



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

February 16, 2021 • 7:00pm



City of Conway PLANNING COMMISSION

February 16, 2021 · 7:00 pm

Due to restrictions imposed because of the COVID-19 pandemic, the Planning Commission meeting will be broadcast on the City of Conway [Facebook](#) and [YouTube](#) pages. Please submit questions/ comments [via email to Planning Staff](#) by 3:00pm the day the meeting.

PLANNING COMMISSION

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

The Conway Planning Commission makes recommendations to the City Council on public hearing items. Items reviewed on this agenda will be considered by the City Council as early as **February 23, 2021.**

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. January 19, 2021

I. Subdivision Review

- A. Request for preliminary plat approval of Miller's Creek Phase 2 Subdivision (SUB2021JAN03)

II. Public Hearings

- A. Request to rezone property at 507 Bruce Street from C-3 to R-1 (REZ2021JAN03)
- B. Request for conditional use permit to allow childcare facility in O-2 for property located at 930 Wingate Drive, Bldg E (USE2021FEB01)
- C. Request to rezone 5.11 acres +/- north of Gentry Lake, northwest of Lake Front Dr and West End Street from R-1 to PUD (REZ2021FEB01)
- D. Request to rezone 6.52 acres +/- located at 1150 Museum Road; 1 and 3 Oak Grove Drive from R-1 to PUD (REZ2021FEB03)

III. Discussion

- A. Items as decided by the Commission

Adjourn

Request for Preliminary Plat Approval - Miller's Creek Subdivision, Phase 2

I.A

Record No. SUB2021JAN03

APPLICANT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

PROPERTY OWNER

Hal Crafton
Rush-Hal Development
PO Box 10482
Conway, AR 72034

STAFF REVIEW BY

Levi Hill, AICP, Assistant Director



Location. Southeast corner of the intersection of East German Ln and Lower Ridge Rd.

Site Area. 13.76 acres +/-.

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

Existing Structures. None.

Overlay. None.

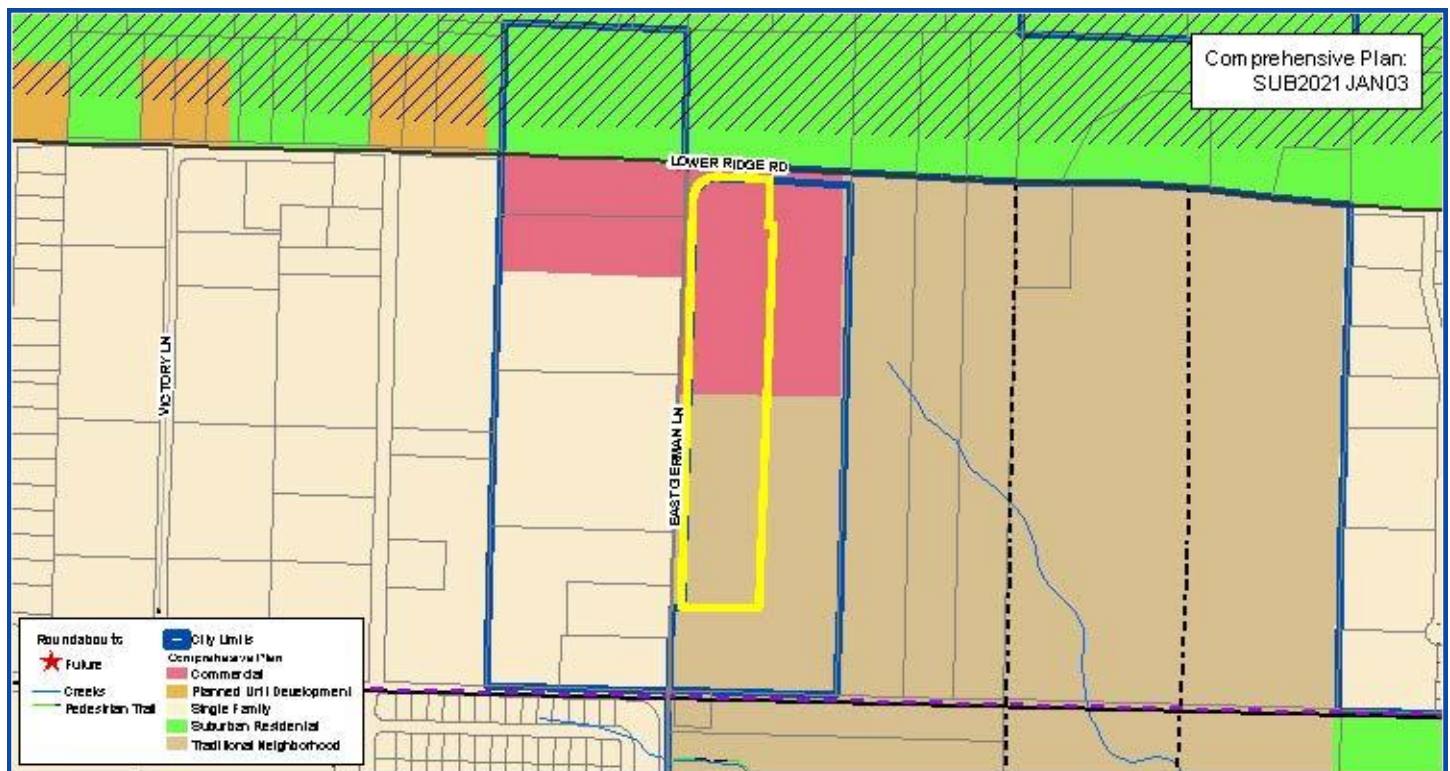
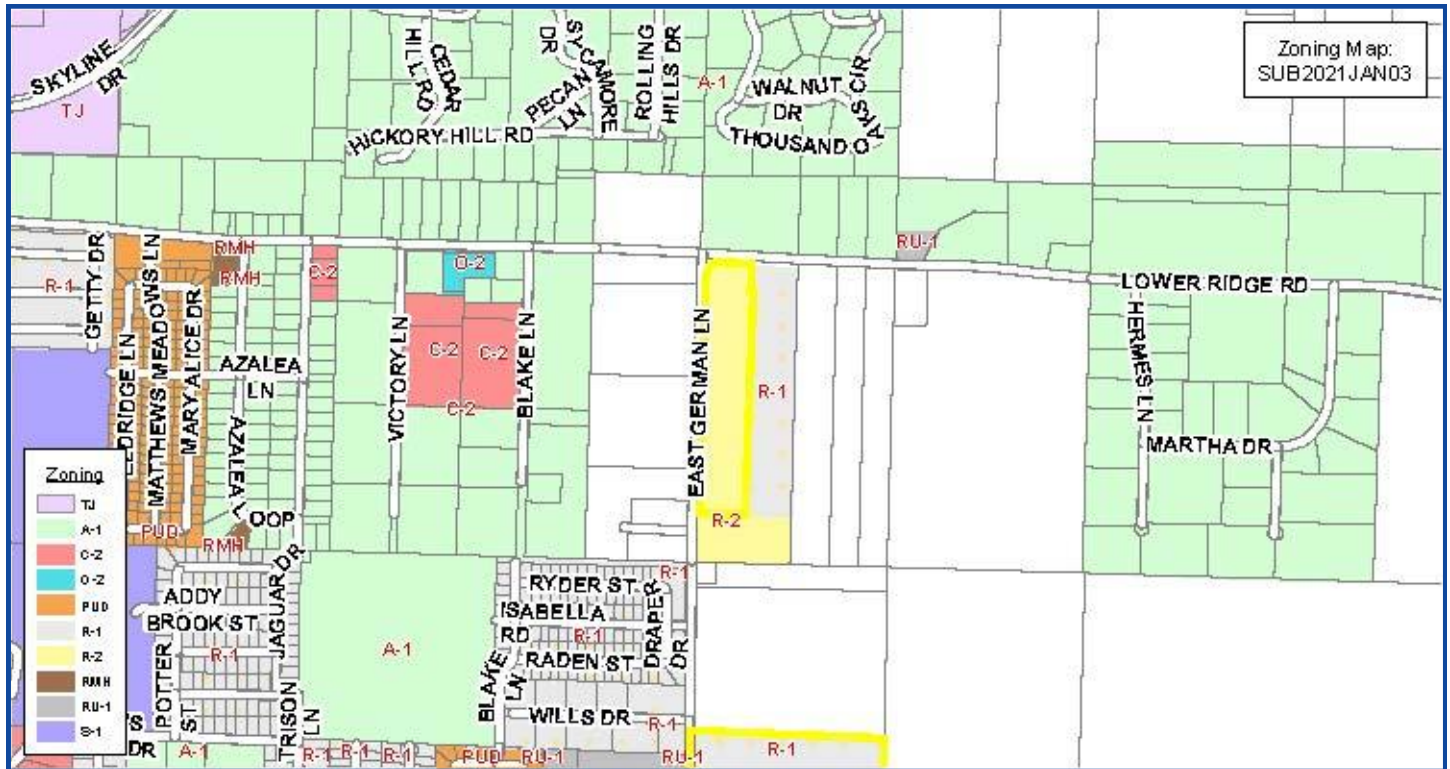
REQUEST

