



# CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

January 18, 2022 • 7:00pm • 1111 Main Street



# City of Conway

## PLANNING COMMISSION

January 18, 2022

### PLANNING COMMISSION

Rhea Williams, Chair  
Rebekah Fincher, Vice-Chair  
Laura King, Secretary  
Alexander Baney  
Adam Bell  
Latisha Sanders-Jones  
Ethan Reed  
Drew Spurgers  
Larry Webb  
Greg West

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 **January 25, 2022.**

Items not approved by the Planning Commission may be appealed to the City Council within 30 days of the date of Planning Commission denial, with exception of decisions made by the Planning Commission acting as the Board of Zoning Adjustment.

### Call to Order and Roll Call.

### Finding of a Quorum.

### Approval of Minutes. December 20, 2021

### I. Subdivision Review\*

- A. Request for preliminary plat approval of Bell Valley Subdivision, Phase 4 (SUB-1221-0163)
- B. Request for preliminary plat approval of Orchard Hill Subdivision, Phase 3 (SUB-1221-0164)

### Public Hearings\*\*

- A. Request to modify Lot 7C of the North Market Plaza PUD to allow residential development (REZ-1221-0160)
- B. Request to rezone 32.12 acres± located immediately east of 4693 Dave Ward Dr from A-1 to MF-2 [19.81 acres±] and C-3 [11.31 acres±] (REZ-1221-0162)
- C. Request to modify Lot 12A of the Club Villas PUD to allow additional residential development (REZ-1221-0166) *request is postponed to February 23, 2022 meeting; legal notification requirements were not met.*

### II. Announcements/Additional Business

- A. Items as decided by the Commission

### Adjourn.

*\*Subdivision Review items are included for consideration as administrative reviews to determine compliance with the Conway Subdivision Ordinance, Zoning Code, and applicable plans. Such items are not conducted as public hearings.*

*\*\*Order and conduct for public hearings: Following the announcement of the item by the Chair, Planning Staff will present the report findings. Following Staff presentation the Applicant is granted up to 10 minutes for additional presentation with subsequent favorable public comments limited to 3 minutes per person. If opposed parties are present the initial speaker is then granted up to 10 minutes with each subsequent public comment limited to 3 minutes per person. No person shall address the Planning Commission without first being recognized by the Chair and stating his/her name and address for the public record. All questions/remarks shall be made from the podium and addressed through the Chair to the Commission as a whole. Any group with common interest shall select a speaker to address the Commission on behalf of the group; repetitive comments will be limited.*

# Request for Preliminary Plat Approval - Bell Valley Subdivision Phase 4

I.A

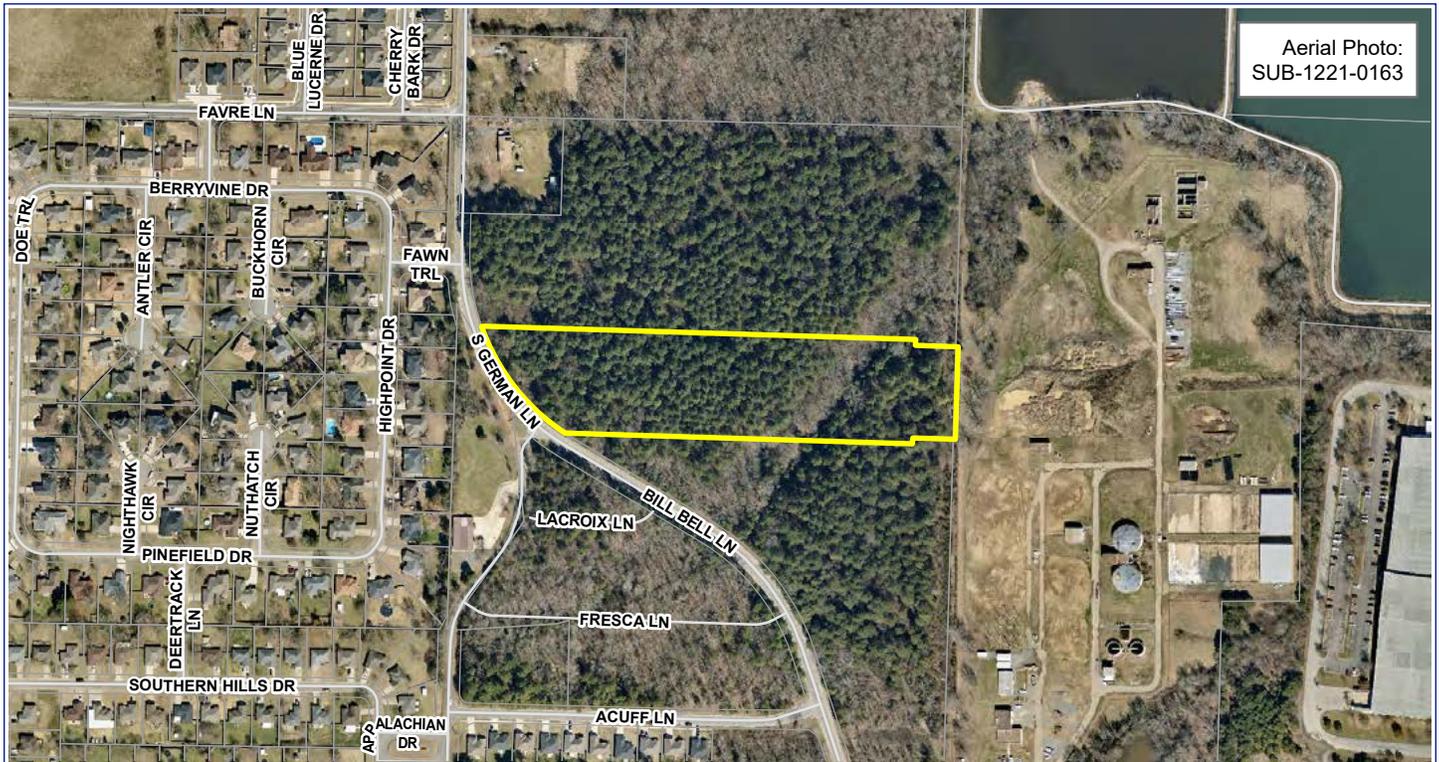
6.95 acres± east of Bill Bell Lane at South German Lane

## APPLICANT/AUTHORIZED AGENT

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

## OWNER

Frank Shaw Properties, LLC  
1315 Main St  
Conway, AR 72034



## SITE DATA

**Location.** East of South German Ln; approximately 150 feet southeast of the intersection of Fawn Trl and South German Ln.

