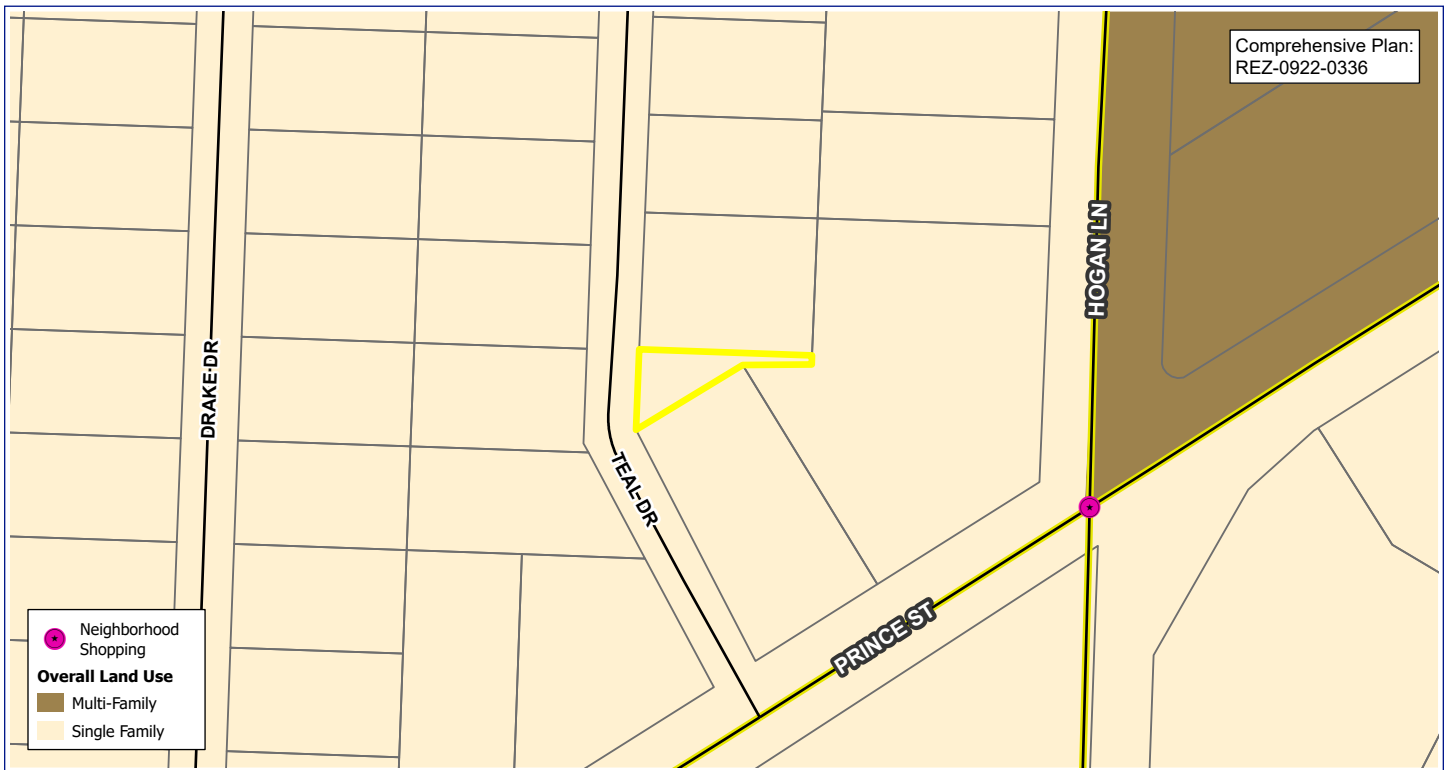
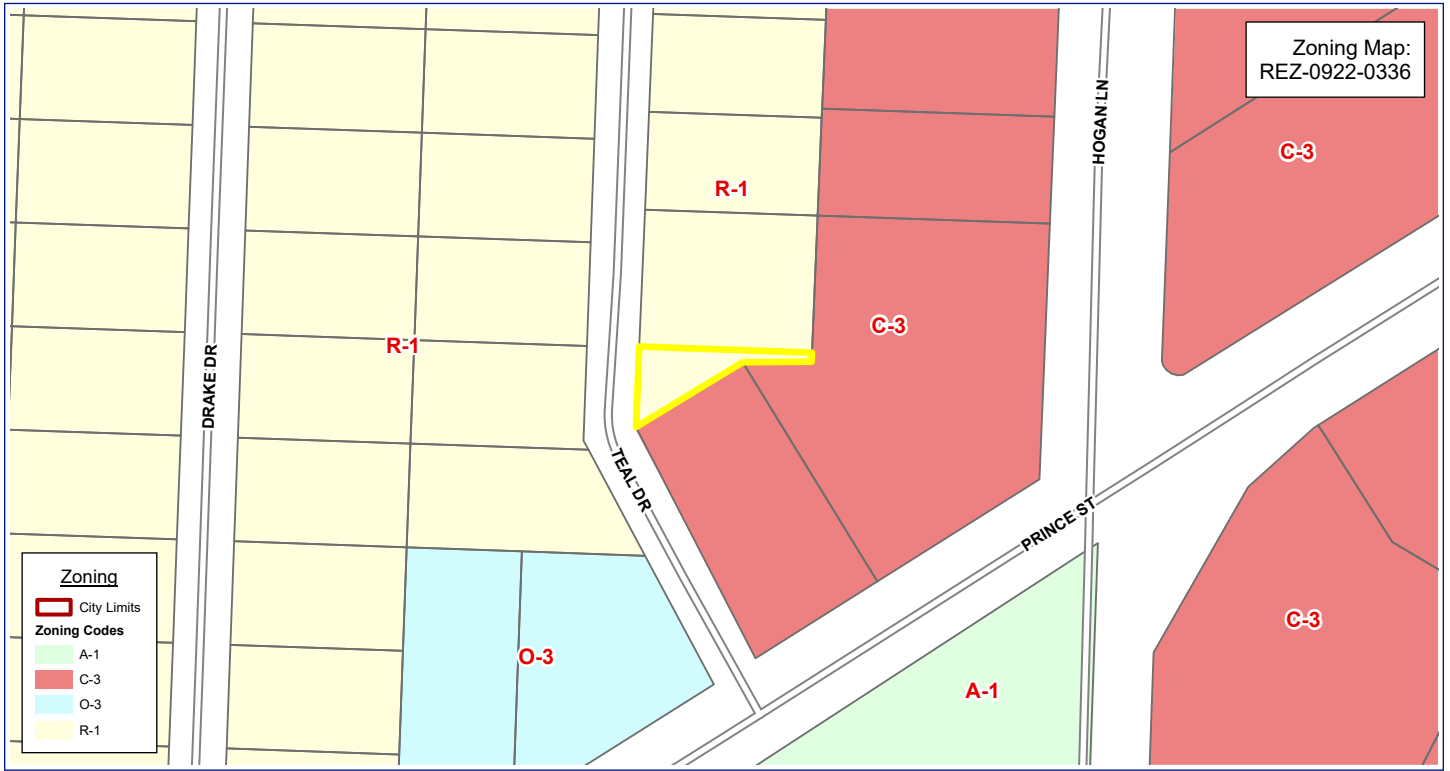
Projected Traffic Impact. No increase in traffic impact is expected as a result of the zoning change.

Current Traffic Counts. 9,200 average daily traffic (ADT) (Prince St @ West Haven Dr).

Flood/Drainage. The property is not within any FEMA regulated flood hazard zones.

Request to Rezone: R-1 to C-3

4106 Prince Street



Utilities. The site is developed and served by Conway Corporation utilities.

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

Street Improvements. None planned at this time.

STAFF COMMENTS

- The applicant is requesting to rezone the 0.1 acre parcel from R-1 to C-3.
- The request is the result of a proposed remodel of the structure on the adjacent parcel at 4106 Prince St which required site development review. It was discovered during this review that the zoning of this small parcel had not been amended to align with the long-established use.
- 4106 Prince St has been zoned C-3 since it was annexed in 1988.
- The property has been used as a storage area in support of the commercial use at 4106 Prince St since approximately 2007. The applicant is not proposing any expansion of the commercial use [at 4106 Prince St], beyond the existing fenced area, on this portion of the property at this time.
- The applicant has applied for subdivision review to replat both the subject property and 4106 Prince St into 1 lot.
- While the zoning change is not consistent with the Comprehensive Plan the subject property has been held in common ownership with 4106 Prince St since 1994.
- Approving the request will not likely negatively impact adjacent property and will resolve the non-conforming nature of the established use.

RECOMMENDATION

Planning Staff recommends approval of the request as it will allow appropriate use of the property by resolving the non-conforming nature of the established use.

SAMPLE MOTION

I move to accept the staff recommendation to approve the request on the basis that it will allow for appropriate use of the property and will bring the site into conformance with the Zoning regulations.

Request to Rezone: R-1 to C-3

4106 Prince Street

II.A



View of subject property from Teal Dr looking NE (Oct 2007)



View of subject property from Teal Dr looking NE (Sep 2022)



Property adjacent to W, across Teal Dr



4106 Prince St, property adjacent to the S



Property adjacent to the N



Property adjacent to the E

Request for Conditional Use Permit: Up to 12 dwelling units per acre, single lot in R-2A

II.B

82 Lower Ridge Road

APPLICANT/AUTHORIZED AGENT

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

OWNER

AMP Properties, LLC
10 Blake Ln
Conway, AR 72032



SITE DATA

Location. 82 Lower Ridge Rd.

Site Area. 1.28 acres ±.

Current Zoning. R-2A (Two-family Residential).

Adjacent Zoning. North: A-1; West: R-1 (One-Family Residential); South, East: PUD (Planned Unit Development).

Requested Conditional Use. Multi-family density.

Existing Structures. 2,142 sf single-family residence.

Overlay. None.

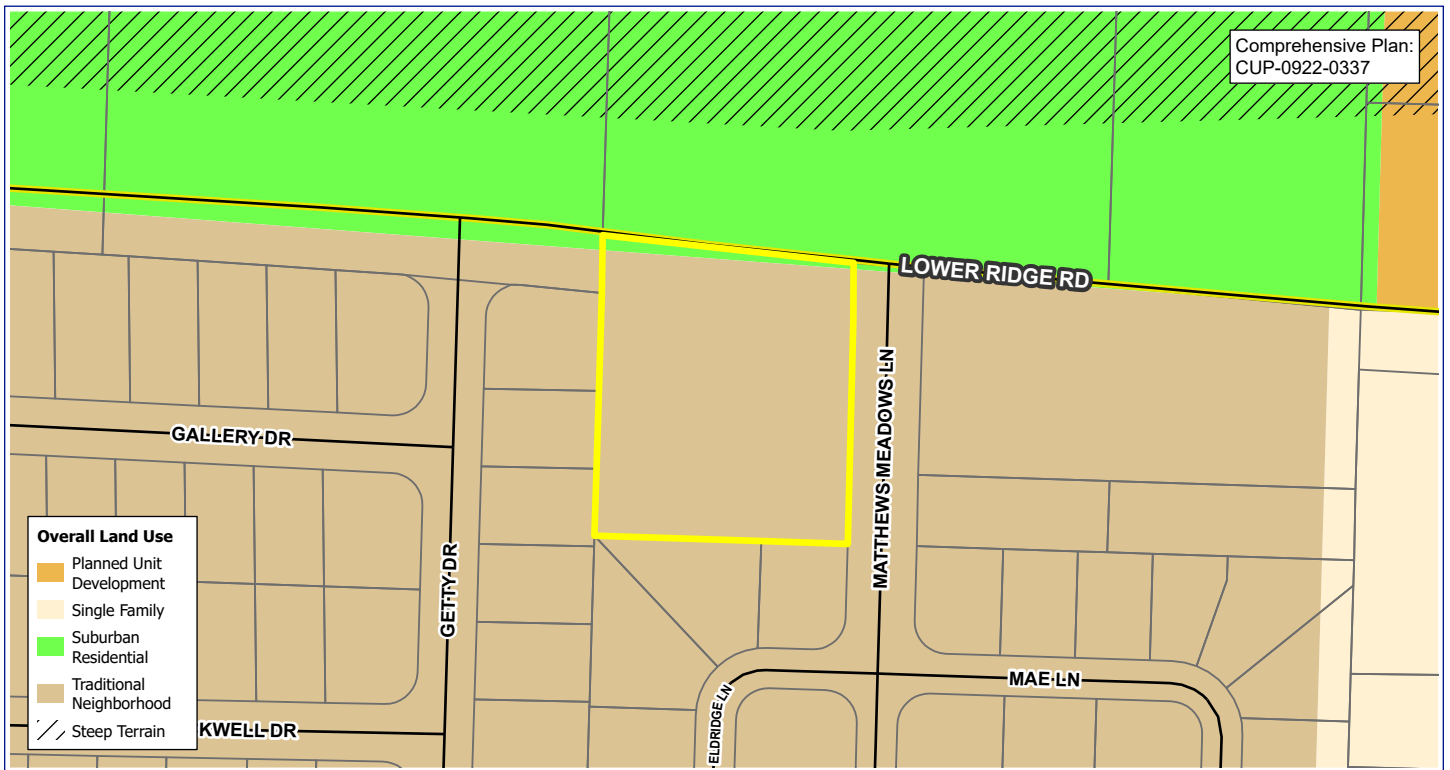
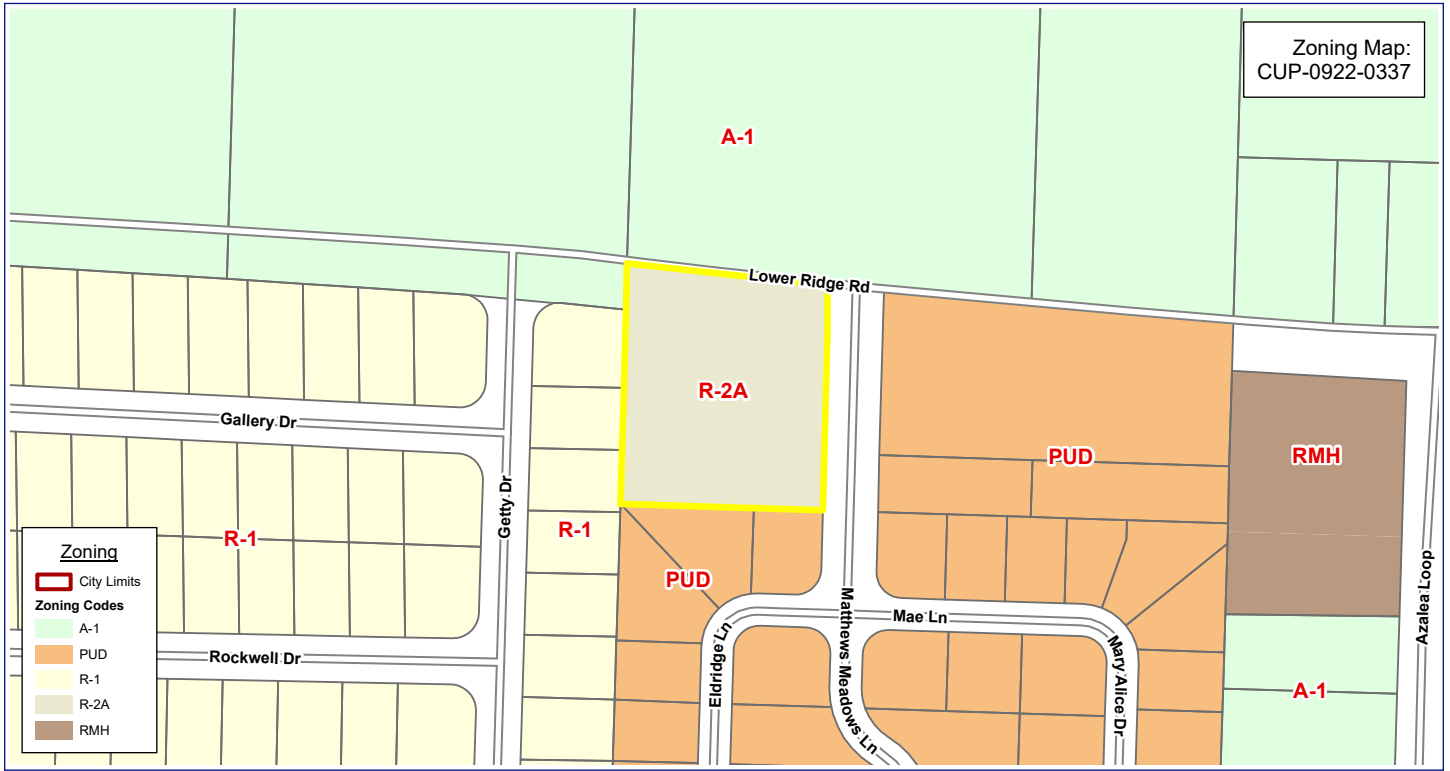
Sub-Area Plan. Lower Ridge Road Corridor Study.

