

MAY

Conway Planning Commission Staff Report



7:00pm • May 20, 2019 • 810 Parkway Avenue

CONWAY PLANNING COMMISSION

Justin Brown, Chairman

Brandon Ruhl, Vice-Chairman

Dalencia Hervey, Secretary

Brooks Freeman

Arthur Ingram

Bryan Quinn

Latisha Sanders-Jones

Brian Townsend

Anne Tucker

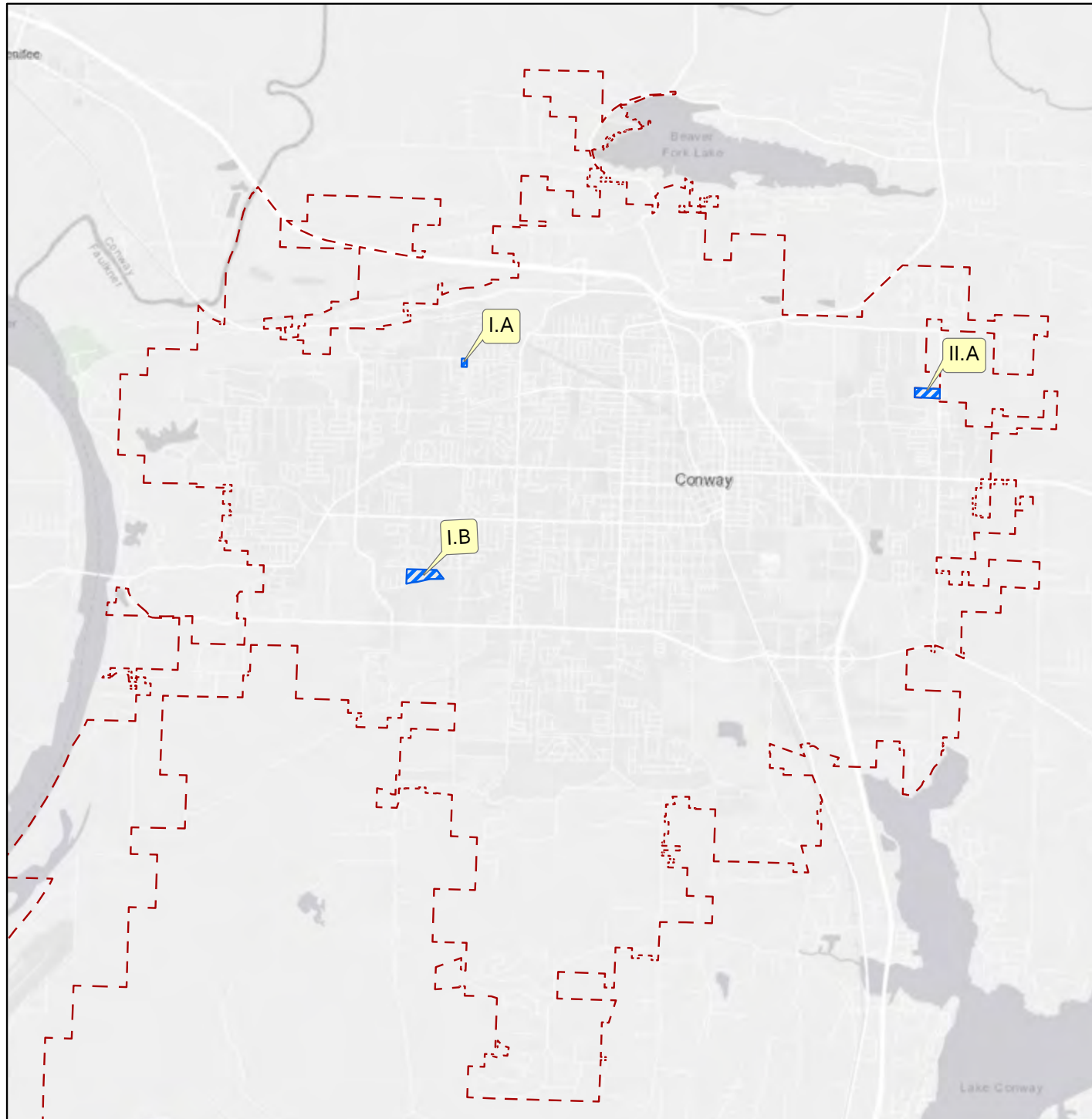
Rhea Williams

Contact the Conway Planning Commission at planningcommission@cityofconway.org

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The Conway Planning Commission makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the Planning Commission recommendations as a guide. Items reviewed at tonight's Planning Commission meeting may be considered by the City Council as early as **May 28, 2019**.

Items not approved by the Planning Commission may be appealed to the City Council within 30 days after Planning Commission denial. If an item is appealed to the City Council, a public notice sign will be placed on the property at least 7 days prior to the City Council meeting and a public notice will be placed on the City's website, conwayarkansas.gov.



I. Subdivision Committee Report Subdivision Committee will meet prior to the Planning Commission at 6:30 pm in City Hall
A. Request for Preliminary Plat Approval of Pintail Cove (SUB2019APR03)
B. Request for Preliminary Plat Approval of Sylvia Springs Subdivision (SUB2019MAY01)

II. Public Hearings - Rezoning, Conditional Use Permit, Zoning Variance, etc.
A. Request to annex 1610-1885 Wills Drive (ANN2019MAY01)
B. Consideration to amend the Conway Zoning Ordinance

CONWAY PLANNING COMMISSION AGENDA

May 20, 2019 • 7:00 pm • 810 Parkway Street

Call to Order. Chairman, Justin Brown

Approval of Minutes. April 15, 2019

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- B. Request for Preliminary Plat Approval of Sylvia Springs Subdivision (SUB2019MAY01)

II. Public Hearings - Rezoning, Conditional Use Permit, Zoning Variance, etc.

- A. Request to annex 1610-1885 Wills Drive
- B. Consideration to amend the Conway Zoning Ordinance

III. Discussion

- A. Additional items as decided by the Planning Commission

Adjourn

Planning Staff Review reports to the Planning Commission

The following items (development reviews, minor subdivisions, plats filed for record, etc) have been reviewed and approved by the Director of Planning and Development and are being reported to the Planning Commission as required by the Zoning and Subdivision Ordinances:

Development Reviews

- Harley Davidson Addition, 1110 Collier Dr.
- Arkansas Urology, 1375 Superior Dr.