**Site Area.** 6.95 acres±.

**Current Zoning.** R-1.

**Comprehensive Plan.** Single-family.

**Master Street Plan.** South German Ln (Collector in a Residential Zone).

**Existing Structures.** None.

**Overlay.** None.

## REQUEST

The applicant is requesting preliminary approval of a 32-lot subdivision located on the east side of South German Ln, approximately 150 feet southeast of the intersection of Fawn Trl and South German Ln. The development represents Phase 4 of Bell Valley Subdivision. The proposed buildable lots range from 0.14 acres to 0.37 acres, consistent with the requirements for the R-1 zone. The subdivision proposes access via South German Ln. Lots will front 2 internal streets. Lots 22 and 53 front Bill Bell Ln and South German Ln, but access will be limited to internal streets. All proposed streets will require 5-foot sidewalks with a 6.5' greenspace.



# Request for Preliminary Plat Approval - Bell Valley Subdivision Phase 4

I.A

6.95 acres± east of Bill Bell Lane at South German Lane

## **STAFF COMMENTS**

- The subdivision is designed so that no lots in this phase directly access Bill Bell Ln or South German Ln; a 10-foot planting easement is included along the frontages for these lots.
- The subdivision will connect to Phase 3, adjacent to the south; a stub out is provided for future connection to the north.

## **STAFF RECOMMENDATIONS**

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval.

## **CORRECTIONS NEEDED ON THE PLAT**

1. Show location of all fire hydrants.
2. Street names shall be proposed and availability confirmed with GIS Manager.
3. Drainage easement [shared by Lots 32 and 33] alignment revised to center on property line and/or easement increased to accomplish centering on property line.
4. Corrections as noted on the Preliminary Plat and Street & Drainage Plans as provided to the applicant.

## **CONDITIONS**

5. Wheelchair ramps shall be installed by the developer/subdivider in accordance with the City of Conway Transportation Department Standard Details.
6. Sidewalks along the South German Ln and/or Bill Bell Ln frontages of Lot 53 and Lot 22 shall be constructed by the developer/subdivider, as the street is of a Collector classification, in accordance with the City of Conway Transportation Department Standard Details.
7. Lots 53 and 22 shall not take access from South German Ln/Bill Bell Ln.
8. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
9. A draft of a Bill of Assurance for the proposed subdivision describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat.
10. 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.
11. All other applicable provisions of the City of Conway Subdivision Ordinance (O-00-03) shall be satisfied and accounted for prior to issuance of authorization to proceed. Receipt of an approved, signed copy of the Preliminary Plat along with approved Street & Drainage Plans shall constitute authorization by the Planning Commission for the developer to proceed with installation of improvements and preparation of the Final Plat.



# Request for Preliminary Plat Approval - Bell Valley Subdivision Phase 4

I.A

6.95 acres± east of Bill Bell Lane at South German Lane



View of Phases 3 and 4 from South German Ln looking NE



View of subject property from South German Ln looking NE

# Request for Preliminary Plat Approval - Orchard Hill Subdivision Phase 3

I.B

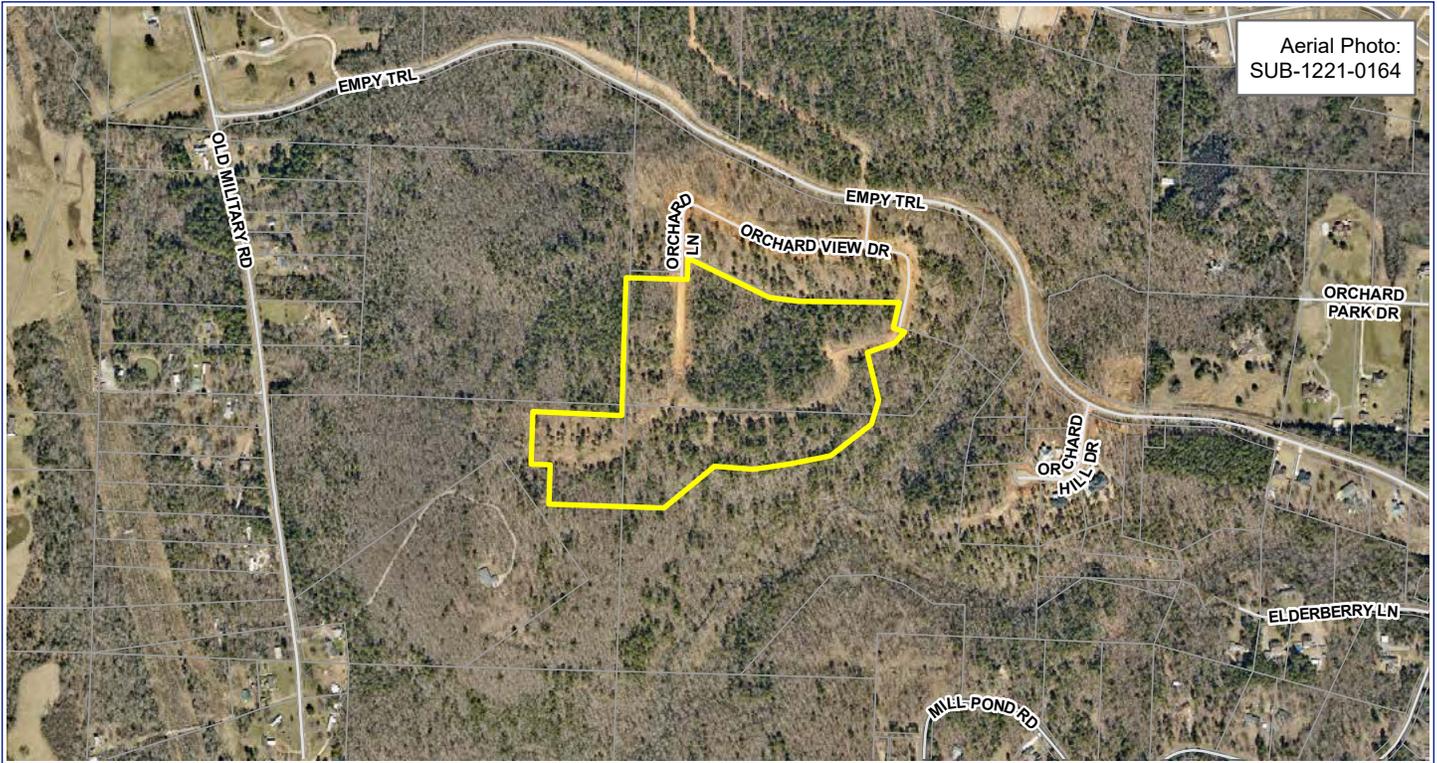
32.24 acres± south of Empy Trail and Orchard Hills Phase 2

## APPLICANT/AUTHORIZED AGENT

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

## OWNER

Frank Shaw Properties, LLC & East Side Boys LLC  
1315 Main St  
Conway, AR 72034



## SITE DATA

**Location.** Approximately 800 feet south of Empy Trl; adjacent to Orchard Hill Subdivision Phase 2; extensions of Orchard Ln and Orchard View Dr.