Comprehensive Plan. Traditional Neighborhood.

Projected Traffic Impact. If developed at a density between 4 and 8 dwelling units, the development would generate an estimated 20-59 vehicle trips per typical weekday distributed onto Lower Ridge Rd. As such, the development would have minimal traffic impact.

Request for Conditional Use Permit: Up to 12 dwelling units per acre, single lot in R-2A

82 Lower Ridge Road



82 Lower Ridge Road

Current Traffic Counts. 6,200 ADT (Lower Ridge Rd @ Carl Roebuck Rd).

Flood/Drainage. The subject property is not within any FEMA regulated flood hazard zones.

Utilities. Applicant will need to coordinate any additional extension of utilities with Conway Corporation.

Master Street Plan. Lower Ridge Rd - Major Arterial (100' ROW), Matthews Meadows Dr - Local Residential (60' ROW).

Street Improvement. No improvements planned at this time.

STAFF COMMENTS

- The Planning Commission recommended approval of rezoning the property to R-2A at the September 19th meeting; City Council approved the request at their September 27th meeting.
- After right of way dedication, the property can yield 2 standard lots, each supporting 1 duplex for a total of 4 dwelling units. The applicant desires to locate both duplexes on a single lot. The desired configuration is not permitted by right in the R-2A zoning district, but by conditional use permit an increased density no greater than 12 units/gross acre can be allowed.
- The Comprehensive Plan indicates a slightly higher density residential development can be appropriate.
- Based solely on acreage, the property could accommodate up to 12 dwelling units. Given conditional requirements, including parking, and access constraints it is likely the site would more appropriately support a maximum of 8 dwelling units.
- In October 2019 the Matthews Meadows PUD was modified to allow the applicant to construct a series of duplexes on the 1.573-acre property immediately east, across Matthews Meadows Ln. Staff has applied those same design standards as recommended conditions of approval to this application.
- Platting of the property, in accordance with the Subdivision regulations, will be required prior to development.
- If developed on a single lot, the development will be subject to site development review.
- As conditioned, the conditional use permit would not likely negatively impact adjacent properties and will allow for appropriate redevelopment of the property.

STAFF RECOMMENDATION

Planning Staff recommends approval of the conditional use permit with the following conditions:

1. The development is limited to a maximum of 8 total dwelling units in the form of 4 two-family dwellings.
2. Access shall be limited to Matthews Meadows Ln.
3. The fronts of all units shall be oriented to Lower Ridge Rd.
4. For units nearest Lower Ridge Rd garages, if included, shall be located at the rear of structures; for all other units, garages, if included, shall not extend beyond the front plane of the structure more than 7'.
5. No parking shall be visible from public right of way.
6. Building primary exteriors shall be composed of brick, rock, or a cement fiber board product such as Hardie® siding.
7. Vinyl siding as a primary cladding material shall be prohibited; vinyl siding/shingles may only be used on gables and dormers.
8. A roof pitch of 8/12 or greater is required except for porches.
9. No accessory structures shall be permitted.
10. The development shall be subject to site development review in accordance with Article 1101 of the Zoning Code.
11. The property shall be platted in accordance with the Subdivision Ordinance and shall include a 10' planting easement along the Lower Ridge Rd frontage.
12. Enhanced landscaping shall be provided along west and south 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.
13. No variance of any kind may be subsequently requested.
14. The conditional use approval shall automatically expire if construction for the use is not commenced within 18 months from the date of approval of this permit.

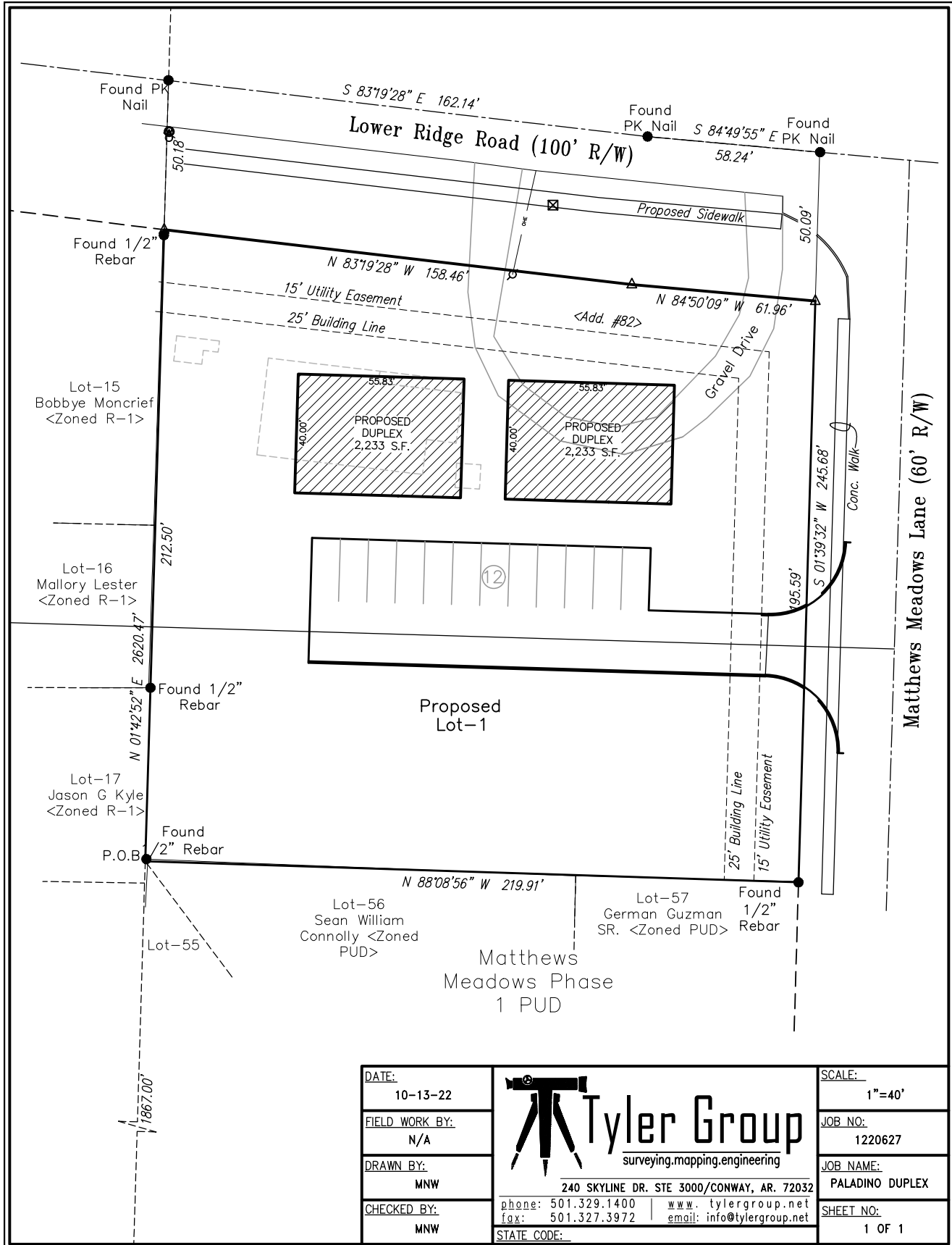
SAMPLE MOTION

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 sub-area plan and will not likely negatively impact adjacent property.

Request for Conditional Use Permit: Up to 12 dwelling units per acre, single lot in R-2A

II.B

82 Lower Ridge Road



DATE: 10-13-22	<p>Tyler Group surveying.mapping.engineering</p> <p>240 SKYLINE DR. STE 3000/CONWAY, AR. 72032 phone: 501.329.1400 www.tylergroup.net fax: 501.327.3972 email: info@tylergroup.net</p>	SCALE: 1"=40'
FIELD WORK BY: N/A		JOB NO: 1220627
DRAWN BY: MNW		JOB NAME: PALADINO DUPLEX
CHECKED BY: MNW		SHEET NO: 1 OF 1
STATE CODE:		

Request to Rezone: A-1 to R-2A

II.B

1.28 acres ± at the southwest corner of Lower Ridge Rd and Matthews Meadows Ln



View of subject property from Matthews Meadows Ln looking NW



View of subject property from Lower Ridge Rd looking S



View of subject property from Matthews Meadows Ln looking W



View from subject property looking S along Matthews Meadows Ln



View of subject property from Matthews Meadows Ln looking NW



Property adjacent to the E, across Matthews Meadows Ln

Request to Rezone: A-1 to C-2

3455 Dave Ward Drive

APPLICANT/AUTHORIZED AGENT

Thomas Vinson
904 Front St
Conway, AR 72032

OWNER

Matthew Manning
240 Merlot Dr
Conway, AR 72034



SITE DATA

Location. 3455 Dave Ward Drive, North of Campbell Cove Phase 2.

Site Area. 0.86 acres ±.

Current Zoning. A-1 (Agricultural District).

Requested Rezoning. C-2 (Neighborhood Commercial).

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

Existing Structures. None.