The applicant is requesting preliminary approval of a 46-lot subdivision located at the southeast corner of the intersection East German Ln and Lower Ridge Rd. The development represents Phase 2 of the Miller's Creek Subdivision. The property was recently rezoned to R-2 (Low-Density Residential). The proposed lots range from 7,800 square feet to 16,500 square feet, consistent with the lot requirements of the site's zoning classification. The subdivision will feature one access point from East German Ln and a new internal street that will connect into Miller's Creek, Phase 1. The proposed lots will be accessed by the new internal street network. All proposed streets will require 5-foot sidewalks with a 6.5 foot green space.

Request for Preliminary Plat Approval - Miller's Creek Subdivision, Phase 2

I.A

Record No. SUB2021JAN03



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

1. Creation of double frontage lots. (Article IV: Sec. 5(F)(7)).

STAFF RECOMMENDATION

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 consistent with the requirements of the R-2 (Low-Density Residential) zoning for this site.

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

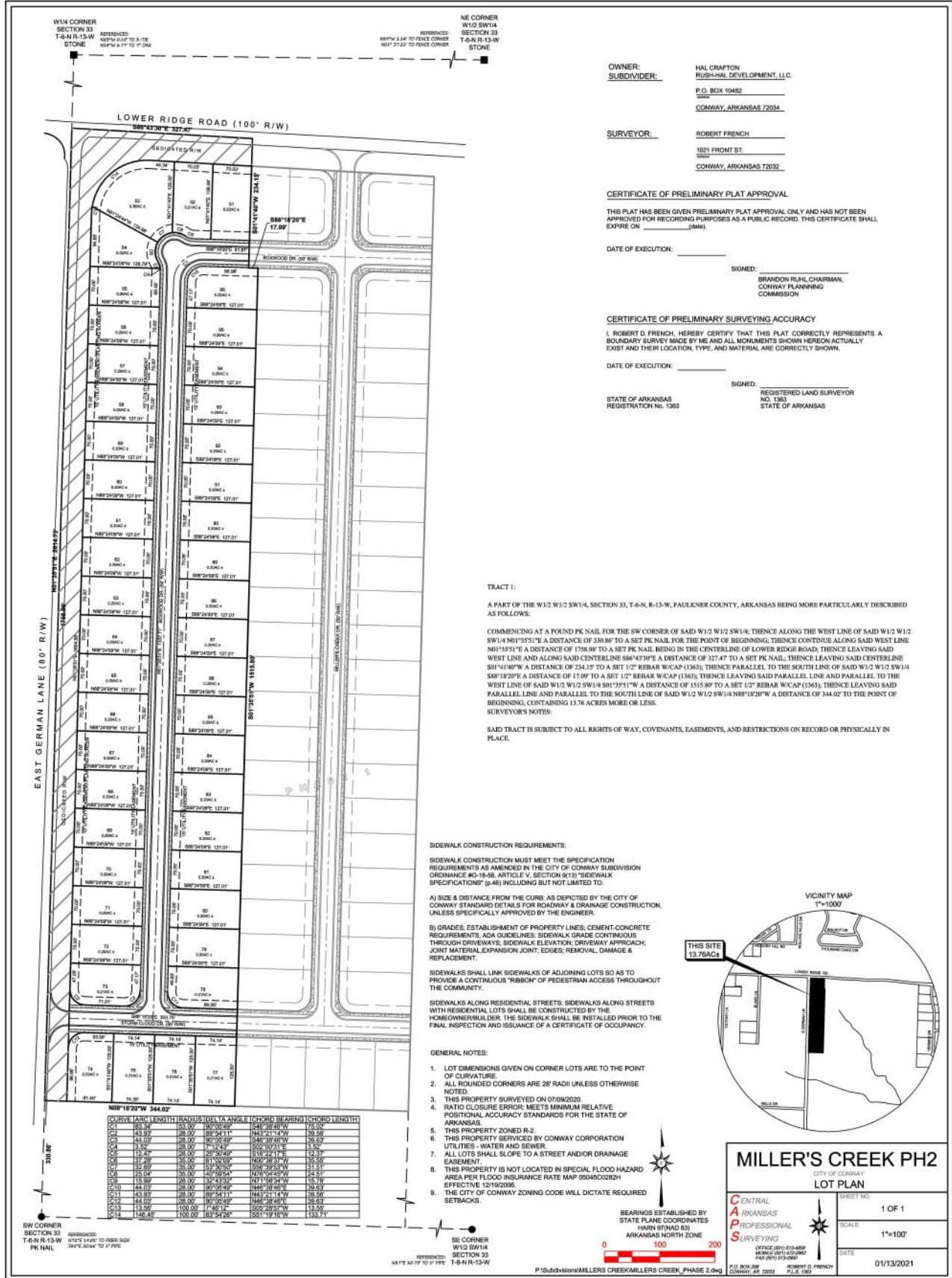
1. Show all hydrant locations.
2. Corrections as noted on Preliminary Plat.

CONDITIONS

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. A 10-foot planting easement shall be required along Lower Ridge Rd and East German Ln. Alternatively, a permanent ornamental fence or wall may be substituted. No lot shall take access from Lower Ridge Rd.
3. A 10-foot developer required sidewalk shall be constructed along Lower Ridge Rd.
4. Wheelchair ramps shall be provided by the developer/subdivider in accordance with the City of Conway's Standard Details.
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 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
7. Utility easements as required by Conway Corporation are needed.
8. Drainage easements as required by the City Engineer are needed.
9. 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.
10. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat.

Request for Preliminary Plat Approval - Miller's Creek Subdivision, Phase 2

Record No. SUB2021JAN03



Request to Rezone: C-3 to R-1

Record No. REZ2021JAN03

APPLICANT

Vamsi Paruchuri
AVAP LLP
PO Box 10107
Conway, AR 72034

PROPERTY OWNER

Bruce & Pat Robinette
Larry & Shirley Merritt

STAFF REVIEW BY

Levi Hill, AICP, Assistant Director



Location. 507 Bruce St.

Site Area. 4.75 acres +/-.

Current Zoning. C-3 (Highway Commercial).

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

Adjacent Zoning. West – I-3; North, East, South – C-3.

Existing Structures. One single-family residence.