**Site Area.** 32.24 acres±.

**Current Zoning.** Not zoned; property is outside the incorporated city limits, but within the Planning Area Boundary.

**Comprehensive Plan.** Single-family.

**Master Street Plan.** Orchard Ln - Local in a Rural Residential Zone, Orchard View Dr - Local in a Rural Residential Zone, Empy Trl - Collector.

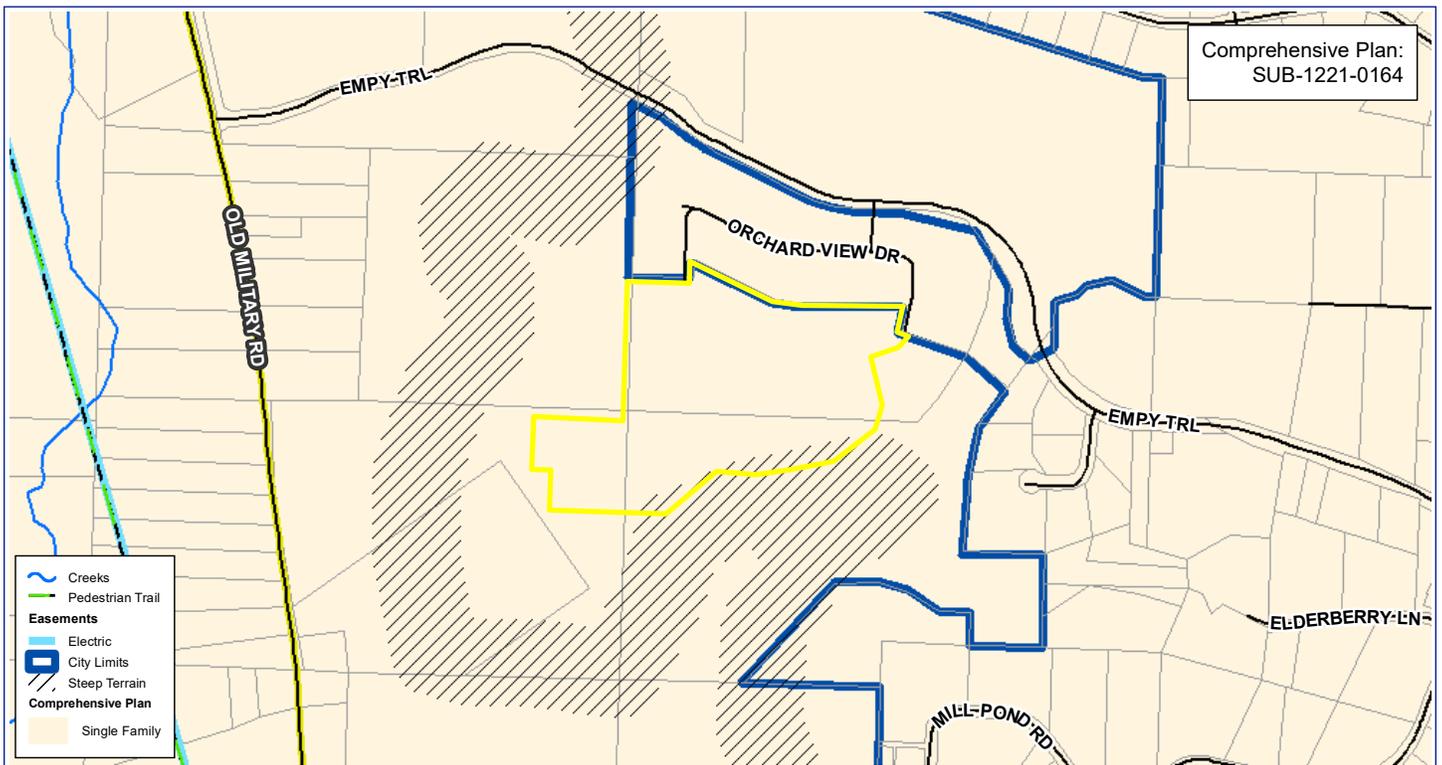
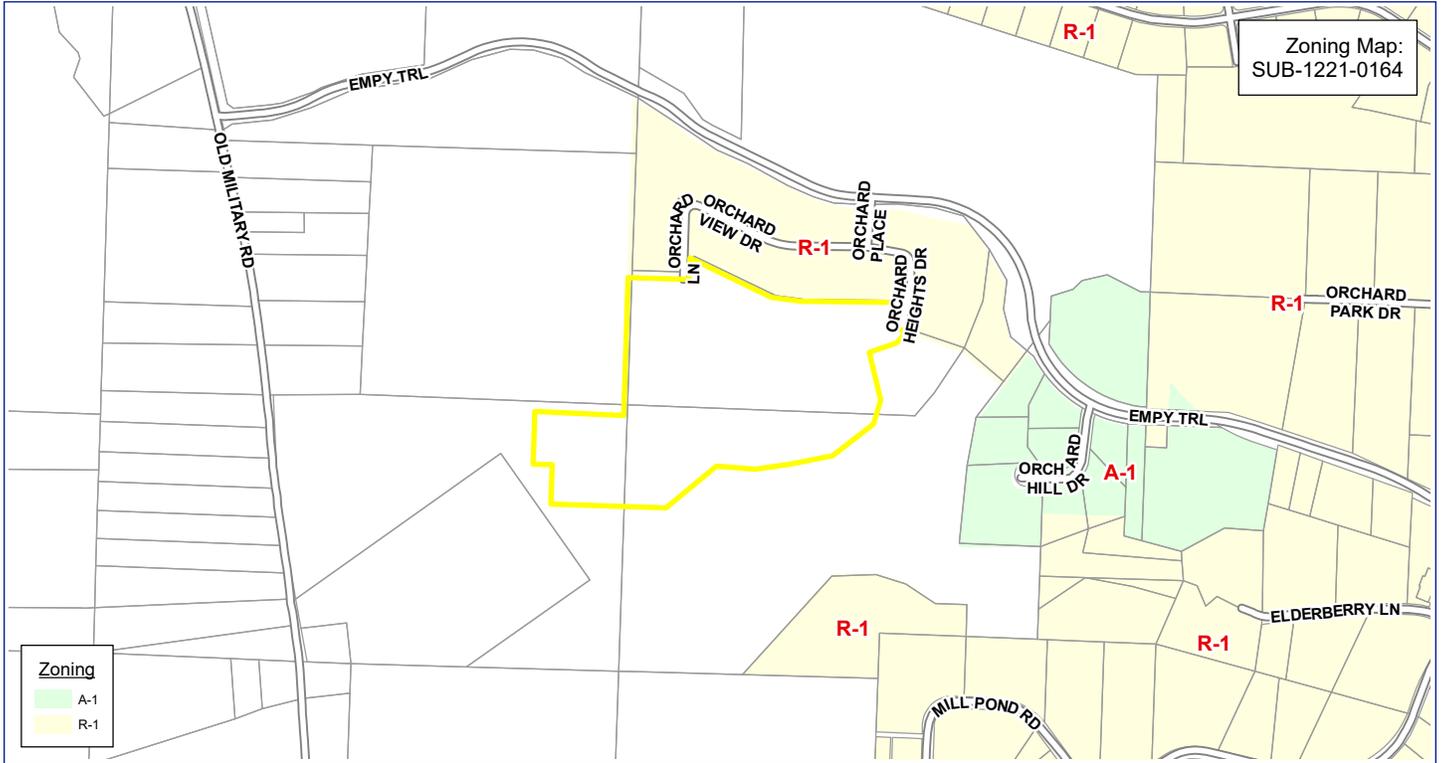
**Existing Structures.** None.

