



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

August 17, 2020 · 7:00pm · Conway Municipal Building · 1111 Main Street



City of Conway PLANNING COMMISSION

August 17, 2020 · 7:00 pm · Conway Municipal Building

PLANNING COMMISSION

Brandon Ruhl, Chairman
Dalencia Hervey, Vice-Chairman
Rhea Williams, Secretary
Rebekah Fincher
Brooks Freeman
Drew Gainor
Arthur Ingram
Latisha Sanders-Jones
Brian Townsend
Anne Tucker

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 **August 25, 2020**.

Items not approved by the Planning Commission may be appealed to the City Council within 30 days of Planning Commission denial, with the exception of decisions made by the Planning Commission acting as the Board of Zoning Adjustment. If an item is appealed to the City Council a public notice will be placed on the property and conwayarkansas.gov

Call to Order.

Roll Call.

Approval of Minutes. July 20, 2020

I. Subdivision Review

- A. Request for approved preliminary plat extension for North View Estates PUD Phase I (SUB2019APR04)

II. Public Hearings

- A. Request for zoning variance to reduce exterior building setback for property located at 4040 Riley Renee Cove (VAR2020AUG01)
- B. Request for rezoning property located at 2802 College Avenue from R-1 to O-1 (REZ2020AUG01)
- C. Request for modification of Princeton Village PUD to allow change of use for Lots 28 and 29B [435 and part of 450 Princeton Drive] from Office/Restricted Retail to Residential (REZ2020AUG02)
- D. Request for conditional use permit to allow a tattoo parlor in C-2 for property located at 2585 N Donaghey Avenue (USE2020AUG01)

III. Discussion

- A. Items as decided by the Commission

Adjourn

Request for Preliminary Plat Extension - North View Estates PUD, Phase I

I.A

Record No. SUB2019APR04

APPLICANT

The Tyler Group
240 Skyline Dr, Ste 300
Conway, AR 72032

PROPERTY OWNER

Hawks Investments
2111 E German Ln
Conway, AR 72032

STAFF REVIEW BY

Levi Hill, Assistant Director



Location/Site Area. Southeast corner of Friendship Rd and Southshore Ln; 49.53 acres +/-.

Current Zoning. PUD (Planned Unit Development).

Existing Structures. None.

Overlay. None.

REQUEST

The applicant is requesting a one-year extension to the previously approved preliminary plat for the North View Estates PUD Phase I. The original preliminary plat was approved in June 2019. The development is currently under construction. No changes or modifications to the approved plat are included in this request.

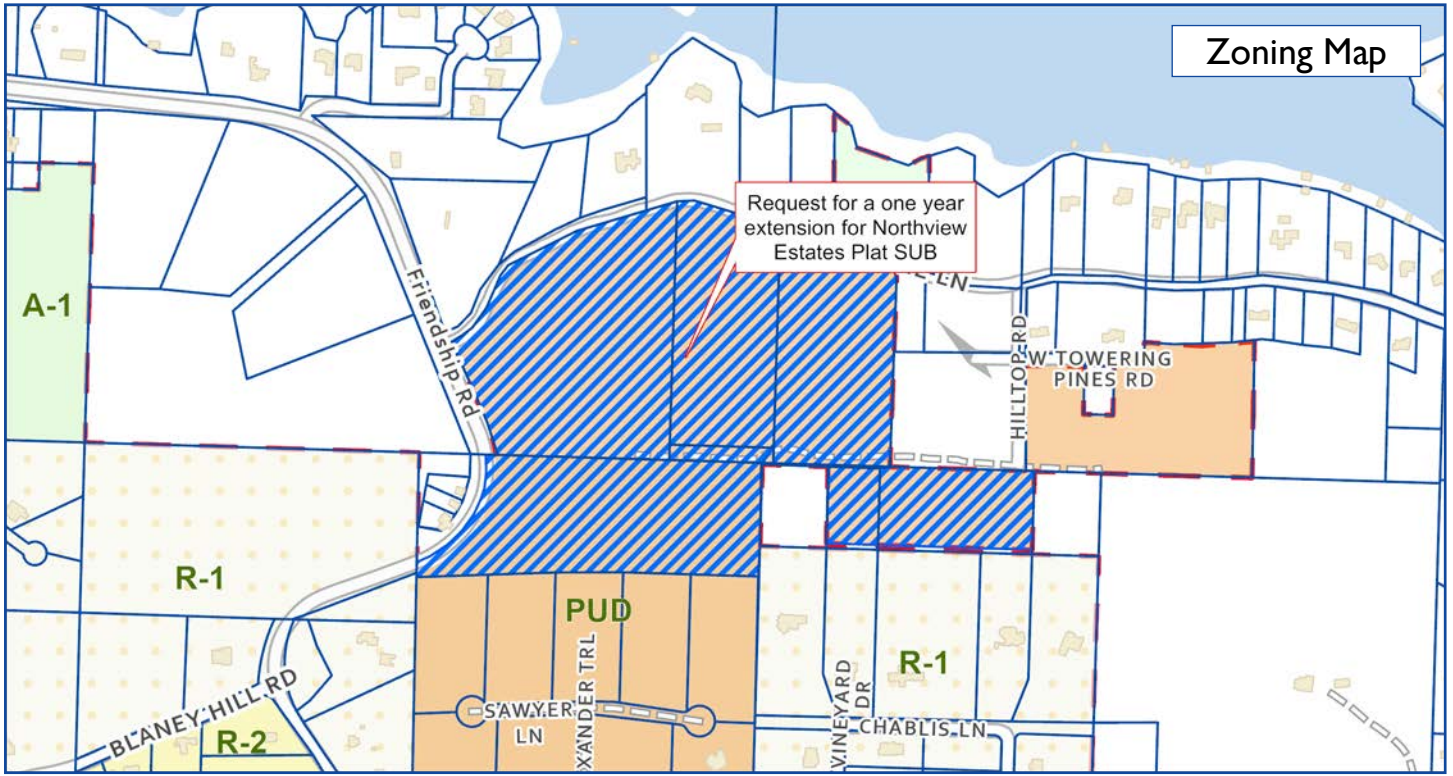
STAFF RECOMMENDATION

Planning Staff recommends approval of the one-year extension. Significant investment has been made in the efforts to improve the property and the granting of the extension will allow sufficient time for the development to be completed.

