



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

March 15, 2021 • 7:00pm



City of Conway PLANNING COMMISSION

March 15, 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 **March 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. February 16, 2021

I. Subdivision Review

- A. Request for preliminary plat approval of Oak Grove PUD (SUB2021JAN05)

II. Appeal Review

- A. Review of Development Review Appeal - Hervey Insurance Agency (SIT2020DEC01)

III. Public Hearings

- A. Request to rezone property at 1850 East German Lane from R-1 to C-2 (REZ2021FEB02)
- B. Request to rezone property at 2310 E Oak Street from C-3 and R-1 to S-1 (REZ2021MAR01)

IV. Additional Business

- A. Adoption of the City-wide Historic Preservation Plan
- B. Items as decided by the Commission

Adjourn

Request for Preliminary Plat Approval - Oak Grove Planned Unit Development

I.A

Record No. SUB2021JAN05

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. PUD (Planned Unit Development).

Existing Structures. Two single-family residences.

Overlay. None.

REQUEST

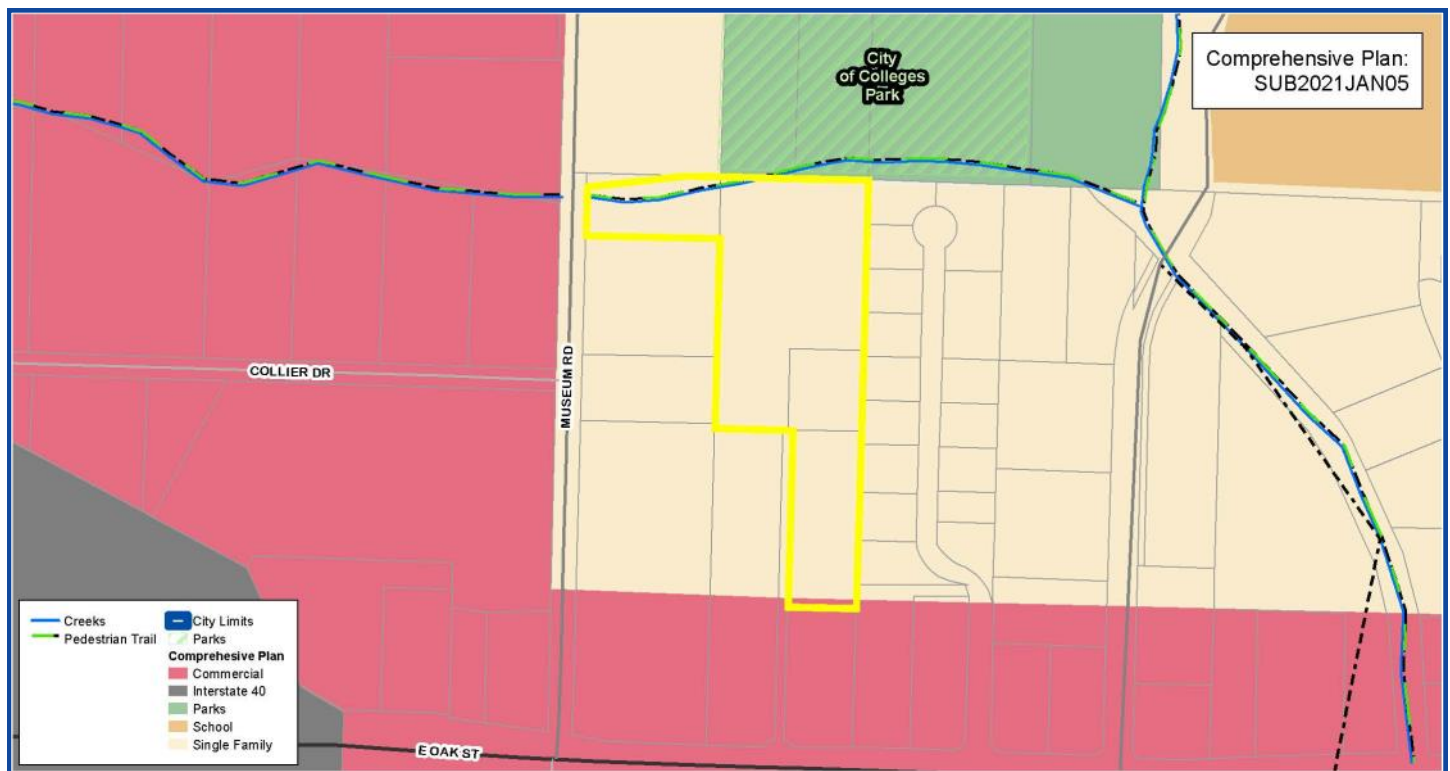
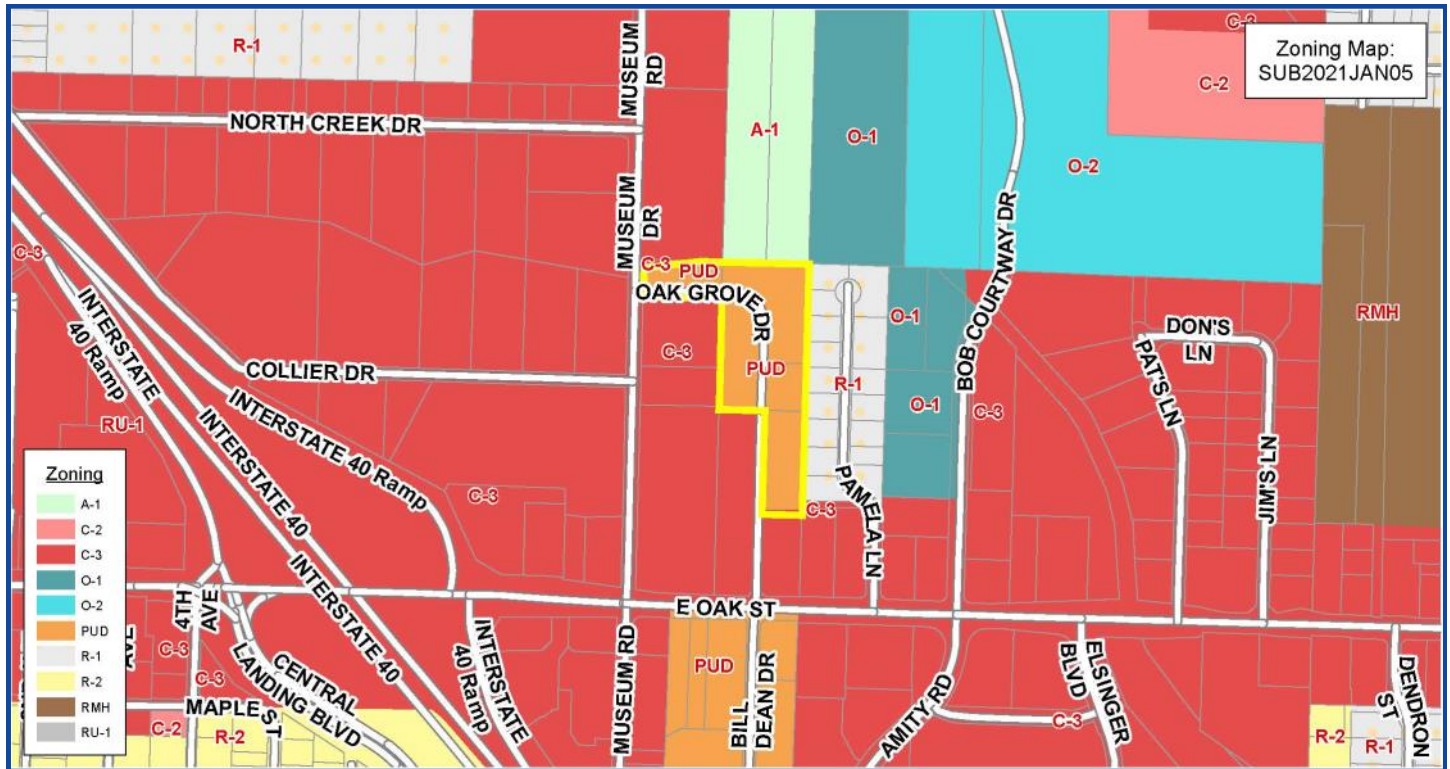
The applicant is requesting preliminary approval of a 20-lot subdivision located at 1150 Museum Rd and 1-3 Oak Grove Dr. The property was recently rezoned to PUD (Planned Unit Development) allowing the development of single-family and two-family lots. The proposed lots range from 8,700 square feet to 23,500 square feet, consistent with the lot requirements of the approved PUD. The subdivision will feature one access point from E Oak St and a second access point from Museum Rd. The proposed lots will be accessed by Oak Grove Dr, a private street proposed to be improved as a part of this development. A 5-foot sidewalk is proposed along the east side of the private drive, consistent with the requirements of the PUD.