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

- Salem Oaks Subdivision (P2019-00017)
- Clifton Square (P2019-00018)
- Shelton Subdivision Replat (P2019-00019)
- Weatherstone Subdivision, Phase 3 (P2019-00020)
- Lot 1, I-40 Storage Addition (P2019-00021)

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

- Fidar's Addition, Replat Lots 121-124, & 247 (SUB2019APR01)
- Tommy Lewis Addition, Replat Lot 1B (SUB2019APR02)
- Lewis Ranch Phase 2, Replat Lot 4 (SUB2019APR05)
- Sun Valley Estates, Lots 35-37 Merger (SUB2019MAY03)
- Massey Replat, Part of Block 5 Laney Subdivision (SUB2019MAY04)

I.A REQUEST FOR PRELIMINARY PLAT APPROVAL - PINTAIL COVE SUBDIVISION

REQUEST FOR PRELIMINARY PLAT APPROVAL OF PINTAIL COVE

APPLICANT

Central Arkansas Professional Surveying
1021 Front Street
Conway, AR 72032

OWNER

Rush-Hal Development, LLC

STAFF REVIEW BY

Levi Hill, Assistant Director

SITE DATA

Location. 1815 Country Club Road; Southwest corner of Country Club Road and Irby Drive.

Site Area. ±2.52 acres.

Current Zoning. R-2 (Low Density Residential).

Existing Structures. Single-family residence

Overlay. None.

Request. The applicant is requesting preliminary approval of a seven lot subdivision located at the southwest corner of Country Club Road and Irby Drive. The proposed lots would range from 7,400 square feet to 14,000 square feet. The R-2 zoning district requires 3,500 square feet per family. As proposed, all seven lots would be duplex eligible. Access would be provided by a new street (Pintail Drive) that would originate on the west side of Country Club Road. A public alley would provide access to lots 5 and 6. Five-foot sidewalks are proposed along both street frontages. The applicant is dedicating the appropriate amounts of right of way for both street frontages.

Planning Commission action is required for the following:

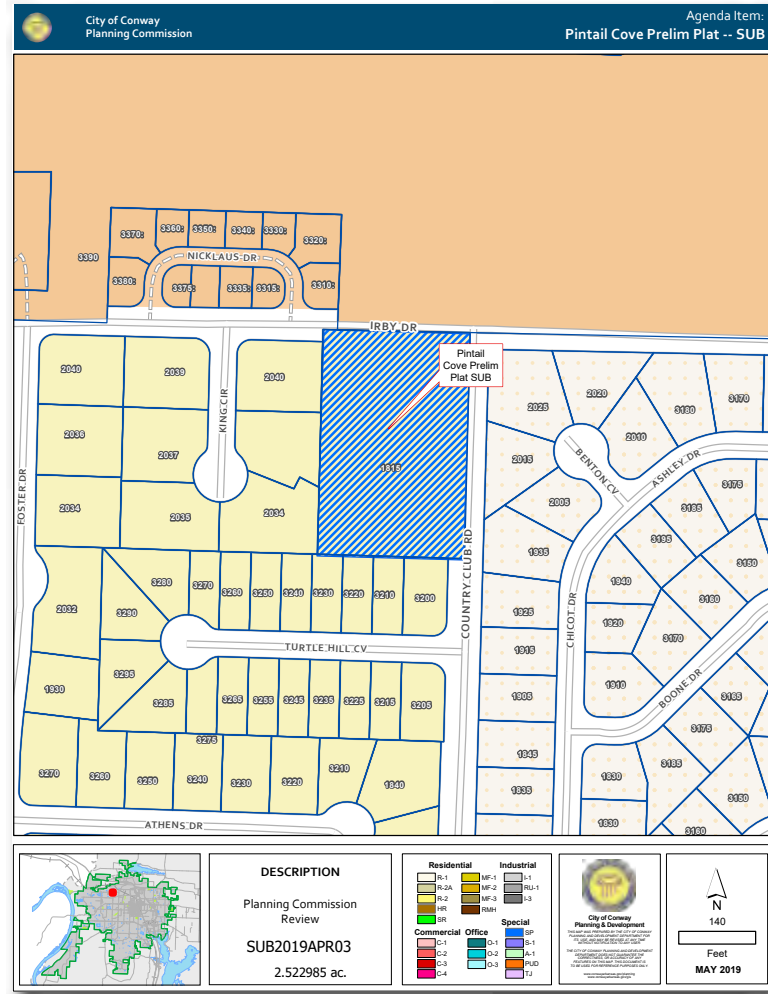
- Staff notes that lots 5 and 6 will have frontage on Irby Drive, however will be accessed by an alley to the south. Staff recommends The Commission require that a note be placed on the plat requiring the front façade of any residential units for lots 5 and 6 be oriented to Irby Drive and a planting easement provided between the units and Irby Drive.

Waivers Requested:

No waivers were requested as a part of this application.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list. The proposed lot sizes and frontage widths are generally consistent with the requirements of the R-2 zoning district and surrounding properties.