Request for Preliminary Plat Extension - North View Estates PUD, Phase I

I.A

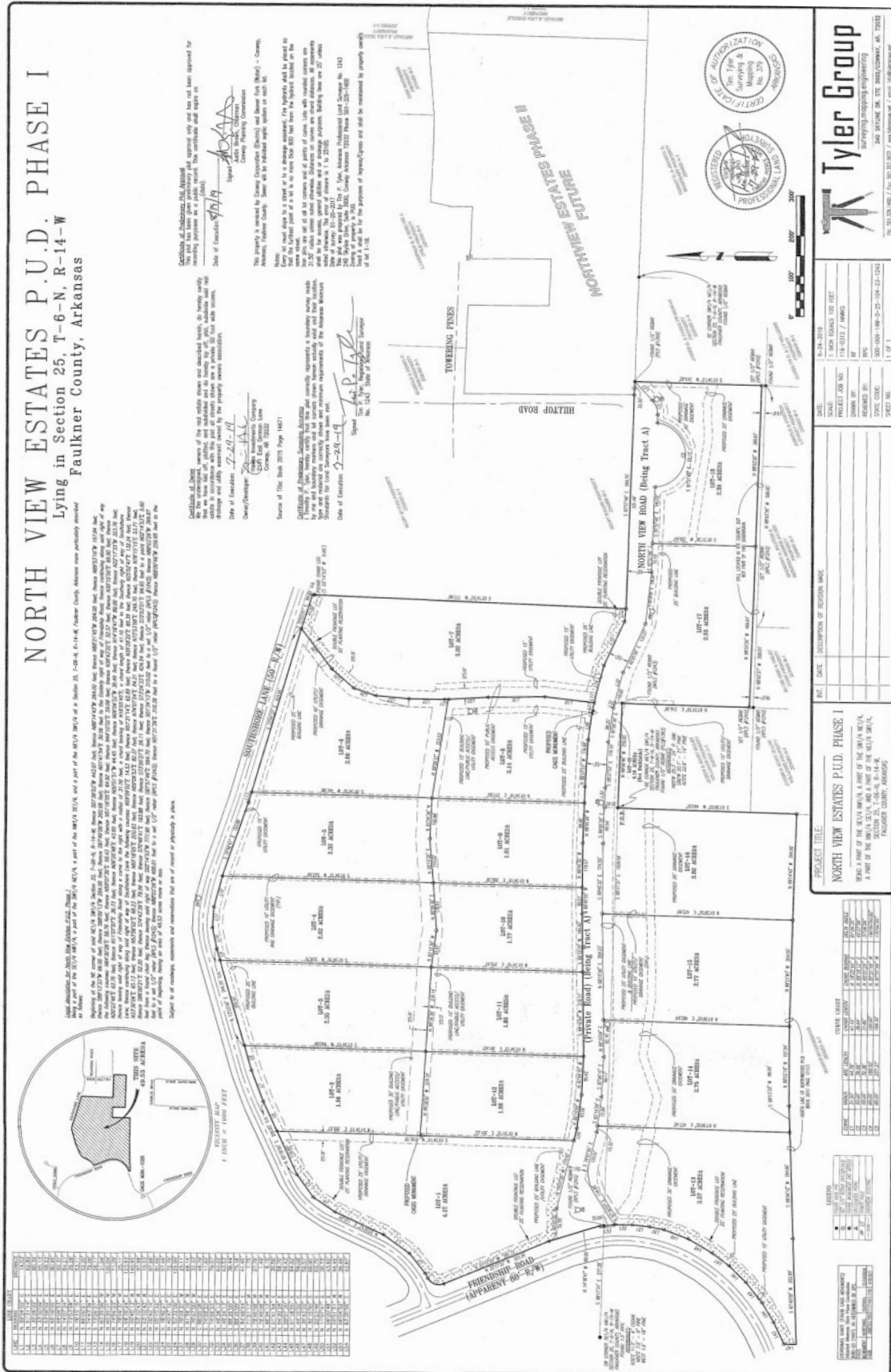
Record No. SUB2019APR04



Request for Preliminary Plat Extension - North View Estates PUD, Phase I

Record No. SUB2019APR04

I.A



Request for Zoning Variance: Reduced Exterior Setback

Record No. VAR2020AUG01

APPLICANT

Kenneth & Sheena Holder
3690 Leather Leaf Dr
Conway, AR 72034

PROPERTY OWNER

Christopher & Crystal Trout
4040 Riley Renee Cv
Conway, AR 72034

STAFF REVIEW BY

Beth Sketoe, Planner



Aerial Photo

Location/Site Area. 4040 Riley Renee Cv; 0.67 acres +/-.

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

Existing Structures. 4,659 sf single-family residence.

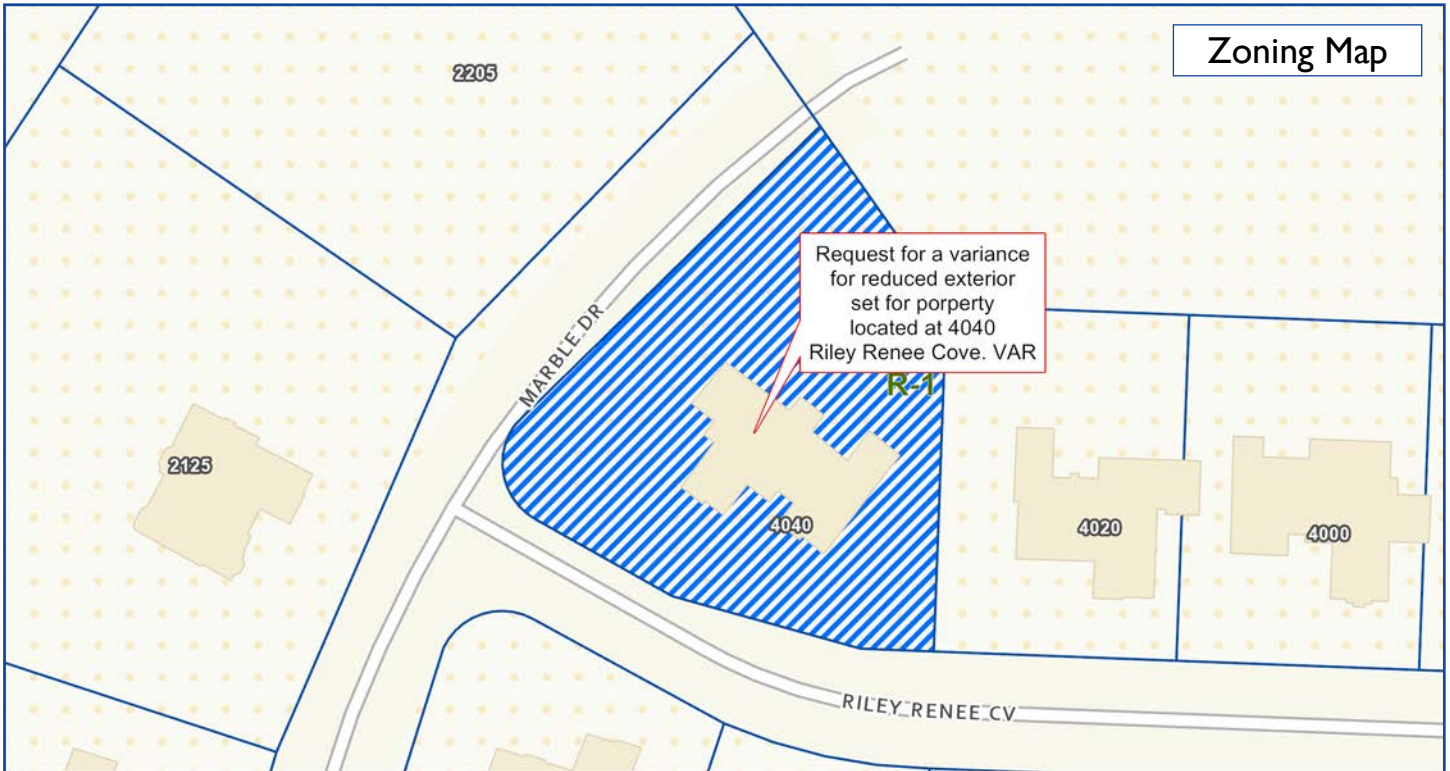
Comprehensive Plan. Single-Family.