No waivers were included as a part of the request.

Request for Preliminary Plat Approval - Oak Grove Planned Unit Development

I.A

Record No. SUB2021JAN05



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 consistent with the requirements of the PUD (Planned Unit Development) 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.

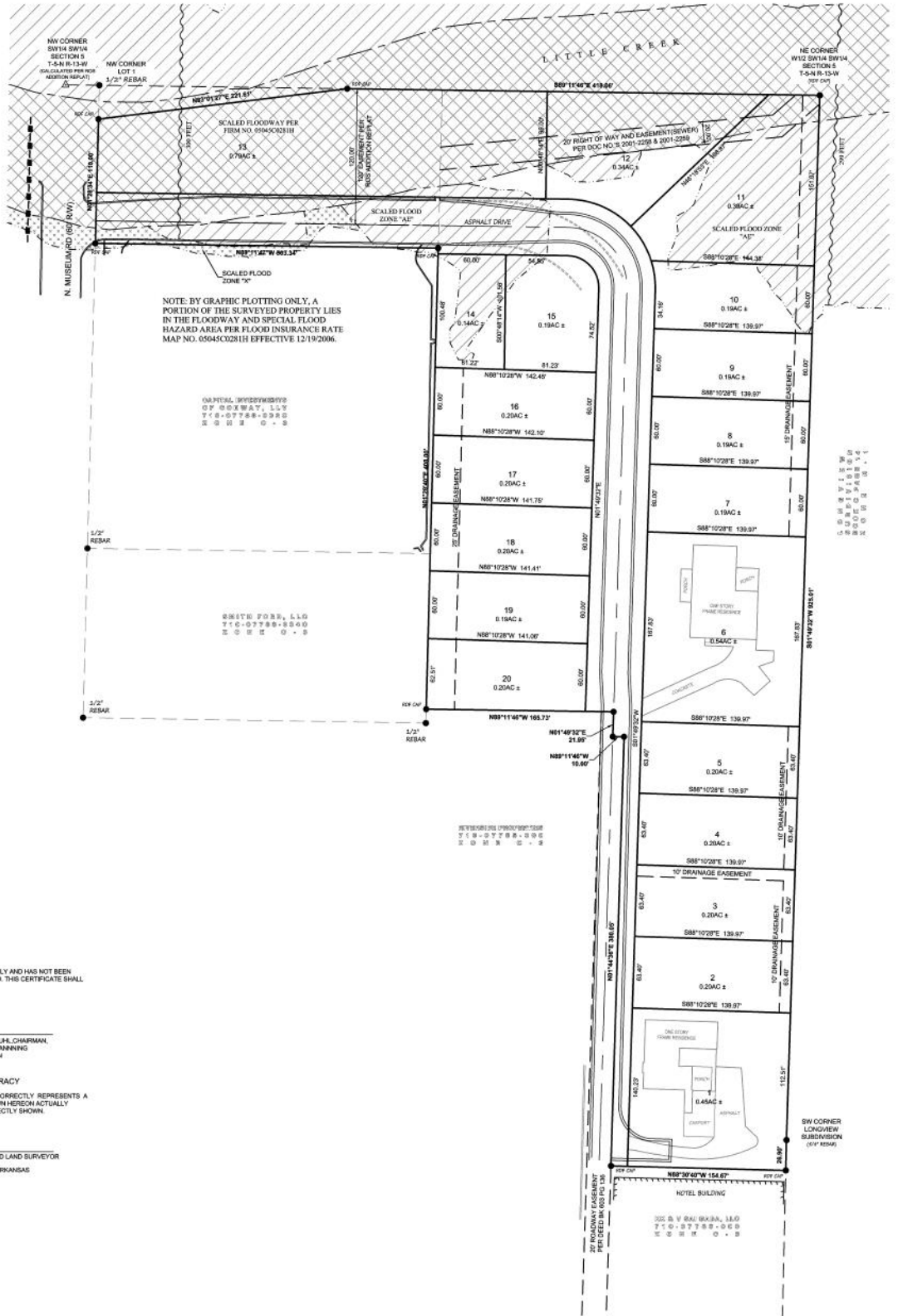
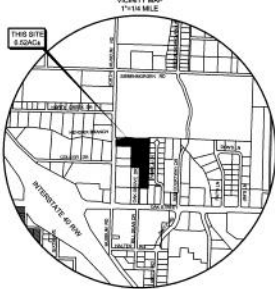
CONDITIONS

1. Preliminary Plat approval from all reviewing agencies shall be obtained.
2. A 5-foot developer required sidewalk shall be constructed along the east side of the private drive.
3. Wheelchair ramps shall be provided by the developer/subdivider in accordance with the City of Conway's Standard Details.
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. 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.
6. Utility easements as required by Conway Corporation are needed.
7. Drainage easements as required by the City Engineer are needed.
8. 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.
9. 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.
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 for Preliminary Plat Approval - Oak Grove Planned Unit Development

I.A

Record No. SUB2021JAN05



OWNER: PROPER HOMES, LLC
SUBDIVIDER: 8 DAVID HILL ROAD
 CONWAY, ARKANSAS 72032
SURVEYOR: ROBERT FRENCH
 1031 FRONT ST.
 CONWAY, ARKANSAS 72032

CERTIFICATE OF PRELIMINARY PLAT APPROVAL
 THIS PLAT HAS BEEN GIVEN PRELIMINARY PLAT APPROVAL ONLY AND HAS NOT BEEN APPROVED FOR RECORDING PURPOSES AS A PUBLIC RECORD. THIS CERTIFICATE SHALL EXPIRE ON _____ (896).

DATE OF EXECUTION: _____
SIGNED: BRANDON RULH, CHAIRMAN,
 CONWAY PLANNING COMMISSION

CERTIFICATE OF PRELIMINARY SURVEYING ACCURACY
 I, ROBERT D. FRENCH, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE, AND MATERIAL ARE CORRECTLY SHOWN.