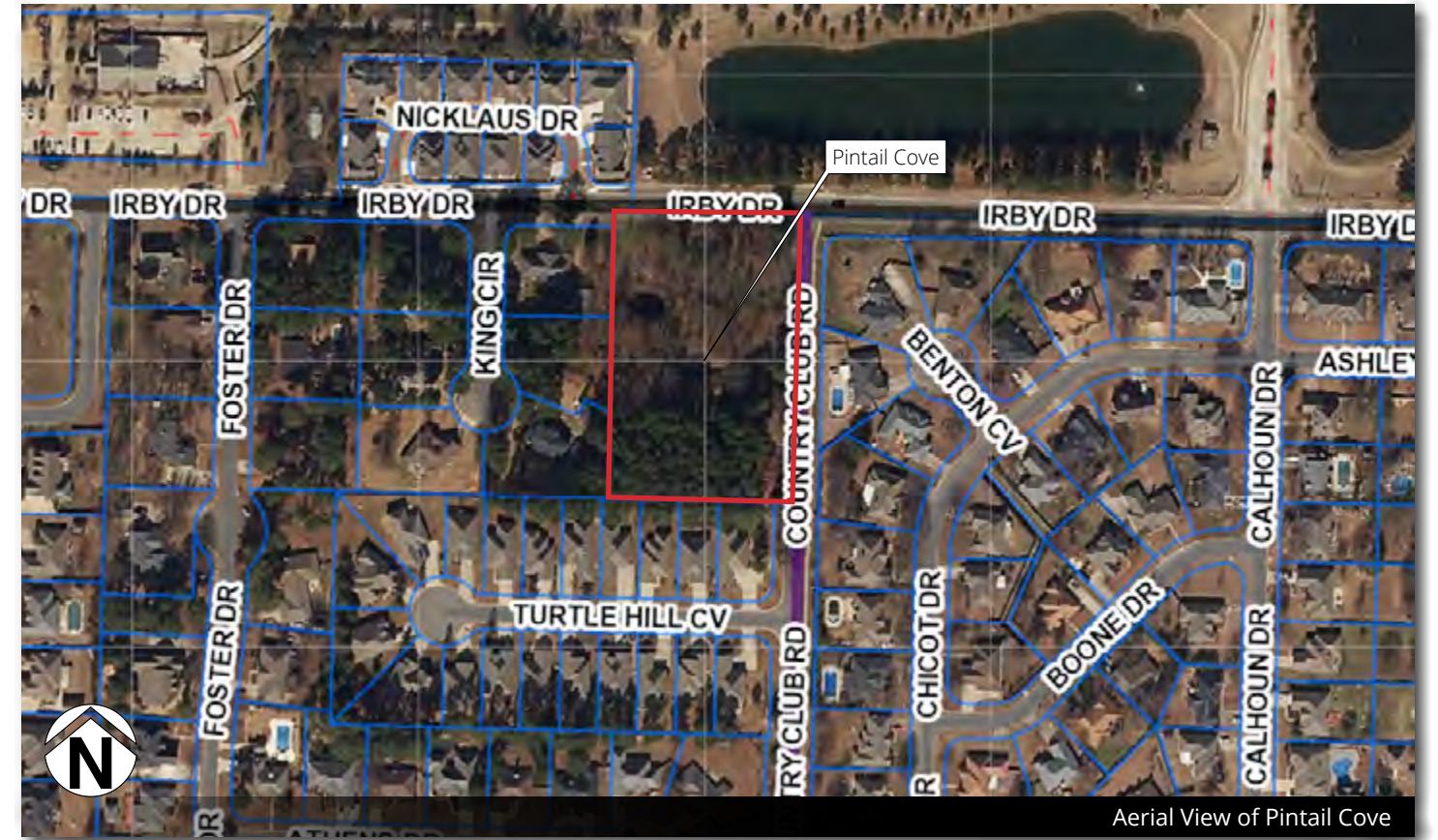
Staff recommends a note be placed on the plat requiring the front façade of any residential units for lots 5 and 6 be oriented to Irby Drive and a planting easement provided between the units and Irby Drive.

CITY OF CONWAY PLANNING & DEVELOPMENT DEPARTMENT PINTAIL COVE PRELIMINARY PLAT

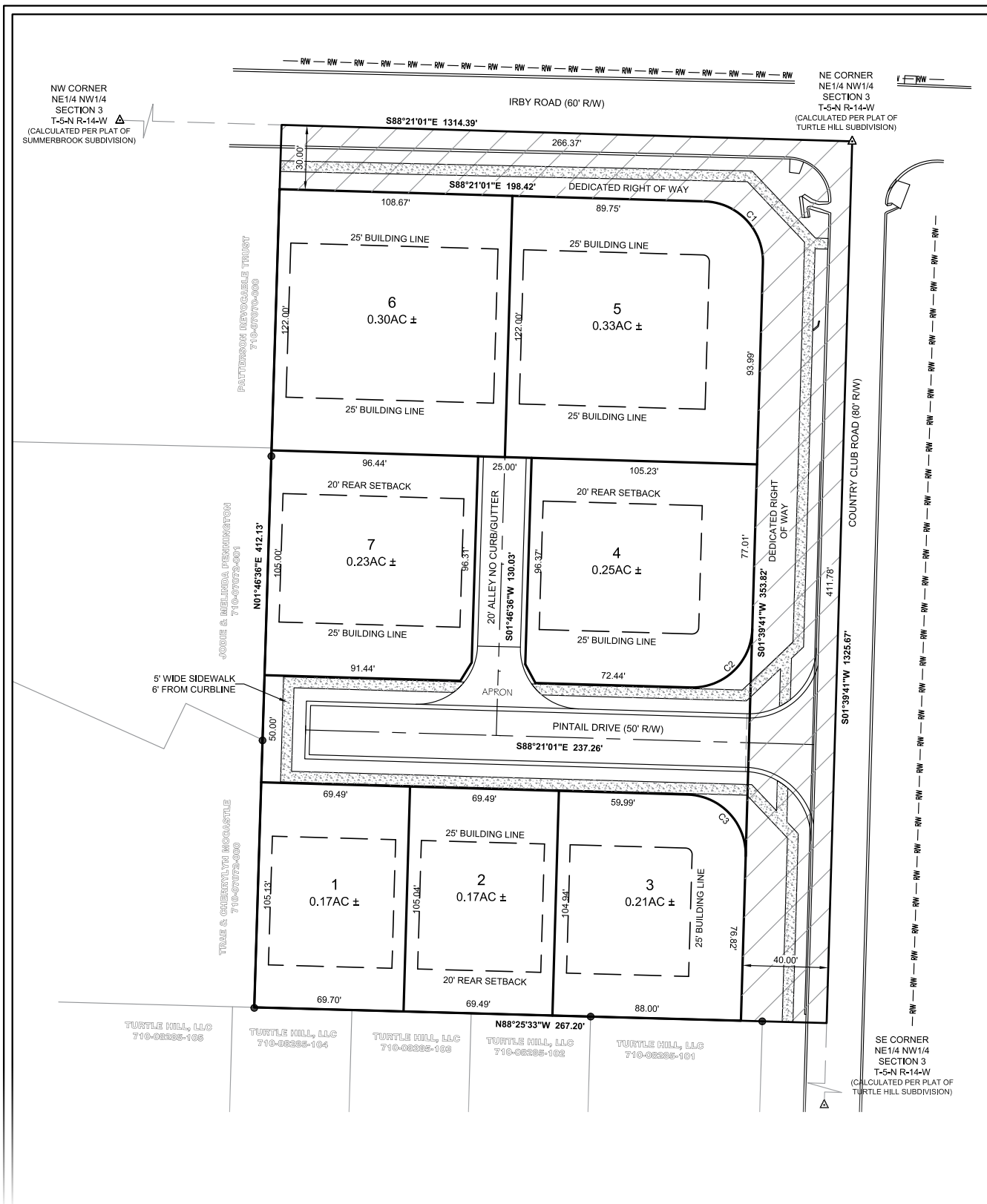
The following lists the items that are reviewed by the Conway Planning Department for the changes and/or additions as required by the applicable provisions of the Conway Subdivision Ordinance for preliminary plat approval.

CORRECTIONS NEEDED ON THE PLAT

- Remove setbacks from plat.
- Show all hydrant locations.
- Add the following to general notes:
 - Every lot must slope to a street or drainage easement.
 - (A statement indicating the ratio error closure of the field work is needed.)