General Overview. The applicant is requesting a reduction of the exterior setback, along Marble Dr, to accommodate an attached garage which was constructed encroaching approximately 2'-2" into the required 25' exterior building setback.

Zoning Code Regulations. R-1 zoning district requires:
Setbacks. Front/Exterior – 25'.

Request for Zoning Variance: Reduced exterior setback

Record No. VAR2020AUG01



Request for Zoning Variance: Reduced exterior setback

Record No. VAR2020AUG01

Basis of Variance Review. The Planning Commission, acting as the Board of Zoning Adjustment, should only grant zoning variances if strict enforcement of the zoning code will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the code. The Commission may impose conditions in granting a variance to ensure compliance and to protect adjacent property.

STAFF COMMENTS

- Allowing the variance would not preclude the applicant from meeting all other requirements of the zoning district.
- The hardship was created as a result of a construction error, a circumstance beyond the property owner's control.
- The encroaching portion of the structure is located far from any shared property line.
- Granting the variance would not likely harm adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the request, with condition, as granting the variance will meet the spirit and intent of the zoning code and prevents harm to the applicant without harming adjacent property.

Suggested Condition:

1. No expansion or addition to the structure be allowed which would further the non-conformance.



Request for Rezoning: R-1 to O-1

II.B

Record No. REZ2020AUG01

APPLICANT

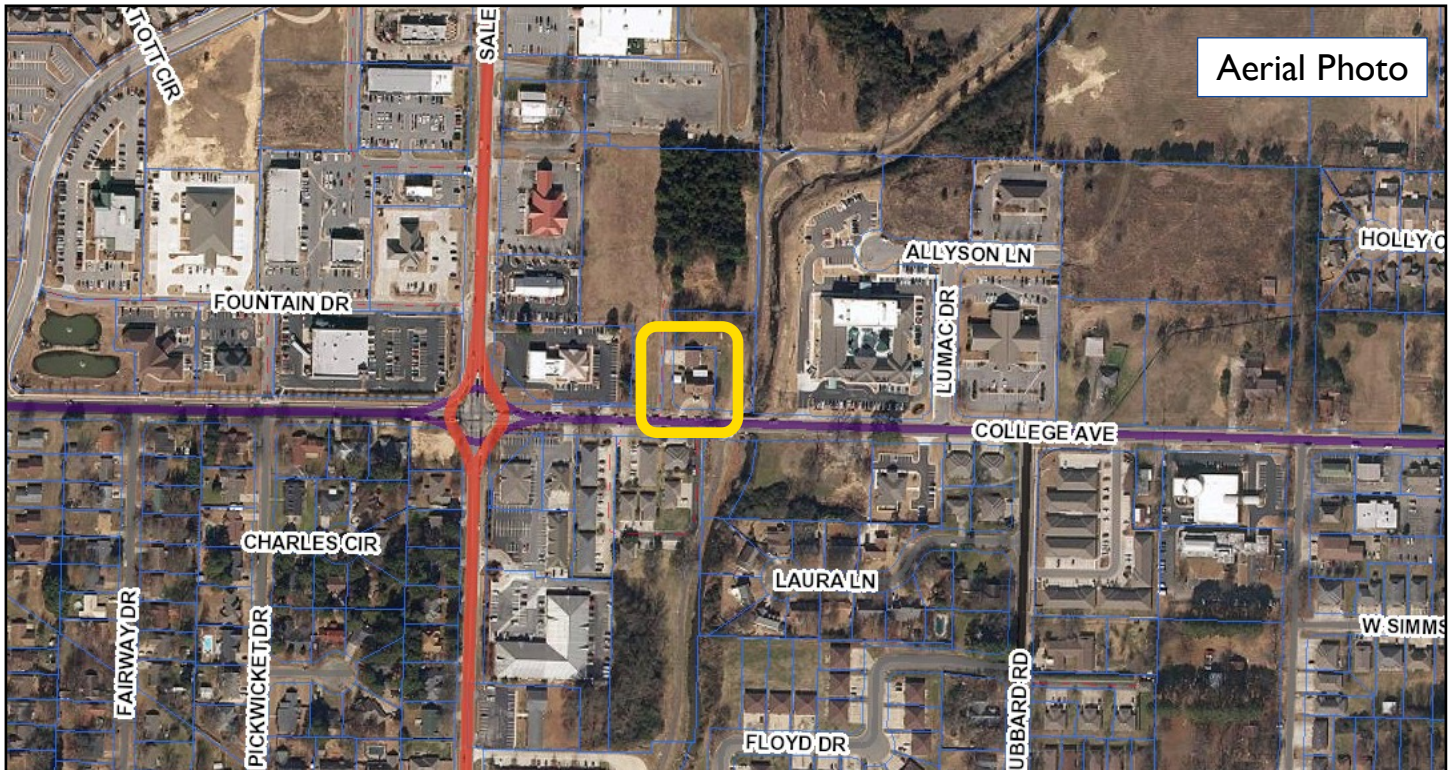
Proprietaire, LLC/Dr. Spencer & Leslie Gordy
550 Chestnut St
Conway, AR 72032

OWNER

Jerry & Velma Spradlin

STAFF REVIEW BY

Beth Sketoe, Planner



Location/Site Area. 2802 College Ave; 0.34 acres +/-.

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

Requested Zoning. O-1 (General Office).

Adjacent Zoning. North – MF-3 (Multi-Family, 24 units/acre); East – R-1 (One-Family Residential), O-1 (General Office); South – PUD (Planned Unit Development), RU-1 (Restricted Use); West – MF-3 (Multi-Family, 24 units/acre).

Existing Structures. 3,975 sf single-family residence, a 1,080 sf detached garage, and a free-standing one-car metal carport.