DATE OF EXECUTION: _____
SIGNED: REGISTERED LAND SURVEYOR
 NO. 1363
 STATE OF ARKANSAS
 REGISTRATION No. 1363

Development Review Appeal

II.A

Record No. SIT2020DEC01

APPLICANT

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

OWNER

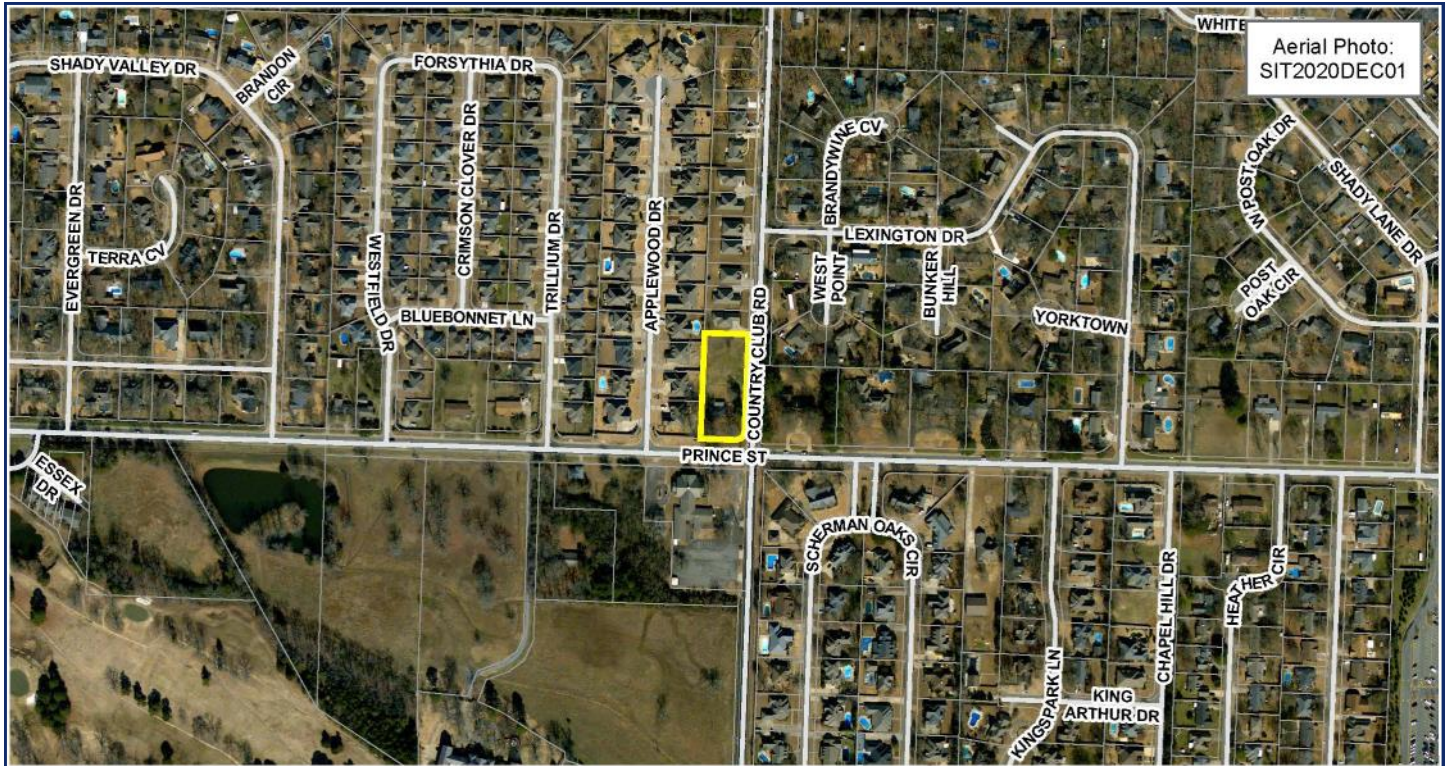
Hervey Insurance Agency, Inc.
345 Hallelujah Dr
Conway, AR 72034

DESIGN PROFESSIONAL

Sowell Architects
1315 North St, Ste 100
Conway, AR 72034

STAFF REVIEW BY

Levi Hill, AICP, Asst. Director



Location. 3200 Prince St; located at the northwest corner of Prince St and Country Club Rd.

Site Area. 0.96 acres +/-.

Current Zoning. PUD (Planned Unit Development).

Existing Structures. One single-family residence.

Overlay. None.

REQUEST

The applicant has submitted a site development plan proposing the reuse of an existing 1,947 square foot single-family residence to function as an insurance office. In association with this request, the applicant is proposing a new parking area located in the existing front yard of the property.