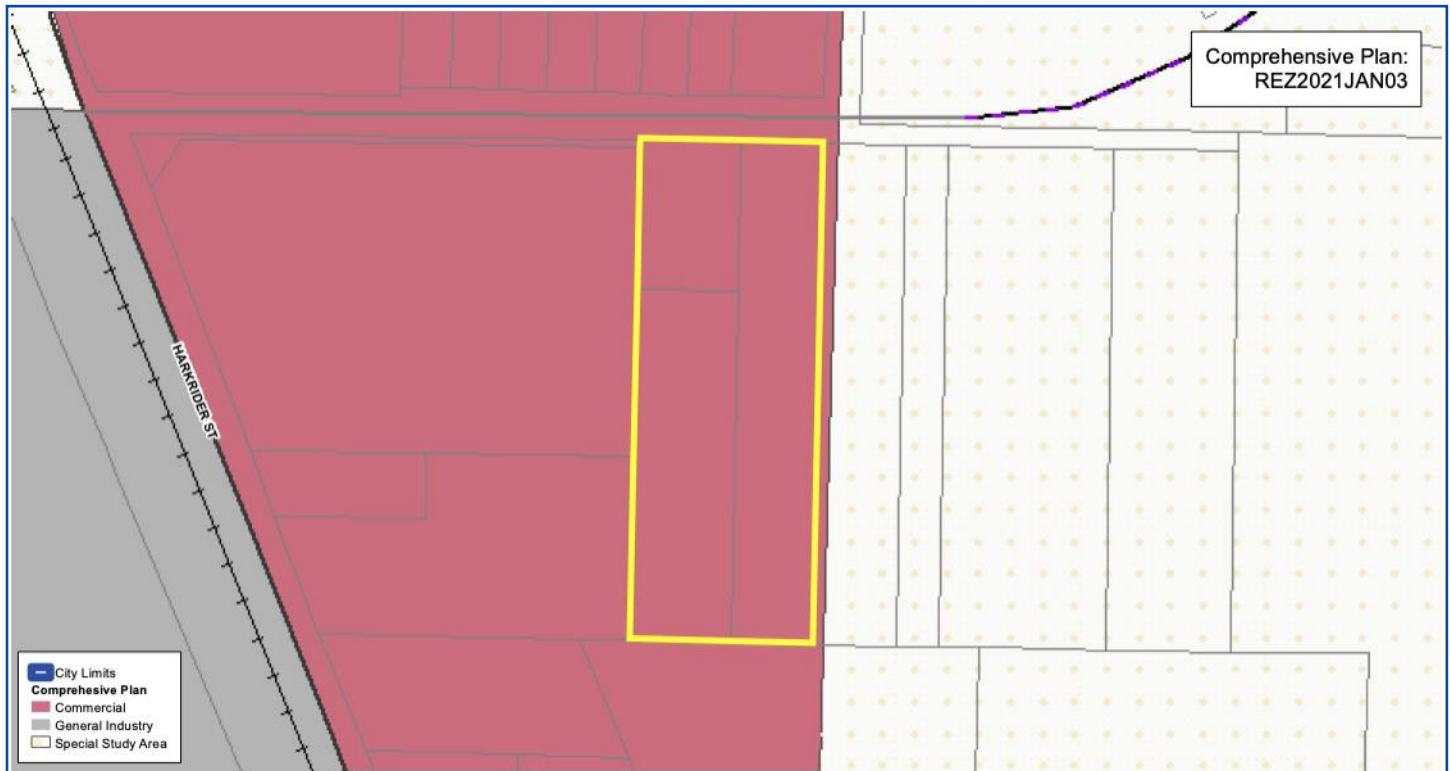
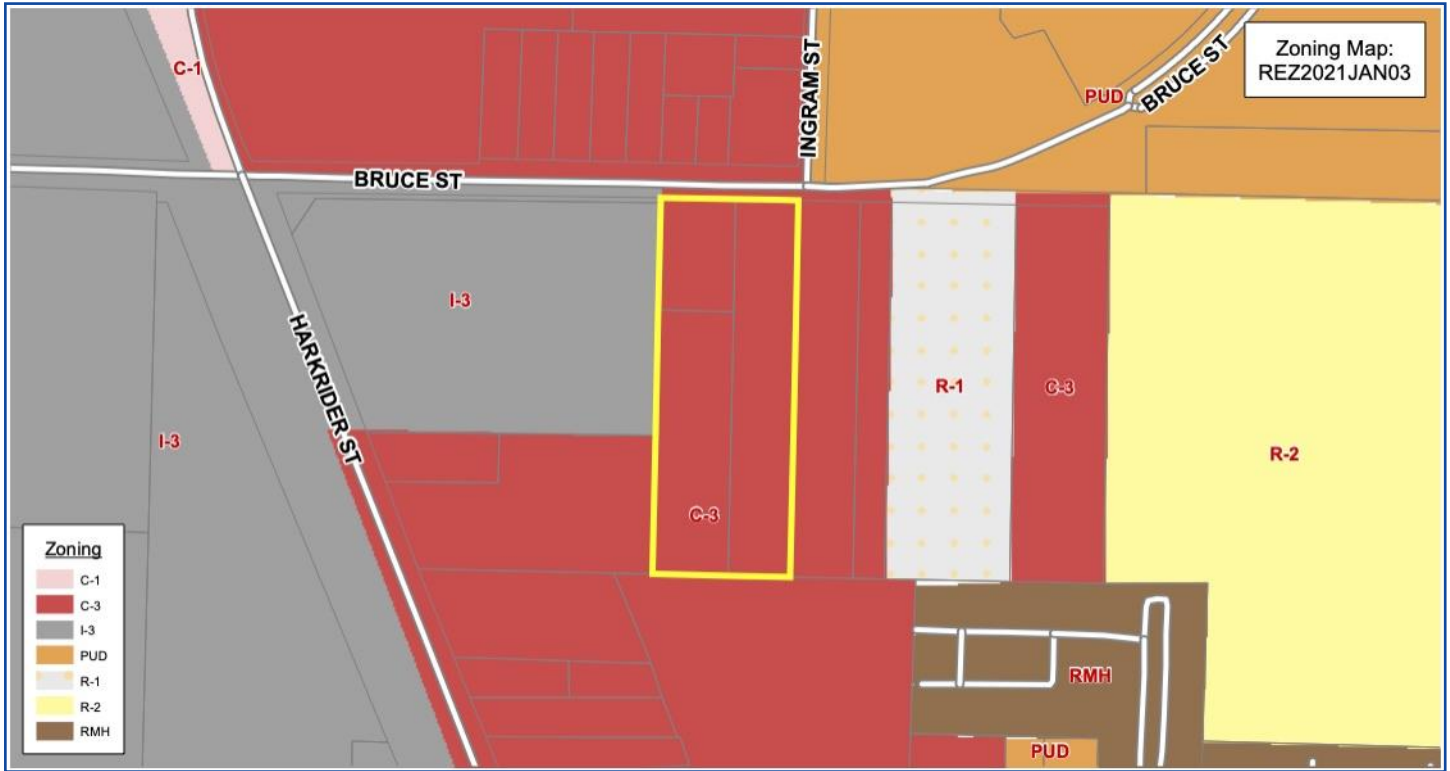
Overlay. None.

Comprehensive Plan. Commercial.

Projected Traffic Impact. With a rezoning to R-1 and a proposed single-family use, the likely increase in traffic impact would be minimal.

Request to Rezone: C-3 to R-1

Record No. REZ2021JAN03



Current Traffic Counts. Bruce St (1,300 vehicles per day).

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

Utilities. The property is currently served by Conway Corp utilities.

Master Street Plan. Bruce St – Minor Arterial.

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant is requesting a rezoning to R-1 for the purpose of constructing a single-family residential development.
- The requested R-1 zoning is not consistent with the site's Comprehensive Plan designation of Commercial.
- The surrounding properties are zoned for commercial and industrial uses with existing established uses to the west and south. An increase of single-family uses in the area would create a mixture of incompatible uses.
- The Comprehensive Plan designations for the greater area suggest a transition away from low-density residential uses is expected.
- The site's existing C-3 zoning is appropriate; however, a transitional commercial zoning district could also be appropriate.
- The use of the property for single-family would be inappropriate.

STAFF RECOMMENDATION

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.

Request to Rezone: C-3 to R-1

Record No. REZ2021JAN03

II.A



Request for Conditional Use Permit: Childcare Facility in O-2

II.B

Record No. USE2021FEB01

APPLICANT

Brandy Hansberry
Legacy Learning
2012 Martin St
Conway, AR 72034

PROPERTY OWNER

Stephanie Shrekenhofer Dace
Worman Properties, LLC

STAFF REVIEW BY

Beth Sketoe, Planner



Location. 930 Wingate Dr, Bldg E Ste 1.

Site Area. 0.42 acres ±.

Current Zoning. O-2 (Quiet Office).

Abutting Zoning. West: MF-2 (Multi-Family 18 Units/Acre); North: O-2; East: O-3 (Restricted Office); South: R-1 (One-Family Residential).

Existing Structures. 4,879 sf Office Building plus attached 1,100 sf covered parking area.