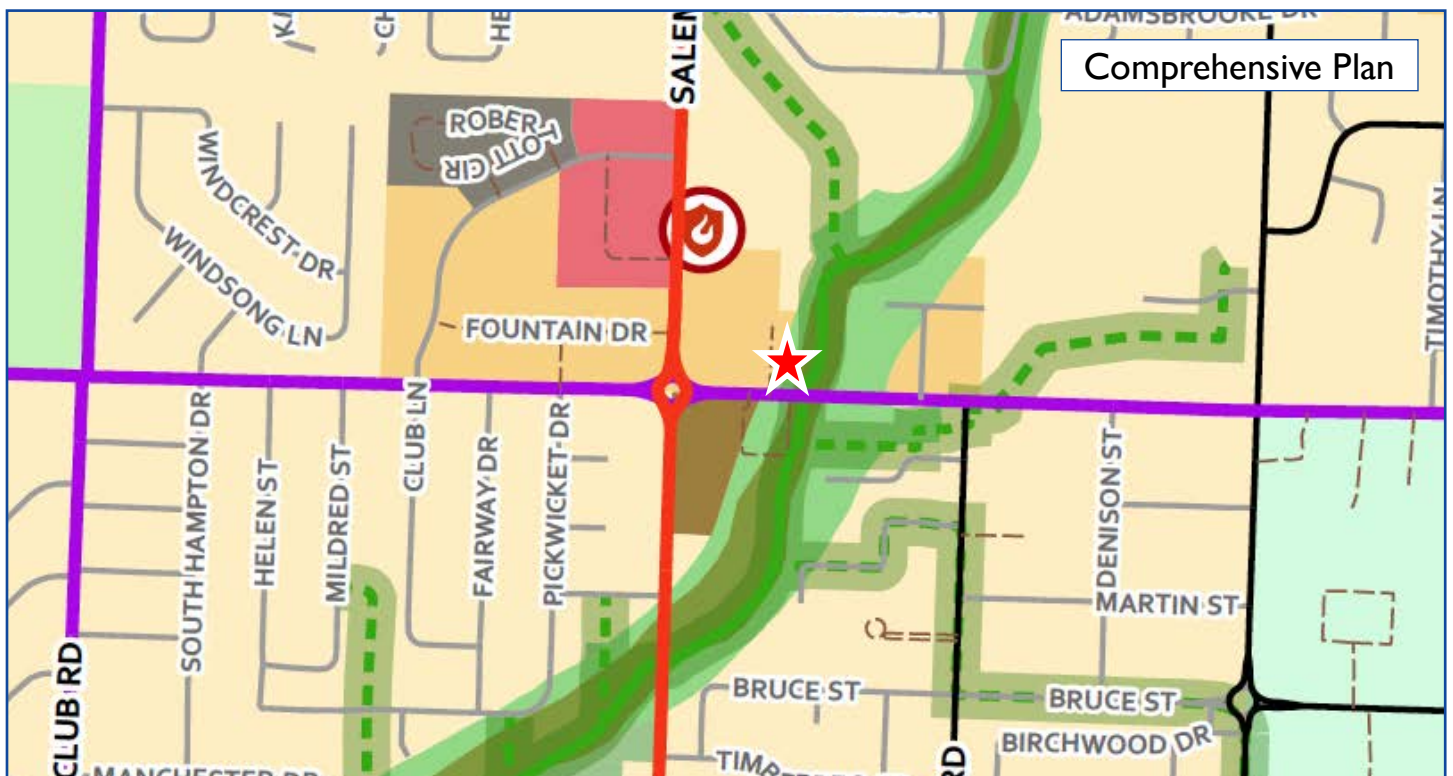
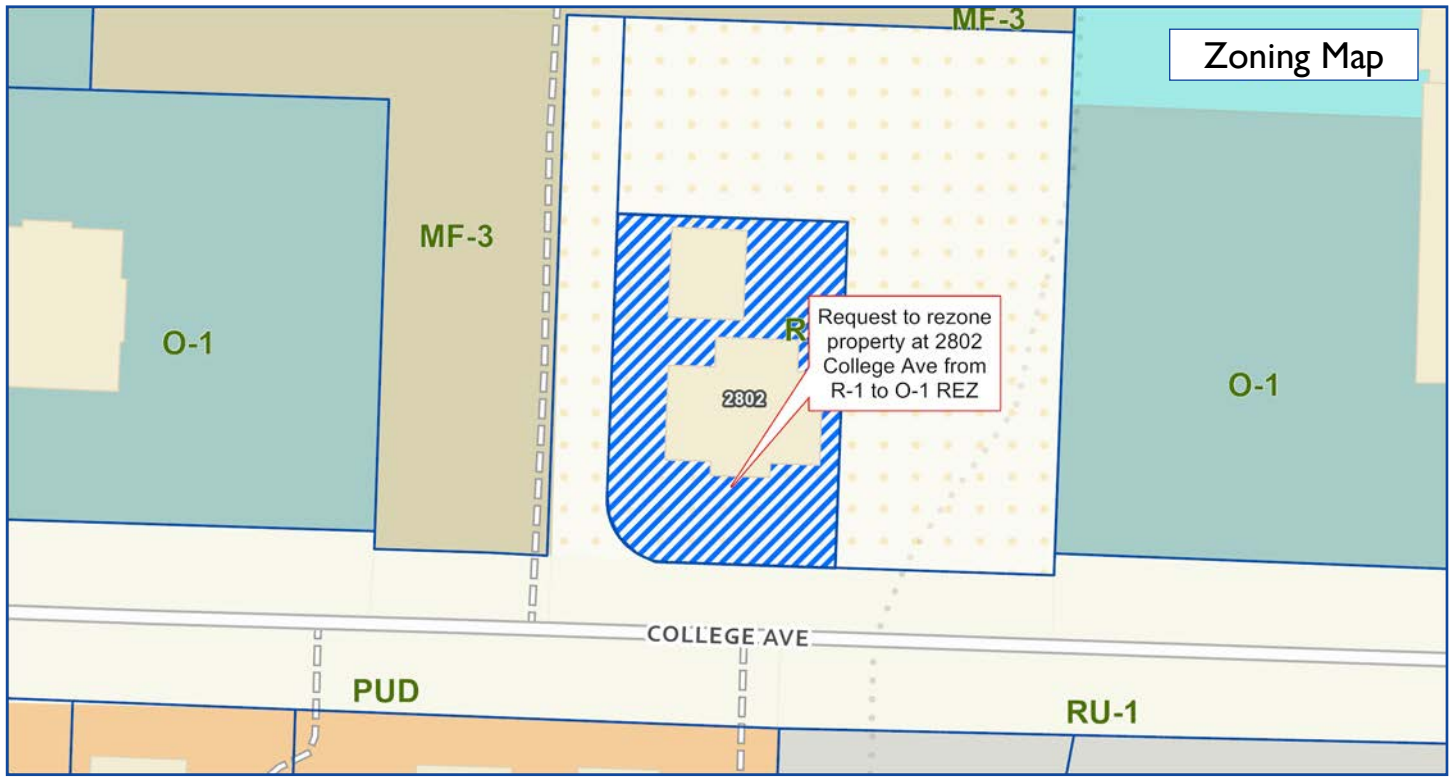
Overlay. None.

Comprehensive Plan. Single-Family.

Projected Traffic Impact. With a rezoning to O-1, the likely increase in traffic impact would be minimal for those uses permitted by right. The zoning will allow general office use, but given the constraints of the site it is estimated office use would generate approximately 38-118 vehicle trips per typical weekday, depending on the type of office.

Request for Rezoning: R-1 to O-1

Record No. REZ2020AUG01



Flood\Drainage. The property is wholly within FEMA flood hazard areas. The majority of the property lies within a 1% annual chance floodplain zone with a base flood elevation of 297 ft. A narrow portion of the property, along the eastern property line, lies within regulatory floodway.

Utilities. The site is currently served by utilities.

Master Street Plan. College Ave - Minor Arterial.

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The applicant is requesting a rezoning to O-1 for the purpose of renovating the property to use as a lease space for one tenant.
- The Comprehensive Plan indicates the property is appropriate for single-family use. However, the Plan does not reflect the extent of office and multi-family development which has occurred along this portion of College Ave in recent years.
- The property is no longer attractive for single-family use.
- The applicant will be required to submit site improvement plans addressing access, parking, landscaping, etc, to Planning Staff for review and approval prior to issuance of building permits.
- Replatting of the property will be required prior to the issuance of building permits.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning request as it will allow appropriate use of the property in context to the surrounding area and will not likely result in harm to adjacent property.