STAFF COMMENTS

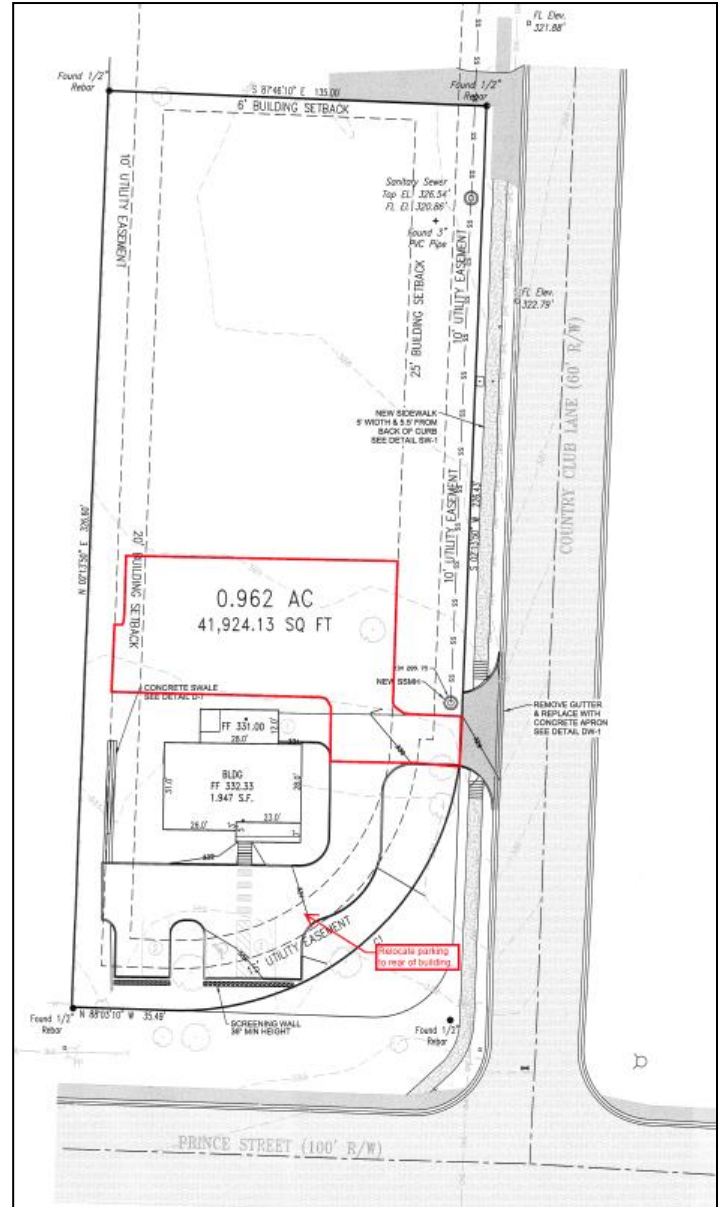
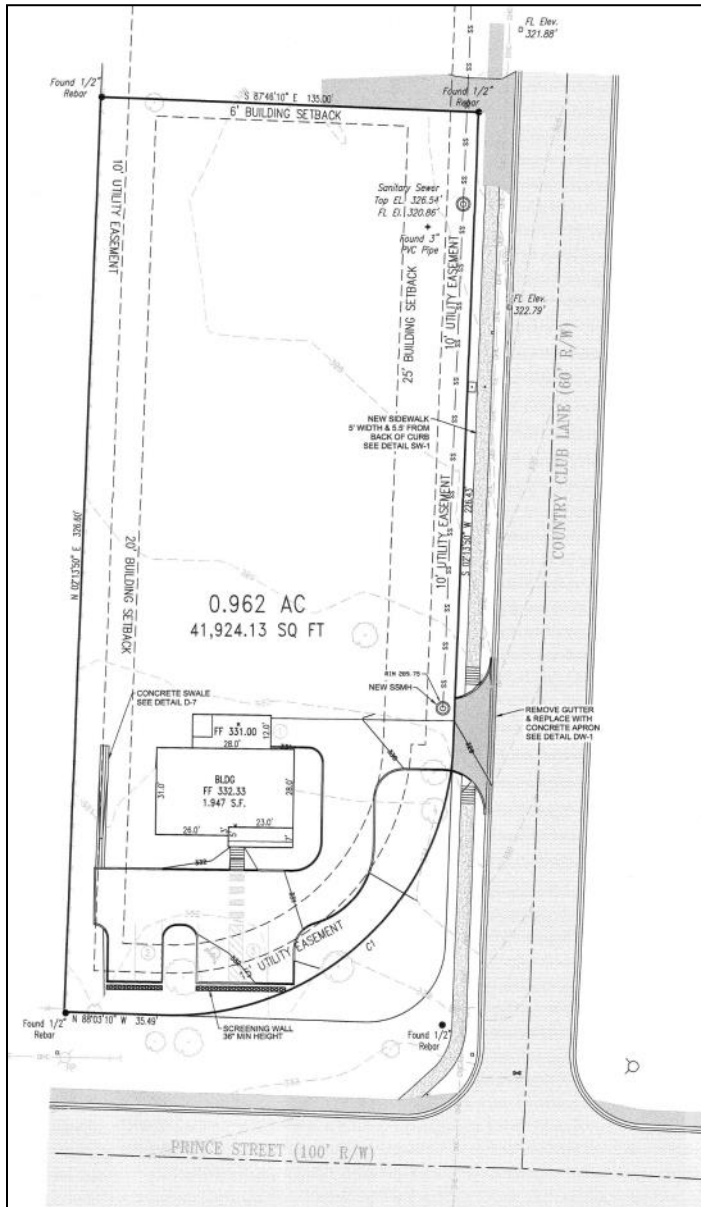
Staff issued comments to the applicant pertaining to the location of the proposed parking area, specifically noting concerns with regard to the following:

- Section 1101.7(D)(5)(a) of the Zoning Code states, *Parking areas located in the front setback or between the principal structure and any public street, including corner lots are strongly discouraged. Parking should be provided to the side and rear of the building, with no more than one (1) parking aisle on the side of any structure.* As proposed, the development does not comply with the above provision.
- As indicated on the site plan, a roundabout is planned for the intersection of Prince St and Country Club Rd. As proposed, it is unlikely that the development would allow sufficient space for a future sidewalk or applicable landscape requirements. Additionally, the proposed layout creates an unattractive relationship between the public and private realms at a prominent corner location.
- A key component and benefit to adaptive reuse projects is the opportunity to minimize impacts to the existing character of a given neighborhood. The north side of Prince St has an established residential development pattern from Salem Rd to McDowell Dr with no existing surface parking lots. Approval of the current parking layout will disrupt the defined character of the neighborhood.
- The site in question has ample space on the property to provide parking to the rear of the structure allowing the site to be effectively used while also meeting the City's development standards.

At this time the applicant has not addressed the comments noted above and has appealed the decision of the Planning Department in accordance with Section 1101.5 (Development Review Appeals).

STAFF RECOMMENDATIONS

Planning Staff recommends disapproval of the Site Development Plan as proposed. The proposed development plan conflicts with multiple provisions of the Zoning Code and would likely result in additional non-conformity with regard to City development standards.



Proposed Parking Location

Staff Recommended Parking Location



Request to Rezone: R-1 to C-2



Record No. REZ2021FEB02

APPLICANT

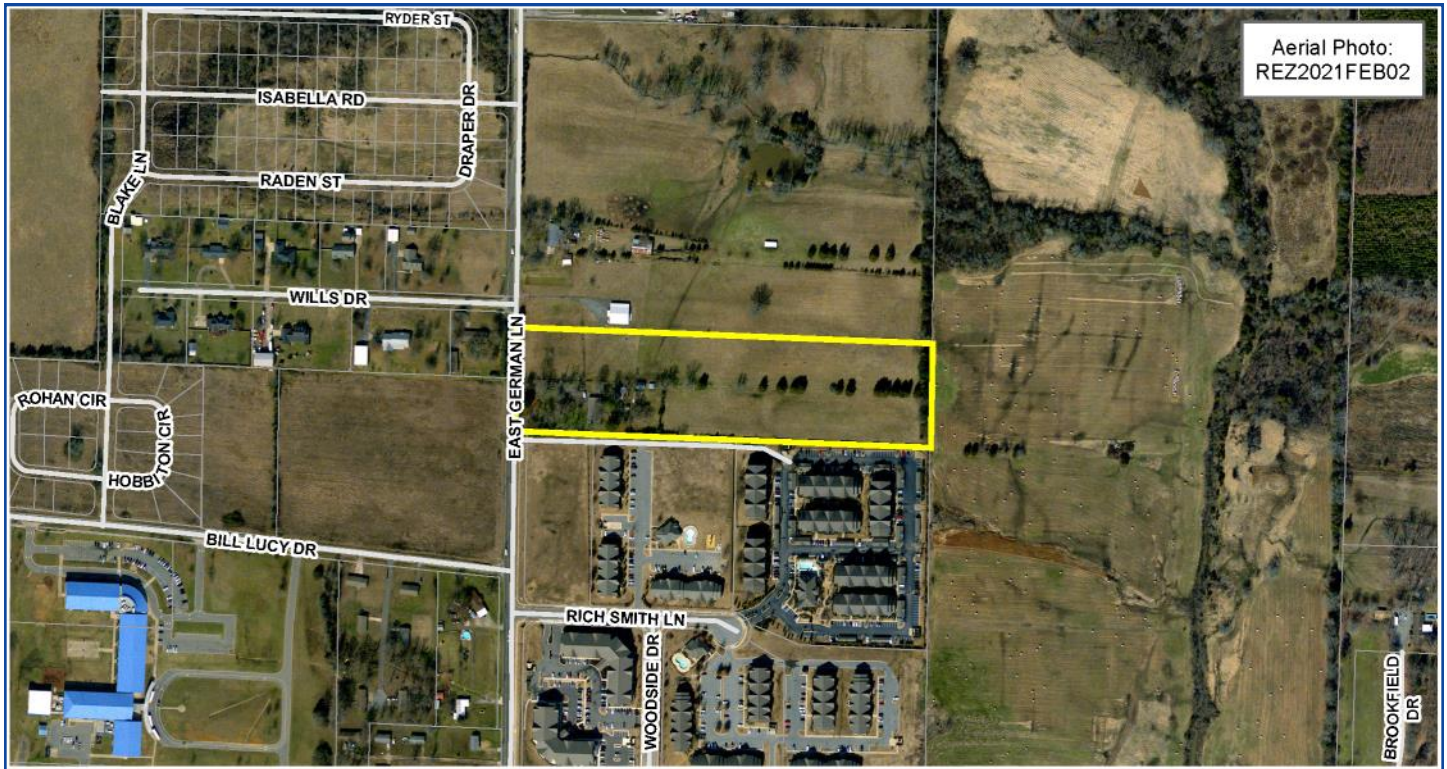
Chris Siler
Century 21 Legacy Realty
1622 Donaghey Ave
Conway, AR 72034