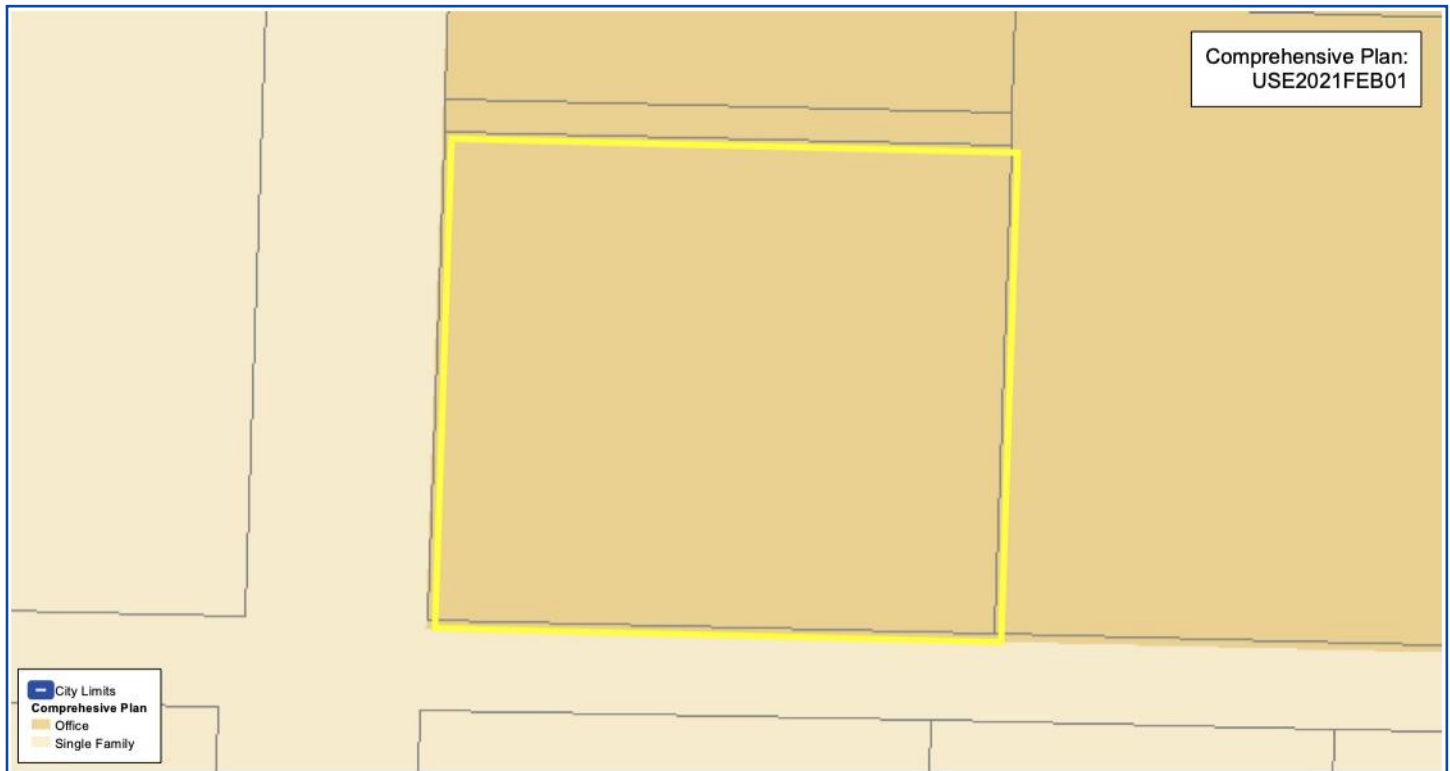
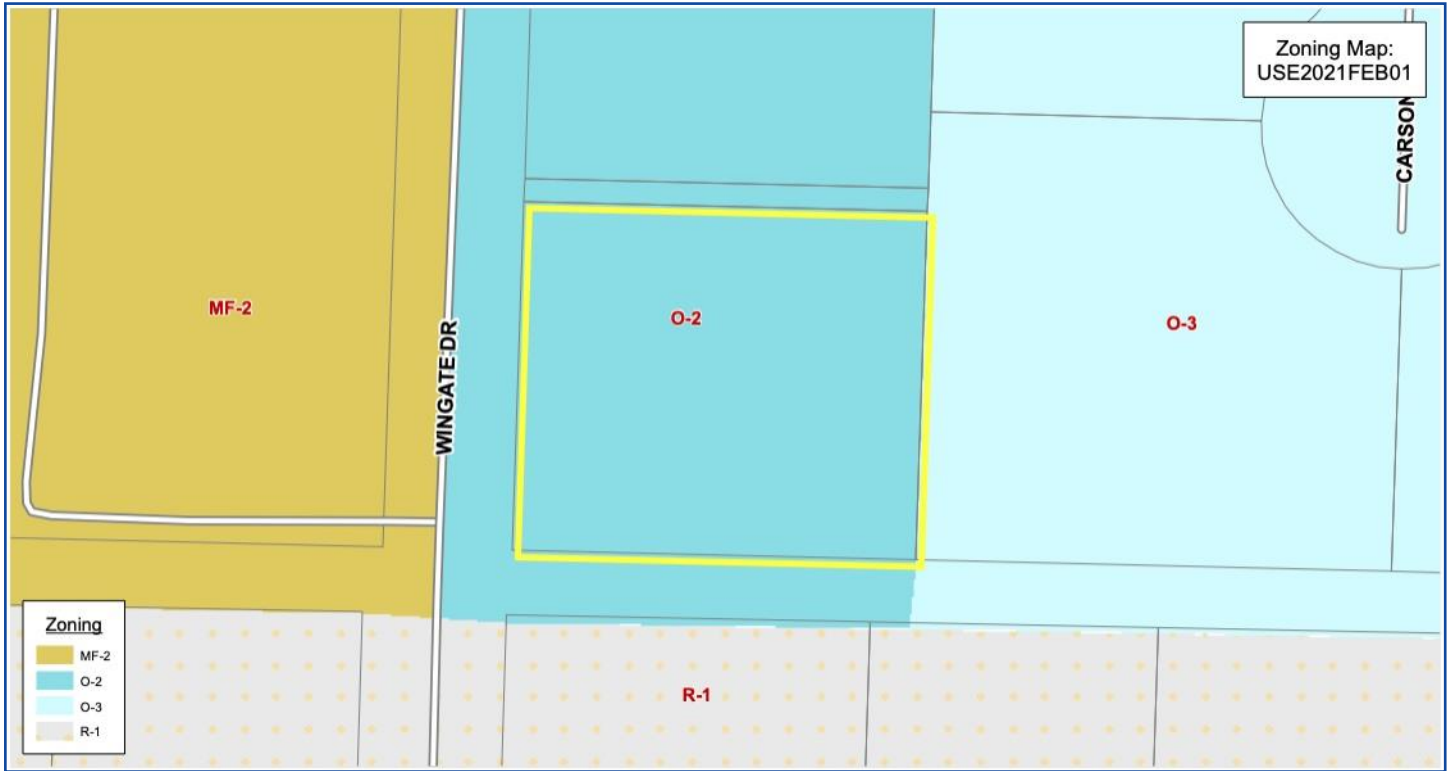
Overlay. None.

Requested Conditional Use. Childcare Facility.

Comprehensive Plan. Office.

Request for Conditional Use Permit: Childcare Facility in O-2

Record No. USE2021FEB01



Projected Traffic Impact. With a conditional use permit allowing a childcare center, the likely increase in traffic impact would be minimal as the site is currently developed as a 5-building office park. It is anticipated this use would generate approximately 123 vehicle trips per typical weekday.

Current Traffic Counts. Not available, but estimated to be between 500-1,000 vehicles per day.

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

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

Master Street Plan. Wingate Dr – Local Residential.

Street Improvement. No current improvement plans.



Style proposed for new fencing



Proposed outdoor play area location

STAFF COMMENTS

- The applicant intends to open a childcare center, a use which is not allowed in the current zoning (O-2), but is allowed as a conditional use.
- The Comprehensive Plan indicates the area is appropriate for office use. The site is primarily surrounded by other office and multi-family uses, but is adjacent to a single-family residence to the south.
- The childcare center will occupy approximately half of Building E and has access to the covered parking and entrance area. The childcare center is planned to be 2 classrooms which will serve fewer than 30 children.
- The applicant plans to operate the center from 7:00am – 5:30pm, Monday – Friday.
- The applicant plans to add an outdoor play area to the south of the building. This will impact existing available parking for the development and is adjacent to the rear of a single-family residence. It is planned for children to have up to 2 hours of outdoor play time daily, weather permitting. As part of this the applicant is proposing new and replacement fencing. *Staff suggests any portions of existing fencing to be replaced be replaced in like kind for continuity.*
- As the intended childcare center space is part of a 5-building office development with only 2 points of access, a typical drive-thru drop off and pick up traffic pattern may not function well. The applicant has indicated the plan is for patrons to park and walk children into the center. *Staff suggests this requirement be a condition of approval.*

STAFF RECOMMENDATION

Staff offers no recommendation of the conditional use permit request.