Request for Rezoning: R-1 to O-1

Record No. REZ2020AUG01

II.B



Request for PUD Modification: Change of use type

II.C

Record No. REZ2020AUG02

APPLICANT/OWNER

Keller Johnson
PO Box 1251
Conway, AR 72033

STAFF REVIEW BY

Levi Hill, Assistant Director



Location/Site Area. 435 & 450 Princeton Dr; 1.50 acres +/-.

Current Zoning. PUD (Planned Unit Development).

Requested Rezoning. PUD (Planned Unit Development).

Existing Structures. None.

Overlay. None.

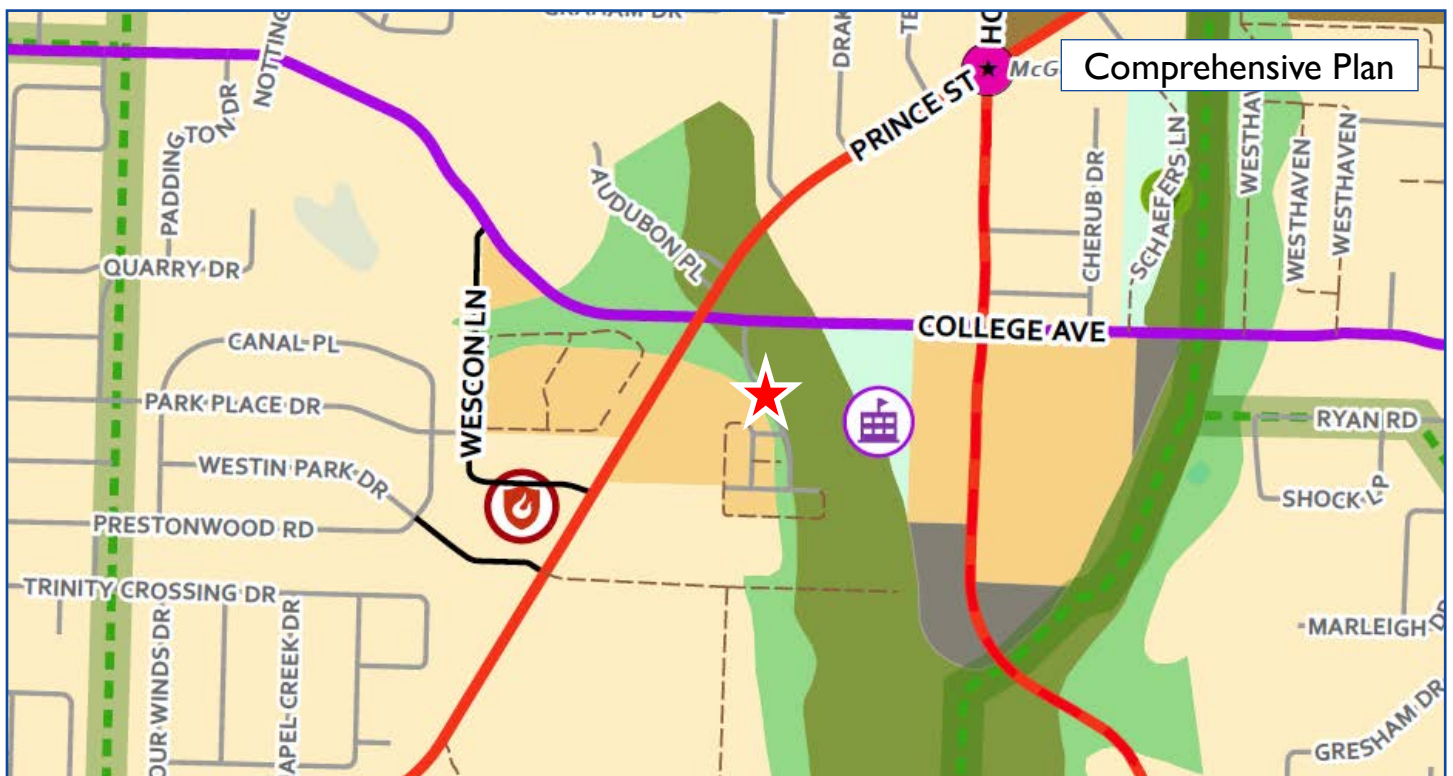
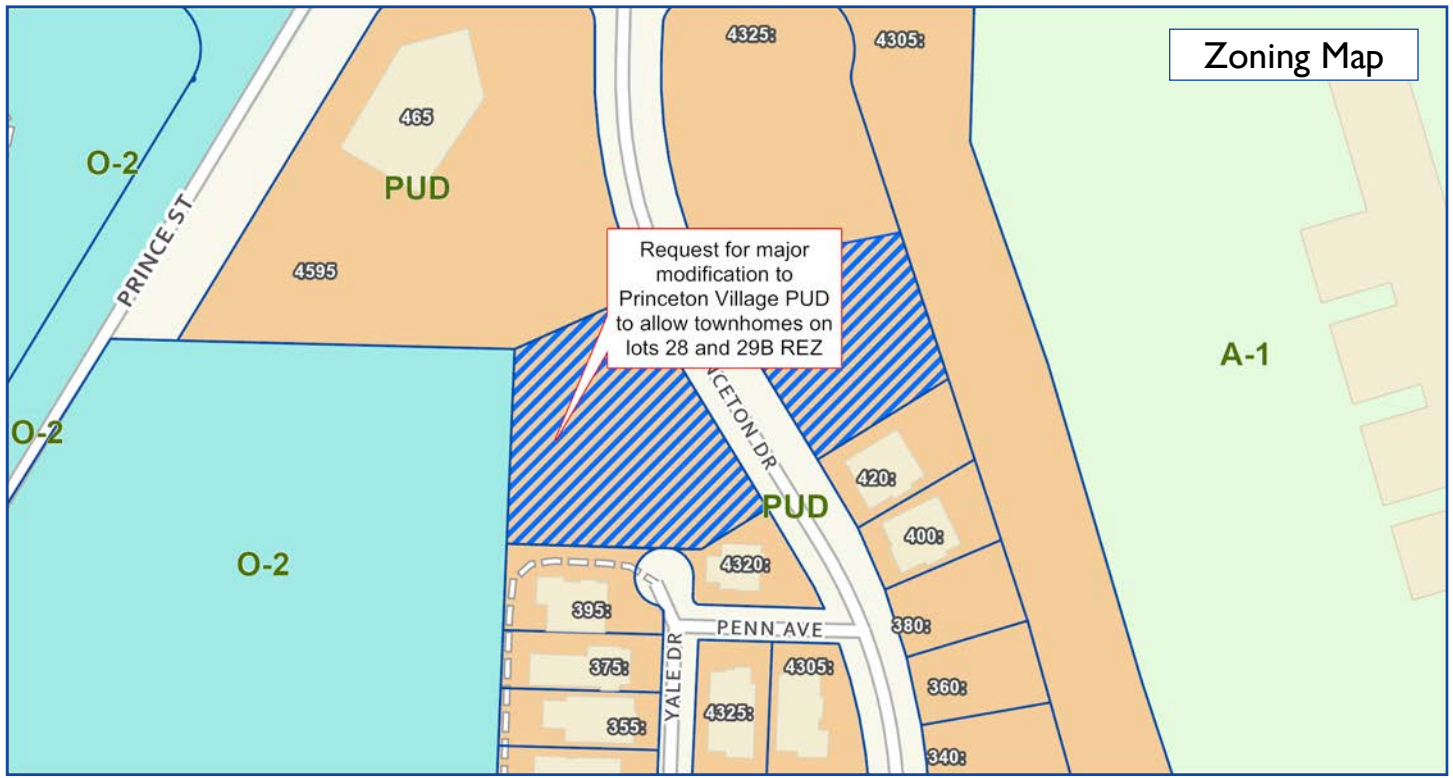
Comprehensive Plan. Single-Family.

