# Conway Planning Commission

# September Staff Report

7:00pm • September 19, 2016 • 810 Parkway Avenue



# CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA 7:00 pm • Monday • September 19, 2016 **District Court Building • 810 Parkway**

# SUBDIVISION COMMITTEE WILL MEET @ 6:30 in the City Hall downstairs conference room

**Call to Order** 

**Introduction & Chairperson Remarks** 

Minutes: August 15, 2016

- 1. Subdivision and Replat A. Ingram Village PUD, Preliminary Subdivision
- 2. Public Hearings\*
  - A. Sketoe Request to Rezone: I-1 to R-1
  - Life Choices Request to Rezone: A-1 to O-2 Β.
  - C. Johnson Request to Rezone: A-1 to PUD
- 3. Discussion
  - A. 2017 Planning Commission Nomination Schedule
  - B. Items as decided by the Planning Commission

Adjourn

Planning Staff Development Review/Minor Subdivision Reports to the Planning Commission The following items 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:

#### Α. **Development Reviews**

- Starbucks, 2125 Dave Ward Drive
- Covington Commercial Park, 635 Dave Ward Drive
- Little Ceasar's, 2235 East Oak Street
- Hendrix College Welcome Center, 1600 Washington Avenue
- Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record) Β. Banister Family Replat [minor]
  - Central Tube and Bar Subdivision [minor]

\*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 September 27, 2016.

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. A public notice will be placed on the City's website: www.cityofconway.org.

# **INGRAM VILLAGE PLANNED UNIT DEVELOPMENT PRELIMINARY SUBDIVISION**

#### **INGRAM VILLAGE PUD PRELIMINARY SUBDIVISION**

#### **APPLICANT/OWNER**

Allen Shaver Shaver Properties 1261 Harkrider Street Conway, AR 72032

#### **STAFF REVIEW BY**

Scott Grummer, City Planner 1201 Oak Street Conway, AR 72032

#### SITE DATA

Location. Property located at Ingram St, 2nd Street, and Monroe Street

Site Area. 5.9 acres +/-

Current Zoning. PUD (Planned Unit Development)

Existing Structures. 2 existing single family homes and accessory buildings

Overlay. None

#### **STAFF COMMENTS**

This is the follow up plat for the Shaver/Ingram PUD approved by the Planning Commission and City Council in June 2016.

#### STAFF RECOMMENDATIONS

Planning Commission approval is needed for item 14. Staff recommends approval of the preliminary plat subject to the amended punch list.

#### CONWAY CITY PLANNING DEPARTMENT REVIEW **INGRAM VILLAGE PUD PRELIMINARY PLAT** SUBMITTED BY: SHAVER PROPERTIES, LLC

This review lists the changes and/or additions as required by the Conway Subdivision Ordinance for preliminary plat approval.

#### **BASIC INFORMATION NEEDED ON THE PLAT**

- 1. A legal description of the property with exact boundary lines, bearings and distances is needed.
- 2. Any proposed open space must be shown.

#### ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

- 3. Contour intervals of the property of not more than two feet where the overall average slope is less than 4% grade and not more than five feet where the slope is greater than 4% are needed.
- Improvement plans for each new utility system are 4 needed.
- Improvement plans, including typical cross sections 5. and centerline profiles for any new street system, are needed.



- 6. Improvement plans for any new drainage system, including location, size and construction of drainageways and structures and typical cross sections and centerline profiles are needed.
- 7. The Certificate of Preliminary Engineering Accuracy is needed on each set of street and drainage plans.
- 8. 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 is needed.

#### **GENERAL DESIGN REQUIREMENTS**

9. The development plans shall include and identify a prepared and dedicated flowage path or floodway that will accommodate a one hundred (100) year frequency storm event across and through the development. The floodway shall be uniformly graded along the length of he floodway such that water will not pond or accumulate on the surface due to humps or depressions along the route. Computations for the quantity of storm water runoff, sizing of the floodway and elevation of the one hundred (100) year flood shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer. A



floodway will not be required where less than five (5) acre of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.

