

# CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

April 19, 2021 • 7:00pm • 1111 Main Street



## City of Conway PLANNING COMMISSION April 19, 2021

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

### Call to Order.

Roll Call.

### Approval of Minutes. March 15, 2021

### I. Subdivision Review

- A. Request for preliminary plat approval of Lake Crest PUD (SUB2021MAR06)
- B. Request for preliminary plat approval The Woods Subdivision (SUB2021MAR07)

### II. Public Hearing Items

- A. Request to rezone property at 1406 Scott Street from R-2A to C-1 (REZ2021MAR02)
- B. Request to rezone property at 507 Bruce Street from C-3 to PUD (REZ2021APR01) request postponed to May 17, 2021 Planning Commission meeting
- C. Request to rezone property at 1116 Gum Street from C-3 to PUD (REZ2021APR02)
- D. Request for conditional use permit to allow multi-family residential in the S-1 zoning district for property located at 405 South Donaghey Avenue (USE2021APR01)

### Adjourn.

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

PLANNING COMMISSION

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 **April 27, 2021**.

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.

### APPLICANT/DESIGN PROFESSIONAL

David Watkins, PLA Crow Group, Inc. PO Box 1800 Morrilton, AR 72110 **OWNER** Charles 'Skip' Colvin Mac Development, LLC

### **STAFF REVIEW BY** Levi Hill, AICP, Assistant Director



Location. 0 West End St., approximately 500 feet west of the intersection of Lakefront Dr and Primrose Dr.

Site Area. 12.38 acres +/-.

Current Zoning. PUD (Planned Unit Development); R-1 (Single-Family Residential).

Existing Structures. One Single-Family Residence.

Overlay. None.

#### REQUEST

The applicant is requesting preliminary approval of a 7-lot subdivision located along West End St, approximately 500 feet west of the intersection of Lakefront Dr and Primrose Dr. A portion of the property was recently rezoned to PUD (Planned Unit Development) allowing the development of single-family lots while the remainder of the property is zoned R-1. The proposed lots range from 14,000 sf to 6.53 acres, consistent with the lot requirements of the approved PUD and the requirements of the R-1 zoning district. The subdivision will feature one access point from West End St. Four of the proposed lots will be accessed by a new proposed private street while the remaining lots will either be accessed by West End St or Grand View Heights Dr.

No waivers were included as a part of the request.





I.A

### 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.
- 3. Department of Health shall approve all Septic Systems prior to filing final plat.

### CONDITIONS

- 1. Preliminary Plat approval from all reviewing agencies shall be obtained.
- 2. Wheelchair ramps shall be provided by the developer/subdivider in accordance with the City of Conway's Standard Details.
- 3. 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.
- 4. 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.
- 5. Utility easements as required by Conway Corporation are needed.
- 6. Drainage easements as required by the City Engineer are needed.
- 7. 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.
- 8. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization by the Planning Commission for the developer to proceed with the preparation of the Final Plat.
- 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 and drainage.

I.A

### **Request for Preliminary Plat Approval - Lake Crest PUD**

Record No. SUB2021MAR06



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#### APPLICANT/OWNER

STAFF REVIEW BY

Adam Treece, LLC 2 Ellzey Ln Greenbrier, AR Levi Hill, AICP, Assistant Director



Location. 0 Friendship Rd; Approximately 850 feet west of the intersection of Friendship Rd and Hwy 25.

Site Area. 22.22 acres +/-.

Current Zoning. Unzoned property within the Planning Area Boundary.

Existing Structures. None.

Overlay. None.

#### REQUEST

The applicant is requesting preliminary approval of an 17-lot subdivision located on the north side of Friendship Rd, approximately 850 feet west of the intersection of Friendship Rd and Hwy 25. The property is currently unzoned as it is located outside of the city limits. The property will be considered for annexation in the near future. The proposed lots range from 1 acre to 1.73 acres, consistent with the lot requirements for properties outside the city limits. The subdivision will feature one access point from Friendship Rd and an additional access point form Evelyn Dr, with lots accessed by a new internal street.

The Subdivision Regulations state that projects shall be exempt from sidewalk requirements when located outside of the city limits and classified as a "large lot subdivision". Large lot subdivisions are further defined as subdivisions having lots with greater than 150 feet of frontage.

I.B





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

1. Fire Hydrant located more than 600 feet from furthest point of lot. (Article V: Sec. (1)) *Fire Marshall has approved this preliminary plat with conditions.* 

### 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 for properties outside the city limits.

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.
- 3. Department of Health shall approve all Septic Systems prior to filing final plat.