PROPERTY OWNER

William & Patricia Shook
1850 East German Ln
Conway, AR 72032

STAFF REVIEW BY

Beth Sketoe, Planner



Location. 1850 East German Ln.

Site Area. 10.0 acres ±.

Current Zoning. R-1 (One-Family Residential). *Annexation of this property was approved at the January 12, 2021 City Council meeting.*

Adjacent Zoning. West: R-1, RU-1; East, North: N/A (Outside City); South: MF-2 (Multi-Family, 18 units/acre), MF-3 (Multi-family, 24 units/acre).

Requested Zoning. C-2 (Neighborhood Commercial).

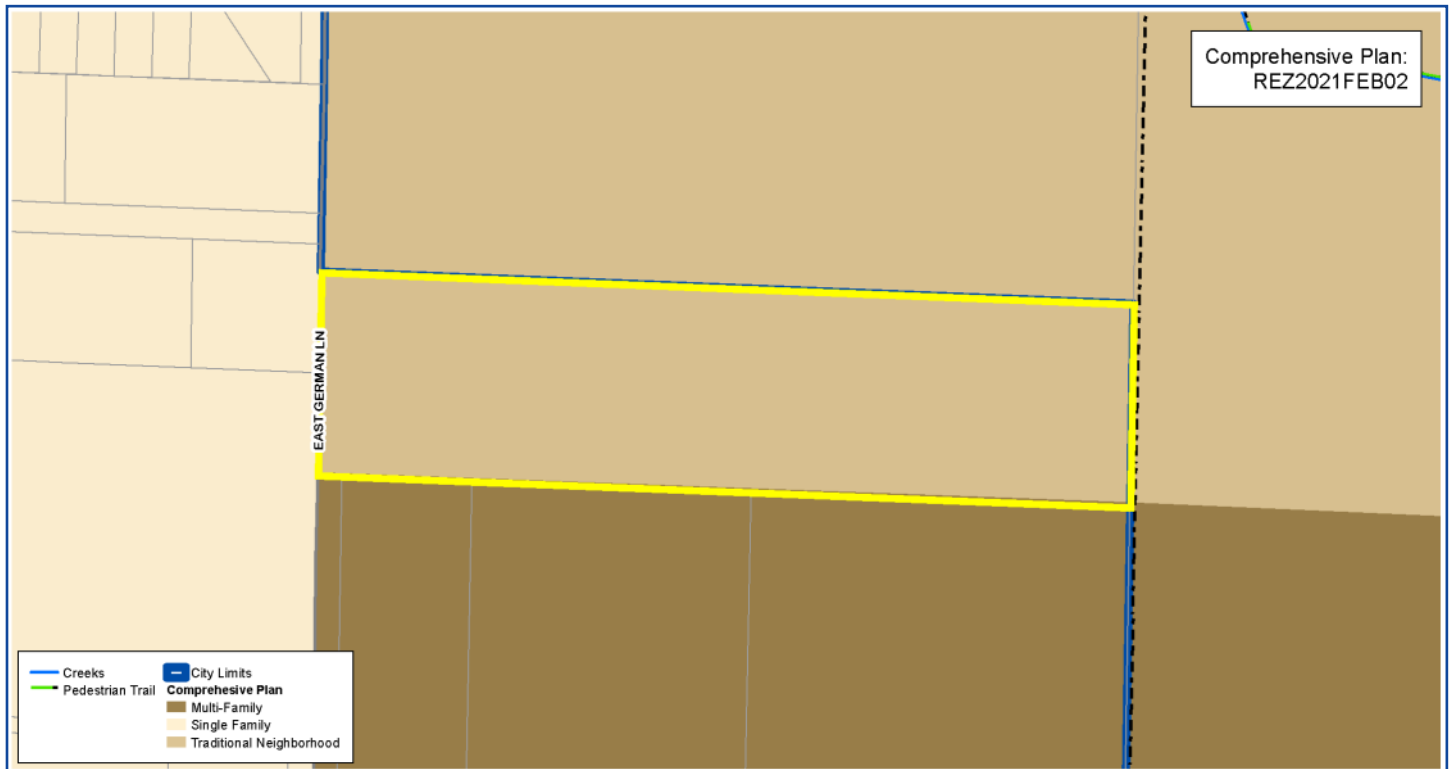
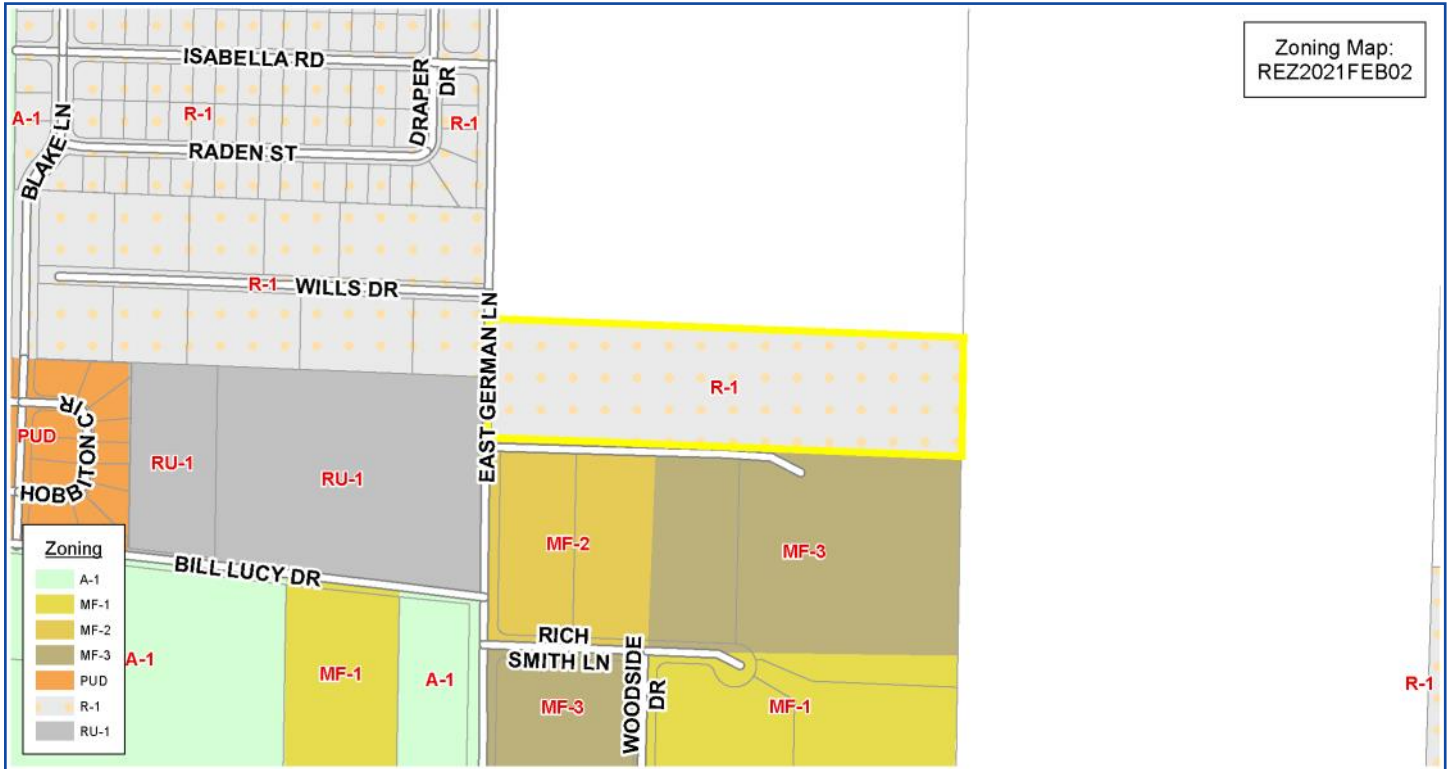
Existing Structures. 2,810 sf single-family residence plus various smaller outbuildings.