Projected Traffic Impact. With the PUD modification, the site will likely experience a decrease in potential future traffic given the allowed commercial uses under the existing PUD. Currently the two project sites could be developed with two restaurants generating up to 2,522 average daily trips. If developed with 10 residential units, the anticipated traffic impact is expected to be between 74-99 average daily trips.

Current Traffic Counts. College Ave - 5,200 average daily traffic.

Request for PUD Modification: Change of use type

Record No. REZ2020AUG02



Flood\Drainage. The site is partially within a FEMA designated floodplain with a 1% annual chance of flooding.

Utilities. The site is currently served by utilities.

Master Street Plan. College Ave - Minor Arterial.

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The site is located at 435 & 450 Princeton Drive and is currently undeveloped.
- The site is located within the Princeton Village PUD and consists of lots totaling approximately 1.5 acres.
- The existing PUD allows all uses permitted within the O-2 Zoning District along with uses listed under the Restricted Retail category.
- The applicant is requesting approval of a PUD modification to allow the development of 5 townhomes totaling 10 residential units in lieu of the uses currently allowed.
- The townhomes would be accessed by Princeton Dr.
- Three of the townhomes are proposed on the west side of Princeton Dr (Lot 28) while the remaining two are proposed on the east side of Princeton Dr (Lot 29-B).
- The townhomes are proposed to be setback an average of 31 feet from Princeton Dr.
- Sidewalks are proposed along the Princeton Dr frontage.
- Staff concurs with the proposed uses.

STAFF RECOMMENDATIONS

Staff recommends approval of the modification with conditions. The proposed use is compatible with the surrounding uses and will not represent a significant increase of intensity on the site.

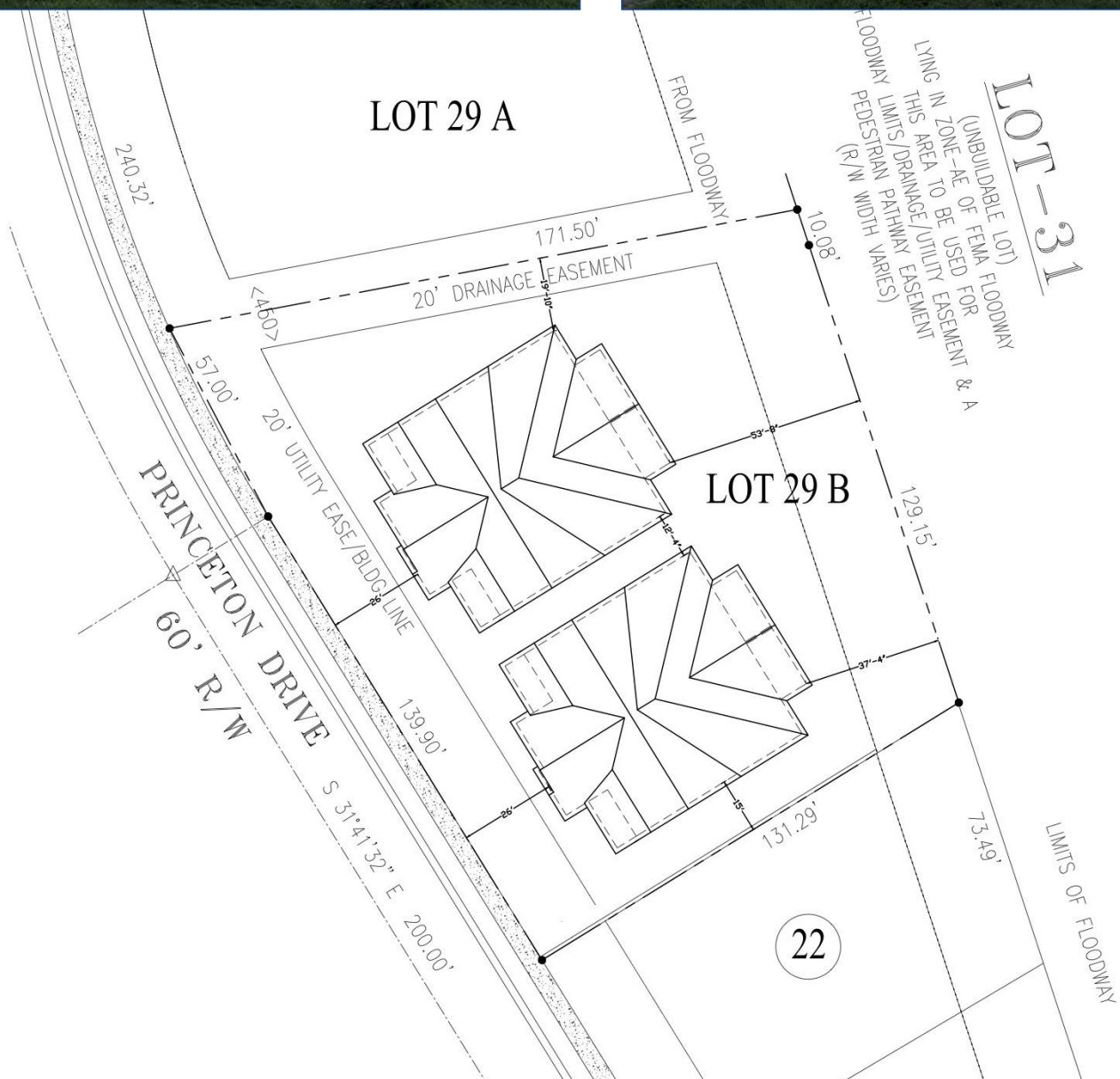
1. Permitted uses shall be limited to 5 townhomes totaling 10 residential units.
2. Buildings shall be of the following materials:
 - a. Brick/stone
 - b. Cement Fiber Board (Hardie Board)
 - c. Wood
 - d. Other materials as approved by the Planning Director
3. Vinyl Siding shall be prohibited.
4. Development shall be subject to Section 1101 Development Review process.
5. Landscaping in accordance with section 1101 Development Review shall be provided. At a minimum this would include one canopy tree planted every 30 feet along the Princeton Dr frontage and structural base landscaping.
6. New sidewalks shall terminate at an ADA compliant wheelchair ramp north of the existing Princeton Village entry gate.
7. Structures shall be limited to one story.
8. The developer shall install "No Parking" signs along the Princeton Drive frontage.
9. The materials or material colors shall differ from unit to unit to provide variation. No identical material/color scheme shall be next to one another.