**Overlay.** None.

# Request for Preliminary Plat Approval - Orchard Hill Subdivision Phase 3

I.B

32.24 acres± south of Emphy Trail and Orchard Hills Phase 2



### **REQUEST**

The applicant is requesting preliminary approval of a 31-lot subdivision located approximately 800 feet south of Empy Trl, immediately south of the previous phase. The development represents Phase 3 of Orchard Hill Subdivision and is currently outside the incorporated city limits. The proposed buildable lots range from 0.68 acres to 1.82 acres, consistent with the requirements for large-lot subdivisions in the Planning Area Boundary. The subdivision proposes access from Empy Trl via the extension of 2 internal streets, Orchard Ln and Orchard Heights Dr as well as 2 new additional internal streets. Sidewalk construction will not be required as the property meets the criteria for large-lot rural subdivisions within the Planning Area Boundary. However, in the event that the development is annexed, any construction commencing following annexation will be subject to fee in-lieu of sidewalk construction at the time of building.

### **STAFF COMMENTS**

- The subdivision will connect to Phase 2, adjacent to the north. Two stub outs are provided for potential future connection to the west and south.
- Construction of a temporary fire apparatus turnaround is required at the stub street along the western boundary, until future street connection is established. If improvement is proposed on adjacent property, it must be placed in a recorded easement and referenced on the plat.
- Proposed stub to the south [between Lots 20-21] should be constructed as ROW, not indicated as an access easement, if future connection to the south is anticipated.
- Cul-de-sac design on unnamed street should be revised; lessen depth or consider addition of an island in center.

### **STAFF RECOMMENDATIONS**

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval.

### **CORRECTIONS NEEDED ON THE PLAT**

1. Show location of all fire hydrants.
2. Street names shall be proposed and availability confirmed with GIS Manager.
3. Hammerhead fire apparatus turnaround relocated or placed in a recorded easement and referenced on plat.
4. Cul-de-sac design should be revised. Applicant to coordinate with Transportation and Planning Departments to achieve an acceptable design.
5. Corrections as noted on the Preliminary Plat and Street & Drainage Plans as provided to the applicant.

### **CONDITIONS**

6. If the property is annexed in the future, all construction commencing following annexation will be subject to in-lieu of sidewalk construction fees.
7. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
8. A draft of a Bill of Assurance for the proposed subdivision describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat.
9. 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.
10. All other applicable provisions of the City of Conway Subdivision Ordinance (O-00-03) shall be satisfied and accounted for prior to issuance of authorization to proceed. Receipt of an approved, signed copy of the Preliminary Plat along with approved Street & Drainage Plans shall constitute authorization by the Planning Commission for the developer to proceed with installation of improvements and preparation of the Final Plat.



# Request for Preliminary Plat Approval - Orchard Hill Subdivision Phase 3

I.B

32.24 acres± south of Emory Trail and Orchard Hills Phase 2



View of connection to Phase 3 from Orchard Heights Dr looking S



View from Orchard Heights Dr [in Phase 3] looking SE



View of connection to Phase 3 from Orchard Ln looking S



View from Orchard Heights Dr [in Phase 3] looking NW

# Request to modify North Market Plaza Planned Unit Development

2000 Meadowlake Road/2005 Ott Memorial Boulevard (Lot 7C)

II.A

**AUTHORIZED AGENT/DESIGN PROFESSIONAL**

Emily Ferris, AIA  
Sowell Architects  
1315 North St, Ste 100  
Conway, AR 72034

**APPLICANT**

Esmeralda Castro

**OWNER**

Centennial Bank



**SITE**

**Location.** 2005 Ott Memorial Blvd, just east of Village Court Dr.

**Site Area.** 1.75 acres±.

**Current Zoning.** PUD (Planned Unit Development).

**Requested Modification.** The applicant is requesting to modify the PUD requirements for Lot 7 of the North Market Plaza PUD. The primary intent of these modifications is to allow Lot 7C to be developed fully with apartments. Currently, this is not permitted on the site. There are additional minor changes requested, the most significant of which would require building design to conform to city development review standards rather than the design standards established for the development.