Overlay. Lower Ridge Road Corridor Study – Traditional Neighborhood.

Comprehensive Plan. Traditional Neighborhood.

Request to Rezone: R-1 to C-2

Record No. REZ2021FEB02



Projected Traffic Impact. With a rezoning to C-2 the traffic impact would likely be significant for those uses permitted by right. The highest traffic generating uses allowed in C-2 are restricted retail, office, and school. As the site is currently developed as one single-family residence, but could support multiple office or retail oriented buildings if re-developed, the site could generate in excess of 1,000-1,500 vehicle trips per typical weekday.

Current Traffic Counts. East German Ln - 8,400 average daily traffic.

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

Utilities. Water and sewer service extensions will be required to support development, but are available. Applicant will need to coordinate with Conway Corporation.

Master Street Plan. East German Ln – Minor Arterial.

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The applicant is seeking the rezoning in a effort to develop the property as a self-storage facility. *A request for a conditional use permit to allow mini-storage in C-2 has been submitted and will be considered on a future agenda. Such permit is dependent on the approval of this rezoning request.*
- The requested C-2 zoning is not consistent with the Comprehensive Plan or Lower Ridge Road Corridor Study's designations of Traditional Neighborhood (TN). *"The plan also identifies areas appropriate for traditional neighborhoods, which are compact, pedestrian-oriented, mixed use areas that include various types of housing, commercial activities, and open space."* (Lower Ridge Road Corridor Study)
- The surrounding properties are predominantly agricultural, residential, and institutional. Establishing new commercial uses in the immediate vicinity would create a mixture of incompatible uses.
- The rezoning of a 12.7 acre site, adjacent to the southwest, to RU-1 (Restricted Use District), and associated conditional use permit to allow a self-storage facility was approved in 2015. These changes are not congruent with the Comprehensive Plan or Lower Ridge Road Corridor Study. The property has never been developed as was approved and substantial single and two-family development has occurred in the immediate area in recent years. A similar request today would not likely be supported by Planning Staff.
- The site's R-1 designation is appropriate, however given the Traditional Neighborhood designation, a zoning district supporting increased density residential or mixed-use could also be appropriate.
- The use of the property solely for commercial or light industrial uses would not be appropriate.

STAFF RECOMMENDATION

Staff recommends denial of the rezoning request. The requested zoning does not align with either the Comprehensive Plan or Lower Ridge Road Corridor Study and is therefore not appropriate. The rezoning would allow a wide-range of commercial uses which could be incompatible with the predominantly residential surroundings, potentially having a negative impact on adjacent properties.

Request to Rezone: R-1 to C-2

Record No. REZ2021FEB02

III.A



Request to Rezone: R-1 and C-3 to S-1

III.B

Record No. REZ2021MAR01

APPLICANT/OWNER

Wesley United Methodist Church
Byron Mann
2310 E Oak St
Conway, AR 72032

STAFF REVIEW BY

Levi Hill, AICP, Assistant Director



Location. 2310 E. Oak Street; Approximately 320 feet east of the intersection of Sowell Dr and E. Oak St.

Site Area. 5.96 acres +/-.

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

Requested Rezoning. S-1 (Institutional).

Adjacent Zoning. North – R-1 (One-Family Residential); East – Outside City Limit; South, West – C-3 (Highway Commercial).