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

1. Operating hours are limited to Monday – Friday, 7:00am – 6:00pm.
2. No drive-thru drop-off or pick-up is allowed. Patrons must park and walk in to drop-off and pick-up children.
3. No equipment taller than 18” shall be allowed in the outdoor play area.
4. Use of the outdoor play area is limited to 2 hours per day.
5. 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.
6. 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.
7. Any expansions or additions to the structure or outdoor play area as well as any changes to the use shall require an amended or new conditional use permit.



Request to Rezone: R-1 to PUD

II.C

Record No. REZ2021FEB01

APPLICANT

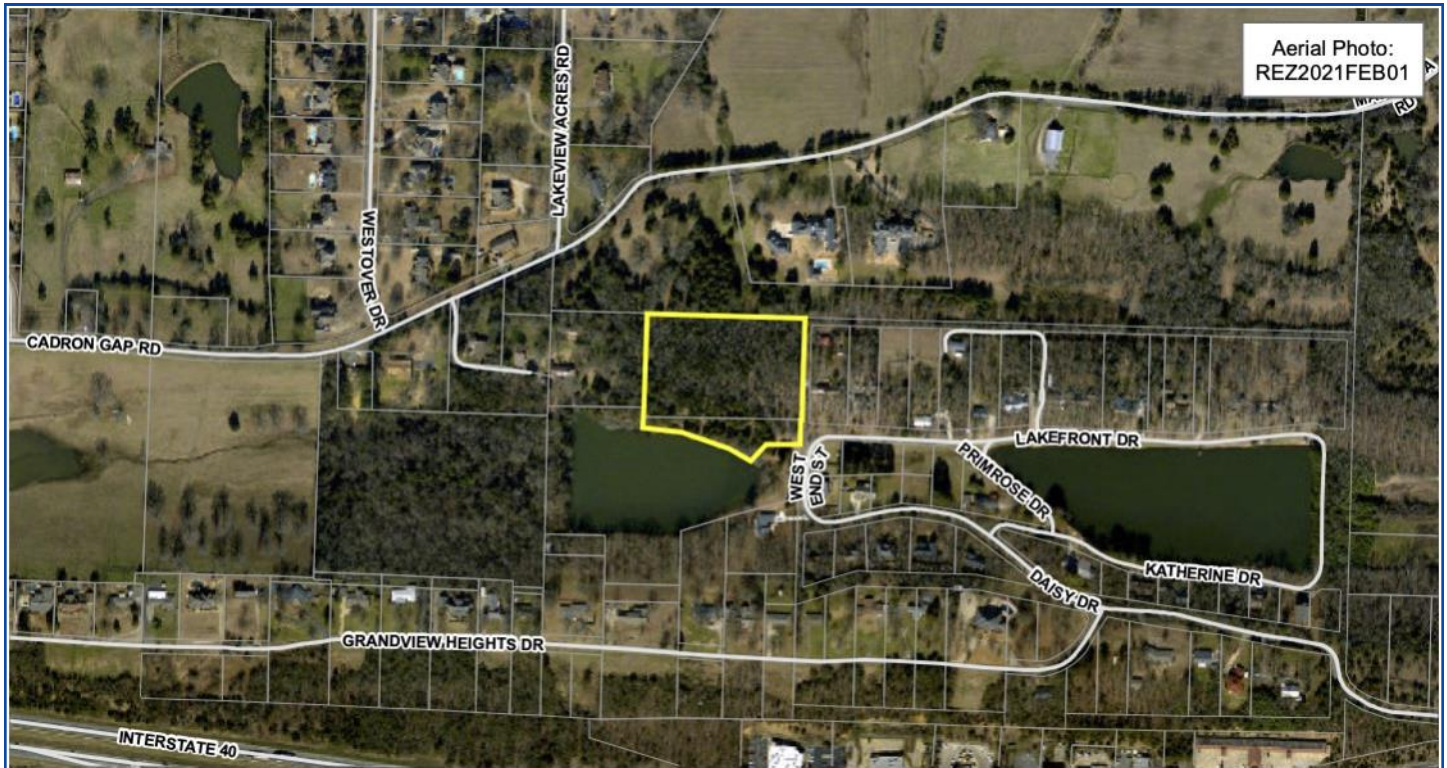
David Watkins, PLA
Crow Group, Inc.
PO Box 1800
Morrilton, AR 72110

OWNER

Richard 'Skip' Colvin
Mac Development, LLC

STAFF REVIEW BY

Beth Skteto, Planner



Location/Site Area. 5.11 acres +/-.

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

Requested Rezoning. PUD (Planned Unit Development).

Adjacent Zoning. North – A-1 (Agricultural); West, South, East – R-1.

Existing Structures. None.

Overlay. None.