I.A REQUEST FOR PRELIMINARY PLAT APPROVAL - PINTAIL COVE SUBDIVISION



CONDITIONS

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. Approved improvement plans for each new utility system shall be obtained prior to submission of final plat and authorization to proceed.
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. State Fire Code 503.0.5 states that dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Anything other than the following cul-de-sac requirement must be approved by the Conway Fire Marshall. *Preliminary Plat Approval conditioned upon Fire Department approval of access and turn around requirements for new street extensions.*
5. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is no more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
6. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.
7. All alleys must be paved with concrete or asphalt with the center depressed to carry water.
8. Utility easements as required by Conway Corporation are needed.
9. Drainage easements as required by the City Engineer are needed. (p. 33)
10. 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.
11. In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.
12. Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.
13. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. The Pintail Cove Preliminary Plat will expire on 4/29/2020.

I.B REQUEST FOR PRELIMINARY PLAT APPROVAL - SYLVIA SPRINGS SUBDIVISION

REQUEST FOR PRELIMINARY PLAT APPROVAL OF SYLVIA SPRINGS

APPLICANT

Central Arkansas Professional Surveying
1021 Front Street
Conway, AR 72032

OWNER

John H. Duke Revocable Trust

STAFF REVIEW BY

Levi Hill, Assistant Director

SITE DATA

Location. Northeast corner of Reedy Road and South Reedy Road. Approximately 150 feet east from the intersection of South Reedy Road and Grapevine Street.

Site Area. ±21.27 acres.

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

Existing Structures. None.

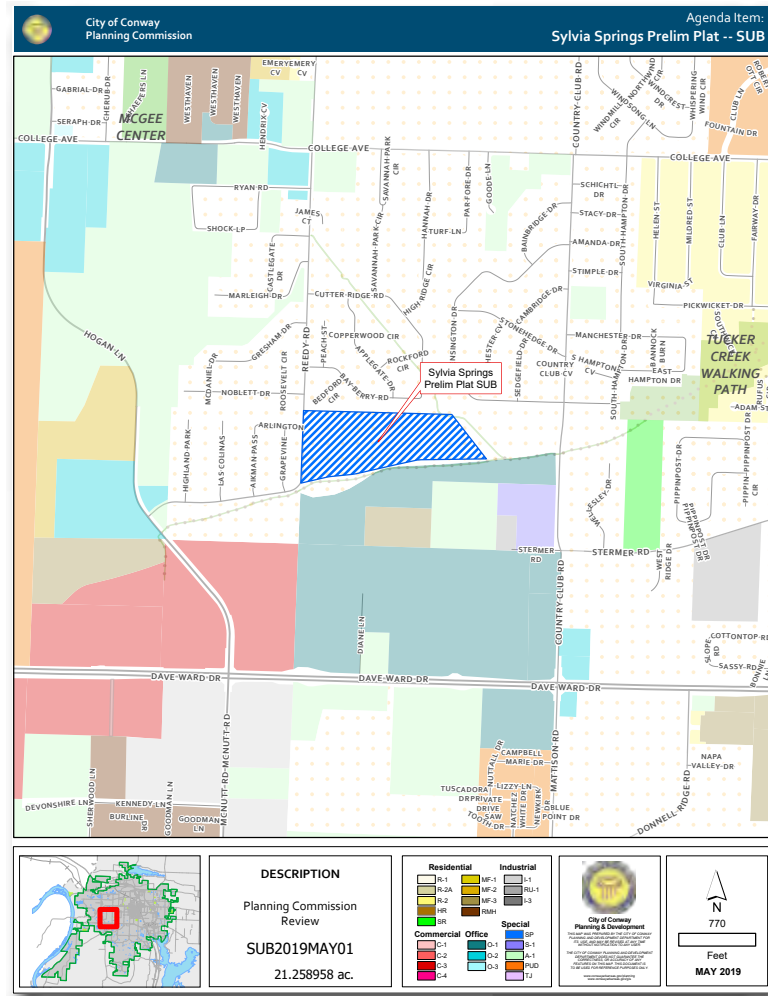
Overlay. None.

Request. The applicant is requesting preliminary approval of a 72 lot subdivision located approximately 150 feet east from the intersection of South Reedy Road and Grapevine Street. The proposed lots would range from 7,400 square feet to 16,500 square feet. The R-1 zoning district requires 6,000 square feet per unit. Access would be provided from the existing Reedy Road frontage and a series of public streets proposed within this plat. Five-foot sidewalks are required along all street frontages with the exception of the southernmost proposed east/west street. Due to the proximity of the proposed street to the existing Tucker Creek Trail, additional sidewalks are not necessary.

As shown, the applicant is not completing two north/south street connections. Article IV: Sec. 5(A)(2) of the Subdivision Regulations states that the proposed street layout should be appropriate for the type of development proposed and integrated with the street system in the adjoining subdivisions. The applicant has agreed to complete the street connection on the revised preliminary plat. Staff has included a recommended condition of approval requiring the connections.

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

1. Creation of double frontage lots. (Article IV: Sec. 7(f)(7))
2. Block exceeding 1,500 feet. (Article IV: Sec. 5(e)(4))



STAFF RECOMMENDATIONS

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval. The proposed lot sizes and frontage widths are generally consistent with the requirements of the R-1 zoning district and surrounding properties.