### CONDITIONS

- 1. Preliminary Plat approval from all reviewing agencies shall be obtained.
- 2. Wheelchair ramps shall be provided by the developer/subdivider in accordance with the City of Conway's Standard Details.
- 3. 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.
- 4. 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.
- 5. Utility easements as required by Conway Corporation are needed.
- 6. Drainage easements as required by the City Engineer are needed.
- 7. 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.
- 8. 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.



### APPLICANT/DESIGN PROFESSIONAL

Rik Sowell, AIA, Sowell Architects 1315 North St, Ste 100 Conway, AR 72034 OWNER BMA of America, LLC 611 Locust Ave Conway, AR 72034 **STAFF REVIEW BY** Beth Sketoe, Planner



Location. 1406 Scott St.

Site Area. 0.3 acres ±.

Current Zoning. R-2A (Two-family residential).

Adjacent Zoning. West, South: R-2A; East, North: C-1 and O-3 (Restricted Office).

Requested Zoning. C-1 (Central Business District).

Existing Structures. Dumpster enclosure at the north end of the site.

**Overlay.** Old Conway Design Overlay District – Transition Zone.

**Comprehensive Plan.** Special Study Area, 1 of 3 such areas identified within the central part of the city designated for refined and detailed land use considerations.

**Projected Traffic Impact.** With a rezoning to C-1 and developed as proposed for office and storage use, the traffic impact would likely be minimal as the intent is to relocate current staff from the existing office building.

Current Traffic Counts. Locust Ave – 5,200 average daily traffic.

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### Request to Rezone: R-2A to C-1

### Record No. REZ2021MAR02





II.A

**Utilities.** The site is currently served by utilities.

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

**Master Street Plan.** Grove St – Collector; Scott St – Collector. Oliver St – the portion of Oliver St ROW, between Grove St and Scott St was vacated in 2017 (#*O*-17-43) and is now designated as a private road.

Street Improvement. No current improvement plans.

### STAFF COMMENTS

- The applicant is seeking the rezoning to allow the construction of an approximately 2,300 sf office and storage building as an expansion of the current BMA offices located to the immediate east.
- The Comprehensive Plan designates the site as a part of a Special Study Area which allows for special consideration regarding land use. As the existing BMA property is zoned C-1 and this property represents an extension of that site, rounding out the southwest corner of the block, the requested C-1 zoning is appropriate.
- Use of the site for one or two family residential, as allowed by right in the current zoning, is not practical given its configuration and that it is constrained on all sides by roadways.
- The proposed building will be subject to design review by the Historic District Commission in accordance with the Old Conway Design Overlay District Guidelines as well as Development Review Standards in accordance with Article 1101 of the Zoning Code, prior to the issuance of building permits.

### STAFF RECOMMENDATION

Staff recommends approval of the rezoning request as it would allow appropriate use of the property in the context as an extension of the BMA 'campus'.

### Request to Rezone: R-2A to C-1

Record No. REZ2021MAR02



View of site looking NE



View of the site looking E



Property adjacent to the S



View of site looking NE



Property adjacent to the W



Property adjacent to the SW

### APPLICANT/OWNER

City of Conway 1111 Main St Conway, AR 72032

#### DESIGN PROFESSIONAL

Branson Evans, Level 5 Architecture 326 Holcomb St, Ste 101 Springdale, AR 72764 **STAFF REVIEW BY** Beth Sketoe, Planner



Location. 1116 Gum St.

Site Area. 0.77 acre +/-.

Current Zoning. C-3 (Highway Commercial).

Requested Rezoning. PUD (Planned Unit Development).

Adjacent Zoning. North, East, South – C-3 (Highway Commercial); West – T-4 Transition, Northeast Old Conway Area Specific Plan.

Existing Structures. 4,836 sf commercial building.

Overlay. None.

Comprehensive Plan. Commercial.

**Projected Traffic Impact.** With a rezoning to PUD and expected use as an overnight shelter, the likely increase in traffic impact would be minimal. While reliable research on traffic generation from homeless shelters is not readily available, it is anticipated that traffic impacts are likely minimal being similar to an office use and limited to staff and security personnel.

Current Traffic Counts. Gum St - not available, but likely between 500-1,000 average daily traffic; Oak St – 25,000 average daily traffic.

### Request to Rezone: C-3 to PUD

Record No. REZ2021APR02





II.C

II.C

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

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

Master Street Plan. Gum St - Local Residential.

Street Improvement. No improvements are planned at this time.