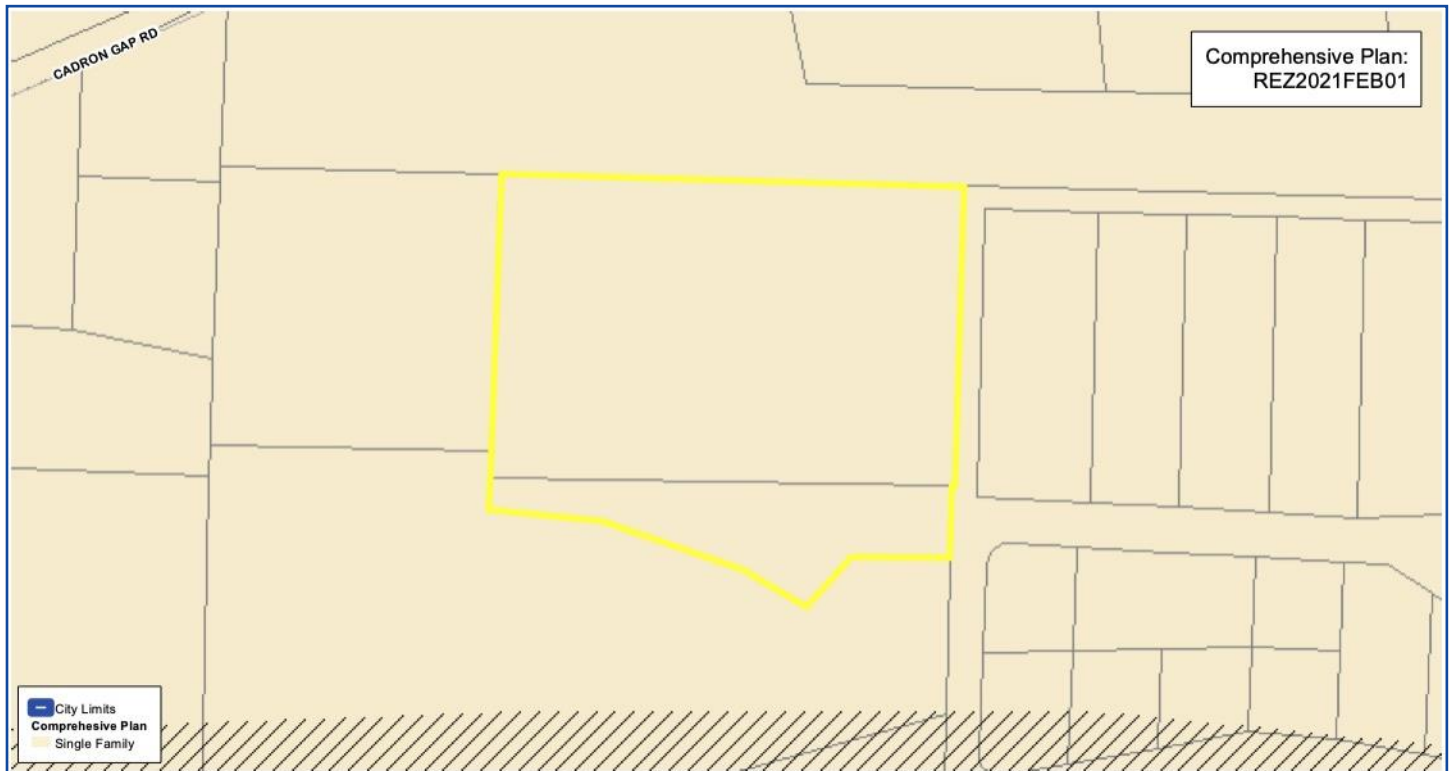
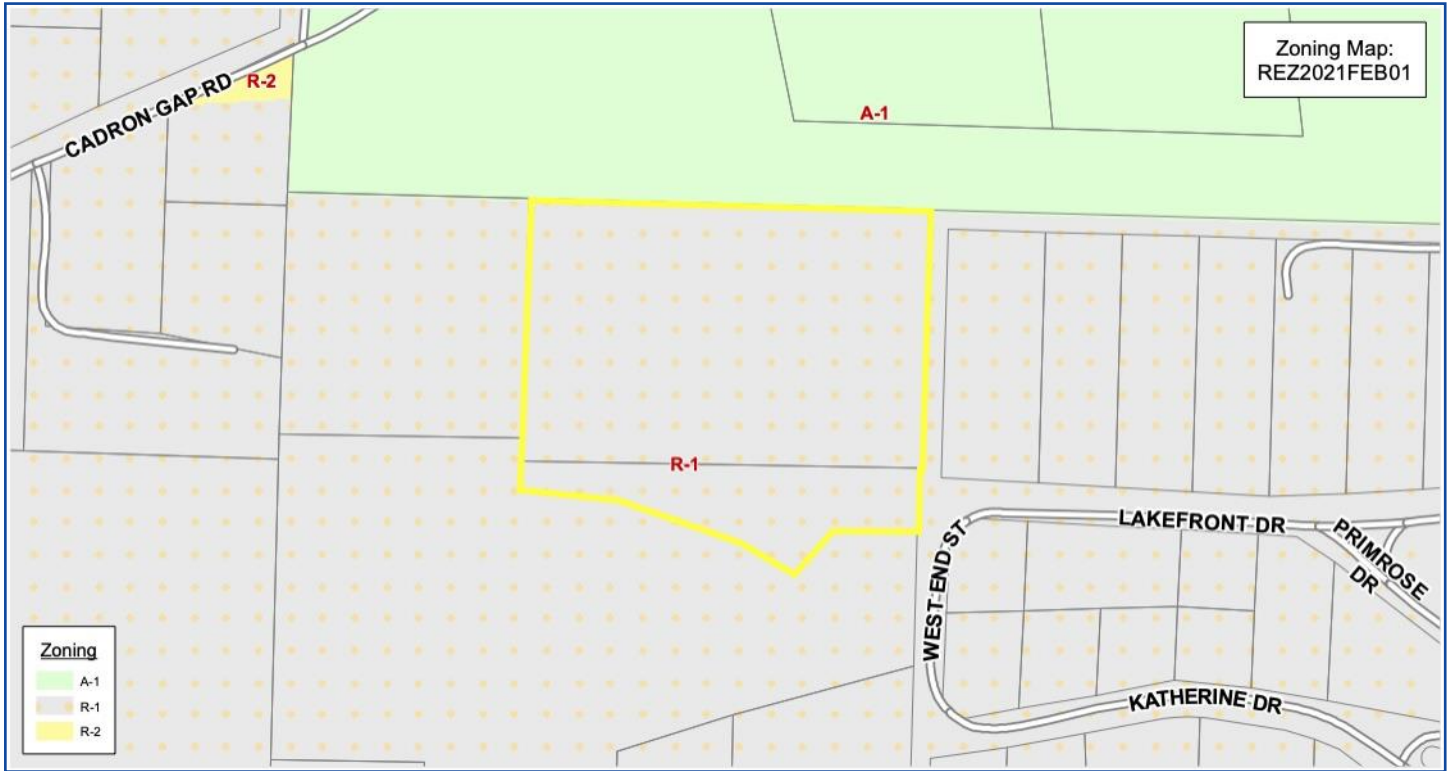
Comprehensive Plan. Single-family.

Projected Traffic Impact. With a rezoning to PUD and developed as 4 single-family residences, the likely increase in traffic impact would be minimal, yielding approximately 38 vehicle trips per typical weekday.

Current Traffic Counts. Not available, but likely less than 500 average daily traffic.

Request to Rezone: R-1 to PUD

Record No. REZ2021FEB01



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

Utilities. Sewer service is not available; each lot will be served by an anaerobic septic system. The applicant will need to coordinate the extension of available utilities with Conway Corporation.

Master Street Plan. West End St – Local Residential; Lake Front Dr – Local Residential. Both roads are asphalt with open ditches, approximately 15' in width.

Street Improvement. Developer is required to construct the private drive, Lake Crest Dr, in accordance with Conway Transportation Department standards. No other improvements are planned at this time.

STAFF COMMENTS

- The applicant is requesting a rezoning to PUD for the purpose of developing a gated, large-lot single family subdivision. The proposed use and density are consistent with the Comprehensive Plan.
- The site, located on the north side of Gentry Lake, northwest of Lake Front Dr and West End St, is currently undeveloped and heavily wooded. Access to the development is proposed via a new private drive, Lake Crest Dr.
- A public information meeting was held virtually on February 1, 2021. 8 members of the public attended in addition to Planning Staff, the property owner, and the project manager.
- The surrounding area is predominantly residential. The rezoning would not likely negatively impact the adjacent property.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request, pending revisions, with the conditions listed below. The proposed use and density are consistent with the Comprehensive Plan.

1. Permitted uses are limited to single-family residential with a maximum of 4 dwelling units.
2. All standards and uses other than those defined shall be governed by restrictions of the R-1 zoning district.
3. Maximum height of primary residence shall not exceed 45 feet.
4. Building setbacks shall be: Front, Exterior, and Rear – 25 feet; Interior – 6 feet.
5. One accessory structure, per primary residence, is allowed on the north side of the access easement with a maximum area no greater than 50% of the heated and cooled square footage of the primary residence.
6. Trees 12" and greater in diameter shall remain unless they directly impede home construction, pose a safety hazard, or are a noxious species.
7. Applicant shall plat the property in accordance with the Subdivision Regulations.
8. Applicant shall return a signed copy of the final development plan agreement prior to the issuance of building permits.
9. All roadway improvements shall be privately maintained.
10. A Property Owners' Association shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, entry gate, and lighting.
11. PUD shall be generally developed according to the proposed plan and the PUD proposal (Exhibit A). Minor variations from the approved plan may be allowed by approval from the Planning Director.