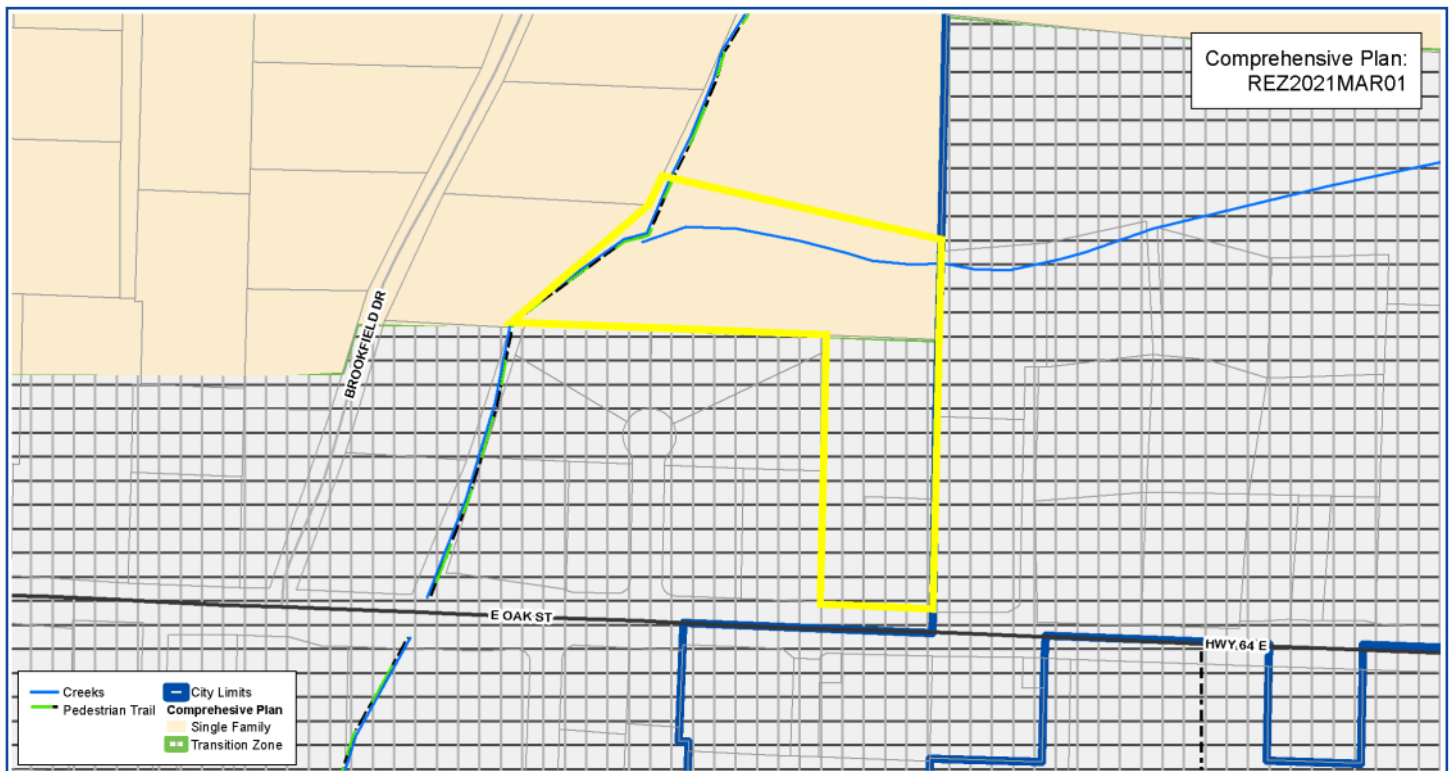
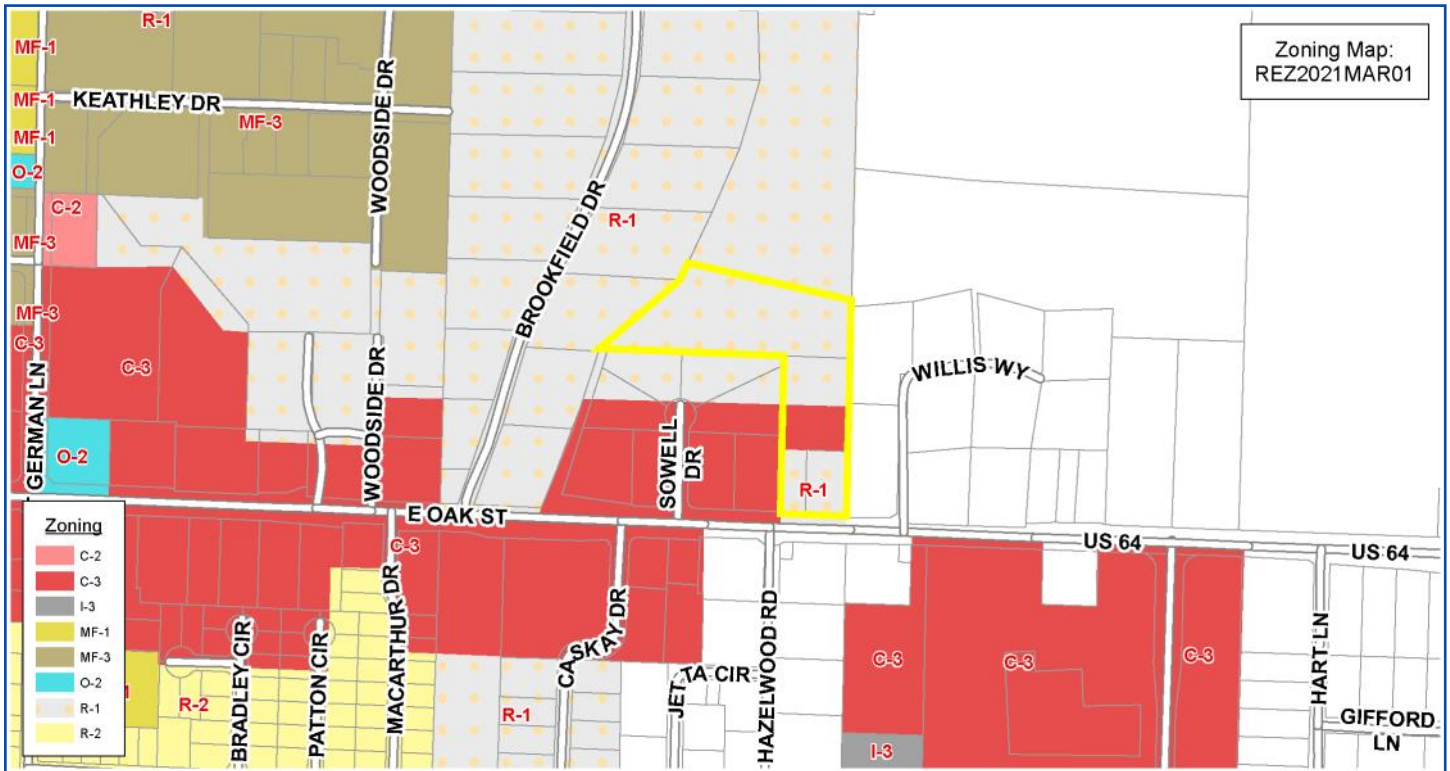
Existing Structures. Religious Facility.

Overlay. None.

Comprehensive Plan. Transition/Single-family.

Request to Rezone: R-1 and C-3 to S-1

Record No. REZ2021MAR01



Projected Traffic Impact. The site is previously developed with a religious facility and no changes to the use are proposed as a part of the request. Therefore, there is no anticipated change in traffic volumes.

Current Traffic Counts. E Oak Street (23,000 vehicles per day).

Flood/Drainage. Portions of the site lie within the floodway and FEMA Flood Zone AE.

Utilities. Utilities are available.

Master Street Plan. Oak St – Major Arterial.

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- The applicant is requesting a rezoning to S-1 for an existing religious facility.
- The requested rezoning would provide consistency with the existing use of the site as well as remedy the current split zoned condition of the property.
- The Comprehensive Plan designates the site as transition and single-family which is consistent with the applicant's rezoning request.
- The applicant is requesting the rezoning to permit the construction of a storage building ancillary to the existing religious facility.
- The use of the property for a religious facility is appropriate.