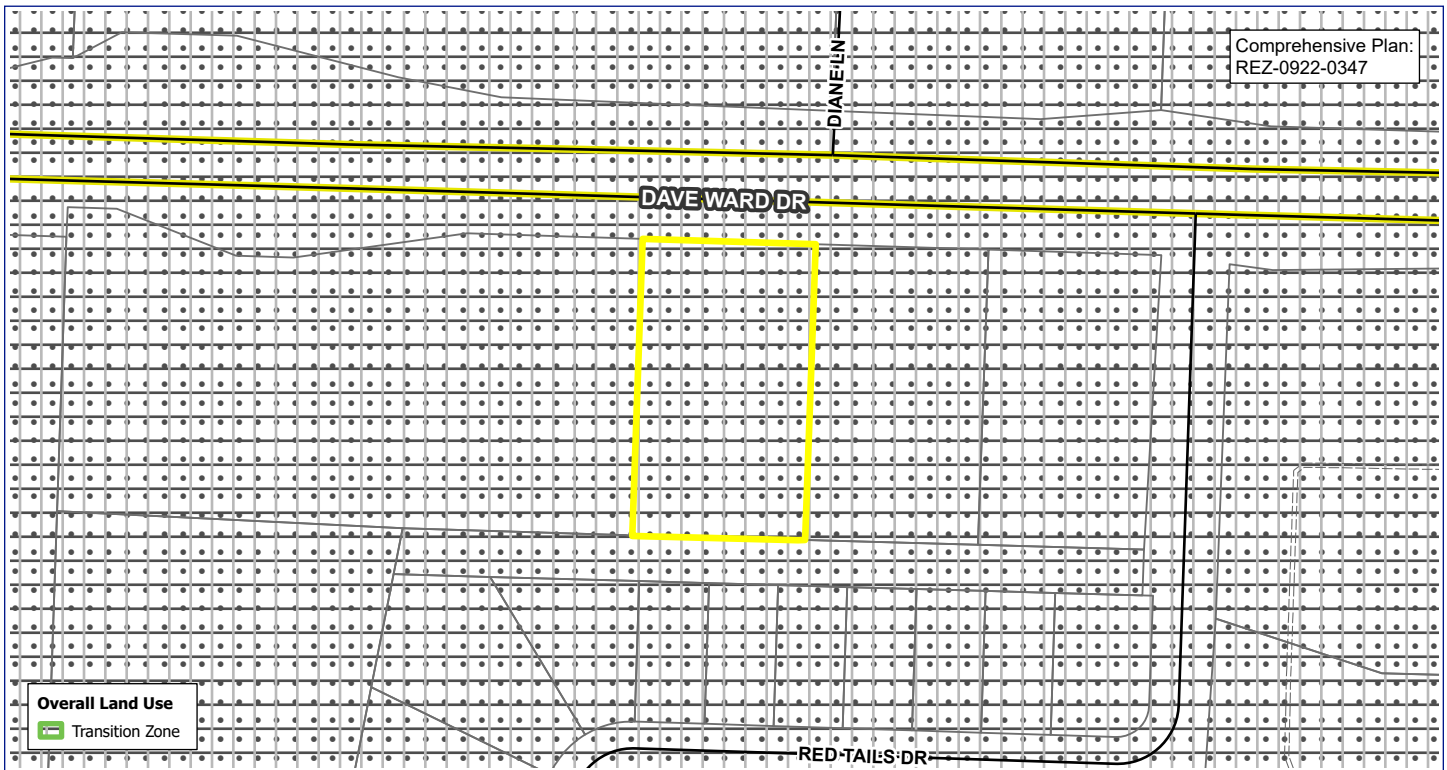
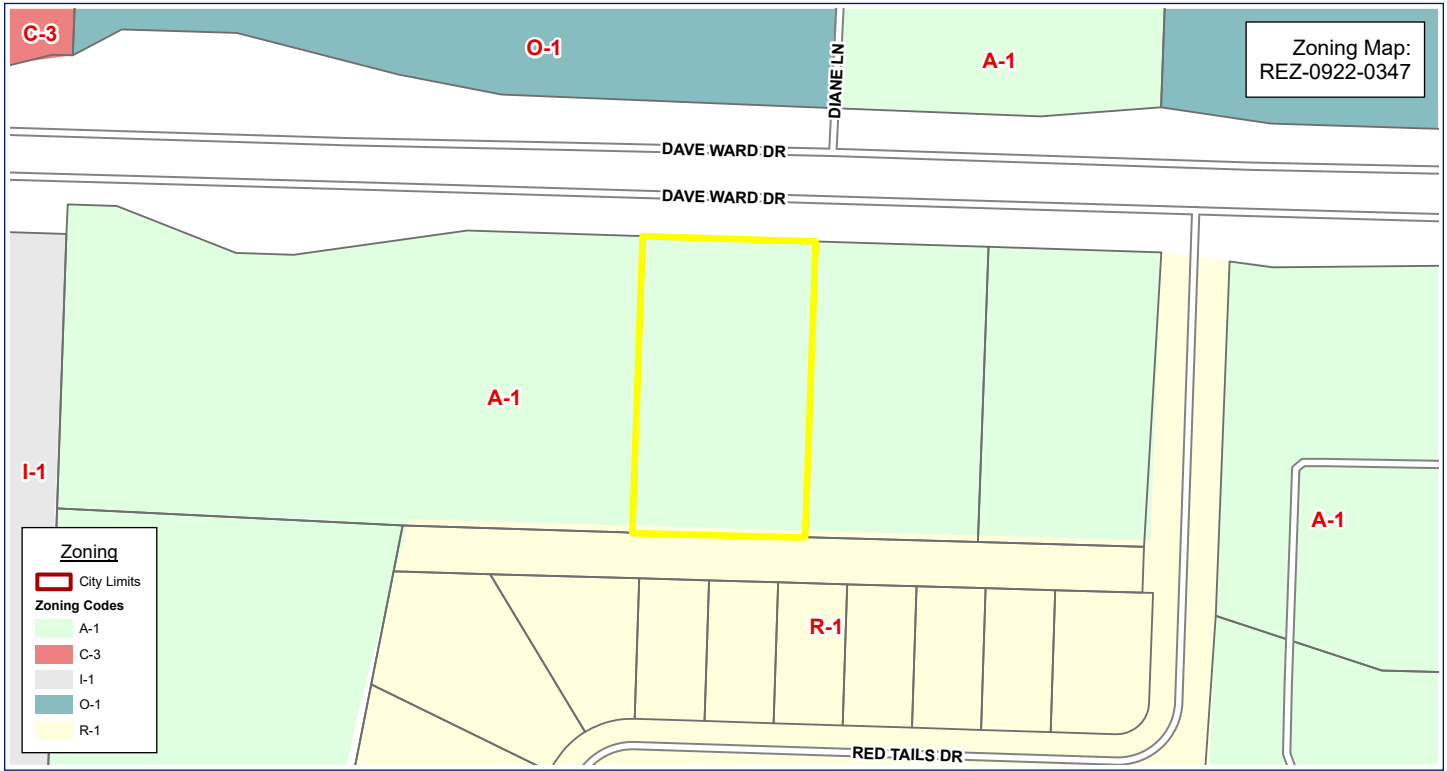
Overlay. None.

Sub-Area Plan. Dave Ward Drive Access Management Plan.

Comprehensive Plan. Transition Zone.

Request to Rezone: A-1 to C-2

3455 Dave Ward Drive



Projected Traffic Impact. With a rezoning to C-2, the traffic impact could be significant. The highest traffic generating use allowed in C-2 is a restaurant (without drive-thru) which could yield more than 1,000 vehicle trips per typical weekday. Trips would likely be distributed onto Dave Ward Dr. The applicant is proposing an automobile accessory tire or battery store in a concurrent conditional use permit application. Given this, it is anticipated that the proposed development would generate 108 vehicle trips per typical weekday.

Current Traffic Counts. 31,000 ADT (Dave Ward Dr west of the Salem Rd intersection); 4,500 ADT (McNutt Rd west of Dave Ward Dr); 380 ADT (Donnell Ridge Rd east of Dave Ward Dr).

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

Utilities. The applicant will need to coordinate the extension of utilities with Conway Corporation. Utilities appear available at the site.

Master Street Plan. Dave Ward Dr – Major Arterial (100' ROW).

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant is seeking the rezoning for the purpose of developing an automobile accessory tire or battery store (via conditional use permit) though many other uses would be permitted by right in the requested zoning district. The most intense of these allowed uses in C-2 is a restaurant (without drive-thru). *A concurrent application for conditional use permit is included on this agenda.*
- This property is surrounded by residential districts with a large single-family subdivision to the south.
- A similar business to the north that existed through nonconforming status is currently in the process of relocating. Any new uses will be required to meet the A-1 zoning requirements.
- The zoning change is not consistent with the land use plan. The land use plan designates this area as a Transitional Zone. This district allows for more intense land uses when deemed appropriate only when sensitivity to adjoining residential areas is taken into account.
- The zoning change could negatively impact the adjacent properties given the nature of the business and the surrounding residential 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 and could negatively impact adjacent properties.

SAMPLE MOTION

I move to accept the staff recommendation to deny the request as it allows for inappropriate use of the property and would likely negatively impact adjacent property.

Request to Rezone: A-1 to C-2

3455 Dave Ward Drive

II.C



View of subject property from Dave Ward Dr looking S



Property adjacent to the W



Property adjacent to the E



Property adjacent to the N



Property adjacent to the N, across Dave Ward Dr

Request for Conditional Use Permit: Automobile Accessory Tire/Battery Store; No Recapping in C-2

II.D

3455 Dave Ward Drive

APPLICANT/AUTHORIZED AGENT

Thomas Vinson
904 Front St
Conway, AR 72032

OWNER

Matthew Manning
240 Merlot Dr
Conway, AR 72034



SITE DATA

Location. 3455 Dave Ward Drive, north of Campbell Cove Phase 2.

Site Area. 0.86 acres ±.

Current Zoning. A-1 (Agricultural District).

Requested Rezoning. C-2 (Neighborhood Commercial)

Existing Structures. None.

Overlay. None.

Sub-Area Plan. Dave Ward Drive Access Management Plan.

Requested Conditional Use. Automobile accessory tire or battery store in C-2 zoning district.

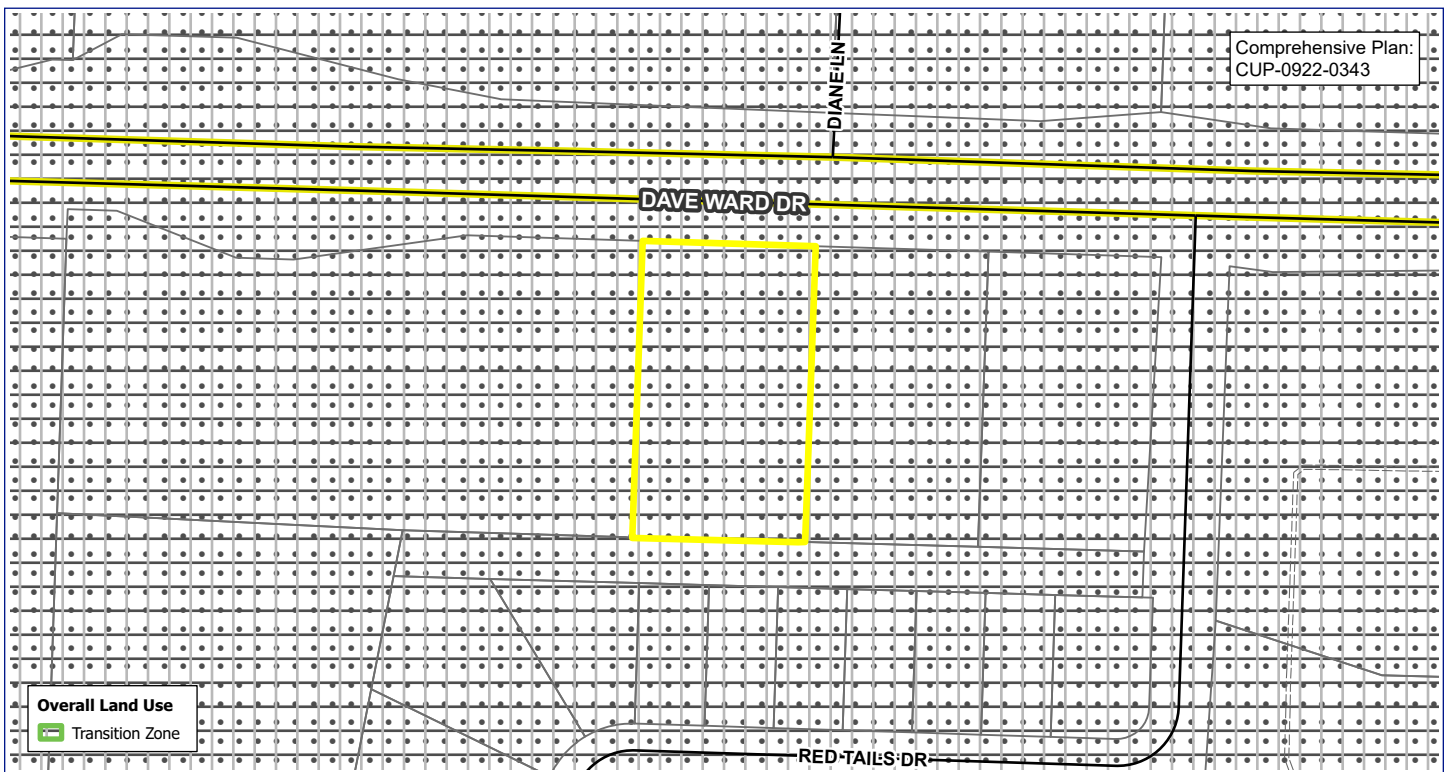
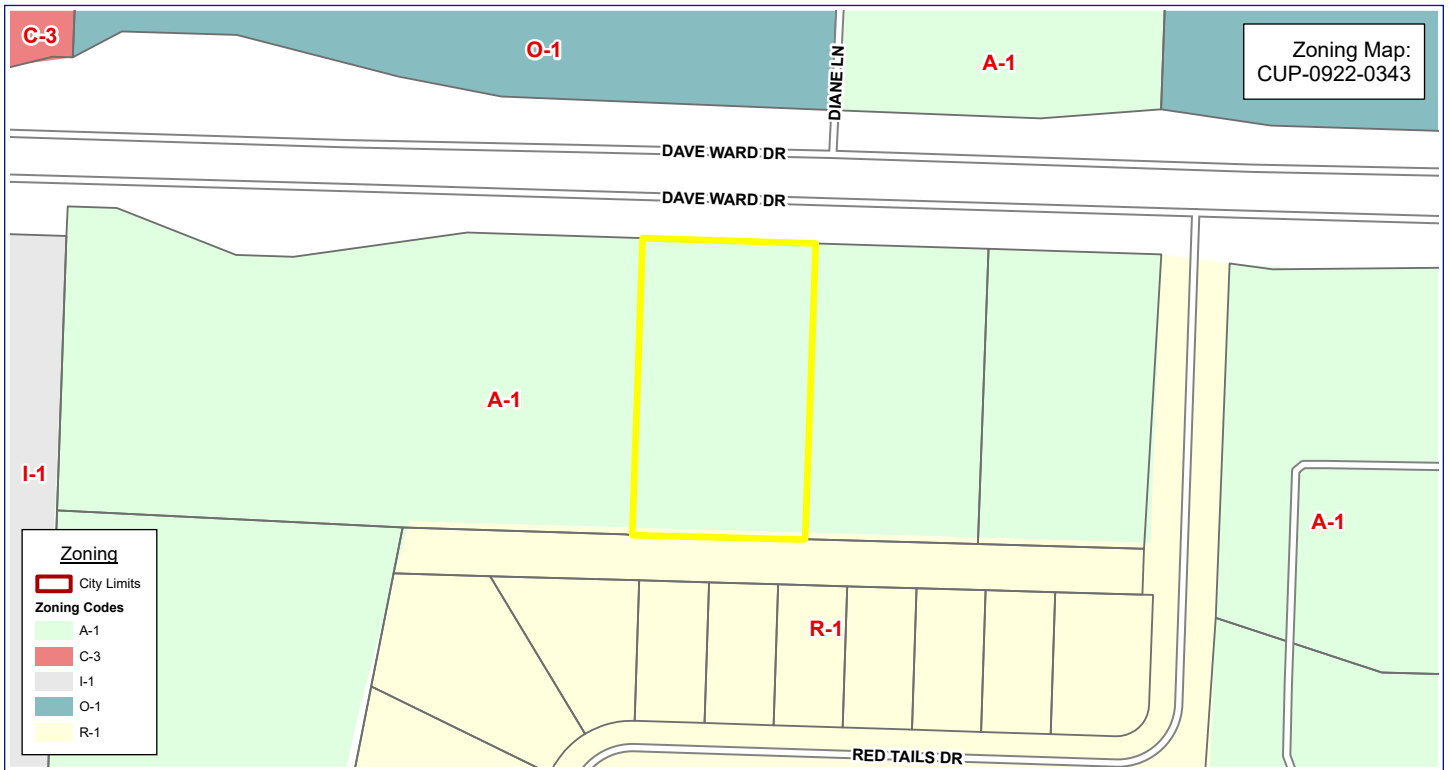
Comprehensive Plan. Transition Zone.