#### STREET DESIGN REQUIREMENTS

- 10. All methods to slow traffic must meet all relevant city regulations and must be approved by the City Engineer ar the Planning Director.
- 11. Multiple uses of traffic slowing methods are encouraged i an area.
- 12. State Fire Code 503.0.5 states that dead-end fire apparatu 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-desac requirement must be approved by the Conway Fire Marshall.
- 13. In the case of temporary dead end streets, less than 150 feet in length, which are stub streets designed to provide future connections with unsubdivided adjacent areas, the Planning Commission may require a temporary easement for a turnaround.
- 14. Where residential streets intersect other residential, LOT DESIGN REQUIREMENT collector or arterial streets, the curb radii at the 24. Setback and Easement requirements will be finalized as intersection shall not be less than 28 feet. Curb radii are at part of the final plat referencing the PUD Setback types. 25'. The Planning Commission must approve this request or this condition must be corrected. UTILITY DESIGN REQUIREMENTS

#### ALLEY DESIGN REQUIREMENTS

15. Alleys may be required at the rear of all lots used for nonresidential purposes where access for service, emergency vehicles, etc. is not otherwise adequately provided.

es I	16.	All alleys must be paved with concrete or asphalt with the center depressed to carry water.
	17.	Curbs and gutters are not required for alleys.
		Alleys must have no less than 20 feet of right-of-way.
		Alleys must have a paved width of no less than 16 feet.
	20.	As a PUD, streets and alleys will be private. These private
nd		streets and alleys design, widths, and rights of way are
		subject to City Engineer approval.
n		
	EAS	EMENT DESIGN REQUIREMENTS
us	21.	Utility easements as required by Conway Corporation are needed.
	22.	Preliminary Plat approval is subject to City Engineer
		approval of Drainage and easements.
	23.	Where possible, pedestrian trail and pathway systems
		shall link open space corridors through major utility,
		drainage and other easements and another easement for
		the pathways shall be established within that easement.
•		Pedestrian pathway easement should be considered along

25. 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.

the Utility Easement running east/west mid- block.

### **INGRAM VILLAGE PLANNED UNIT DEVELOPMENT PRELIMINARY SUBDIVISION**

26. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

#### SIDEWALK DESIGN REQUIREMENTS

- 27. Sidewalks Along Residential Streets: Sidewalks along streets with residential lots shall be constructed by the homeowner/builder. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy. This note should replace number (3) under sidewalk notes.
- 28. Sidewalks along streets on unbuildable, green space, and other permanently vacant lots will be the responsibility of the developer.
- 29. Any developer required sidewalk shall be constructed concurrently with other subdivision infrastructure. Such construction shall be completed or assurance for construction shall be required along with other infrastructure improvements prior to filing of the final plat.

#### **OTHER REQUIREMENTS**

30. 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.

#### **AUTHORIZATION TO PROCEED**

31. 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.

#### **EXPIRATION OF PLAT**

32. 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 Ingram Village PUD will expire on 09/01/2017.



#### **Preliminary Plat**



#### Certificate of Orene

I the undersigned, own have laid off, platted nd subdivided, and do hereby layoff, plat and subdivide the real esta within plat, and do hereby dedicate to the use of the public; the stree shown on said plat

Date of execution

Shawer Properties LLC. (Allery Shaver), 1261 Harkrider, Conway, AR 72032 (501)730-3584

Source of Title: D.R. 2015 Page 17511 and D.R. 2014 Page 2541

rveying Accuracy armon, hereby certify that this plat cor y markers and lot corners shown here rectly shown and all minimum roquire ors have hoan met. rs shown hereon actually exist and their location, type and timum requirements of the Arkansas Minimum Standards

Date of Execution:

Justin Dodd Harmon, Arkansas Professional Land Surveyor No. 1356

ertificate of Preliminary Approval Pursuant to the Conway Subdivision Regulations, this docu

ector of the City of Con

Date of Execution \_\_\_\_

Mark Lewis Chairman, Planning Commission

This property is serviced by Conway City Water and Conway City Sewer System

This document filed for re

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#### SKETOE REQUEST TO REZONE PROPERTY AT 3600 DONNELL RIDGE ROAD FROM I-1 TO R-1

**APPLICANT/OWNER** John & Beth Sketoe 57 Timberlane Trail Conway, AR 72034

**STAFF REVIEW BY** Jason Lyon, Asst. Director of Planning and Development 1201 Oak Street Conway, AR 72032

SITE DATA Location. 3600 Donnell Ridge Rd

Site Area. 2.66 acres +/-

Current Zoning. I-1 (Intermediate Industrial District)

Requested Zoning. R-1 (Single Family Residential District)

Existing Structures. None

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as a transition zone with industry on the west and single family residential on the east. The area's actual land use does not fit this description as there is a wellestablished residential development to the east, a private recreational facility and dog boarding facility to the north, and a mobile home park and multifamily complex to the west. Slightly farther to the northwest is a water treatment facility.