STAFF RECOMMENDATIONS

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

Request to Rezone: R-1 and C-3 to S-1

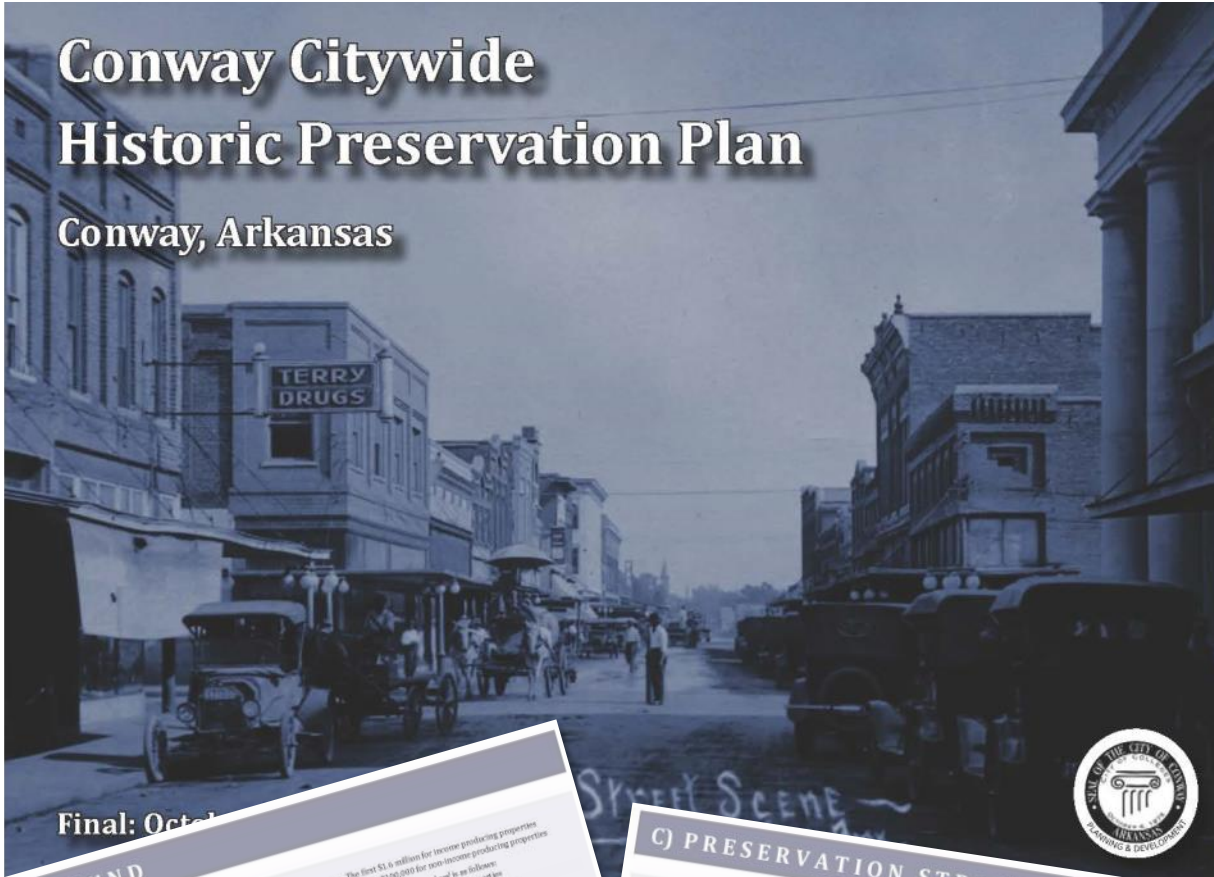
Record No. REZ2021MAR01

III.B



In 2019, the Conway Historic District Commission was awarded a \$25,000 Certified Local Government grant through the Arkansas Historic Preservation Program for the purpose of developing a city-wide historic preservation plan. The Conway City Council committed to a \$25,000 match for the project. The Walker Collaborative, an historic preservation consultant, was selected for the project. The Plan was completed in the fall of 2020 and was adopted by the Historic District Commission in February 2021.

[Link to Historic Preservation Plan](#)



A) BACKGROUND

The federal historic tax credit in Arkansas... Although it was proposed for the AHPP in 2016, the state tax credit... a report on the economic impact of historic preservation in Arkansas between 2009 and 2016... following findings (in 2016 dollars):

- The federal historic tax credit (HTC) program supported 57 projects valued more than \$24 million in restoration, million in renovation.
- The state of Arkansas supported 17 projects valued approximately \$10,000 to \$10 million.
- Restoration comprised the majority of federal HTC projects in Arkansas with the exception for 43 projects costing more than \$12 million.
- Commercial projects were the most common type of projects receiving the HTC program, with 43 projects costing more than \$2 million, although it was less than a third of the approximately \$7 million spent on the total projects.

EXISTING PLANNING & POLICY CONTEXT: PRESERVATION INCENTIVES

Below is a summary of the three primary preservation incentives that exist in Conway: one is federal, one is state-level, and the other is local incentive.

Investment Tax Credits for Historic Building Rehabilitation

Federal Tax Credit
This long-standing federal incentive for the qualified rehabilitation of historic buildings provides a twenty (20) percent investment tax credit. Main requirements include:

- The property must be listed on, or eligible for the National Register of Historic Places (NRHP), or a "contributing" structure within an historic district or a 100-designated district.
- Costs must exceed the adjusted cost basis (ACB), which requires generally the amount spent on the property (including generally) prior to the rehabilitation's initiation.
- The property must be income-producing, which can include mixed residential.
- The project must meet federal preservation standards (including generally) prior to the rehabilitation's initiation.

State Tax Credit
The state program mirrors the federal program in most ways, but with the following exceptions:
There is a twenty-five (25) percent credit for a portion of the investment, as follows:

- The first \$1.6 million for income-producing properties
- The first \$100,000 for non-income-producing properties
- The minimum investment level is as follows:
 - \$25,000 for income-producing properties
 - \$1,000 for non-income-producing properties

Impact Fee Exemption
Most development in Conway is subject to impact fees to offset the various expenses (social impacts) of new development. However, to encourage reuse development within the Downtown area, it is waived from these impact fees. This area is roughly the east half of the Old Conway Design Overlay District (OCDD) and includes Downtown. This exemption is designed to help preserve the large percentage of buildings in Conway that are historic. The historical area is highlighted in blue on the map at right.

CONWAY CITYWIDE HISTORIC PRESERVATION PLAN

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C) PRESERVATION STRATEGIES

ONGOING EDUCATION & PUBLIC OUTREACH

Interpretation
Within the context of historic preservation, interpretation involves the identification of interpretive themes, formulating the message to convey those themes, and utilizing the most effective techniques for communicating those stories. It can be important to building an emotional bond between local citizens and their historic resources, thereby increasing the odds of successful historic preservation efforts. Below are recommendations for enhanced interpretation of the Conway story.

Tours & Brochures
Conway offers an opportunity for multiple historic tours and associated brochures, as follows:

- Update and expand the Robinson Historic District walking tour brochure. This is an existing brochure that generally works well and only needs to be modified to be current, as well as expanded to address additional properties.
- Create a walking tour brochure for four locations for Downtown. It is recommended that the same general approach, look and feel of the Robinson brochure be used for this new brochure.

Wayside Exhibits
Wayside interpretive exhibits feature vertical or slanted panels mounted on a stand to convey information for interpretation, but do not tell a story.

- Develop wayside exhibits for Conway's African American heritage. These exhibits should be tied to the walking trail recommended above to focus on the hood. See tips for creating wayside exhibits in the sidebar at right.

Develop an African American Heritage walking trail and brochure to connect with the new Pine Street Community Home. Street area close to much of its original historic fabric, no longer present in an exact location but was once there. However, the information that could be provided through this recommended interpretive brochure.

Prepare an overall driving tour and brochure highlighting historic districts and individual properties. Rather than focusing on specific areas such as the Robinson Historic District, Downtown Conway or the Pine Street neighborhood, this tour would be community-wide and highlight all of the National Register districts and individual properties.

Wayside Exhibits
Wayside interpretive exhibits feature vertical or slanted panels mounted on a stand to convey information for interpretation, but do not tell a story.

- Develop wayside exhibits for Conway's African American heritage. These exhibits should be tied to the walking trail recommended above to focus on the hood. See tips for creating wayside exhibits in the sidebar at right.

Although the exhibit trail is for interpretive purposes, it is a part of the Pine Street Community Home project. It is recommended that the same general approach, look and feel of the Robinson brochure be used for this new brochure.

CONWAY CITYWIDE HISTORIC PRESERVATION PLAN

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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

- Lower Ridge Road Duplexes (SIT2020AUG02)

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

- Orchard Hills, Phase II (SUB2021FEB03)

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

- Museum Meadows (P2021-00006)
- Replat Lot 1R, Calvary Subdivision (P2021-00008)
- Orchard Hill Replat (P2021-000010)
- Esmeralda Subdivision (P2021-00011)