Projected Traffic Impact. This development is projected to yield approximately 108 vehicle trips per typical weekday on Dave Ward Drive. As such, development at the site would likely have minimal impact.

Request for Conditional Use Permit: Automobile Accessory Tire/Battery Store; No Recapping in C-2

II.D

3455 Dave Ward Drive



3455 Dave Ward Drive

Current Traffic Counts. 31,000 ADT (Dave Ward Dr west of the Salem Rd intersection); 4,500 ADT (McNutt Rd west of Dave Ward Dr); 380 ADT (Donnell Ridge Rd east of Dave Ward Dr).

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

Utilities. The applicant will need to coordinate the extension of utilities with Conway Corporation. Utilities appear available at the site.

Master Street Plan. Dave Ward Dr – Major Arterial (100' ROW).

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant desires to operate an automobile accessory tire or battery store in the C-2 zoning district. This use is not permitted by right in the current zoning district but is allowed as a conditional use.
- This use could negatively impact adjacent properties, particularly residential uses, given the proposed development. This could include negative visual, auditory, and olfactory impacts.
- This area is designated as Transitional in the Comprehensive Plan. This district allows for more intense land uses when deemed appropriate only when sensitivity to adjoining residential areas is taken into account. This property is surrounded by residential districts with a large subdivision to the south.

STAFF RECOMMENDATIONS

Staff recommends denial of the conditional use permit in concurrence with the rezoning application. The request would allow inappropriate use of the property in context to the surrounding area and could negatively impact adjacent properties. This development is also not consistent with the Land Use Plan as it does not protect residential property in the Transition Zone.

SAMPLE MOTION

I move to accept the staff recommendation to deny the request as it allows for inappropriate use of the property and would likely negatively impact adjacent property.

If the Commission recommends approval of the request, Staff suggests the following conditions:

1. Operating hours are limited to 8:00am – 5:30pm.
2. Outside display and/or storage of products is prohibited.
3. All vehicles on-site for repair shall be stored after hours in a storage yard with solid, opaque decorative fencing.
4. No repair work may be conducted outdoors.
5. The development shall be subject to site development review in accordance with Article 1101 of the Zoning Code.
6. Screening and landscaping are required to minimize visual impact to adjacent properties. Screening and landscaping must be of a height and density to adequately screen property.
7. Any new fencing shall comply with Article 1101, Development Review Standards, of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
8. Any new lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent property and shall comply with Article 1101, Development Review Standards, of the Zoning Code.
9. All signage shall be permitted and installed in accordance with Article 1301 of the Conway Zoning Code (Sign Ordinance).
10. Any expansions or additions to the structure as well as any changes to the use shall require an amended or new conditional use permit.
11. No variance of any kind may be subsequently requested.
12. The conditional use shall automatically expire if the approved use ceases for more than 18 consecutive months.

3455 Dave Ward Drive



Request for Conditional Use Permit: Automobile Accessory Tire/Battery Store; No Recapping in C-2

II.D

3455 Dave Ward Drive



View of subject property from Dave Ward Dr looking S



Property adjacent to the W



Property adjacent to the E



Property adjacent to the W



Property adjacent to the N, across Dave Ward Dr

Request for Major PUD Modification: Central Landing PUD

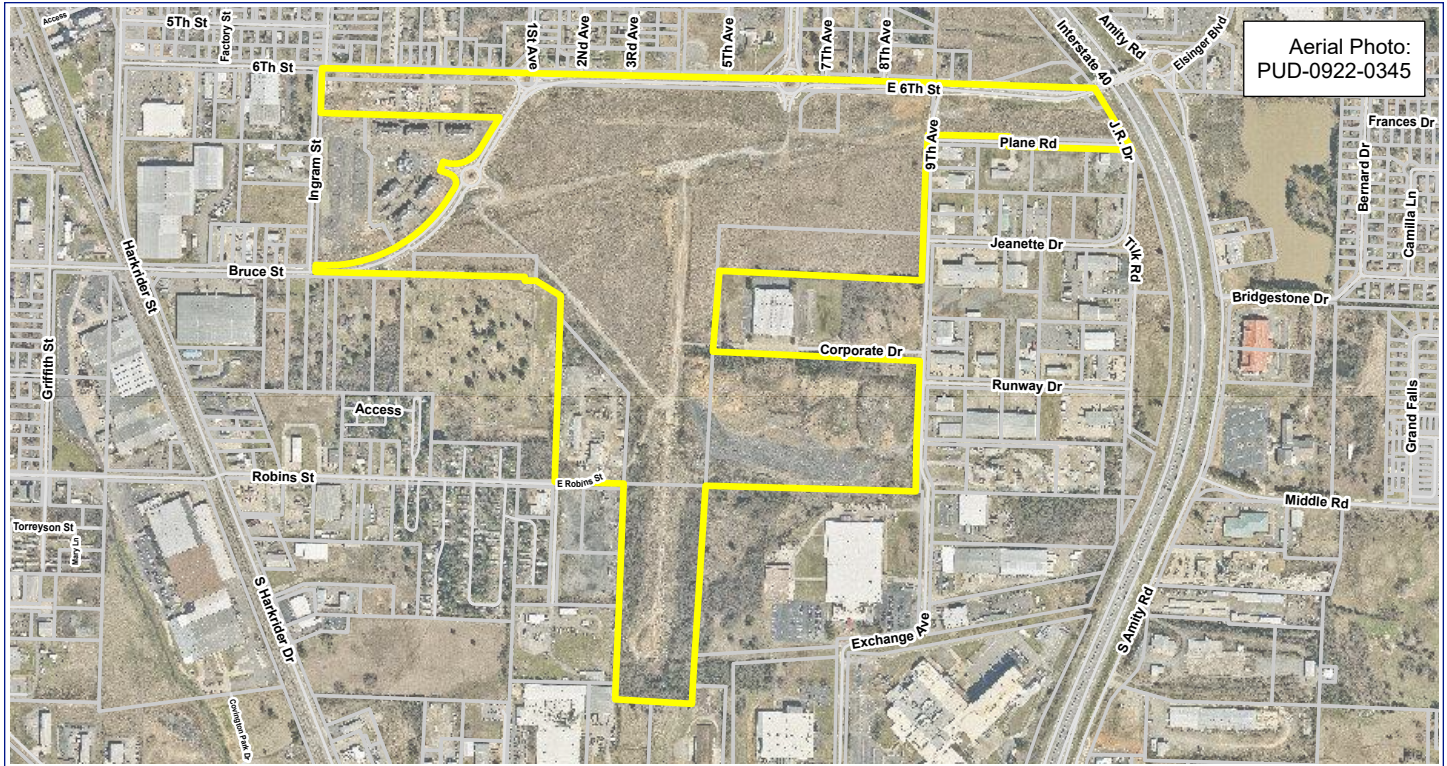
158 acres ± at Bruce and 6th Streets

APPLICANT/AUTHORIZED AGENT

Corey Parks
Conway Area Chamber of Commerce
900 Oak St
Conway, AR 72032

OWNER

Conway Development Corporation
900 Oak St
Conway, AR 72032



SITE DATA

Location. Bruce/6th St.

Site Area. 158 acres ±.

Current Zoning. PUD (Planned Unit Development).

Adjacent Zoning. North: R-2, R-2A, A-1, C-3; East: I-3; West: C-3, I-3, R-2; South: I-3, R-1, R-2, C-3.

Existing Structures. A 6-story apartment complex is currently under construction on the site.

Overlay. None.

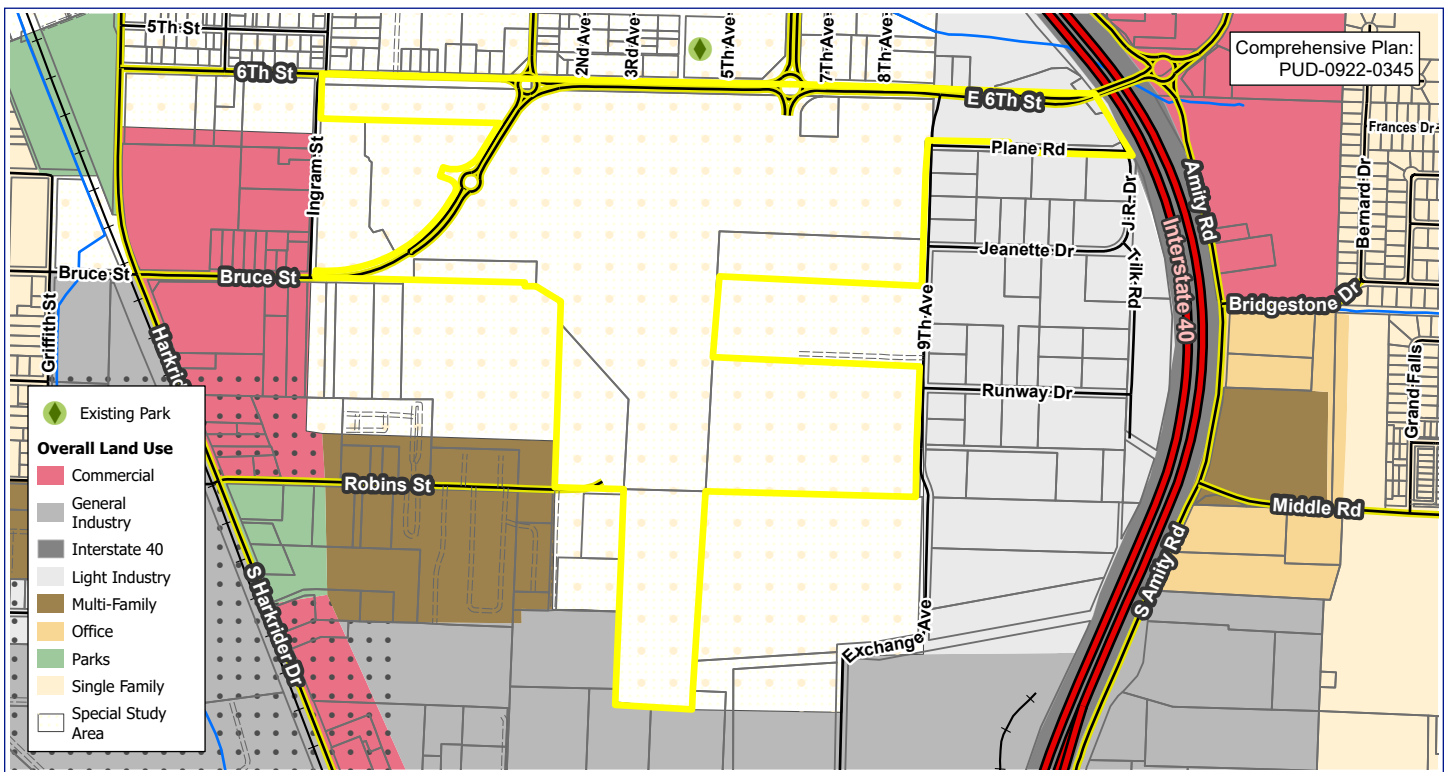
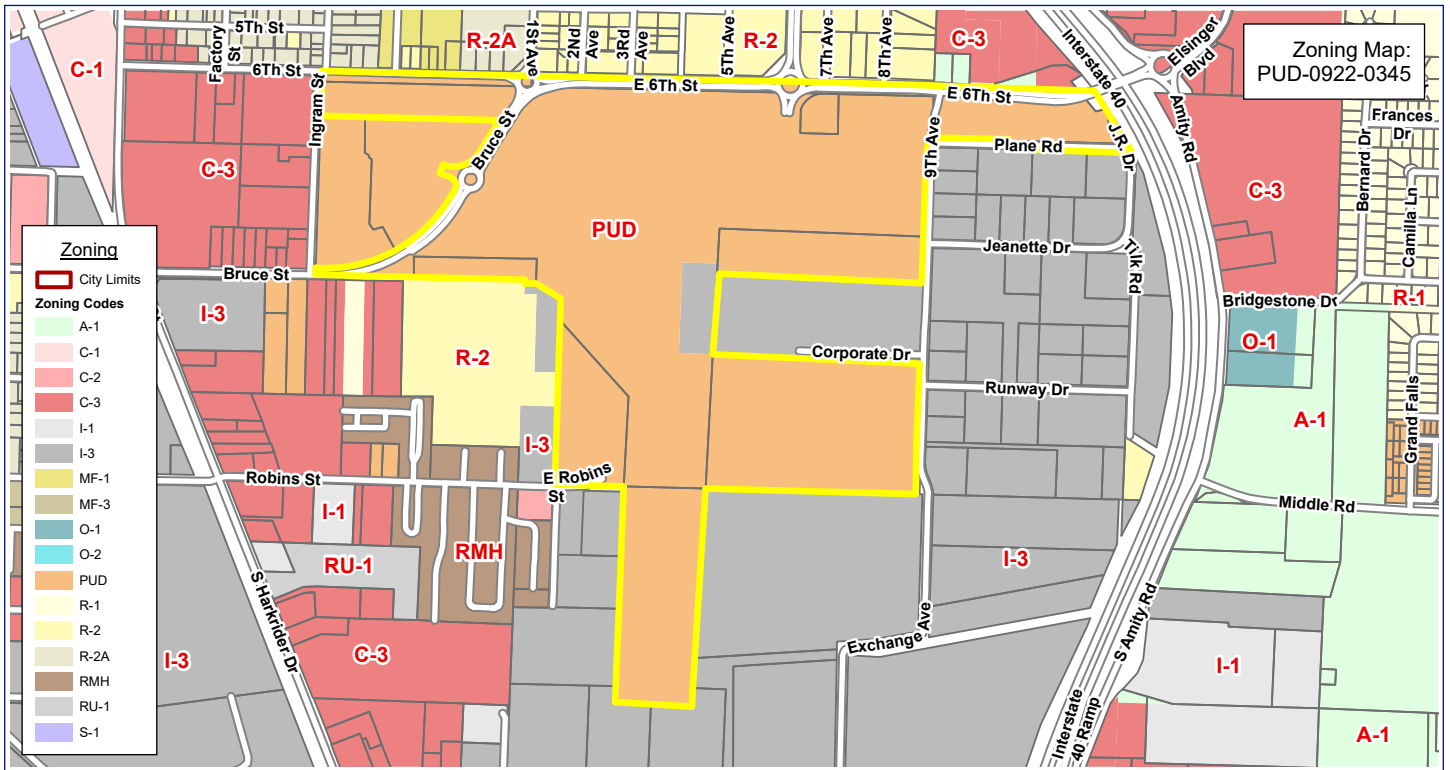
Comprehensive Plan. Special Study Area.