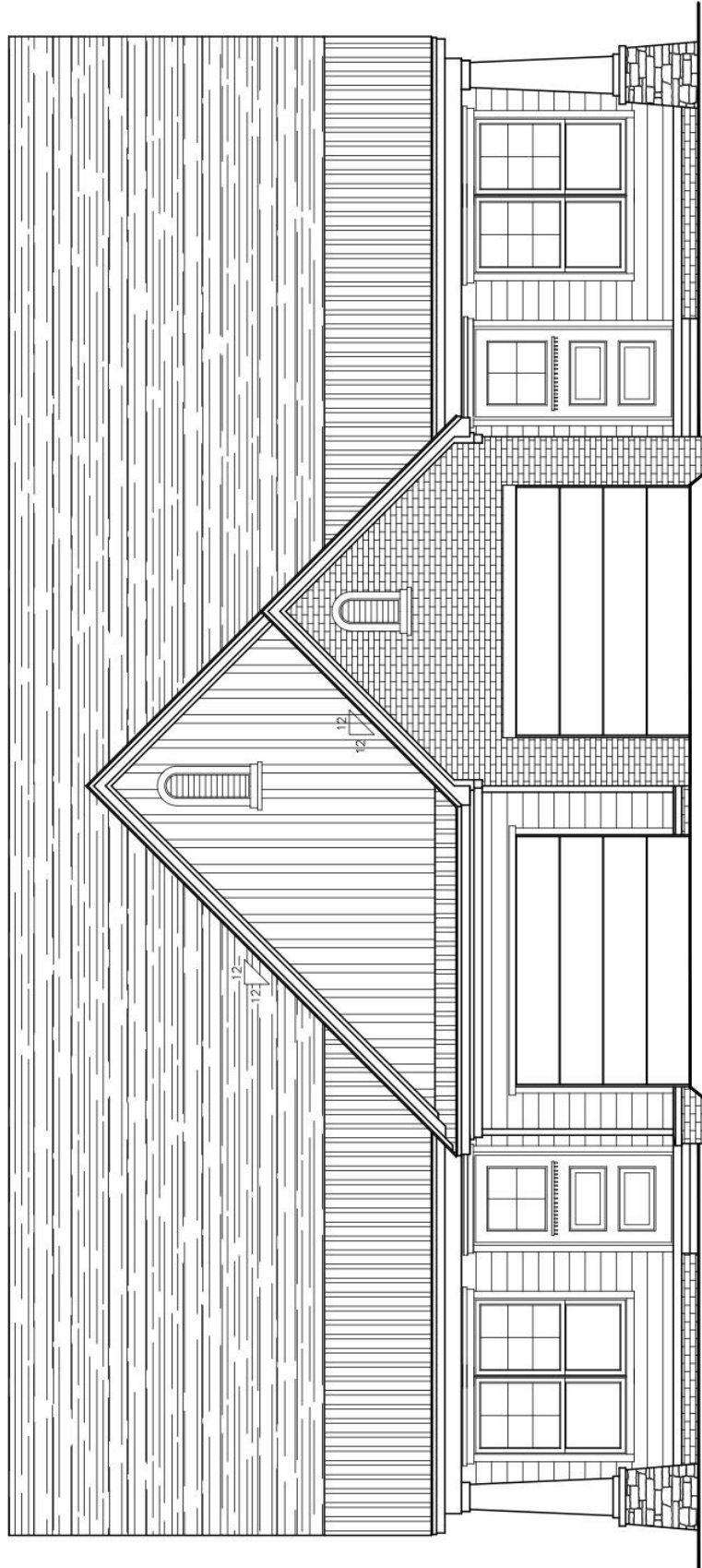
Request for PUD Modification: Change of use type

Record No. REZ2020AUG02



Site Photos





FRONT ELEVATION

1/4"=1'-0"

Request for Conditional Use Permit: Tattoo Parlor in C-2

II.D

Record No. USE2020AUG01

APPLICANT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

OWNER

Trinity Development, Inc.
PO Box 1735
Conway, AR 72033

STAFF REVIEW BY

Beth Sketoe, Planner



Location/Site Area. 2585 N Donaghey Ave (Lot 2, June Beene Replat II). The property is comprised of 7.01 acres +/-, containing 5 commercial multi-tenant buildings. However, the conditional use permit is only applicable to the building located furthest west on the property.

Current Zoning. C-2 (Neighborhood Commercial).

Requested Conditional Use. Allow Tattoo Parlor.

Adjacent Zoning. North – MF-3 (Multi-Family, 24 units/acre); East – C-2 (Neighborhood Commercial), C-3 (Highway Commercial); South – PUD (Planned Unit Development); West – O-1 (General Office).