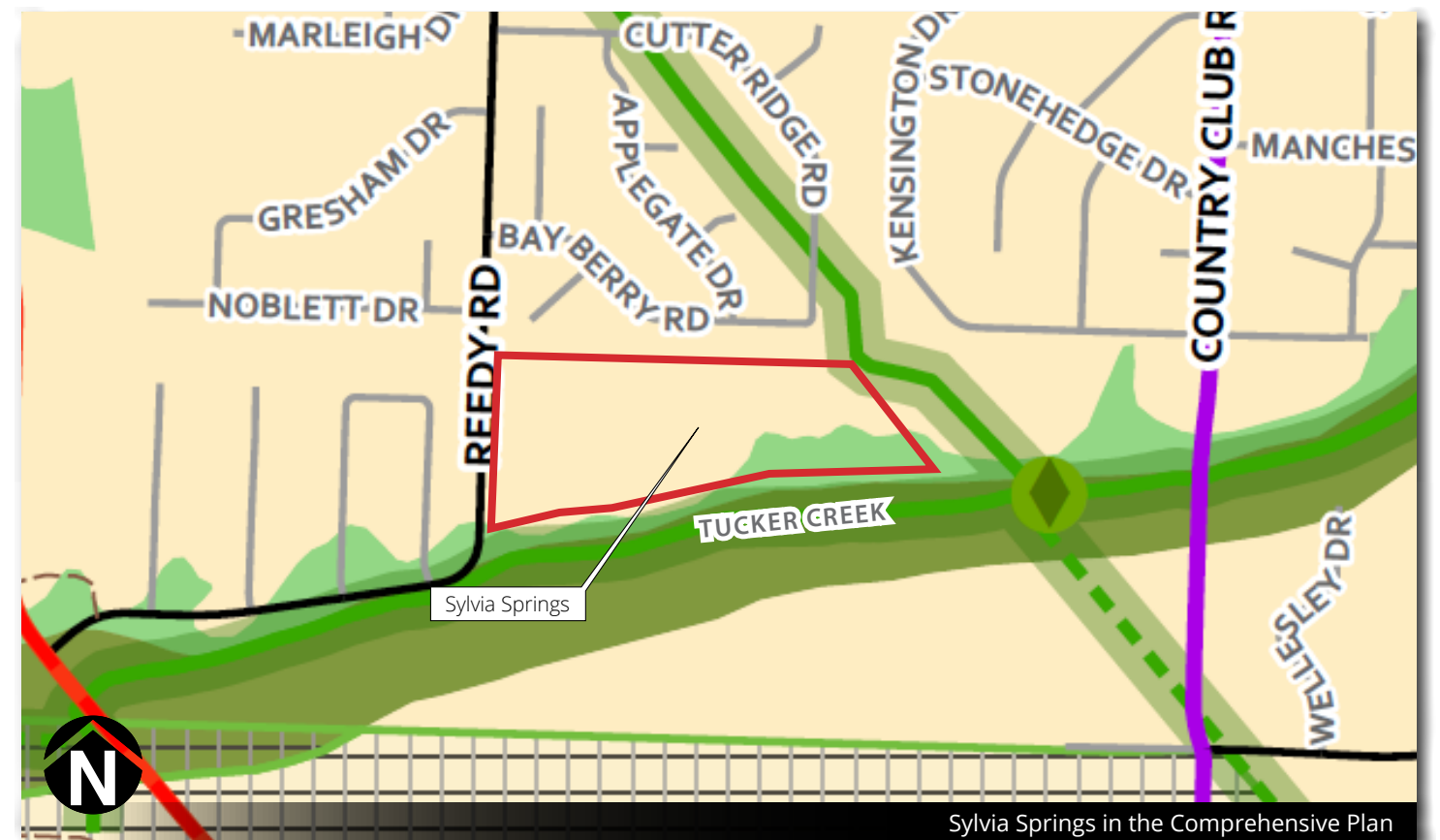
Staff recommends a condition of approval that all street connections be completed and constructed to the property boundary.

CITY OF CONWAY PLANNING & DEVELOPMENT DEPARTMENT SYLVIA SPRINGS

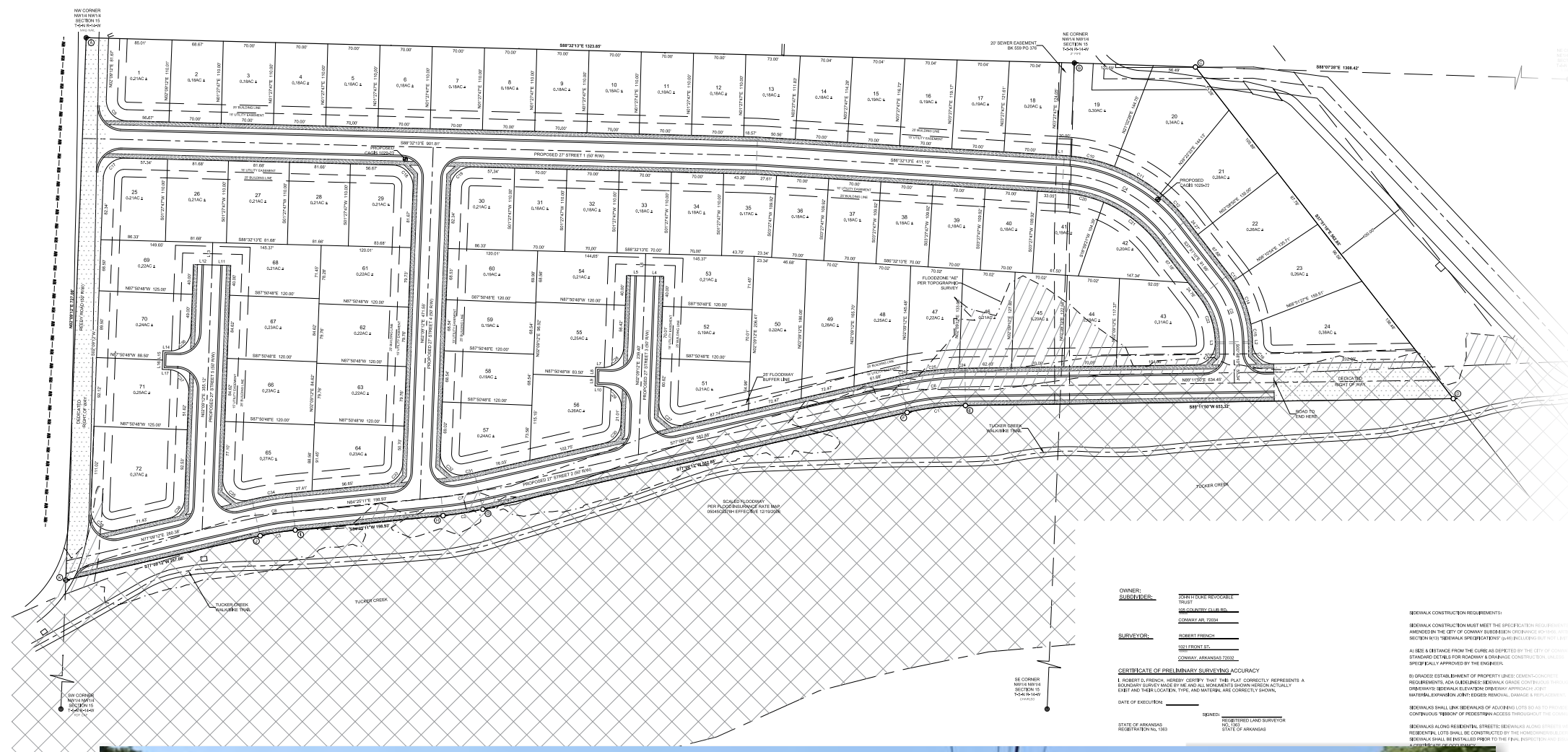
The following lists the items that are reviewed by the Conway Planning Department for the changes and/or additions as required by the applicable provisions of the Conway Subdivision Ordinance.