Projected Traffic Impact. The proposed PUD will feature a variety of uses, making traffic generation estimates likely inaccurate with a high probability that projected uses will not match actual uses once the property develops. As such, it is better to state that development of the site will have a significant traffic impact. These traffic impacts were anticipated by the City of Conway through the use of public funds to improve Central Landing Blvd, 6th St, and Bruce St.

Current Traffic Counts. 11,000 ADT (6th St @ Bruce St), 4,700 ADT (Bruce St @ Ingram St).

Request for Major PUD Modification: Central Landing PUD

158 acres ± at Bruce and 6th Streets



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

Utilities. Utilities are available on site, but development on the site will likely require additional improvements.

Master Street Plan. 6th St – Major Arterial (100' ROW); Bruce St – Minor Arterial (80' ROW); 9th St – Collector (60' ROW); Equity Ave Ext. – Minor Arterial (80' ROW); Jeanette Dr Ext. – Minor Arterial (80' ROW).

Street Improvement. Extension of several streets are planned at the development site. An eastern extension of Robins St is planned to 9th St. A northern extension of Equity Ave is planned to Bruce St. A southern extension of Central Landing Blvd is planned to the new Conway Community Center. A western extension of Jeanette Dr is planned to intersect with future extensions of Equity Ave. and Central Landing Blvd.

Project Description. The Central Landing PUD was originally planned to serve as a major retail center featuring a lifestyle center, hotels, apartments, general commercial uses, and office. The proposed amendments reflect a significant rethinking of the development to focus on commercial amusement, hotel, apartments, general commercial uses, and industrial.

The requested changes as described by the applicant are as follows:

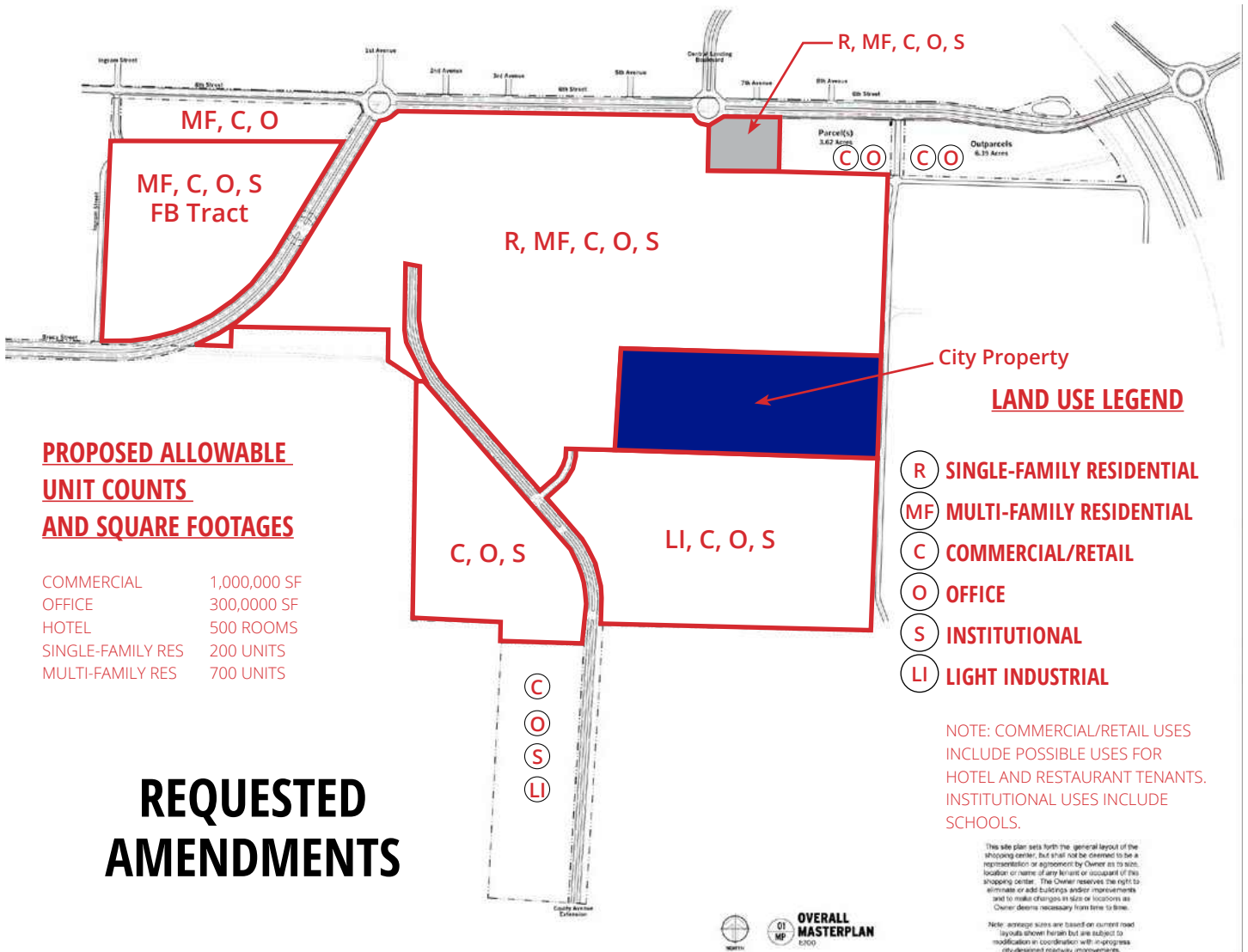
- Allow light industrial use.
- Allow institutional use.
- Allow hotel use where commercial use is permitted.
- Allow commercial amusement and outdoor entertainment venues.
- Allow accessory structures, exclusive of accessory buildings, up to 125' in height.
- Remove "any warehouse operation (except incidental to the sale of goods in a retail facility)" as a prohibited use.

STAFF COMMENTS

- This request excludes the area of the development owned by King Air FBC, LCC (development known as Fontaine Blue Apartments). The proposed request would override and vacate the original Overall Master Plan as indicated in Exhibit C of the Final Development Plan, included with O-14-75. As such, no planned building locations are indicated with the current proposed plans.
- The original PUD included no restrictions on setbacks, height, lot coverage, lot size, building placement, building design standards, landscaping, or parking. This makes practical application of the zoning designation difficult with no certainty for the land owner or City. This will need to be addressed with this modification.
- It appears modification of the PUD is necessary, as the market conditions and use demand under which the original PUD was approved no longer exist.
- The amendment would add some uses which could have greater external impacts on adjacent property.
- Development of the PUD would constitute a significant addition to the city and bring uses to the city that are not currently present.
- The development will generate a considerable amount of traffic in the future. Providing multiple points of access to the north, south, east, and west will be necessary to ensure proper management of traffic.

Request for Major PUD Modification: Central Landing PUD

158 acres ± at Bruce and 6th Streets



STAFF RECOMMENDATIONS

Staff recommends approval of the PUD application. While not consistent with the comprehensive plan, the proposed uses are appropriate to the area and context. The development will present a substantial development in the city and bring uses not currently present in the city.

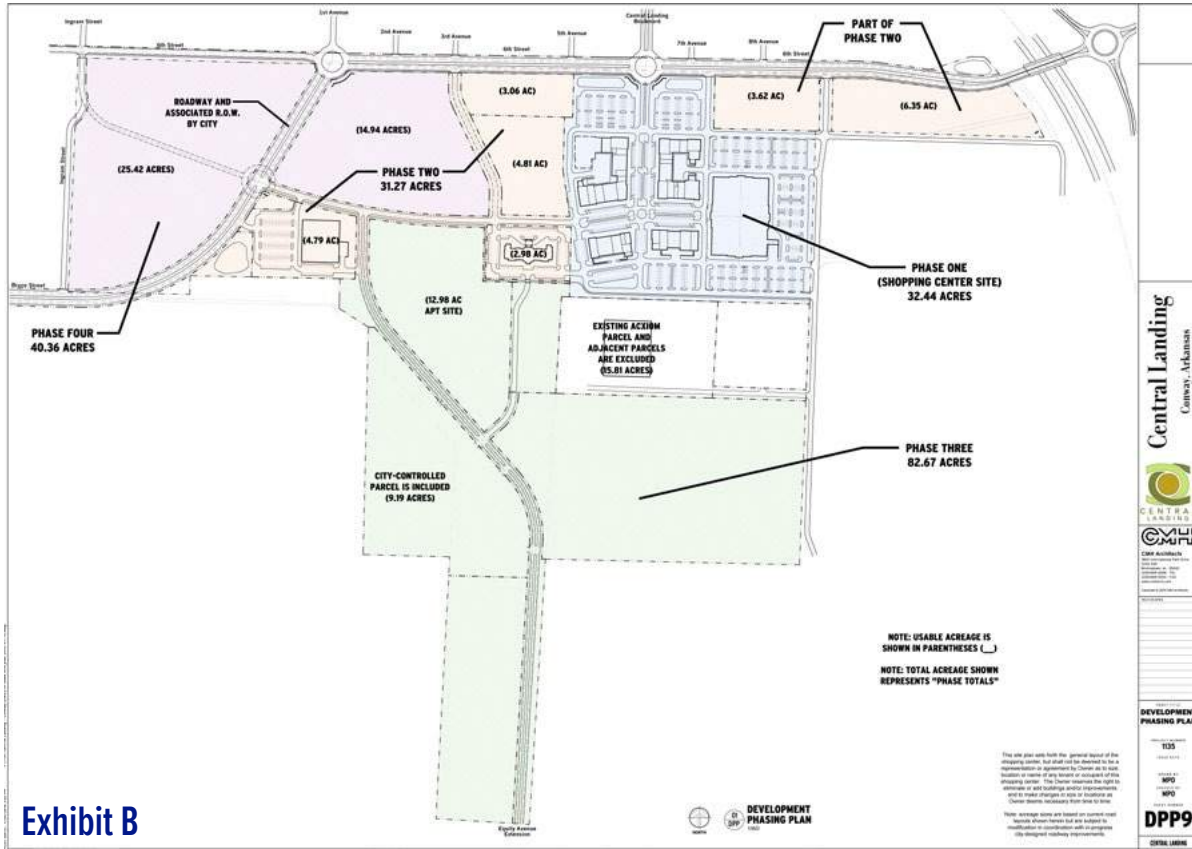
The following conditions of approval are recommended for the development:

1. The original conditions of approval shall be replaced by the conditions listed with this approval. Except, the property owned by King Air FB, LLC (development known as Fountaine Bleu Apartments) shall be governed by the original conditions of the PUD.
2. Remove the following elements from the existing Final Development Plan: Exhibit B – Development Phasing Plan, Exhibit C – Overall Development Plan, Exhibit D – Overall PUD Land Use Master Plan, Exhibit F – Retail Site Plan, Exhibit G – Bicycle Connectivity Plan, Exhibit H – Zoning Map, Exhibit I – Overall Master Plan.
3. The map indicated as “Requested Amendments” shall serve as the Overall PUD Land Use Plan for the development.
4. The use of term “commercial/retail” shall be deemed to include establishments conducting sales or providing services to the public as well as hotels, outdoor entertainment venues, and commercial amusement, provided those uses listed on Exhibit J shall be prohibited.
5. Item 12 of Exhibit J shall be amended as follows, “any warehouse operation outside of areas allowing light industrial (except mini-warehouse or warehousing incidental to the sale of goods in a retail facility).”
6. Item 11 of Exhibit J shall be removed.
7. Those areas indicated for “R” uses shall be governed by the requirements of R-2 unless the use is otherwise permitted by-right under the terms of a different use classification with greater intensity.
8. Those areas indicated for “MF” uses shall be governed by the requirements of MF-3 unless the use is otherwise permitted by-right under the terms of a different use classification with greater intensity.
9. Those areas indicated for “C, O, and S” uses shall be governed by the requirements of C-3, except hotel uses shall not exceed 10 stories and accessory structures, excluding accessory buildings shall not exceed 125’ in height.
10. Those areas indicated for “LI” uses shall be governed by the requirements of I-1.
11. Signage, landscaping, and building design standards in the development shall be governed by the requirements of R-2, MF-3, C-3, or I-1 as is applicable by use type.
12. 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. No other ground mounted signs in excess of 10’ in height shall be permitted.
13. All development shall meet all applicable standards for Article 1101.
14. All proposed site improvements shall be subject to Development Review as handled within Article 1101 of the Zoning Code.
15. An individual property shall be subdivided in accordance with requirements of the Conway Subdivision Code prior to issuance of any building permits on the site proposed for construction.
16. Existing provisions of the improvement district governing the property shall be made part of the PUD approval and may not be modified without approval of the City Council.
17. Development of streets in the development shall be consistent with the Master Street Plan.
18. Robins to Equity Avenue: A ROW from Robins St to the future Equity Avenue shall be provided in a reasonable, mutually agreed upon location to ensure additional East/West connectivity.
19. North South Traffic Movement: North/South movement from Equity to Bruce/1st Avenue when such connections are made to Equity and Bruce/1st Avenue, shall not be signalized or stop controlled and shall have no more than 3 major intersections.
20. Any additional modifications to the PUD shall require approval of the Planning Commission.