Request to Rezone: R-1 to PUD

Record No. REZ2021FEB01



Access from Nutters Chapel Rd



Site Photos

Access from Ridgedale Cir



Adjacent Properties



Request to Rezone: R-1 to PUD

Record No. REZ2021FEB01

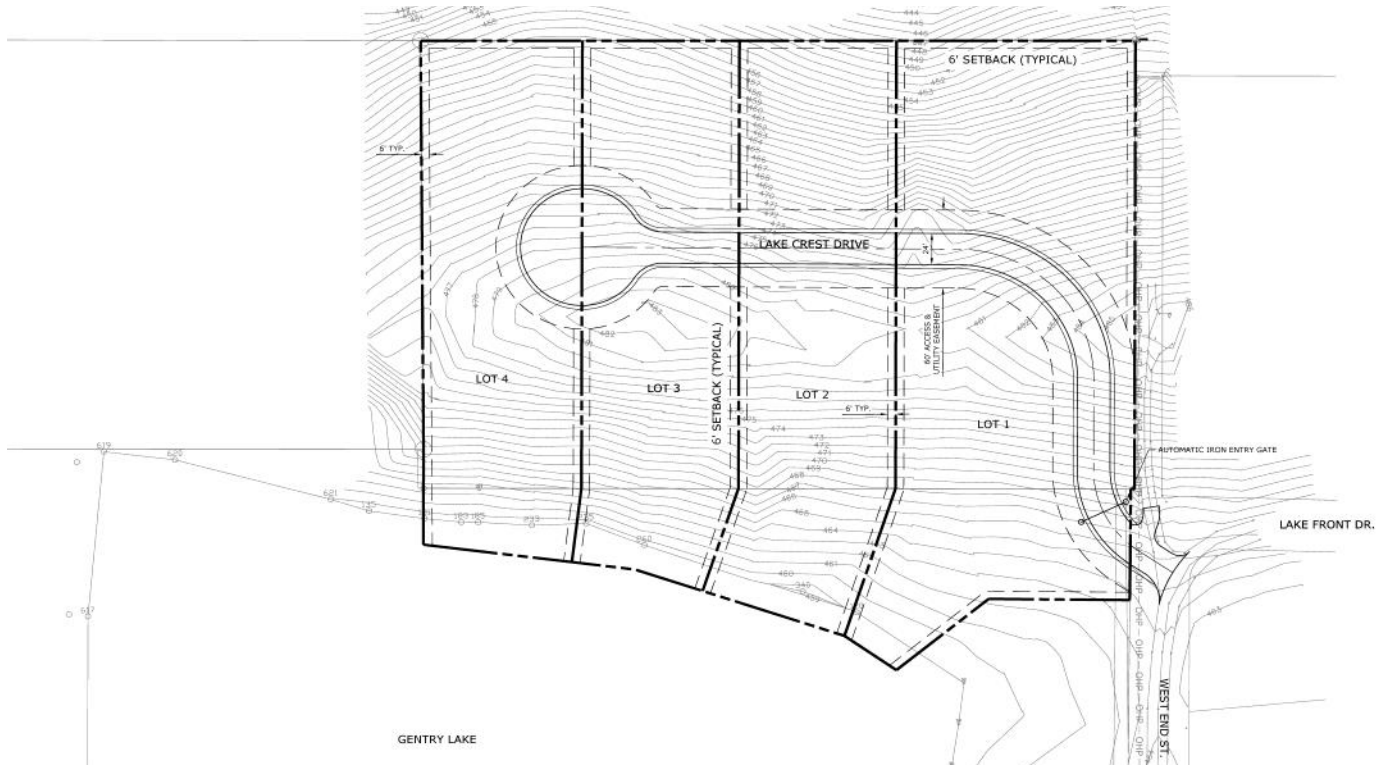


EXHIBIT A



Client Focused Construction and Engineering Services

WE BUILD FOR YOU!

210 N. Moose St. • PO Box 1800 • Morrilton, AR 72110 • P: (501) 354-6511 • www.crowgrp.com

Date: January 26, 2021

To: Planning & Development
City of Conway
1111 Main Street
Conway, AR 72032

Subject: **PUD Proposal – Lake Crest Subdivision - UPDATED**

To Whom it may concern,

On behalf of the developer, Charles 'Skip' Colvin, I am submitting a request to rezone the property (see attached exhibits for location) from R-1 to a Planned Unit Development (PUD). The developer intends for the 4 main lots of this subdivision to be behind a gated monument entrance. In order to do this, we plan to develop the street as a private drive in an access easement and form a POA that will maintain the road and entrance gate. In order to develop lots from a gated private drive maintained by a Property Owners Associations (POA) a rezone to PUD is required.

Existing Conditions

The property sits on the north side of Gentry Lake within the city limits of Conway, AR. The property is zoned R-1. The adjoining properties on the east, south, and west are also zoned R-1. The adjoining property to the north is zoned A-1. The land is currently undeveloped with mostly dense tree cover. The lot has street frontage along West End St. on the south east. Existing water mains are along the east and north property lines. There are no sewer mains adjacent or nearby.

Intent of the PUD

The developer owns Gentry Lake and property with a house on the south side of the lake. They enjoy their view of the lake and trees from their home and would like to create a development that promotes similar views and a similar setting. In order to maintain the natural and wooded feel of the surrounding neighborhoods, the developer wants to develop +/-1 acre lots for larger single-family houses. They also want to preserve as many large trees as possible. This will provide a low density of homes and maintain a natural and wooded feel to the area.

Allowable Land Uses

The proposed PUD land use is similar to R-1 zoning. It will provide a quiet, low density area for single-family homes only.

Height & Size

Max height: 45ft*

Max. number of stories: 3



Min. Size Structure: 2500sf

*Higher than R-1 to allow for walkout basement due to topography sloping toward Gentry Lake.

Site-Specific Development Standards

One accessory building will be allowed on north side of access easement.

Anaerobic septic systems will be used for residential sewage treatment and are to be installed on north side of access easement.

Full lot clearing is not permissible. Trees 12" and greater shall remain unless they impede home construction or pose a safety hazard or are a noxious/undesirable species.

Development Phasing and Construction Schedule

The developer intends to construct all roadway, utility, and entrance gate improvements in one phase beginning in the spring of 2021. Individual houses will be constructed on the lots as needed.

Covenants and Restrictions

A POA with established bylaws will be formed in order to provide maintenance of the entrance gate/monument, roadway, land within access easement, and lighting. The access easement is for the benefit of all owners within the POA for access, ingress, egress and utilities.

Architectural Control: The developer will establish guidelines that will include minimum square footages, exterior material restrictions, garage requirements, gutter requirements, mailbox design, roofing material restrictions, fence restrictions, landscaping restrictions, etc.

Please let me know if you have any comments or questions about the PUD Rezone proposal.

Respectfully,

A handwritten signature in black ink that reads "David Watkins". The signature is written in a cursive, flowing style.

David Watkins, PLA

Project Manager

Crow Group, Inc

210 N. Moose St. / P.O. Box 1800

Morrilton, AR 72110

Phone: (501) 354-6511

Cell: (501) 920-1297

Request to Rezone: R-1 to PUD

II.D

Record No. REZ2021FEB03

APPLICANT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

PROPERTY OWNER

Chris Martin
Proper Homes, LLC
9 Davis Hill Rd
Conway, AR 72032

STAFF REVIEW BY

Levi Hill, AICP, Assistant Director



Location. 1150 Museum Rd; 1 & 3 Oak Grove Dr.

Site Area. 6.52 acres +/-.

Current Zoning. R-1 (One-Family Residential); C-3 (Highway Commercial).

Requested Rezoning. PUD (Planned Unit Development).

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

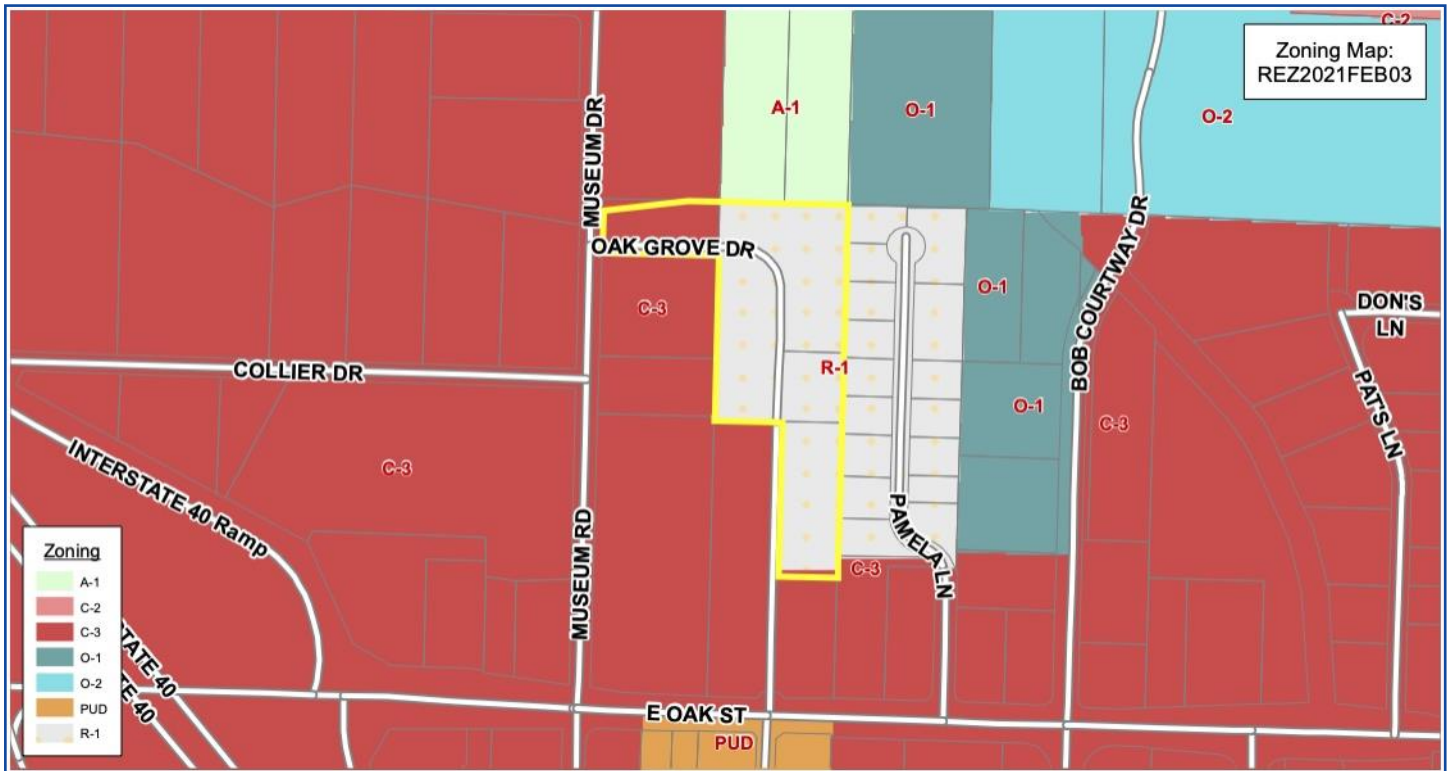
Existing Structures. Two single-family residences.