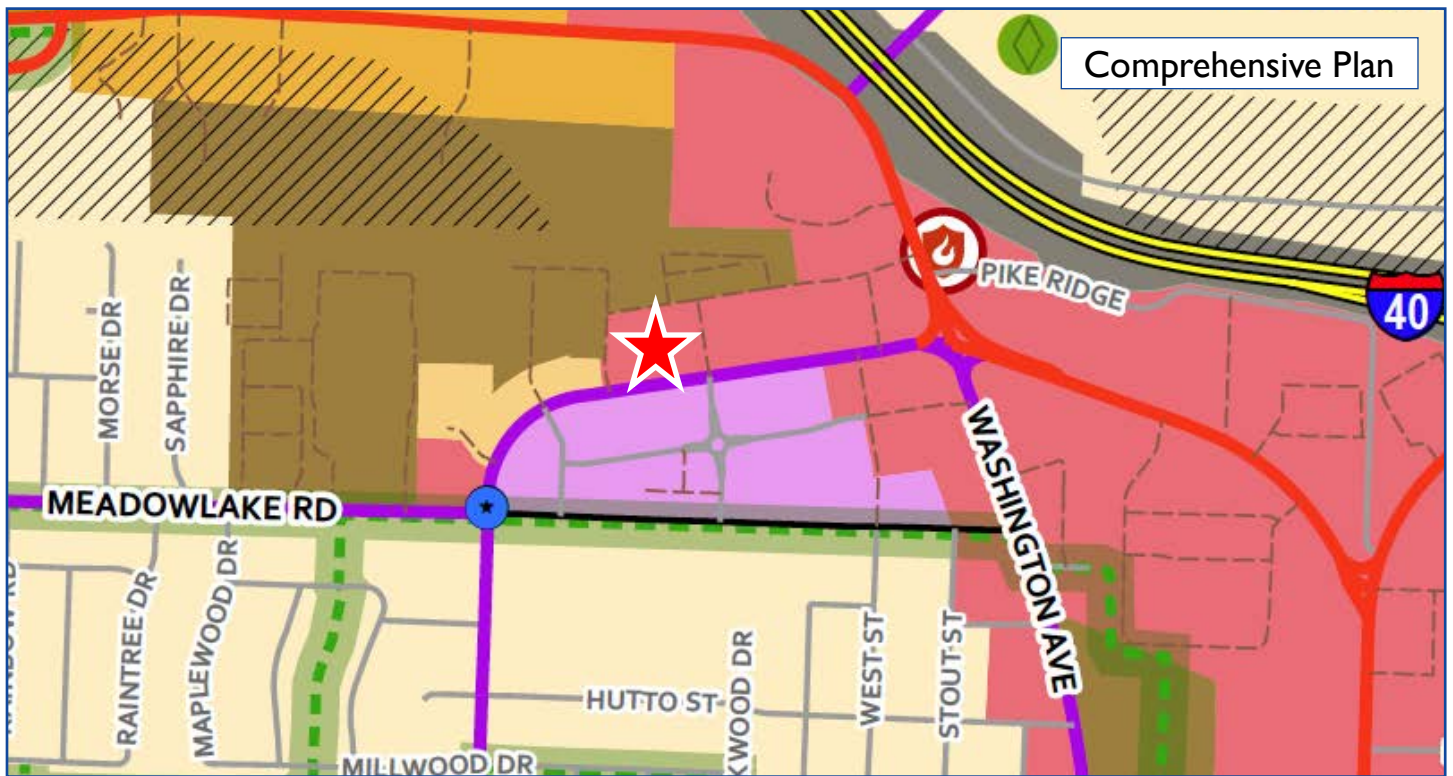
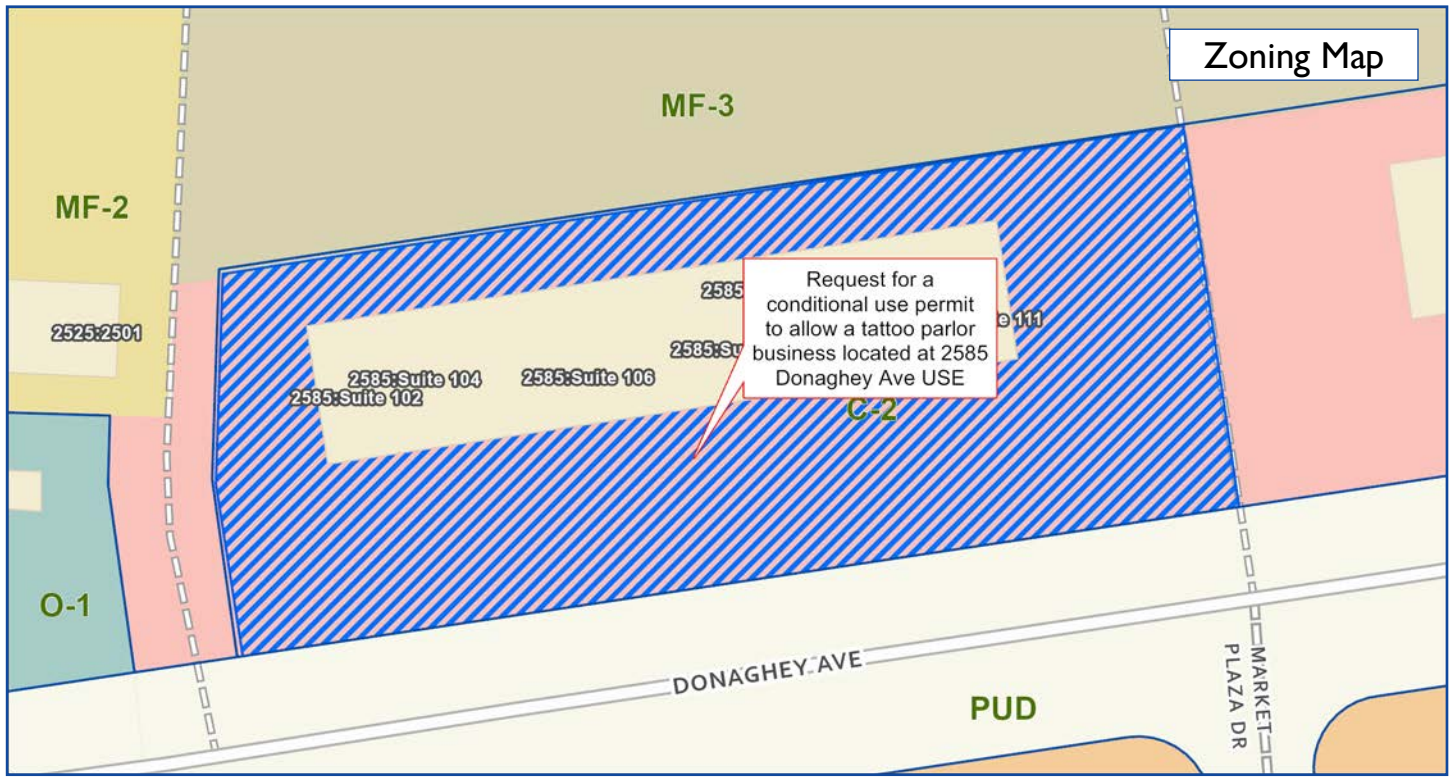
Existing Structures. 18,108 sf multi-tenant building.

Overlay. None.

Comprehensive Plan. Commercial.

Request for Conditional Use Permit: Tattoo Parlor in C-2

Record No. USE2020AUG01



Projected Traffic Impact. Traffic impact for this type of use is challenging to estimate, however it is anticipated that a tattoo parlor at this location would generate fewer vehicle trips per typical weekday than other establishments such as hair/nail salons or restaurants located in the same building.

Current Traffic Counts. Donaghey Ave (11,000 vehicles per day).

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

Utilities. The site is currently developed.

Master Street Plan. Donaghey Ave – Minor Arterial.

Street Improvement. No improvements planned at this time.

STAFF COMMENTS

- The applicant is proposing to allow a tattoo parlor in Suite 106 of the building. This use is not permitted by right in the C-2 zoning district, but is allowed by conditional use permit.
- Other uses which are permitted by right in C-2 and may be considered averse, include Billiard or pool parlor and Novelty store.
- The proposed building currently houses a restaurant, hair and nail salons, and a lingerie/novelty store all of which typically generate more traffic than the proposed use or may be considered similarly averse.
- Similar operations within the city limits close daily between 6:00 pm - 9:00pm. *The business owner has indicated hours of operation will be Tuesday through Thursday, noon to 8:00 pm and Friday & Saturday, noon to 10:00 pm.*
- The conditional use would not likely result in harm to adjacent property.

STAFF RECOMMENDATIONS

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

1. Business operation must cease daily no later than 10:00pm.
2. All new or replacement signage, including window signage, must comply with standards as set forth in Article 1301 of the Conway Zoning Code (Sign Ordinance).
3. The use of neon tube lighting is prohibited with the exception one static Open/Closed sign.
4. No outdoor speakers/sound system shall be allowed.
5. Services to be offered, now or in future, are limited to:
 - professional tattoo/body art
 - professional piercings
 - permanent cosmetics
 - laser tattoo removal
 - retail sales of body jewelry

Any addition of services to be offered will require an amended Conditional Use Permit.

Request for Conditional Use Permit: Tattoo Parlor in C-2

Record No. USE2020AUG01



The following items, which do not require public hearing 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 Reviews

- Gabbard Veterinary Clinic, 2219 Washington Ave - SIT2020APR03

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

- North Salem Storage - SUB2020JUN04
- Rivendell Cove - SUB2020JUN05
- Cindy's Place - SUB2020JUL01

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

- Crow Scott Street Replat (P2020-00041)
- Lot 226E Fidler's Survey Replat (P2020-00042)