Request for Major PUD Modification: Central Landing PUD

158 acres ± at Bruce and 6th Streets

II.E



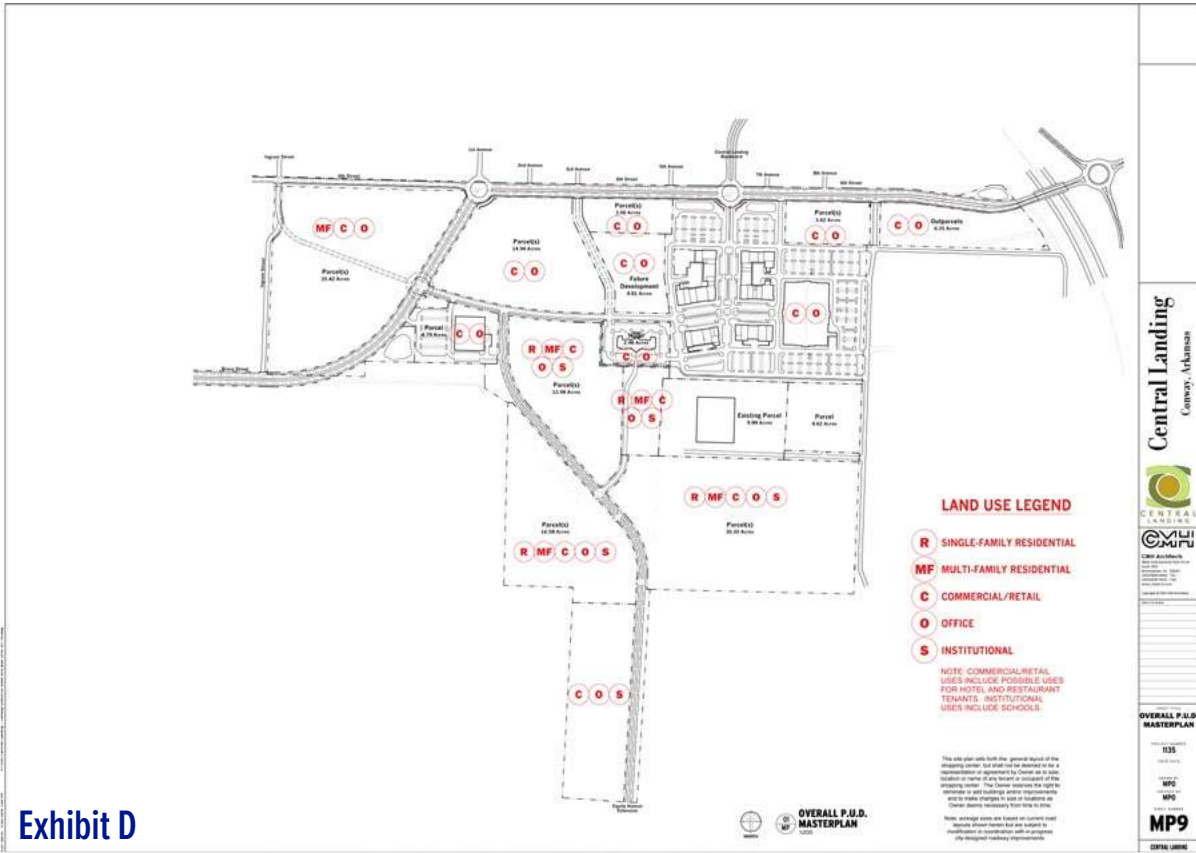


Exhibit D

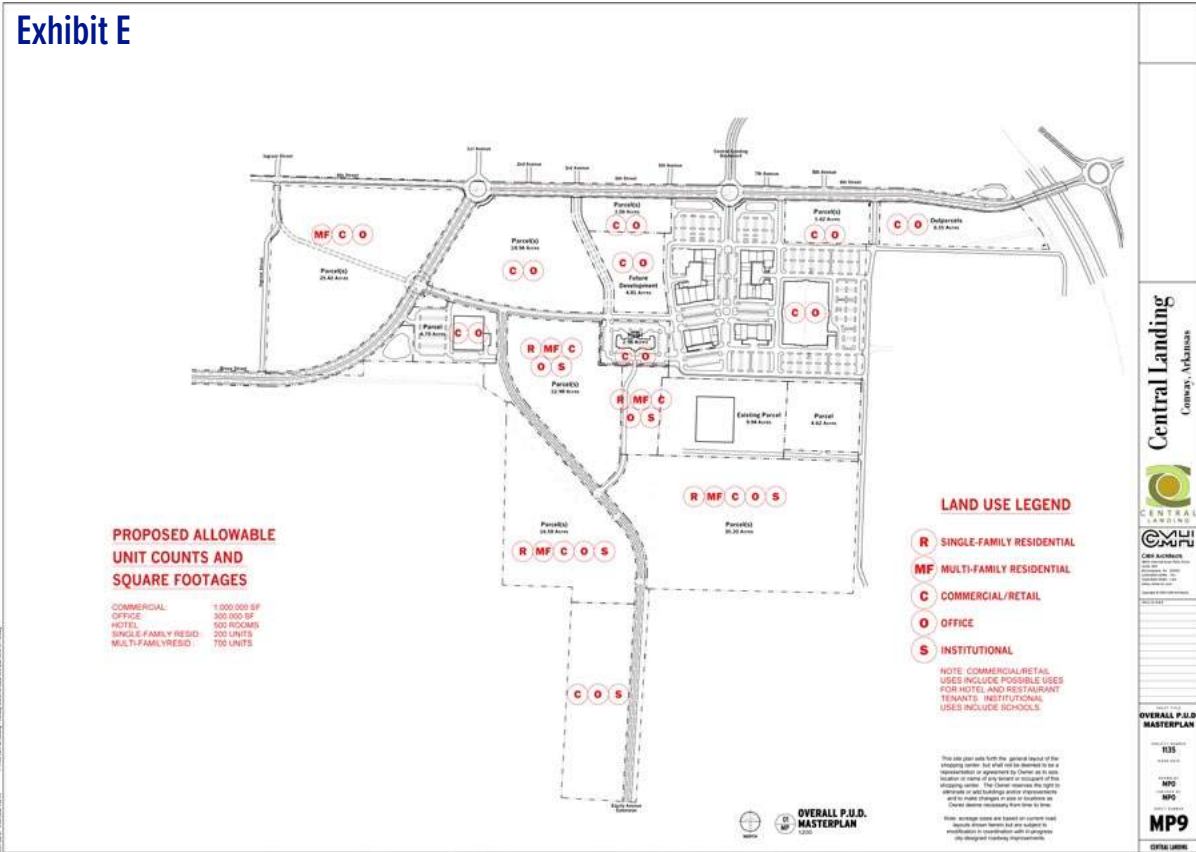
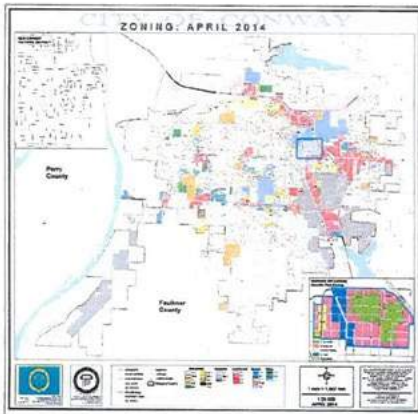


Exhibit E

158 acres ± at Bruce and 6th Streets

Exhibit H

NOTE: REFER TO CITY OF CONWAY
G.I.S. DEPARTMENT FOR INFORMATION
REGARDING ZONING MAPS



Central Landing
Conway, Arkansas

125
100
50
0
ZONING MAPS
CENTRAL LANDING

Exhibit I



OVERALL
MASTERPLAN
AERIAL
1:300

Central Landing
Conway, Arkansas

125
100
50
0
OVERALL MASTERPLAN AERIAL
CENTRAL LANDING

EXHIBIT J

Prohibited Uses

As used herein, the term “*Prohibited Uses*” shall mean any of the following uses:

(1) Any mobile home park, trailer court, labor camp, junkyard, or stockyard (except that this provision shall not prohibit the temporary use of construction trailers during periods of construction, reconstruction, or maintenance);

(2) Any central laundry, dry cleaning plant, or laundromat (except that a drop-off dry cleaner that performs all dry cleaning off site shall be permitted,;);

(3) Any body and fender repair operation for automobiles, trucks, trailers, boats, or other vehicles; provided this shall not prohibit an automotive repair shop, or any business servicing motor vehicles in any respect, including, without limitation, any quick lube oil change service, tire center or gasoline or service station;

(4) Any mortuary or funeral home;

(5) Any “Pornographic Use”, which shall include, without limitation: (x) a store displaying for sale or exhibition books, magazines or other publications containing any combination of photographs, drawings or sketches of a sexual nature, which are not primarily scientific or educational [provided, however, that the sale of books, magazines and other publications by a national or regional bookstore of the type normally located in first-class retail shopping centers shall not be deemed a “pornographic use” hereunder]; or (y) a store offering for exhibition, sale or rental video cassettes or other medium capable of projecting, transmitting or reproducing, independently or in conjunction with another device, machine or equipment, an image or series of images, the content of which has been rated or advertised generally as NC-17 or “X” or unrated by the Motion Picture Rating Association, or any successor thereto [provided, however, that the sale or rental of such videos by a national or regional video store of the type normally located in first-class retail shopping centers shall not be deemed a “pornographic use” hereunder]; or massage parlor [except for therapeutic massages given in connection with the operation of a day spa or health club or other similar facilities normally located in first class shopping center];

(6) Any so-called “head shop”, or other establishment primarily selling or exhibiting drug-related paraphernalia or merchandise commonly used or intended for use with or in the consumption of any dangerous drug or other controlled substance, provided this shall not prohibit the operation of a pharmacy, drugstore or medical office;

(7) Any flea market;

(8) Any discotheque, dance hall or topless bar;

(9) Any gambling facility or operation, including but not limited to: off-track or sports betting parlor; table games such as black-jack or poker; slot machines; video poker/black-jack/keno machines or similar devices; or bingo hall. Notwithstanding the foregoing, this prohibition shall not apply to governmental sponsored gambling activities, or charitable gambling activities, so long as such governmental and/or charitable activities are incidental to the business operation being conducted by the occupant;

(10) Any tattoo parlor or skin/body piercing facilities;

(11) Any carnival, amusement park or circus;

(12) any warehouse operation (except incidental to the sale of goods in a retail facility).



View of subject property from within Central Landing PUD looking S



View of subject property from within Central Landing PUD looking E toward I-40



View of subject property from Sixth St looking SW

Request to Annex: 1.99 acres as R-1

48 Southshore Lane

APPLICANT/AUTHORIZED AGENT

William Adkisson
PO Box 996
Conway, AR 72033

OWNER

James Volkert and Barbara Satterfield
48 Southshore Ln
Conway, AR 72032



SITE DATA

Location. 48 Southshore Lane, east of Friendship Road, north of Northview Estates Planned Unit Development.

Site Area. 1.98 acres ±.

Current Zoning. N/A (Outside City).

Requested Zoning. R-1 (One-Family Residential); Staff concurs with requested zoning.

Adjacent Zoning. North: n/a (outside city limits, Beaverfork Lake); South: Planned Unit Development (PUD); East, West: n/a (outside city limits).

Existing Structures. Single family home and accessory building.

Overlay. None.

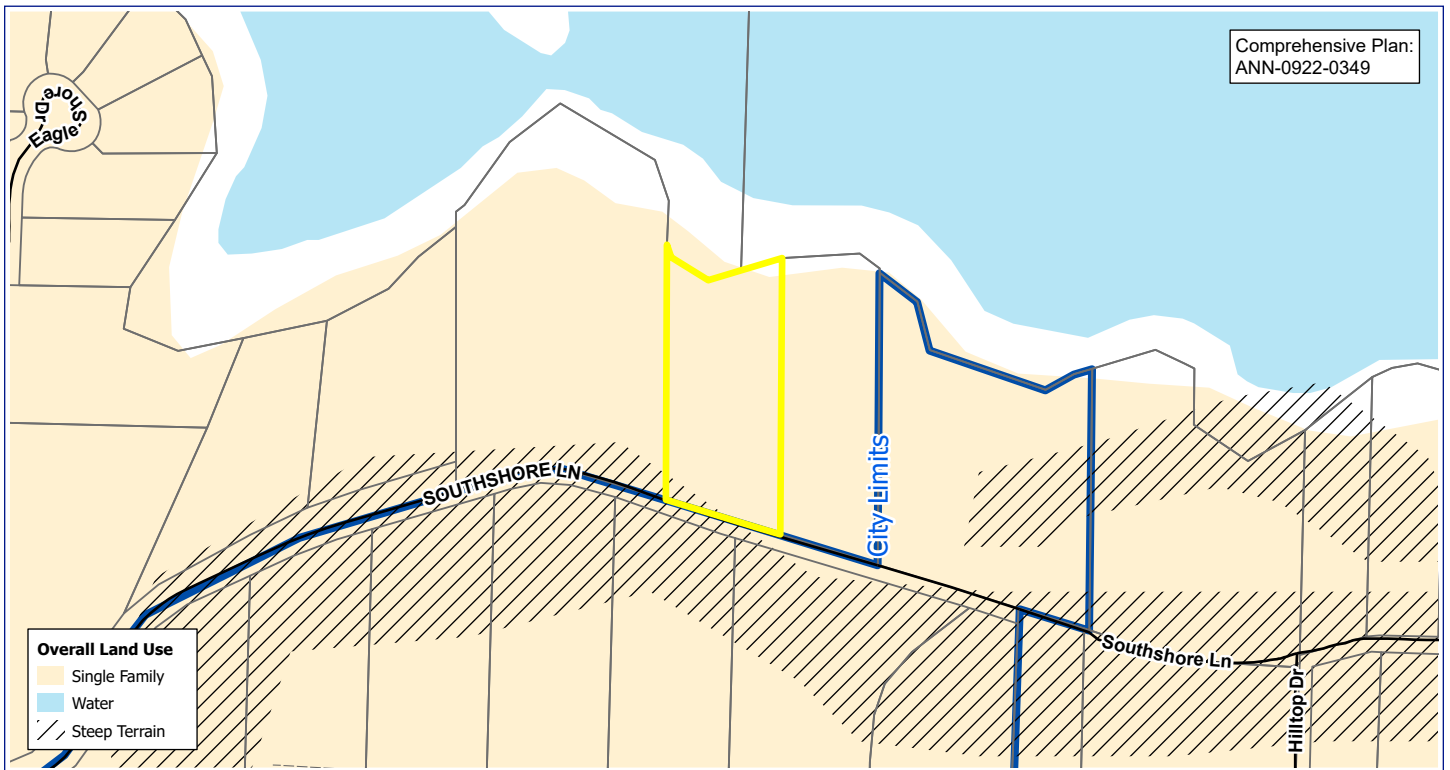
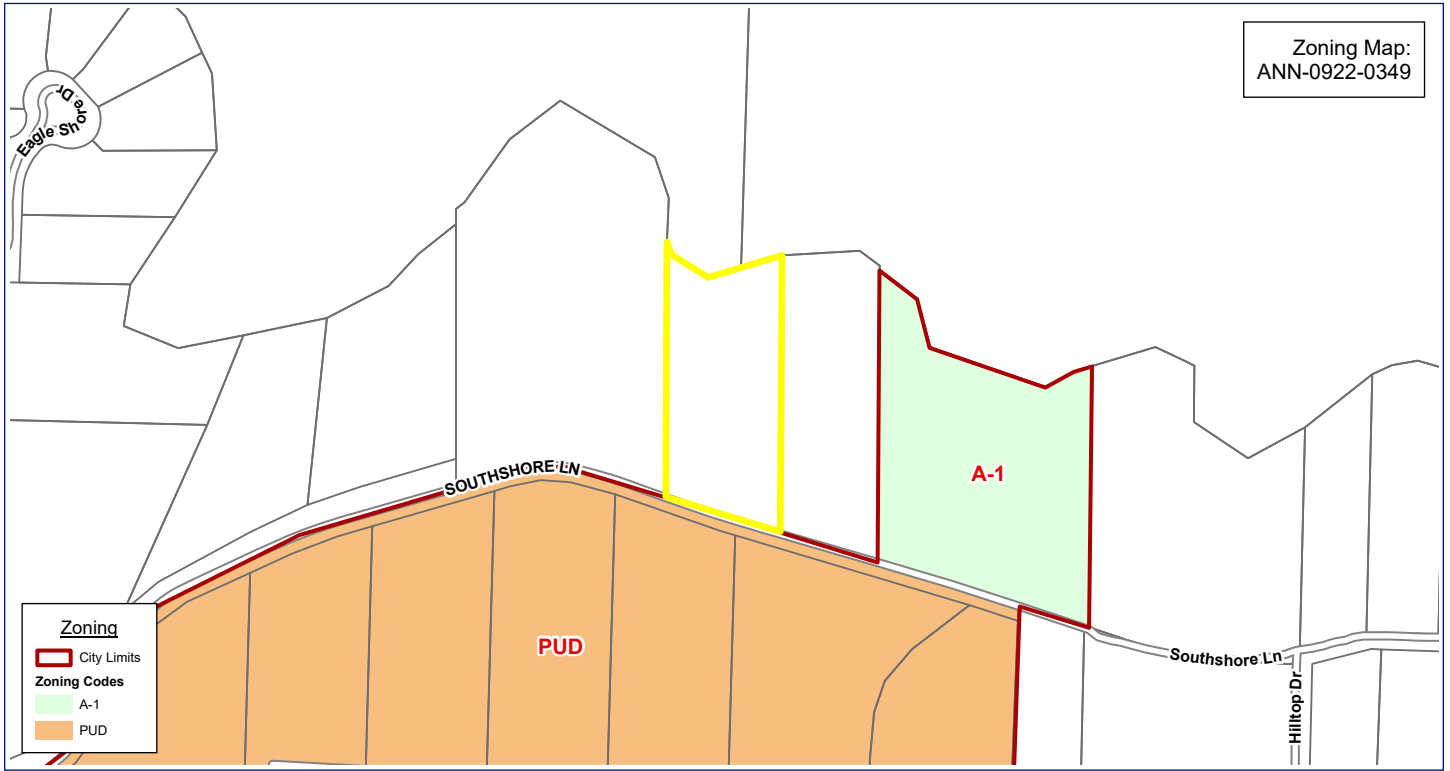
Comprehensive Plan. Single Family (which calls for “quiet, low-density areas for single family living and related recreational, religious, and educational facilities protected from all commercial and industrial activity.”)