**Adjacent Zoning.** North, East, West – PUD; South – R-1.

**Existing Structures.** An existing detention pond and separate retention pond.

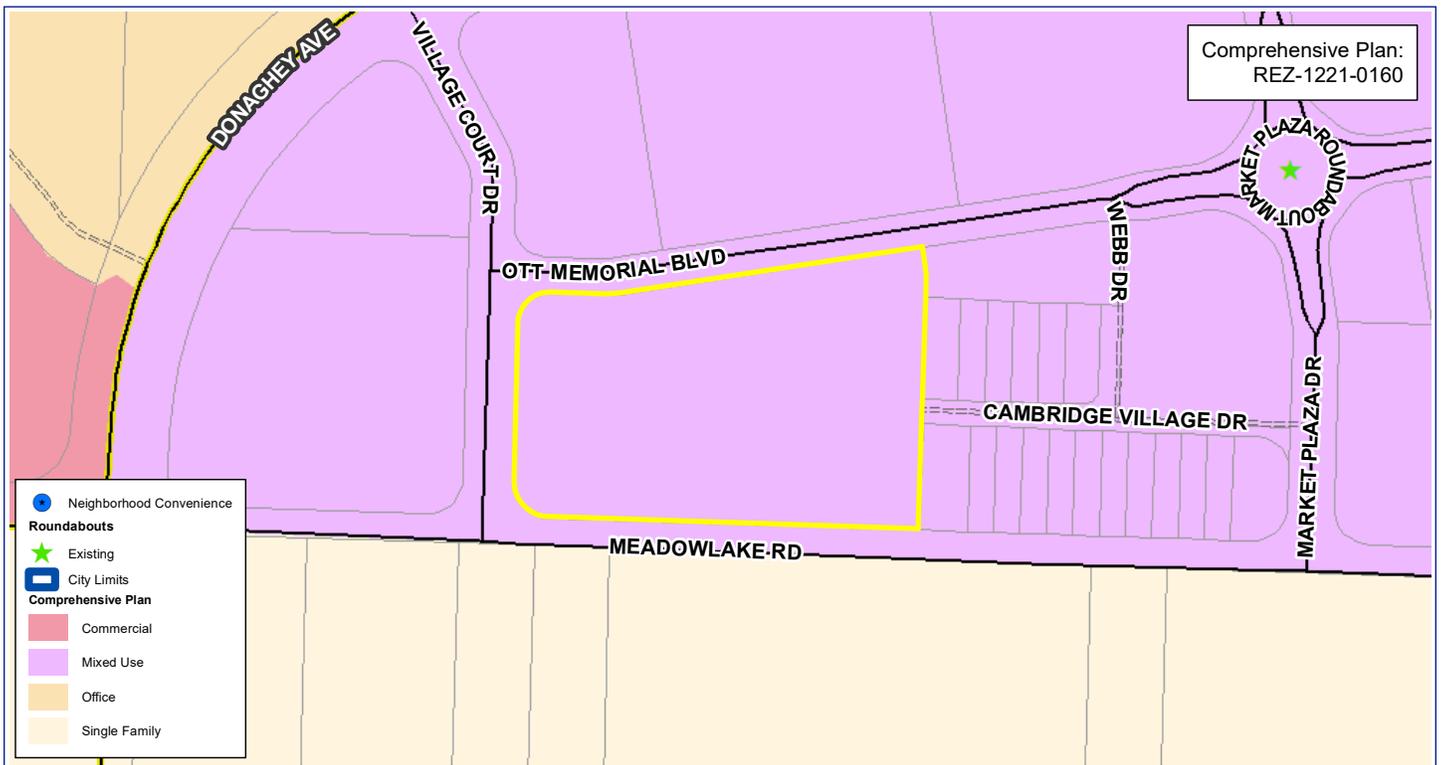
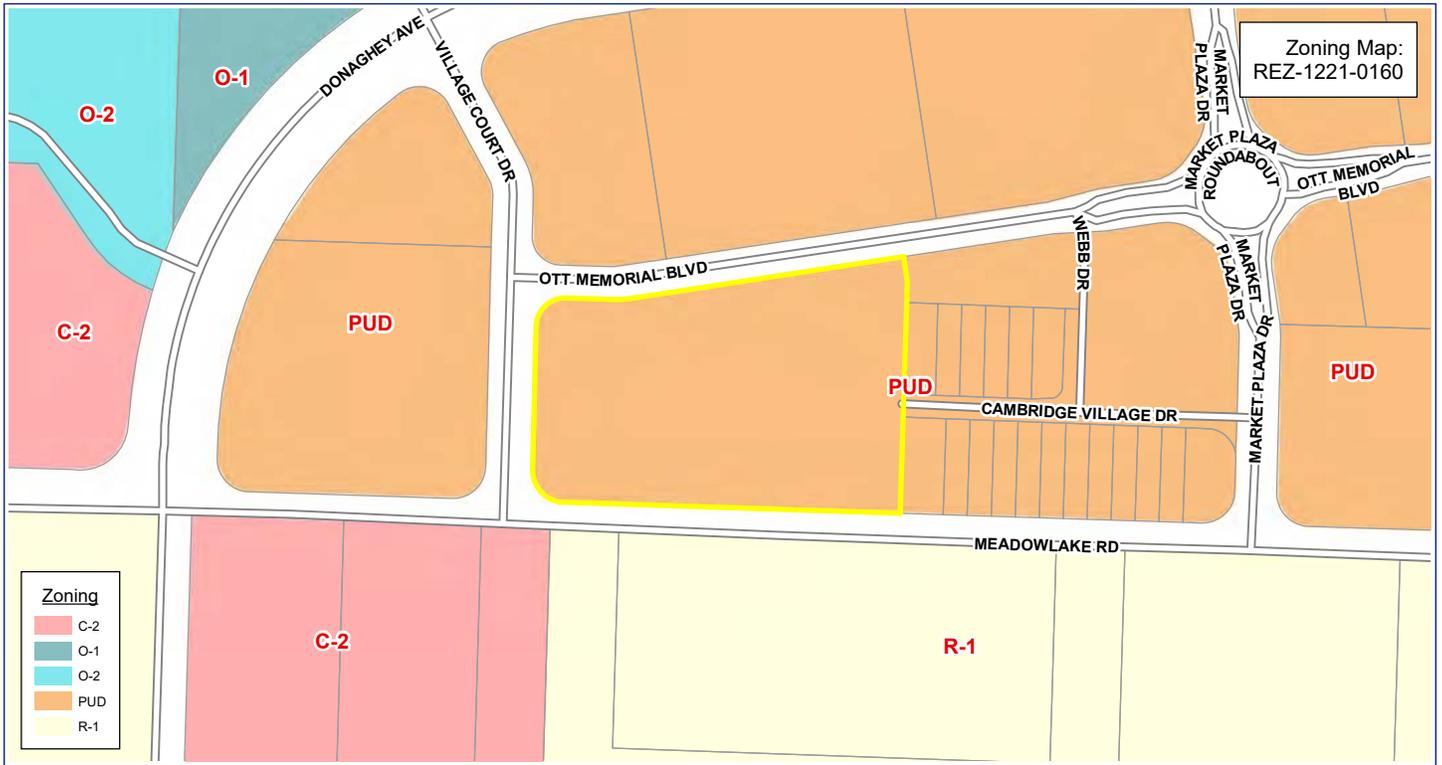
**Overlay.** None.

**Comprehensive Plan.** Mixed-Use.

# Request to modify North Market Plaza Planned Unit Development

2000 Meadowlake Road/2005 Ott Memorial Boulevard (Lot 7C)

II.A



**Projected Traffic Impact.** Determining the potential traffic impact resulting from rezoning property is highly speculative. This analysis presumes that the site will be developed with 42 residential units. The likely increase in traffic would be moderate with approximately 400 vehicles trip per typical weekday. Note this data may reflect an overestimated traffic impact, but is based on the best available data.

**Current Traffic Counts.** Meadowlake Dr - 2,600 average daily traffic.

**Flood/Drainage.** No portions of the site are within a FEMA designated flood hazard area.

**Utilities.** The applicant will need to coordinate the expansion of utilities with Conway Corporation for future development.

**Master Street Plan.** Meadowlake Dr – Collector, Ott Memorial Blvd – Local (Non-residential), Village Court Dr – Local (Non-residential).

**Street Improvement.** No improvements are planned at this time.

## STAFF COMMENTS

- The Comprehensive Plan designates the area as mixed-use. The amendment allows such development in a consistent manner with the plan.
- The applicant is seeking to modify the PUD to allow more multi-family development on the site. Currently, the PUD allows 80-85% to be occupied by single-family, town home, or apartment uses. The amendment as proposed would allow the entirety of Lot 7 to be devoted to residential use.
- The amendment would also allow the entirety of Lot 7 to be devoted to commercial uses, if not developed as multi-family. Allowed commercial uses currently include, and are proposed to include, Restricted Retail and certain uses permitted by right in the C-2 zoning district. Currently, the PUD allows these uses to occupy up to 75% of the site.
- The site has sat vacant for numerous years and the original developer of the PUD is no longer involved in the site.
- The amendment would allow reasonable use of the property in context to the previous development of the remainder of the PUD.
- The requested modification would not likely cause harm to adjacent properties.