Overlay. None.

Comprehensive Plan. Single-family.

Request to Rezone: R-1 to PUD

Record No. REZ2021FEB03



Projected Traffic Impact. With a rezoning to PUD and developed as indicated on the plan, the likely increase in traffic impact would be moderate given that the site is currently zoned for single family residential uses. The applicant is proposing a total of 6 single-family residential units and 13 duplexes for a total of 32 units. If approved, the anticipated traffic increase is expected to be approximately 266 trips per typical weekday.

Current Traffic Counts. E Oak St (28,000 vehicles/day).

Flood/Drainage. Portions of the site are within FEMA flood zones AE; Floodplain and Floodway.

Utilities. The site is currently served by Conway Corp utilities.

Master Street Plan. None.

Street Improvement. Oak Grove Dr is a private street that will be improved with this development.

STAFF COMMENTS

- The site is currently developed with two single-family residences and is located at 1 and 3 Oak Grove Dr.
- The plan proposes a mixture of single-family and two-family residential units on individual lots ranging from 8,700 square feet to 23,500 square feet.
- Oak Grove Drive will be developed and platted as a private drive with gates on both ends.
- Portions of the site fall in the FEMA flood zones including the Floodway. Development should be minimal in these areas.
- The proposed use and density are consistent with the Comprehensive Plan.
- Approved uses are limited to single-family and two-family residential dwellings.
- All lot dimensions shall be included on the final development plan.
- Sidewalks shall be required at the time lots are developed.
- The plan proposes setbacks as follows: 15' front and exterior (with the exception of lot 1 which proposes 10'), 10' rear; 5' side (10' between structures).
- The plan proposes a private drive with a 5' sidewalk on the east side of the street.
- The rezoning would not likely result in harm to adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning request, pending revisions, with the conditions listed below. The proposed use and density are consistent with the Comprehensive Plan.

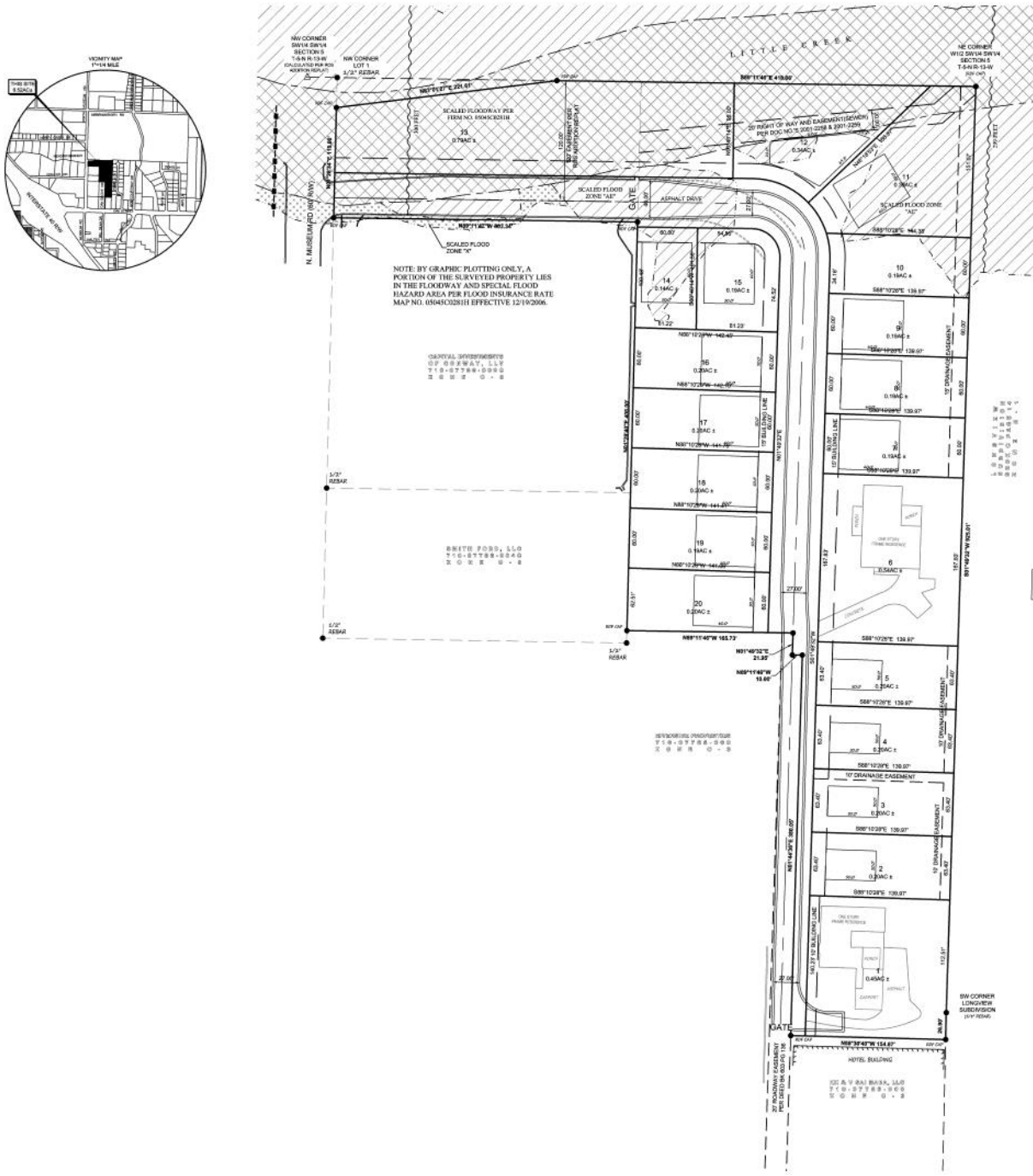
1. Permitted uses are limited to one-family and two-family residential uses as indicated on the approved plan with a maximum of 32 dwelling units.
2. All standards and uses other than those defined shall be governed by restrictions of the R-1 zoning district.
3. Driveways shall be a minimum of 20 feet in length for new development.
4. New buildings shall be of the following materials:
 - Brick/stone
 - Cement fiber board (Hardie Board)
 - Wood
 - Other materials as approved by the Planning Director
5. Vinyl Siding shall be prohibited.

Request to Rezone: A-1 to R-2



Record No. REZ2021JAN01

- 6. Any proposed fencing shall be approved by the Planning Director prior to installation.
- 7. No accessory structures shall be permitted.
- 8. Applicant shall plat the property in accordance with the Subdivision Regulations, at which time setbacks will be finalized.
- 9. Applicant shall return a signed copy of the final development plan agreement prior to the issuance of building permits.
- 10. All roadway improvements shall be privately maintained.
- 11. A Property Owners' Association shall be required to be formed and operate in perpetuity to maintain all common areas and improvements such as streets, sidewalks, and drainage.



Request to Rezone: R-1 to PUD

Record No. REZ2021FEB03

II.D



Site Photos



Adjacent Properties

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 Review Approvals

- Hope Village (SIT2018SEP05)

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

- Porter Replat (SUB2021JAN04)
- College Park Replat (SUB2021JAN06)
- Replat of Calvary Subdivision, Lot 1 (SUB2021AN07)
- Museum Meadows (SUB2021JAN08)
- Maly Village (SUB2021JAN09)
- Orchard Hill Replat (SUB2021FEB01)
- Esmeralda Subdivision (SUB2021FEB02)

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

- Porter Replat (P2021-00005)