Projected Traffic Impact. Based on the proposed zoning, the traffic impact of the development will be minimal. A single family home currently sits on the property with no plans to subdivide. This would generate an estimated 9 vehicle trips per typical weekday.

Request to Annex: 1.99 acres as R-1

48 Southshore Lane

II.F



Flood/Drainage. A very small portion in the northeast of the property lies within the 100-year floodplain.

Utilities. Utility and sewer service extensions will be required. Applicant will need to coordinate with Conway Corporation for any desired utilities.

Street Conditions. Southshore LN (Collector - 60' ROW) is an improved city-maintained street which lacks curb and gutter. The street appears to have several areas with repair work/patching but is overall in fair condition. If subdivision occurs on any annexed property, the developer shall be responsible for road construction.

STAFF COMMENTS

- The proposed property is currently one lot that contains a single-family home and an accessory building.
- R-1 zoning is appropriate for the property and consistent with other properties in the area.
- The applicant is requesting police protection, fire protection, street maintenance, and the ability to connect to Conway Corp Utilities.
- The annexation request complies with the requirements of ordinance #O-99-95 specifying procedures for annexations.

STAFF RECOMMENDATIONS

- Fire Department: Recommends Annexation
- Conway Corporation: Recommends Annexation
- Planning and Development Department: Recommends Annexation
- Transportation Department: Recommends Annexation

SAMPLE MOTION

As proposed, the annexation would allow for appropriate development of the property and would be a valuable addition to the City. Staff recommends approval of this request contingent upon the property being platted in accordance with #O-22-77 and #O-00-03 [as amended] and barring any unforeseen issues.

Request to Annex: 1.99 acres as R-1

48 Southshore Lane

II.F



Property adjacent to the S, across Southshore Ln



View of subject property from Southshore Ln looking N



View of Southshore Ln [looking E] at subject property

Request for Conditional Use Permit: Publicly-Owned Service Facility & Utility Facility in A-1

II.G

1320 S German Lane

APPLICANT/AUTHORIZED AGENT

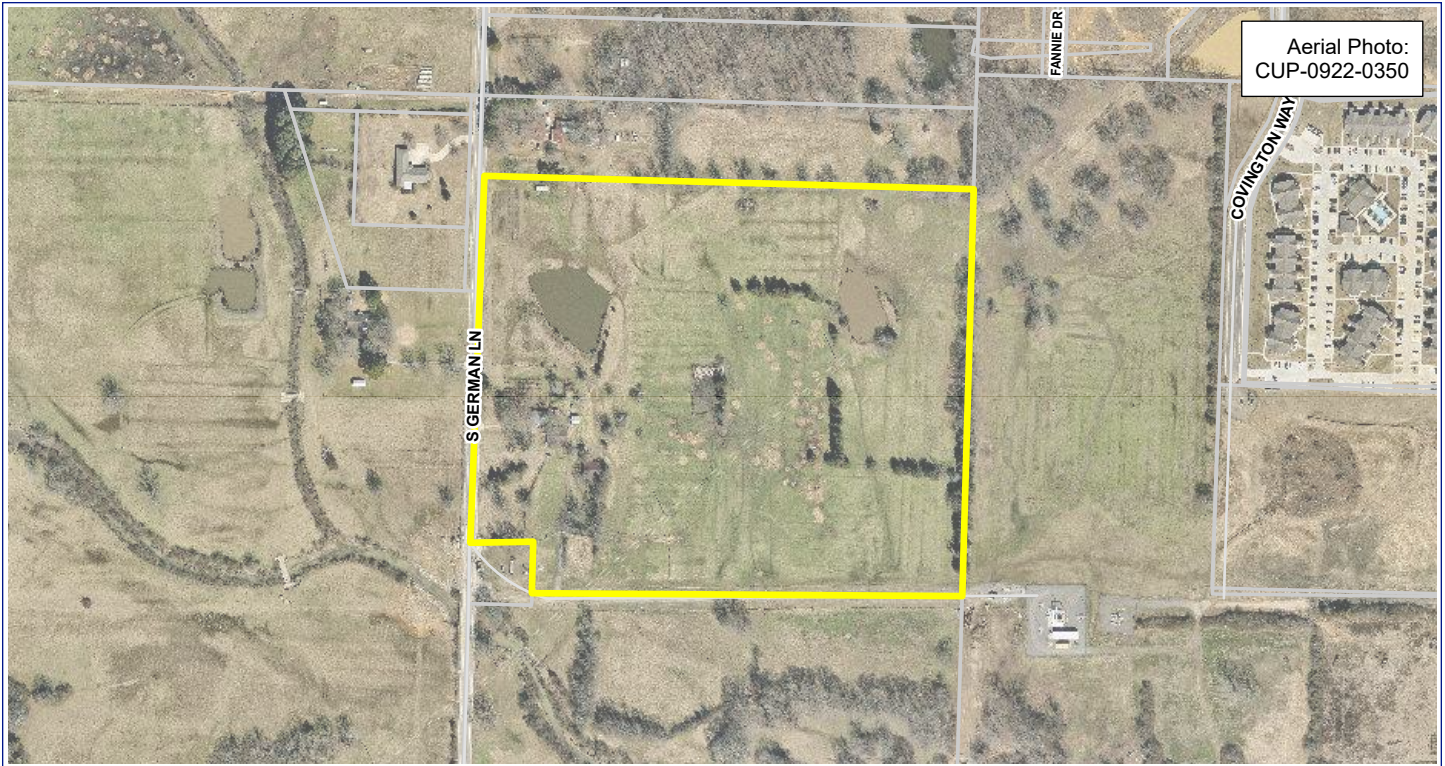
Joanna Nabholz
H+N Architects
1109 Main St
Conway, AR 72032

OWNER

Conway Corporation
1405 Lollie Bottom Rd
Conway, AR 72032

DESIGN PROFESSIONALS

H+N Architects
WER Architects/Planners



SITE DATA

Location. 1320 S German Ln.

Site Area. Approx. 38 ac.

Current Zoning. A-1 (Agricultural District).

Existing Structures. Various residential and agricultural buildings planned for removal.

Overlay. None.

Requested Conditional Uses. Publicly Owned Service Facility and Utility facility in A-1 zoning district.

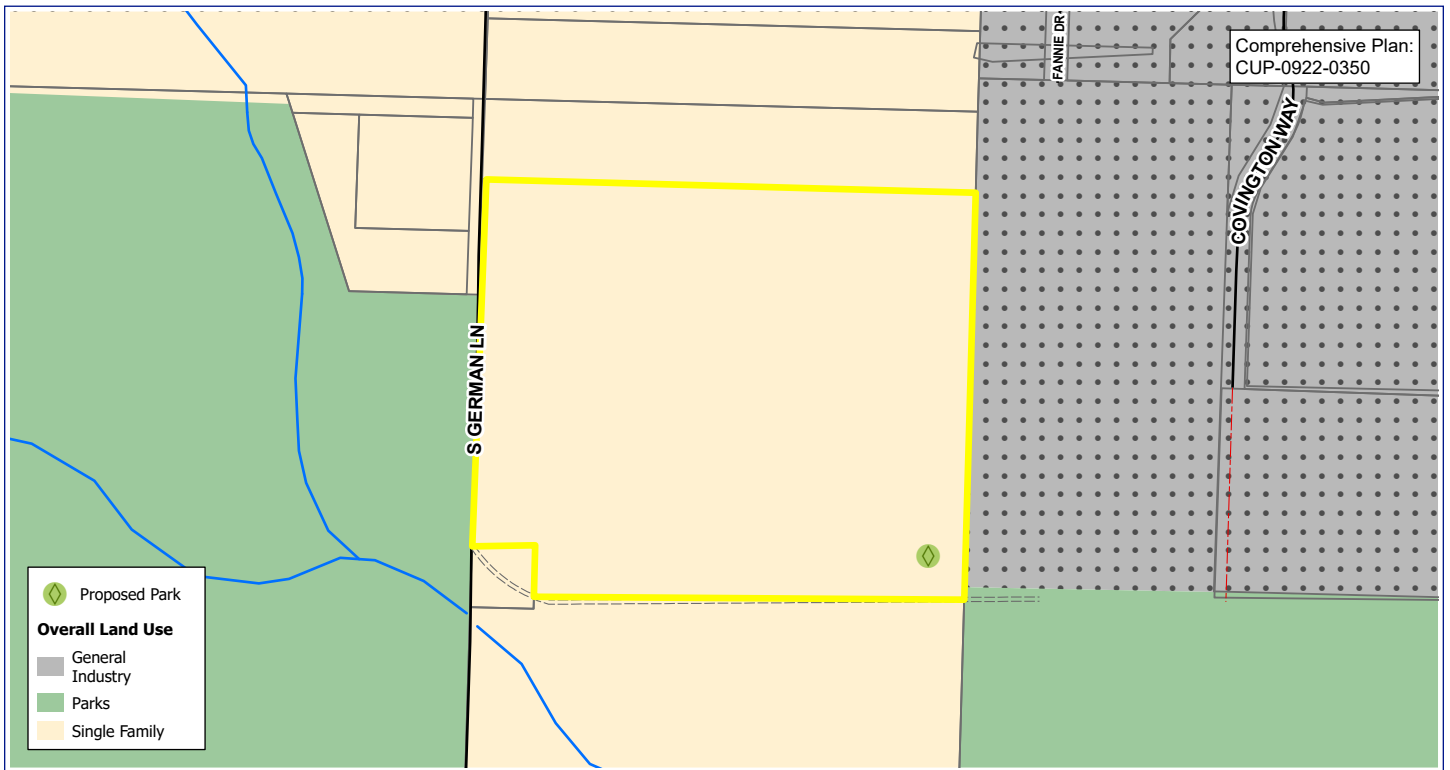
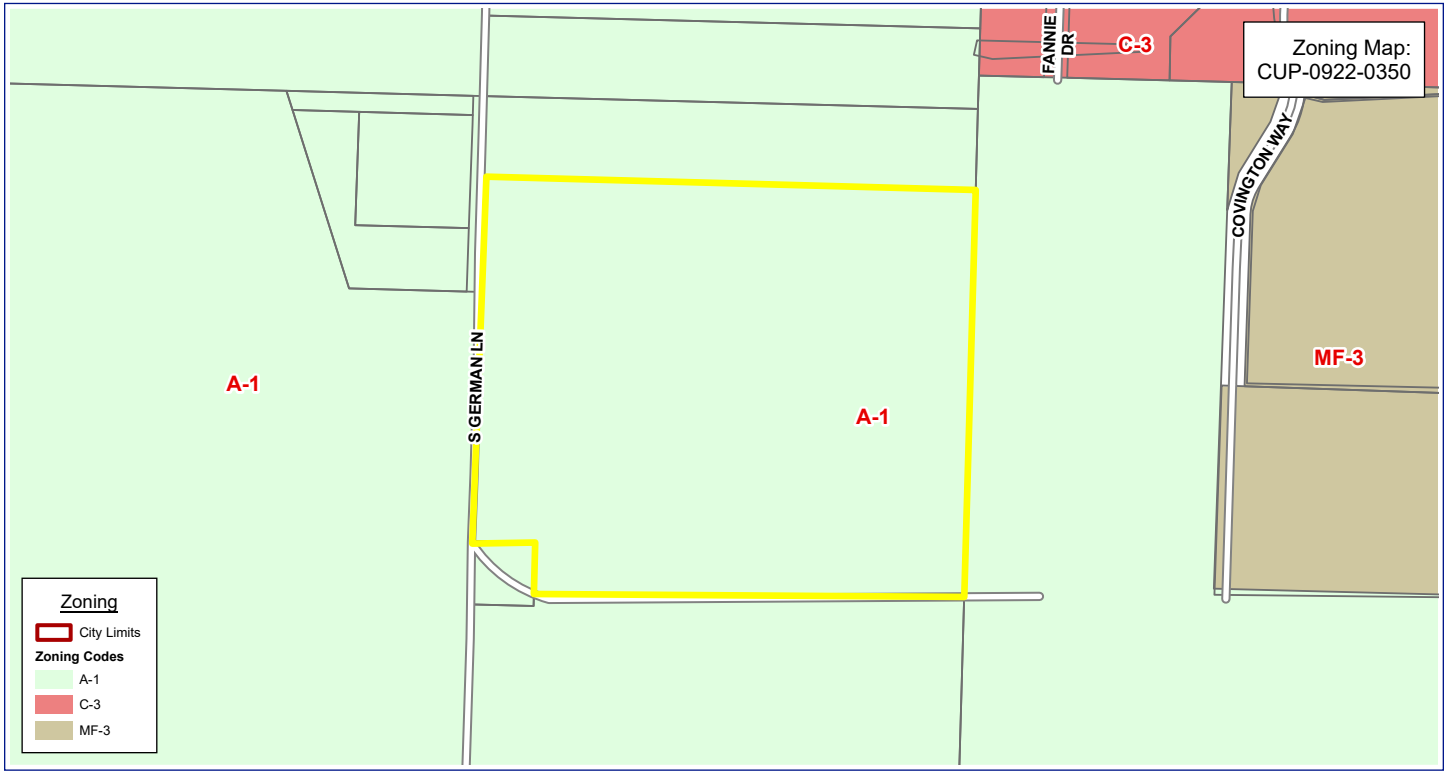
Comprehensive Plan. Single-Family/General Industry.