Projected Traffic Impact. Current I-1 zoning would allow a general retail development with a possible traffic generation count of 144 vehicle trips per day. With the proposed R-1 zoning, around 10 vehicle trips per day would be generated.

Donnell Ridge Road will be used as access to the property due to terrain issues from Old Military Road.

Flood\Drainage. There are no flood issues on this property. Drainage will flow down the significant hillside, but with an R-1 use, there would be little drainage run off.

Utility Infrastructure. Utilities in the area should be sufficient for single family home. Fire protection may need to be addressed as fire hydrants sit 470 ft south of the southern property line and 400+ ft to the west across the McNutt Road ridge cut.

Street Improvements. Old Military and Donnell Ridge Roads were both realigned in the past 5 years with the ridge cut. This corridor is more than capable of handling the traffic in the area and the traffic increase from a single family residence would be negligible.

Conway 2025. Not directly related to this request.



#### **STAFF COMMENTS**

The applicant is seeking a rezoning from I-1 (Intermediate Industrial District) to R-1 (Single Family Residential District) with plans to build a single family home. A rezoning to R-1 would coincide with the adjacent properties to the east, which are currently zoned R-1. The area I-1 district was approved in 1999. No industrial land uses have been created in this area. The Old Military Road improvements cut through the ridge and effectively cut the property in half further reducing the usefulness of the property for industrial activities, due to terrain, size, and accessibility.

#### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request, as R-1 zoning is much less intrusive to surrounding area residents. The Old Military Road cut through and rerouting of Donnell Ridge Road, effectively made industrial uses for this property very limited due to terrain and lack of access.





#### LIFE CHOICES, INC. REQUEST TO REZONE PROPERTY LOCATED AT 1330 S DONAGHEY AVE FROM A-1 TO 0-2

#### **APPLICANT/OWNER**

Life Choice's Inc. Donna Gray, Board Member 609 Locust Street Conway, AR 72034

#### **STAFF REVIEW BY**

Jason Lyon, Assistant Director of Planning & Development 1201 Oak Street Conway, AR 72032

#### SITE DATA

Location. 1330 South Donaghey Ave.

**Site Area.** 1.01 acres +/-; 0.77 developable area due to ROW dedication needed upon expansion.

Note. 2 Conditional Use Permits are assigned to this property, No. 1130 issued 4/25/2000 for a Child Care Facility in O-2 and No. 1169 issued 3/26/2002 for an elementary school. If the rezoning is approved, Permit No. 1169 will become null and void as elementary school is allowed by right in O-2.

Current Zoning. A-1 (Agricultural District)

Requested Zoning. O-2 (Quiet Office District)

Existing Structures. A single family home

#### Overlay. None

**Comprehensive Plan.** The Comprehensive Plan shows this area as appropriate for single family residential. To the south and across South Donaghey Ave, is a mix of single family and duplex residential. To the north, is an assisted living facility.

Projected Traffic Impact. With the existing A-1 zoning and 1 single family home, trips are minimal at 10 vehicle trips per day. With O-2 zoning and full development, traffic would be higher but the size of the parcel and developable area would not generate traffic so high as to inhibit the current flow on South Donaghey. Due to these size constraints, a general office with 10 employees would generate around 40 vehicle trips per day. Any expansion of the existing structure or rebuilding on the property would trigger development review standards and setback requirements as prescribed by the zoning ordinance.

**Flood\Drainage.** There is no flood plain located on the property but there is flood plain located across South Donaghey. Both sides of South Donaghey are open ditch allowing the flow of water off the property into Stone Dam Creek to the north.



Utility Infrastructure. Developers of the property should coordinate with Conway Corporation on utility upgrades needed for development on the property and Fire Department regarding fire hydrant location and needs. There is a fire hydrant located to the south at the entrance of Southridge Gardens Subdivision (#2723).

Street Improvement. There are currently no known plans for upgrades to South Donaghey Ave in this section.

**Conway 2025.** The city is currently working on extending the Stone Dam Creek trail located to the north of the property, however there are currently no sidewalks directly on the property.

#### **STAFF COMMENTS**

The applicant is seeking a rezoning from A-1 (Agricultural District) to O-2 (Restricted Office District) with plans to utilize the existing structure as a small office for their non-profit. The small size of the property prohibits any type of large scale office structure and parking. The traffic generated by such a small office would be negligible along a major arterial in comparison to the adjacent properties.

#### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this request, as O-2 zoning has limited by right uses. Any additional conditional uses would need Planning Commission and City Council approval. The small size of the property and the improbability of a large vertical structure limits the overall impact of O-2 zoning approval.





# JOHNSTON REQUEST FOR REZONING: A-1 TO PUD

#### JOHNSTON REQUEST TO REZONE PROPERTY LOCATED AT COLLEGE AVENUE AND WESCON LANE FROM A-1 (AGRICULTURAL) TO PLANNED UNIT **DEVELOPMENT (PUD) ~ EDGEWOOD PARK**

#### APPLICANT/OWNER

Lance Johnston 344 Conway Boulevard Conway, AR 72034

#### **STAFF REVIEW BY**

Bryan Patrick, Director of Planning and Development 1201 Oak St Conway, AR 72032

SITE DATA **Location.** SW Corner of Wescon Lane and College Avenue

Legal Description. On file

Site Area. 14 acres +/-

Current Zoning. R-1 (Single Family Residential)

Requested Zoning. PUD (Planned Unit Development)

Existing Structures. 2 Single family residences and accessory buildings

Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential.

Projected Traffic Impact. Under current R-1 zoning and developed with the maximum number of residences allowed at approximately, 50 single family homes, 500 vehicle trips per day could be expected. With a rezoning to PUD and developed as proposed with 24 single family residences, around 240 vehicle trips per day could be expected.

Utility Infrastructure. There are adequate utilities in the area to serve development.

**Flood/Drainage.** This property is not within the 100 year floodplain or floodway. An open ditch area in the southwest corner of the property serves two concrete ditches and is a blockage point in the drainage system. This open ditch must be improved to match the inlet and outlet.

Street Improvements. There are no street improvements planned in the immediate future for area streets. A private residential driveway will be improved into a 20 foot wide private street serving the north 6 lots of phase 1. A public street with a reduced width of 23 feet and a 44 foot wide right of way will serve the southern phase 2 and 3 lots.

Conway 2025. Not directly applicable.

#### STAFF COMMENTS

This project would allow the creation of a mixed size single



family residential development. The PUD would be developed in 3 phases. The north lots of phase 1 will range in size from .45 to 1.53 acres. Phase 2 has an average lot size of 7387 square feet, just slightly slimmer than the typical R-1 7,500 sf required lot size. Between Phase 2 and Phase 3 are two green space lots. Phase 3 will consist of 2 large residential lots served by a private drive extending from the public street cul- de sac.

PUD Specific Requirements. Below is an examination of requirements specific to PUD zoning requests:

- Relation to Utilities and Major Roads. A PUD shall be located in relation to utility systems, drainage systems, and major roads so that neither extension or enlargement of public facilities shall be at the public's expense. The proposal would not create any additional expense to the public.
- Internal Street Network. A PUD shall include an internal system of streets, parking aisles, and/or cross access drives that can safely and efficiently accommodate vehicular traffic generated by the PUD. The proposed PUD would upgrade the existing sidewalk in Phase 1 to a 20 foot wide private drive. The Fire Department has signed off on this design. Phase 2 will be served by a 23 foot wide public street with a 44 foot wide right of way. Phase 3 would be served off a private drive extending from the public street cul de sac.





- Sidewalk System. Unless there are outstanding reasons that warrant otherwise, all internal streets within the PUD shall include pedestrian sidewalks. The proposed Phase 1 private drive will include a sidewalk on one side. The public street serving Phase 2 and Phase 3 will have a 5 foot sidewalk on both sides of the street. Sidewalks are also required along Wescon and College; however, due to the current open ditch construction, the City Engineer prefers an in-lieu fee instead of sidewalk construction at this time.
- **Common Space.** The incorporation of plazas, courtyards, and other outdoor spaces for people to gather is encouraged. *2 green space lots are proposed between Phase 2 and Phase 3. There is also a private lake that will be accessible through a walking trail.*
- **Green Space.** PUDs over 3 acres in area shall dedicate a minimum of 20% of the development as green space. Green space is defined as permeable area set aside for open space or landscaping. 20% green space is accomplished through the 2 green space lots, lake, and private yards.
- **Property Owners Association.** PUDs may require the formation of a property owners association to oversee the upkeep of common areas and green spaces. *A property owners association should be formed to provide maintenance and upkeep on common areas such as the green space lots, trails, and lake.*
- **Required Meetings.** A PUD request requires two specific meetings prior to the Planning Commission public hearing; a development review meeting and a public informational meeting. *The development review meeting was held on August 24, 2016 at City Hall. This meeting is a technical meeting between the applicant and city officials to determine any technical development issues. Discussion centered on fire access, connectivity, sanitation service, and utilities. No outstanding problems with the proposed development were noted.* On September 8, 2016 a public informational meeting was held at Conway City Hall. There were 5 people at the meeting and after some discussion they seemed generally satisfied with the proposed development.
- **Signage.** Unless specified otherwise, a PUD is subject to current Conway sign regulations. However, as part of the PUD's final development plan, signage may deviate from these requirements. *There are no special sign variance requests as part of the PUD*.
- **Platting, Development Review**. The proposed PUD will be platted into individual lots that will be sold. A plat will be required to record this subdivision. *Platting will be required upon approval of the PUD prior to issuance of building permits.*