## STAFF RECOMMENDATIONS

Staff recommends approval of the PUD modification as it is consistent with the Comprehensive Plan, would allow for appropriate use of the property in context to the surrounding area, and would not likely negatively impact adjacent properties. However, staff does not fully concur with the applicant's request. Below is staff's recommendation for the modification as well as a list of conditions for approval.

### **Conditions.**

The PUD shall be amended such that the proposed amendments apply only to Lot 7C of the North Market Plaza Replat. All previous resubdivision of Lot 7 shall be governed by the PUD regulations previously established for Lot 7.

### **LOT 7C**

#### **Land Use**

Lot 7C will be developed allowing multi-family residential, restricted retail, Apartment houses; Arena/Auditorium; Automobile parking or storage as principle use; Hotel/Motel; Job printing, Lithographer, printer, or blue printer; hospital services; dental or medical clinic; Laboratory research development or testing, Laboratory-research facilities; News syndicate service printing and publishing including engraving or photoengraving; Newspaper offices/print shop; parking commercial lot or garage; public off-street parking lot. Residential only will be developed along the Meadowlake Road frontage. Areas devoted to detention, retention, and drainage as of 1/12/2022 shall not be reduced in size, area, or volume and shall be restricted for use as drainage and greenspace.

## **Building Lines/Setbacks**

Buildings shall be located in a manner generally consistent with the architectural site plan and in accordance with the building lines established for Lot 7C on the North Market Plaza Replat filed in Book L, Page 55 with the Faulkner County Circuit Clerk. Outbuildings must be setback a minimum distance of twenty feet from the principal building. A minimum of ten feet shall separate all detached buildings.

## **Architectural Standards**

Architectural standards shall meet or exceed the requirements of Article 1101 of the Conway Zoning Code, including building façade material requirements.

## **Signage**

Signage for this lot shall conform to the requirements of Section 3.04 of the Conway Sign Ordinance, Section 1301 of Conway Zoning Ordinance 0-94-54.

## **Landscaping**

Landscaping shall meet or exceed the requirements of Article 1101 of the Conway Zoning Code.

## **Lighting**

Site lighting shall conform to the minimum requirements set forth in Article 1101 of the Conway Zoning Code.

## **Utilities**

All construction and utility systems shall comply with all applicable city and state codes and standards, and be inspected by the appropriate agencies.

## **Parking Requirements**

On-street parking available along Ott Memorial Boulevard that corresponds to each lot shall be counted toward the parking requirement of the building on the lot.

Shared parking must be provided when land uses have different parking demand patterns and are able to utilize the same parking spaces/areas throughout the day.

Shared parking shall be provided within one thousand feet of the business that it is intended to serve.

Factors evaluated to establish shared parking arrangements should include operating hours, seasonal/daily peaks in parking demand, the site's orientation, the location of access driveways, accessibility to other nearby parking areas, pedestrian connections, distance to parking area, and availability of parking spaces.

Shared parking spaces shall be established following the procedures of the Urban Land Institute Report, ITE Shared Parking Guidelines, and be approved by the design review board, and are subject to review by the City of Conway. In addition, curb cuts are subject to review by the City of Conway.

If a parking area is to serve two or more separate facilities, a Shared-Use Agreement for Parking Facilities shall be entered into between owners guaranteeing access to, use of, and management of designated spaces.

Adjacent parking lots shall be interconnected.

Disabled parking shall be provided in accordance with the Americans with Disabilities Act.

Construction of parking areas shall be the responsibility of the builder.

## Sidewalks

Minimum five feet wide sidewalks shall be constructed along Ott Memorial Boulevard. Sidewalks shall be constructed so as to produce a continuous ribbon of pedestrian access throughout the development.

Minimum five feet wide sidewalks shall be constructed along Village Court Drive. Sidewalks shall be constructed so as to produce a continuous ribbon of pedestrian access throughout the development.

Minimum five feet wide sidewalks shall be constructed along the west side of the North-South running access on the east side of the property.

All internal pedestrian connections shall connect to public sidewalks leading to outside the development where feasible.

Sidewalks shall be constructed as per design standards of the City of Conway Subdivision Ordinance O-00-03.

## Trash Dumpsters

Shared-use of dumpsters is required. Developers/owners of this lot must enter into a shared use agreement for dumpsters.

## Lot Requirements

There shall be no minimum lot depth. Minimum lot width shall be thirty feet.

## Property Owners Association

Developers and/or property owners of this lot will be required to join a Property Owner's Association responsible for maintaining all parking areas, private streets, green spaces, landscaped areas, fencing, lighting, signs, and public and common areas located on lots 2, 3, 5, 6, and 7.

## Vehicular Connections

The development shall provide vehicular and pedestrian connection to the existing access easement directly east of the property known as Cambridge Village Drive.