#### STAFF COMMENTS

- The applicant is requesting a rezoning to PUD for the purpose of establishing an overnight emergency shelter facility.
- The applicant is proposing to renovate and reuse the existing commercial building plus add an approximately 2,700 sf addition.
- The proposed use is permitted by conditional use permit [only] in many residential, multi-family, and commercial zoning districts. With a rezoning to PUD, a conditional use permit would not be required and would allow for a specified range of permitted uses related to the shelter, as well as conditions which would mitigate potential impacts to adjacent property.
- The site is surrounded by commercial and multi-family uses. To the south, the site abuts an existing two-family development; to the west a multi-family development, and to the north and east commercial uses.
- The site is located in a lower traffic area, but in close proximity to many resources and employment opportunities.
- The requested PUD zoning, as conditioned, will allow for appropriate use of the property.

### STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning request with the conditions listed below. The proposed use, as conditioned, is consistent with the Comprehensive Plan.

- 1. Permitted uses are limited to overnight shelter, to accommodate a maximum of 50 individuals, including related services such as a case management services, homeless day services, food pantry, and a day resources center as defined in Exhibit A, City of Conway's Overnight Emergency Shelter Operational Plan.
- 2. All standards and uses other than those defined shall be governed by restrictions of the C-3 zoning district.
- 3. Building setbacks shall be: Front 10 feet; Rear 6 feet; Interior 12 feet if abutting residential, 0 feet if abutting non-residential.
- 4. Applicant shall plat the property in accordance with the Subdivision Regulations.
- 5. Applicant shall return a signed copy of the final development plan agreement prior to the issuance of building permits.
- 6. All other conditions governing the development and programming are defined per the City of Conway's Overnight Emergency Shelter Operational Plan as provided by the applicant. Included as Exhibit A.

### EXHIBIT A

### City of Conway's Overnight Emergency Shelter Operational Plan

The City of Conway is requesting that the subject property be rezoned to a PUD to engage in a variety of community services that offer support to very low-income families in crisis. The proposed location offers an ample office complex with case management space, as well as a classroom environment for life skills training and computer stations. When the total renovation is complete, the under-roof space will be approximately 7,986 SF.

The Overnight Emergency Shelter will provide daytime programming including but not limited to; case management, financial aid for housed families in crisis, a food pantry, a housing assistance program to prevent families from becoming homeless, and day center for homeless services.

### Operational Descriptions:

**Case Management**- Families in crisis engage in pre-scheduled and walk-in appointments to apply for rental, utility, and other financial assistance and receive guidance from case managers. These appointments also serve as the point of entry for our more in-depth homelessness prevention assistance.

Homeless Day Services- Persons experiencing homelessness request basic necessities such as food packages, hygiene items, clothing items, and shoes during normal business hours. Also, they may utilize the Day Resource Center with access to computer stations. The Day Resource Center will serve to obtain vital documents, perform job searches, and complete applications. Case managers will also meet with homeless clients to provide additional resources.

**Food Pantry**-The client-choice food pantry model allows clients to "shop" for free food from a small grocery store and choose food items that are most congruent with their family's food needs and preferences.

**Day Resource Center-**Clients will be able to use computer stations with internet access to identify and apply for jobs, order vital documents, communicate with legal aid, etc. Case management appointments for shelter clients will take place during Day Resource Center hours and individualized case plans will be created.

### We have outlined the following suggestions for programming guidelines:

1. Based on the 2019 and 2020 Point-in-Time Homeless Count, the Homeless Coalition has identified 963 and 1,010 homeless persons respectively in Faulkner County. We believe that it is most appropriate to pursue a shelter that is prepared to house a maximum of 50 individuals per night.

2. We propose that this shelter be equipped to provide dormitory-style housing with separate men's and women's units as well as a separate family area that provides private rooms for families with children.

3. The shelter will employ on-site full-time security and staff to specifically work with the unique and complex challenges of families and individuals who are experiencing homelessness.

4. The goal is for the shelter to operate 24 hours with staff including access to the day resource center and families with children will be allowed to access family units as needed without specific entrance and exit times.

5. The shelter will not house the following persons:

• Sex Offenders

### EXHIBIT A

- Violent felons on probation or parole
- Persons with active warrants

6. The use shall be operated in a manner to prevent the congregation of individuals outside the building.

### Shelter Daily Operation Plan

- Clients will be required to fill out entry forms to secure information to run background checks, sex offender registry checks, and warrant checks.
- Clients will receive a copy of shelter rules and expectations. They will be required to sign an agreement to comply in order to receive shelter services.
- Clients will go through a metal detector to identify potential weapons. No weapons are allowed in the facility. Clients may identify and check camping tools such as pocket knives and hatchets to be locked in safe storage.
- Staff will go through all baggage to make sure there are no dangerous or illegal substances. Bags will be tagged and stored in locked storage.
- Medications will be stored separately with instructions in a medication lock box and staff will issue doses as prescribed.
- Clients who are not accompanied by children will be issued a bed in the most appropriate dorm and will receive a clean set of bedding, towel and washcloth, and a hygiene kit.
- Clients with children will be issued a family unit.
- Once clients are checked in, they will remain on site unless they want to retrieve their belongings and leave for the night. They will not be allowed to come and go.
- The property will be equipped with 24-hour surveillance in the office complex, Day Resource Center, Community Room, dorms, playground, smoking area, and surrounding grounds and parking areas. All outdoor areas that will be utilized during overnight shelter will be secured by a privacy fence.
- Clients will be allowed to enter the shelter with the following items below:
- Change of clothes.
- Cell phones, devices, and chargers
- Cigarettes and lighters
- Notebooks, sketchbooks, reading material, etc.
- Diaper bags and necessities for children and infants
- Any medical equipment or assistive devices needed for persons with disabilities.
- Other approved items by manager on duty.