CORRECTIONS NEEDED ON THE PLAT

1. Correct Street connections.
2. Show all hydrant locations.
3. Label and dimension required sidewalks along Reedy Road.



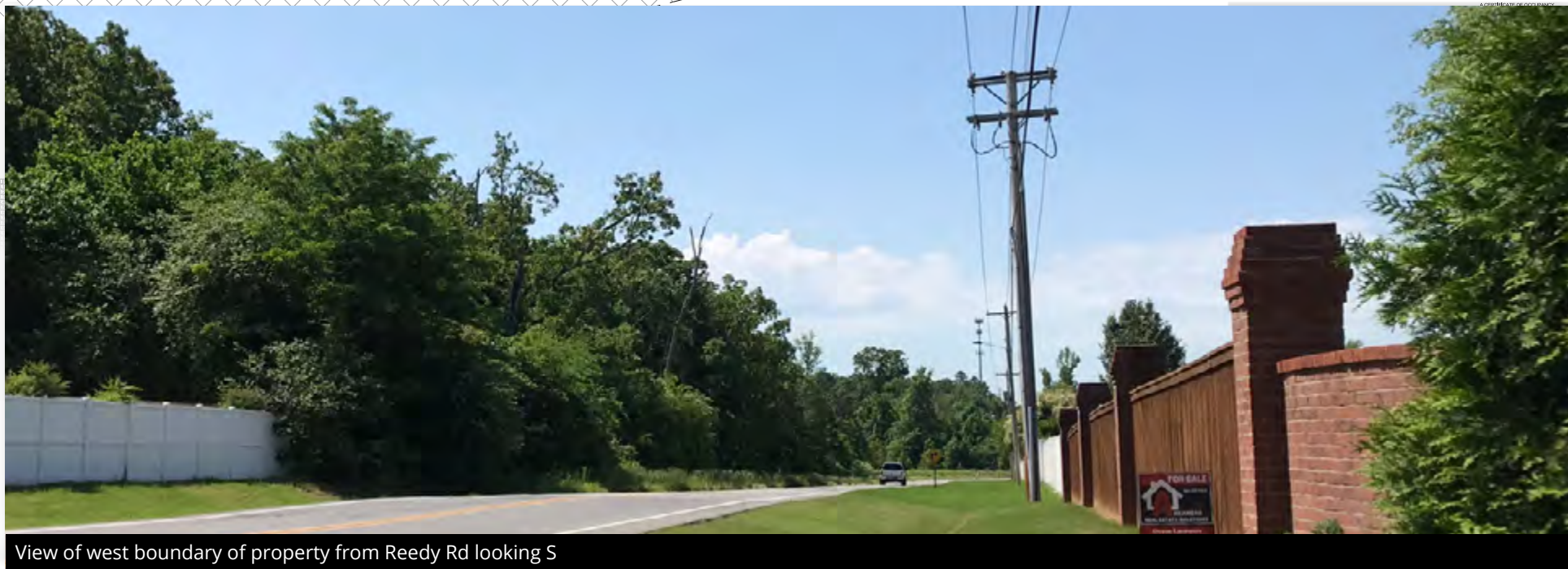
I.B REQUEST FOR PRELIMINARY PLAT APPROVAL - SYLVIA SPRINGS SUBDIVISION



4. Provide appropriate ROW dedication for Tucker Creek Trail.
5. Set two new CAGIS monuments.
6. Provide planting easement or wall for lots 69-72 and lot 25.
7. Provide pedestrian connections to Tucker Creek Trail at intersections.
8. Provide connection to the Tucker Creek Trail to the north of the site.

CONDITIONS

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. All proposed north/south streets shall make complete connections to the proposed east/west streets. No cul-de-sacs or turnarounds shall be shown on the revised preliminary plat.
3. Approved improvement plans for each new utility system shall be obtained prior to submission of final plat and authorization to proceed.
4. 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.
5. Proper access in the form of stub streets or temporary deadend streets shall be provided to adjacent unplatted property unless, in the judgment of the Planning Commission, topographic conditions or physical constraints preclude reasonable provision of such access or alternate routes are or will be available in the future. (p. 27)
6. State Fire Code 503.0.5 states that dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Anything other than the following cul-de-sac requirement must be approved by the Conway Fire Marshall. *Preliminary Plat Approval conditioned upon Fire Department approval of access and turn around requirements for new street extensions.*
7. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is no more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
8. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.
9. Utility easements as required by Conway Corporation are needed.
10. Drainage easements as required by the City Engineer are needed. (p. 33)
11. 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.
12. In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.
13. Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The developer, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.
14. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. The Sylvia Springs Preliminary Plat will expire on 5/02/2020.



View of west boundary of property from Reedy Rd looking S

II.A REQUEST FOR ANNEXATION - WILLS DRIVE

REQUEST TO ANNEX +/-13.42 ACRES LOCATED ALONG WILLS DRIVE

APPLICANTS/OWNERS

Larry & Jamie Green (1610 Wills Dr.)
 Aimee Evans (1615 Wills Dr.)
 Dorothy Butler (1630 Wills Dr.)
 Ted & Ginger Rhymes (1631 Wills Dr.)
Tim & Linda Kordsmeier (1650 Wills Dr.)
 Taft Ealy, III (1655 Wills Dr.)
 Brett & Hanna Mann (1750 Wills Dr.)
 Robert Scidmore (1850 Wills Dr.)
 James Stone (1881 Wills Dr.)
 David Strack (1885 Wills Dr.)

STAFF REVIEW BY

James Walden, AICP

SITE DATA

Location. 1610 - 1885 Wills Drive.

Site Area. ±13.42 acres.

Current Zoning. County (None).

Existing Structures. 10 Single-family residences and accessory buildings.

Overlay. None.

Requested Rezoning. None (Staff Recommends R-1).

Comprehensive Plan. Single-Family Residential.

Projected Traffic Impact. Site appears fully developed. No increase in traffic is anticipated from current status. However, it appears 1-2 additional houses could be developed along the street.

Flood\Drainage. The site is not within any FEMA Flood Zones.