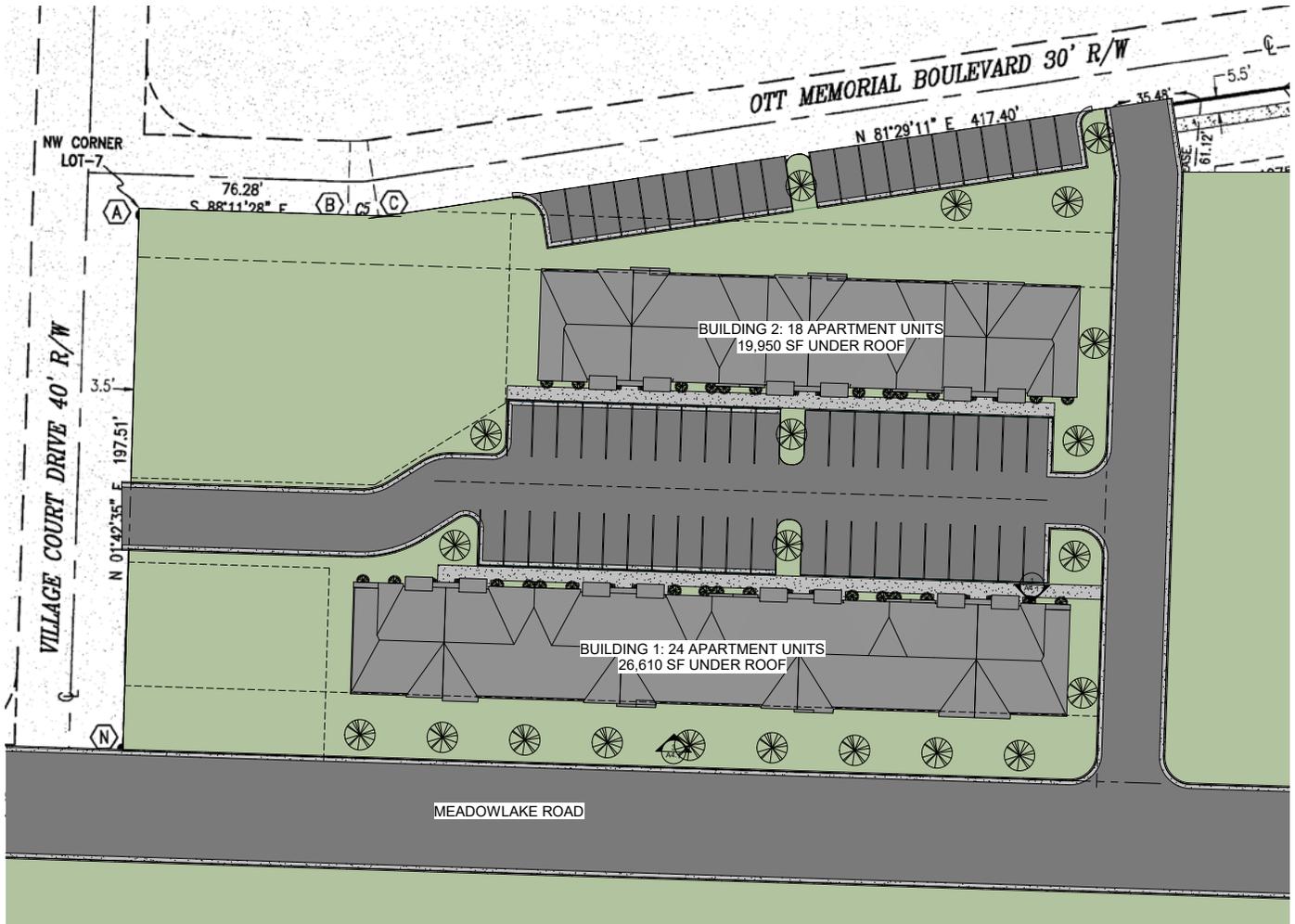
## Other Provisions

For all other provisions not covered by this PUD, the rules of MF-2 zoning district shall apply to the property.

# Request to modify North Market Plaza Planned Unit Development

2000 Meadowlake Road/2005 Ott Memorial Boulevard (Lot 7C)

Conceptual site plan and perspective renderings as provided by the applicant and design professional



1 ARCHITECTURAL SITE PLAN  
1" = 20'-0"



1315 North Street  
Suite 100  
Conway, AR 72034  
501.480.3633  
rik@sowellarchitects.com



# Request to modify North Market Plaza Planned Unit Development

2000 Meadowlake Road/2005 Ott Memorial Boulevard (Lot 7C)

II.A



View of subject property from Ott Memorial Blvd looking SW



View of subject property from Village Court Dr looking E



Property adjacent to the E



Properties adjacent to the S



Property adjacent to the N



Property adjacent to the W

# Request to Rezone: A-1 to C-3 & MF-2

32.12 acres± south and east of 4693 Dave Ward Drive

**AUTHORIZED AGENT**

Central Arkansas Professional Surveying  
1021 Front St  
Conway, AR 72032

**APPLICANT**

Radwan Deek

**OWNER**

Jo Ann Campbell, Trustee  
Revocable Living Trust



**SITE**

**Location.** 4300-4500 Block of Dave Ward Dr, just west of Tucker Creek.

**Site Area.** 31.12 acres±.

**Current Zoning.** A-1 (Agricultural District).

**Requested Rezoning.** C-3 (Highway Commercial District) 11.31 acres± and MF-2 (Medium-Density Multi-Family District) 19.81 acres±.