Projected Traffic Impact. Traffic estimation for a facility of this type is typically difficult to project. It is anticipated based on the variety of office/industrial type uses the development will yield approximately 300-500 vehicle trips per typical weekday on S German Ln. As such, development at the site would likely have a small traffic impact.

Current Traffic Counts. 5,500 ADT (S German Ln @ development site).

Flood/Drainage. Southern portions of the site fall within the Floodway and 1% Annual Floodplain

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Utilities. Utilities appear available at the site. The applicant will need to coordinate with Conway Corporation on the provision of utilities to the site.

Master Street Plan. S German Ln – Collector (60' ROW).

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant has stated the following intentions for the site: *“There is an office building, warehouse and vehicle maintenance facility along with material storage and covered parking on site that will include the engineering, electric, water, wastewater and telecom crews. The facility will be open all year weekdays from 8-5. The operations crews will primarily be on site from 7am-4pm. The dispatch office will be occupied 24hrs/day all year with 1-2 staff at all times. There are approximately 150 employees who will be on site at various times during normal business hours. We anticipate 10 or less visitors to the facility on average.”*
- The site rests as a transition zone between industry to the east and predominantly single-family residential to the west (south of the site). The site is designed in a manner to mitigate the visual impacts of the utility yards by reducing views of such facilities from S German Ln. The office building would additionally serve as a visual buffer for uses which are more adverse to the visual character of S German Ln.
- The site will border (to the west) the future S German Ln/Powerline Park, helping mitigate impacts of the use on nearby residential property. As such, primary consideration should be given to visual mitigation of the use.
- Location of the use at the site will allow a consolidation of utility facilities for ConwayCorp.
- The use can be considered somewhat compatible with the Comprehensive Plan. Utility facilities are a community necessity and allowed in single-family zones as a conditional use.
- This site is indicated to be part of the route of the future Northwest Trail, a part of the Central Arkansas Greenways Plan.

STAFF RECOMMENDATION

Staff recommends approval of the conditional use permit with the following conditions:

1. A 25' undisturbed vegetative buffer shall be maintained with the property to the north of the site, the ROW of Covington Way, Lot 2 of 1200 Place Ph 1 subdivision, Lot 10 of Covington Commercial Ph 3 subdivision, and Lot 14 of Covington Commercial Ph 3 subdivision.
2. Metal ornamental fencing shall be required along the west property line to mitigate view of the site from S German Ln.
3. Metal ornamental fencing shall be required along the east and north property lines bordering Lot 1 of 1200 Place Ph II subdivision.
4. Vinyl-coated fencing with opaque fabric shall be required in other areas bordering non-Conway Corp property.
5. Fencing topped with razorwire, or similar top treatment, shall be prohibited. Where ornamental fencing is required, any security components shall be ornamental in nature.
6. Evergreen plantings capable of reaching a height of 20' shall be required along S German Ln frontage. The combination of fencing and plantings shall have the effect of adequately screening any utility/maintenance yards or portions of buildings not complying with the building design standards of 1101 from view of the public ROW. The Planning Director shall be empowered to determine the required number of plantings or locations where solid fencing is required.
7. ConwayCorp shall coordinate with the City of Conway/Metroplan to provide via platted easement or separate instrument adequate easements to provide for the future construction of the Northwest Trail (being an extension of Stone Dam Creek Trail) across ConwayCorp property, as indicated on the exhibit from the Central Arkansas Greenways Plan.

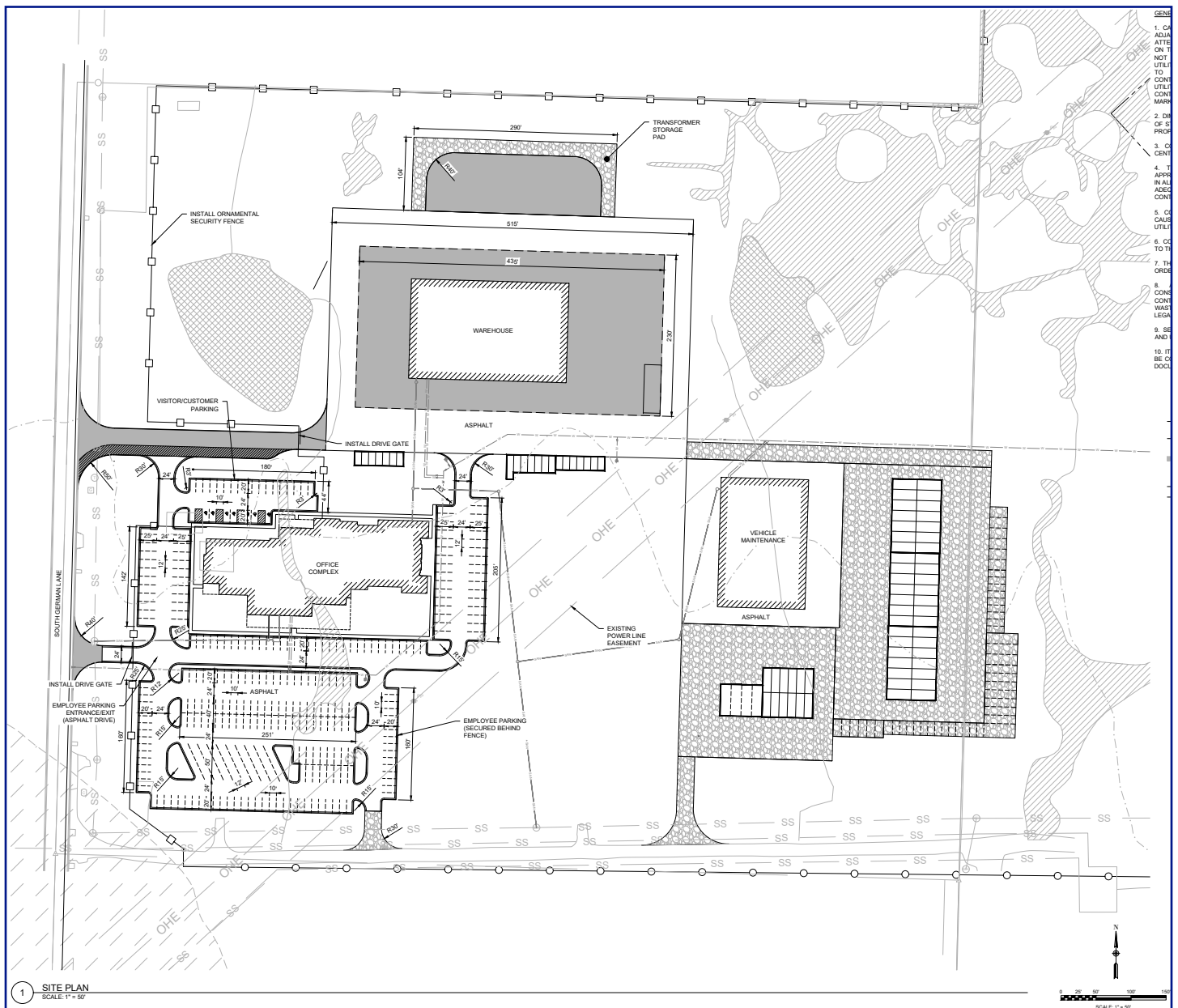


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8. The development shall be subject to site development review in accordance with Article 1101 of the Zoning Code.
9. The area subject to development shall be platted prior to issuance of building permits. Platting may include only those portions of the site affected by development, provided any remaining, unplatted portion of property exceeds 5 acres in area.
10. No variance of any kind may be subsequently requested.
11. 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. Extension of approval may be granted once by the Planning Director for a period not to exceed an additional 18 months.

SAMPLE MOTION

I move to accept the staff recommendation to approve the conditional use with conditions indicated in the staff report, on the basis that, the use is largely consistent with the Comprehensive Plan and the external impacts of the use can be adequately mitigated to protect adjacent property.



1320 S German Lane



View of subject property from S German Ln looking E



View of subject property from S German Ln looking SE



Property adjacent to the N



Property adjacent to the NW, across S German Ln



Property adjacent to the W, across S German Ln



Property adjacent to the W, across S German Ln

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

- Total Tire (SDR-1221-0161)
- Fire Station No. 3 (SDR-0322-0221)
- Green Thumb Produce (SDR-0822-0316)
- Integrity Insurance Parking Expansion (SDR-0922-0330)

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

- 12 Hundred Place, Phase 2 (P2022-00066)
- Orchard Hill Subdivision, Phase 3 (P2022-00067)
- Bell Valley PUD (P2022-00068)
- Replat Lot 18 North View Estates PUD (P2022-00069)
- RT Replat (P2022-00070)

Dear Council

This is an open letter to express our strong opposition to conditional Use Permit, Case No. CUP-0922-0343 for 8 Day Tire Shop operations, and the proposed rezoning for property located at 3455 Dave Ward Drive from A-1 to C-2.

This development is not next door to industrial businesses. The industrial section mentioned in the application is over the hill on the west side of Hogan Street. The tire shop will be surrounded by residential properties on all sides and would be detrimental to the area and not in harmony with residents. All residents are completely opposed to a tire shop that will cause traffic and safety problems as well as pollutants, known to come from rain water runoff from used tires as well as loss of residential market value.

The requested use permit DOES NOT meet the standards and guidelines mentioned in the application therefore approval of the requested use permit should be denied.

Traffic Safety Hazard and lack of Public Convenience

Placement of the tire shop will NOT facilitate public convenience at this location. Traffic entrance and exit will increase as well as safety concerns, because this property doesn't become visible until vehicles clear the hill. This increased traffic in and out will result in more sudden slow down of traffic, increasing probability of rear end collisions. Reengineering and constructing a safe turnoff to accommodate the increase in customer traffic is not feasible for this location.

Proposed conditional use permit will NOT conform to all off street parking and loading requirements. This will result in bordering properties suffering from trespass including parking and tractor-trailer maneuvers for deliveries and loading of used tires.

Safeguards limiting noxious or offensive emissions, dust and odor can NOT, by definition, be addressed to satisfaction in this neighborhood. The solution for one intended eight-foot fence at the back of property as a barrier to the subdivision (south side) does NOT shield all adjacent residences from applicant's business activities. All residences have enjoyed relative peace and safety in this location for over 40+ years.

Used Tire Pollutants

In testing more than 250 different types of tires, usually made from synthetic rubber, a material that is derived from crude oil, it has been found that particles from tire wear contain a wide range of toxic organic compounds, including known **carcinogens**. These toxins and particles go straight into the soil and groundwater. Residences on both sides of the proposed tire shop still rely on well water and risk these pollutants leaching into groundwater, homes gardens, and the water used in the home .

Just sitting in the sun, a waste tire releases methane gas into the air. Analysis of the vapors that are released from tires reveals the presence of numerous compounds that constitute the "tire smell." **Some of these, mostly those emanating from the hydrocarbon oils, are potentially toxic.** Some, like benzopyrene, are carcinogenic.

According to the EPA, **benzene, mercury, styrene-butadiene, polycyclic aromatic hydrocarbons, and arsenic**, among several other chemicals, heavy metals and

carcinogens, have been found in tires. Studies have found that crumb rubber can emit gasses that can be inhaled.

Loss of Residential Property Value

Proposed land use for tire shop conditional use permit is NOT compatible with area properties that border it due to the aforementioned reasons: environmental pollutants, traffic safety, noise, and smell, etc. Applicant admits that their current location is visually unappealing. To assume that these factors will go away by a large building in a residential area that will house their operation is NOT acceptable to existing neighbors.

Any proposed signage near the curb will only add to loss of market value to existing properties and a visual eye sore. A tire shop cannot become attractive to the next door and adjacent residences.

The proposed tire shop wants to take advantage of Dave Ward traffic and should find a property that will be surrounded and compatible with other nearby businesses. This can be found on the west side of Hogan and Dave Ward Drive.

***Thank you for your continued service and support of our communities.
Best regards,***

Winton R. Mattison

Dorothy V. Mattison

Ann Mattison

Bill Brown

Larry & Ernestine Acklin