#### STAFF RECOMMENDATIONS

Staff recommends approval of the PUD as submitted with conditions that make the project most compatible with the surrounding area. As proposed, the PUD will create a neighborhood somewhat similar to a conservation neighborhood. The houses are either set on larger lots or to one side of the developable property in order to conserve some green space areas and lake. The mixed lot sizes and use of private and public streets creates a unique infill development.

**SUGGESTED PUD FINAL DEVELOPMENT PLAN CONDITIONS** A list of possible conditions is presented below. The Commission should examine these suggested conditions and delete, modify, or add to as needed.

- 1. **PUD shall be generally developed as shown on site plan.** Variations from the submitted plan shall be allowed for technical reasons. However, the density and intent of the site plan shall be followed.
- 2. **Platting shall be required.** Any additional right of way, sidewalks, etc. as required by the Subdivision Ordinance shall be dedicated and constructed. Any additional right of way per the Master Street Plan along College Ave and Wescon Ln shall be dedicated as part of the platting process.
- 3. **Setbacks, Lot Coverages, Parking Areas and Building Form.** Setbacks, parking areas, and private drive easements, public rights of way, etc. shall be defined in the final development plan, plat, and PUD documents as necessary.
- 4. Storm water drainage ditch and/or structure shall be constructed to the City Engineer's specifications in the southwest corner of the property connecting the existing drainage system.



Planning Commission Staff Report • September 2016

## 2017 PLANNING COMMISSIONER NOMINATION/SELECTION SCHEDULE

#### Proposed Schedule for the Nomination of 2017 Planning Commission Members

The calendar below is presented for discussion.

Two new members will be needed in 2017 to fill Mark Lewis and Matthew Brown's positions, whose terms are expiring. The two new 5 year terms will expire in 2021.

City wide representation is a desirable trait of the Planning Commission. Not including the two outgoing members, the Planning Commission consists of:

Ward 1: 1 member

- Ward 2: 3 members
- Ward 3: 2 members

Ward 4: 2 members

Mark Lewis resides in Ward 3 and Matthew Brown in Ward 1.

Ideally, the new members would represent a combination of Wards 1, 3 and/or 4

The nomination schedule below shows a window for nominee interviews and selection available between November 1 and November 18, 2016.

STEP	DATE	ACTION	DAYS PRIOR TO TERM EXPIRATION	DAYS REQ'D PRIOR TO TERM EXPIRATION	
1	October 1, 2016 (Saturday)	Planning Commission advertises for nominations	92	90	
2	October 17, 2016 (Monday) October Planning Commission Meeting	Planning Commission discusses nomination process and creates nomination committee(s)	75	N/A	
3	October 31, 2016 (Monday)	Planning Commission closes nominations	61	60	
4	November 1, 2016 (Tuesday)	All Planning Commission nomination forms received by the deadline are sent to current Planning Commissioners			
5	November 1 to November 18, 2016	Nominee interviews, discussion and selection			
5	November 21, 2016 (Monday) November Planning Commission Meeting	Planning Commission chooses and submits nominees to the City Council. Nominee choices are released to the media	41	30	
6	December 13 to December 27, 2016	City Council takes under advisement for ? Days	18	10	
7	December 27, 2016 (Tuesday) Second December City Council Meeting	City Council notifies Planning Commission of action	4		



Mark Lewis, Chairman Matthew Brown, Vice-Chairman Justin Brown, Secretary Marilyn Armstrong Brooks Freeman Dalencia Hervey Bryan Quinn Jerry Rye Wendy Shirar Anne Tucker

Contact the Conway Planning Commission by email at planningcommission@cityofconway.org

City of Conway Planning & Development Department 1201 Oak Street Conway, Arkansas 72032 501.450.6105 501.450.6144 [f] www.cityofconway.org