**Adjacent Zoning.** North, East, South, West – A-1.

**Existing Structures.** None.

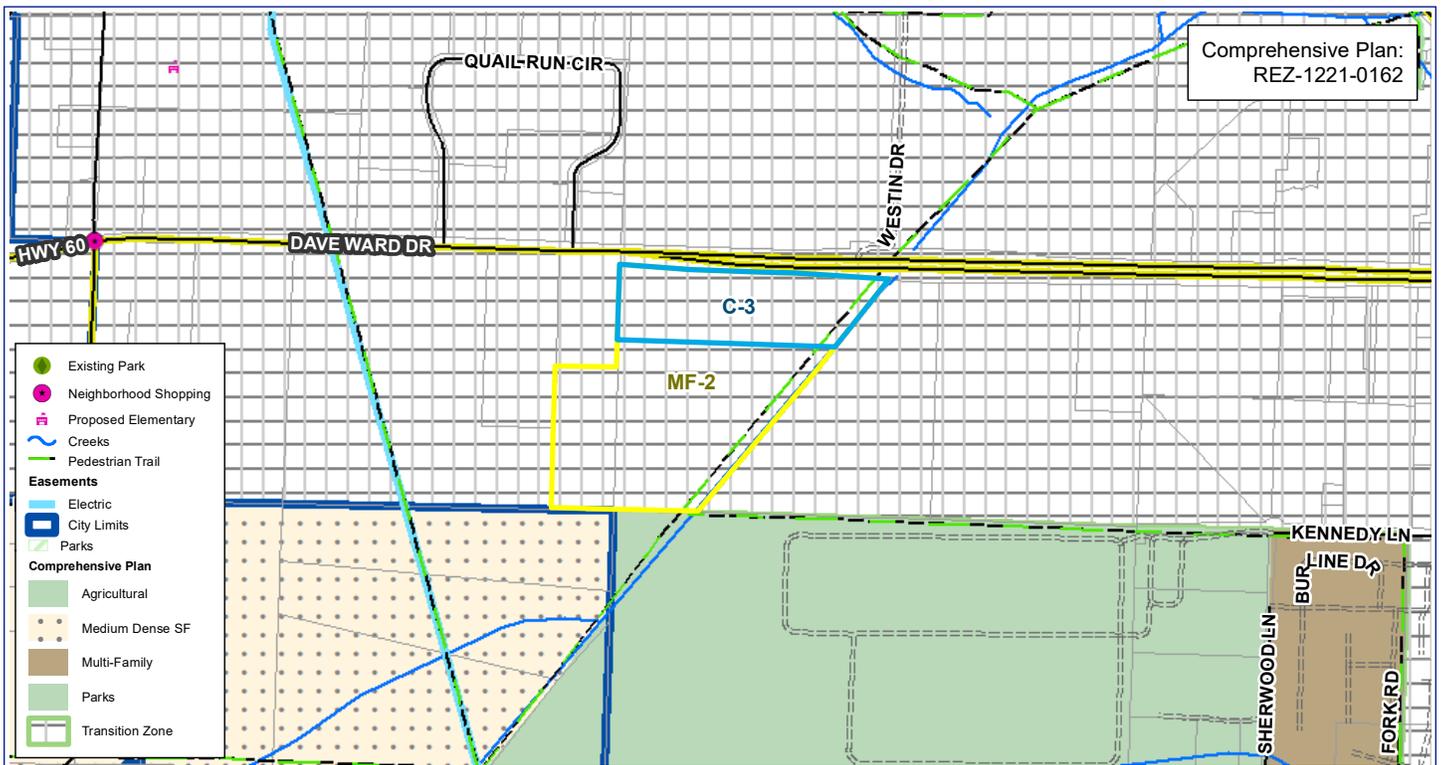
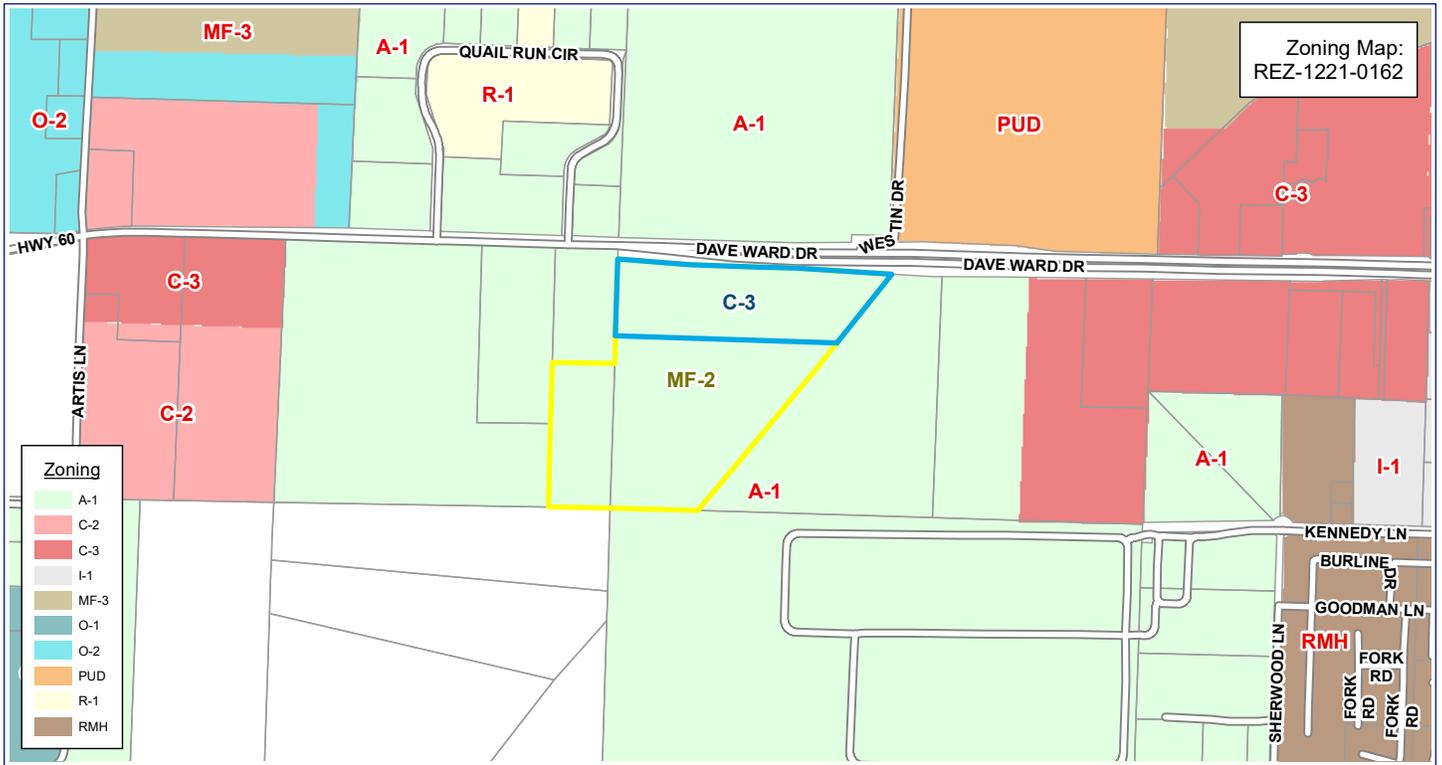
**Overlay.** None.

**Comprehensive Plan.** Transition Zone.

**Projected Traffic Impact.** Determining the potential traffic impact resulting from rezoning property is highly speculative. This analysis presumes that only 10 acres can be developed due to flood hazards. Such development would be a fueling station (highest intensity potential use) and multi-family. The likely increase in traffic would be moderate with approximately 2,560 vehicles trip per typical weekday. Note this data may reflect an overestimate of traffic impact, but is based on the best available data.

# Request to Rezone: A-1 to C-3 & MF-2

32.12 acres± south and east of 4693 Dave Ward Drive



## Request to Rezone: A-1 to C-3 & MF-2

II.B

32.12 acres± south and east of 4693 Dave Ward Drive

**Current Traffic Counts.** Dave Ward Dr at Lee Andrew Ln - 3,500 average daily traffic.

**Flood/Drainage.** Significant portions of the site are undevelopable as they lie in the FEMA designated floodway and floodplain.

**Utilities.** The applicant will need to coordinate the expansion of utilities with Conway Corporation for development in the future.

**Master Street Plan.** Dave Ward Dr – Major Arterial.

**Street Improvement.** No improvements are planned at this time.

### **STAFF COMMENTS**

- The Comprehensive Plan designates the area as a transition zone, which is intended to allow for a variety of uses based on the context of the area. However, commercial uses are intended to be reserved for key intersection nodes along the corridor. Areas along Dave Ward Dr outside those key intersection nodes have been zoned to allow commercial uses, creating a precedent. As such, commercial uses should be considered appropriate to the area based on the plan.
- Only 10 acres of the 31-acre site can be developed due to flood hazard constraints and significant portions of the site will need to be elevated to remove it from the floodplain.
- MF-2 zoning would allow multi-family development to a maximum density of 18 units per acre. This would yield a maximum of 71 units.
- C-3 zoning would allow a variety of uses including various retail uses. The likely highest intensity use would be a fueling station.
- The applicant has not officially stated any definitive intended use for the site, but office/retail and multi-family is a likely use.
- The rezoning would not likely cause harm to adjacent properties.
- Development at the site will be subject to Subdivision and Development Review as well as any applicable provisions of the Dave Ward Drive Access Management Plan.

### **STAFF RECOMMENDATIONS**

Staff recommends approval of the rezoning request as it is consistent with the established zoning precedent within this portion of Dave Ward Dr, would allow for appropriate use of the property in context to the surrounding area, and would not likely negatively impact adjacent properties.

# Request to Rezone: A-1 to C-3 & MF-2

32.12 acres± south and east of 4693 Dave Ward Drive



View of subject property from Dave Ward Dr looking SW



View of subject property from Dave Ward Dr looking SE



Property adjacent to the N



Property adjacent to the NW

*The following items, which do not require public hearings 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.*

**Plats filed for record (Lot Splits, Lot Mergers, and Final Plats)**

- All Secure Replat (P2021-00069)
- Bell Valley Subdivision Phase 2 (P2022-00001)