View of subject property looking E



Property adjacent to the S



Property adjacent to the N



Property adjacent to the E



Property adjacent to the W

II.C

### II.D

### APPLICANT/DESIGN PROFESSIONAL

TEG Architects Dwayne E. Wilson 903 Spring St Jefferson, IN 47130 **OWNER** Thomas, Edward, and Rose Erbach **STAFF REVIEW BY** Levi Hill, AICP, Assistant Director



Location. 405 S Donaghey Ave.

Site Area. 6.10 acres ±.

Current Zoning. S-1 (Institutional).

Abutting Zoning. West and North: S-1 (Institutional); East: MF-3 (Multi-Family Residential); South: R-2 (Low Density Residential).

Existing Structures. None.

Overlay. None.

Requested Conditional Use. Multi-Family – 32 units per acre.

Comprehensive Plan. Institutional.

**Projected Traffic Impact.** With a conditional use permit allowing for the development of 200 residential units, the likely increase in traffic impact would be moderate as the site is currently undeveloped. It is anticipated this use would generate approximately 1,088 vehicle trips per typical weekday.

Current Traffic Counts. S Donaghey Ave - 16,000 vehicles per day.





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**Flood\Drainage.** A portion of the site lies within FEMA flood zone AE.

Utilities. The site is undeveloped, however utilities are available.

Master Street Plan. S Donaghey Ave - Major Arterial.

Street Improvement. S Donaghey Ave is currently being reconstructed with enhanced bicycle and pedestrian facilities.

### STAFF COMMENTS

- The applicant intends to develop the site with a multi-family residential use which is not allowed in the current zoning (S-1), but is allowed as a conditional use.
- The Comprehensive Plan indicates the area is appropriate for institutional use. The site is primarily surrounded by other institutional and multi-family uses.
- The development proposes approximately 200 units contained within 4 individual buildings and one clubhouse/recreation building. Each residential structure has a proposed height of 4 stories.
- Access to the site is provided by S Donaghey Ave.
- The applicant is proposing to contain all parking on-site.
- The project site is adjacent to the UCA campus which continues to place pressure on the housing need within the immediate area. The development of residential units would provide additional housing options for students.
- If approved, the development would be subject to all City development and subdivision standards.

### STAFF RECOMMENDATIONS

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

- 1. All surface parking shall be located to the rear of buildings fronting S Donaghey Ave and adequately screened from public view.
- 2. The development shall meet all City materials standards, specifically any applicable masonry requirements.
- 3. All mechanical equipment, including roof top mounted equipment shall be screened from public view.
- 4. 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.
- 5. 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.
- 6. The subject property shall be platted in accordance with the Subdivision Regulations.
- 7. The development shall be subject to the City's Development Review process as outlined in Section 1101 of the Zoning Code.
- 8. All signage shall be permitted by the Planning & Development Department prior to installation.
- 9. A trail connection shall be provided at the west side of the property.
- 10. 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.



View of subject property looking W



Property adjacent to the N



View of subject property looking W



Property adjacent to the N



Property adjacent to the S



Property adjacent to the E

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.

### **Development Review Approvals**

- Courtyard Marriott (SIT2021FEB02)
- St. Joseph High School (SIT2021FEB03)
- New Life Storage Building (SIT2021FEB01)
- Bancorp South (SIT2021JAN03)

### Plats submitted for review (Lot Splits, Lot Mergers, and Final Plats)

- Spencer Lake Lot 4 Replat (SUB2021FEB04)
- Robynmar Subdivision, Phase 2 (SUB2021MAR01)
- Robynmar Subdivision, Phase 3 (SUB2021MAR02)
- Rivendale Cove Replat (SUB2021MAR03)
- ASI Replat (SUB2021MAR05)

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

- Replat Lot 12, Club Villas PUD (P2021-00016)
- Rivendale Cove Replat (P2021-00017)
- Robynmar Subdivision, Phase 2 (P2021-00018)
- Robynmar Subdivision, Phase 3 (P2021-00019)