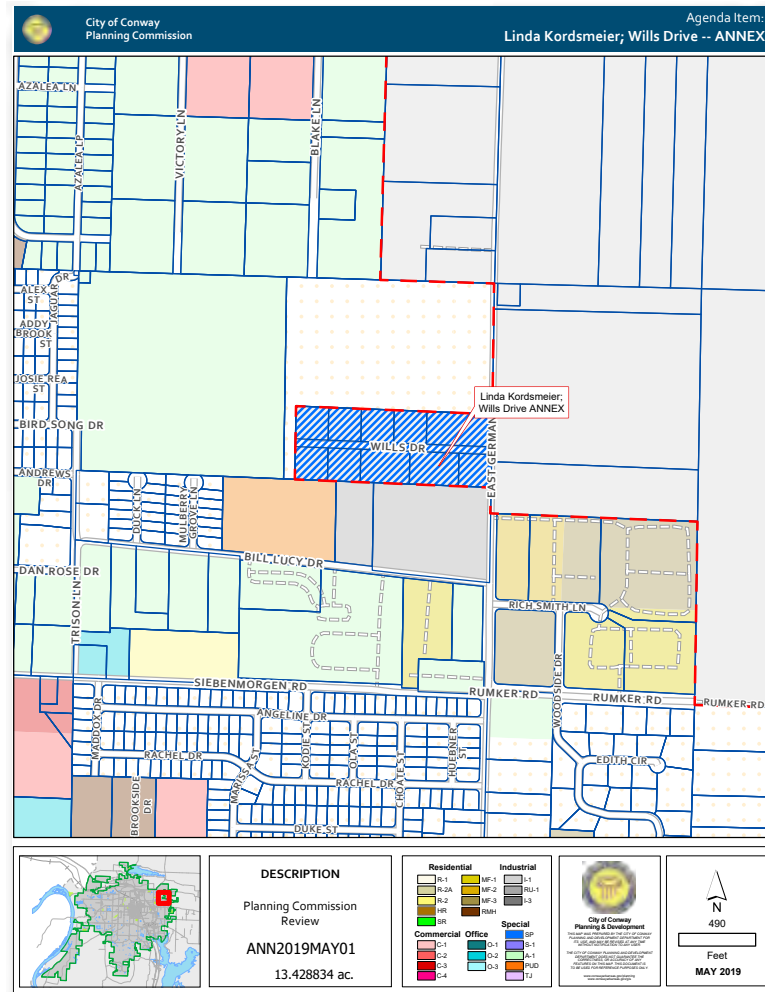
Utilities. The applicant will need to coordinate utilities with Conway Corporation.

Street Improvement. There are no current street improvements plans for the area.

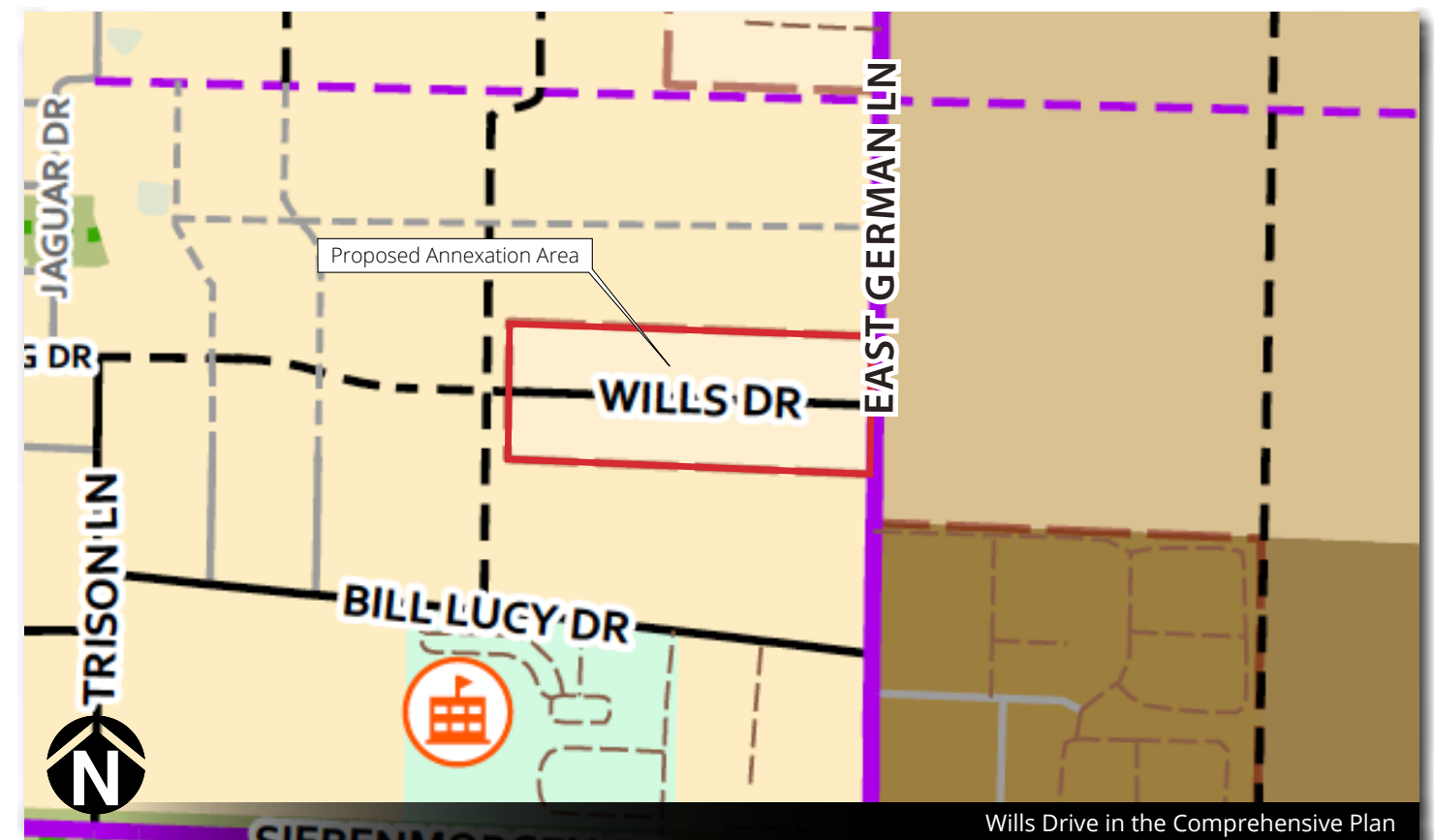
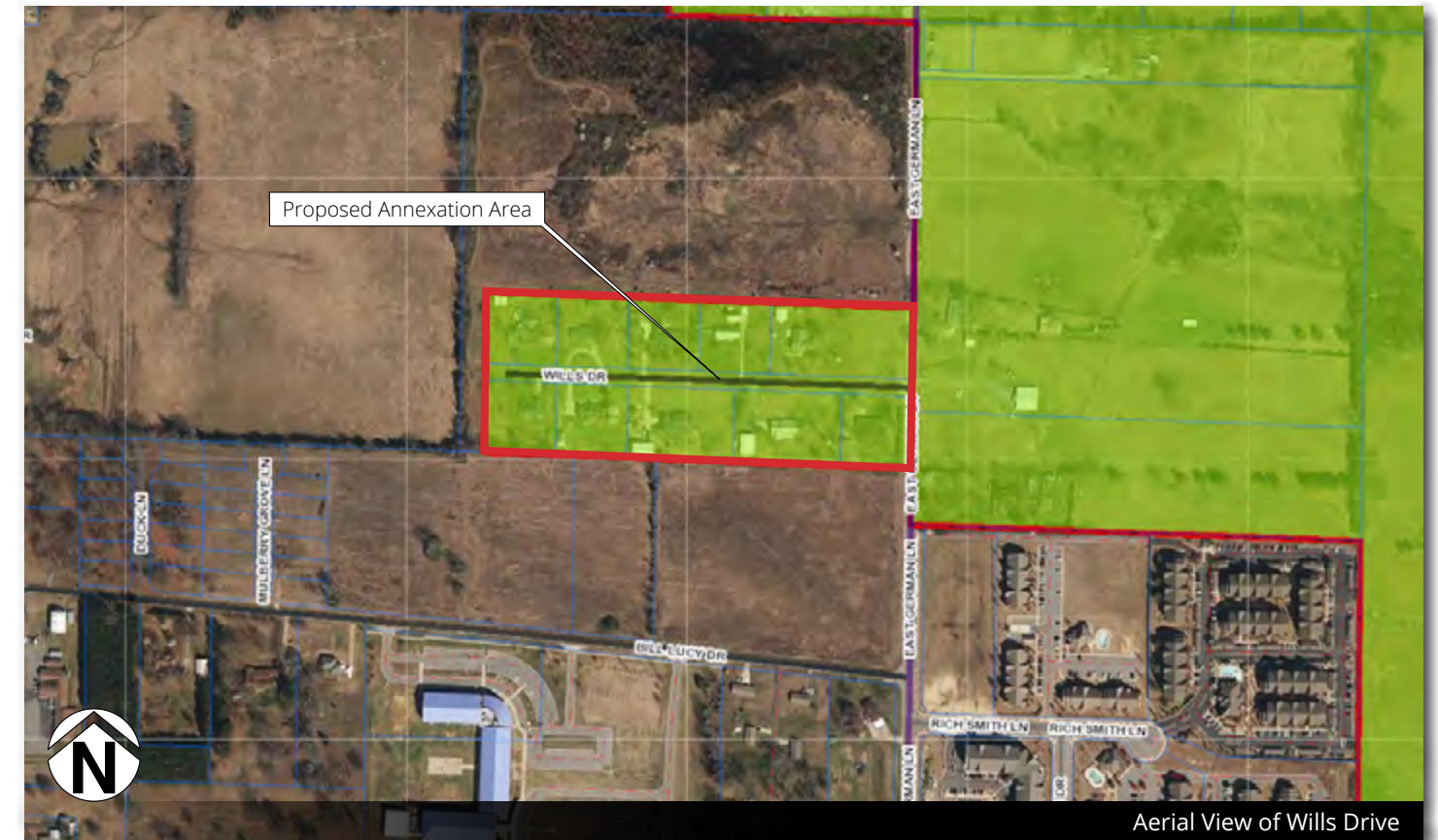
Conway 2025. Not applicable.

STAFF COMMENTS

The applicants are seeking annexation of a 13.42 acre, 12-lot, unrecorded subdivision with 10 single family homes. The following comments and findings have been made:



1. The annexation shall include the annexation of all adjacent and abutting right-of-ways that front the property.
2. The applicants are requesting police protection, fire protection, street maintenance, and the ability to connect to Conway Corp Utilities.
3. Wills Drive is a 14-19' wide asphalt street without curb and gutter. There appear to be numerous street failures near roads intersection with East German Lane. These have been recently repaired, but will likely require additional repair in the short term future.



II.A REQUEST FOR ANNEXATION - WILLS DRIVE

4. The area is and will likely be utilized for single-family residential uses in the future.
5. There is an existing diesel mechanic shop being operated at 1655 Wills Drive as an accessory use to the principal residential use of the property. This use will become non-conforming upon annexation. If the use ceases for a continuous period of one year, the use cannot be resumed.

STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request, the annexation would have limited impact on current city services offered in the area, though some street maintenance will likely be required in the near term. The neighborhood is within a rapidly developing portion of the city. Annexation would ensure the neighborhood and surrounding are all protected by zoning.



6. There appear to be numerous accessory buildings in the area which are nonconforming due to either area or setback requirements. If destroyed, such structures may be replaced within their existing footprint up to one and half years after destruction.
7. The area is adjacent to a current development that will extend a street to the west of the area and tie into Wills Drive.



8. Staff recommends the area be annexed as an R-1 area.
9. The annexation request appears to comply with the requirements of ordinance #O-99-95 specifying procedures for annexations.

II.B PROPOSED AMENDMENTS TO THE CONWAY ZONING ORDINANCE

REQUEST TO AMEND SECTION 101.1 - TITLE

The purpose of this change is to ensure future changes to the zoning code can be adopted by reference in a manner consistent with state law. State law allows zoning codes to be considered technical codes. Technical codes can be adopted by ordinance through the reference.

Current Language. The title of this ordinance shall be known as the "Zoning Ordinance of the City of Conway, Arkansas." The ordinance shall consist of the text written herein as well as that certain map identified by the approving signatures of the Mayor and City Council, marked and designated as "Zoning District Boundary Map", which map is now on file in the Office of the City Clerk/Treasurer – Ordinance No. O-94-54, Date 9-27-94.

Proposed Language. The title of this Code shall be known as the Zoning Code of the City of Conway and may be cited as such, or alternatively referred to as the Zoning Code or Zoning Ordinance. The Zoning Code shall consist of text and a map. The map shall be on file at Conway City Hall and be known as the Official Zoning Map of the City of Conway, or alternatively as the Zoning Map.

REQUEST TO AMEND SETBACKS IN COMMERCIAL AND MULTI-FAMILY ZONING DISTRICTS

The purpose of this change is to encourage greater walkability in commercial and multi-family developments as well as promote flexibility for developers. The change will additionally align our setback standards with the development review standards.

Multi-family uses [only] in MF-1, MF-2, MF-3, and all uses in C-2. The minimum front setback will be changed from 25' to 15'.

C3. The minimum front setback will be changed from 40' to 15'.

