

PLANNING COMMISSION MEETING

July 17, 2006

The regular meeting of the Conway Planning Commission was called to order at 7:00 p.m., Monday, July 17, 2006, by Chairman Velton Daves who asked that individual commissioners introduce themselves to the audience. Present at the meeting were Velton Daves, Ron Fields, Bill Graff, Mary Etta Qualls, Chris Riggins, Terry Sossong, Junior Storie, and Adam Thomas. Tina Sherwood was absent.

Mr. Daves briefly outlined the meeting format that can basically be broken down into three sections. First are staff reports, then agenda items, and thirdly discussion items. Staff reports require no action and include site plans, lot splits, mergers, and minor subdivisions filed for record. Site plans reported: Conway Public Schools Administration Building (addition), 2200 Prince Street; Pediatrics Plus, 2740 College Avenue; Taco Bell, 205 East Oak Street; Conway Public Schools Bus Maintenance Facility, 1900 Arkansas Avenue; and First United Methodist Church, 1610 Prince Street. Lot splits, mergers, and minor subdivisions filed for record: none.

The June 2006 minutes were approved as submitted on an 8 – 0 vote. The motion was made by Bill Graff and seconded by Adam Thomas.

The meeting moved on to standing committee reports followed by the public hearing portion of the meeting. Mr. Daves called on Subdivision Committee Chairman Adam Thomas to make that committee's report.

SUBDIVISION REPORT

1. Hartland Development request for a one-year extension of the preliminary plat approval of Quapaw Quarters at the Village was approved 6 – 2 on a motion made by Junior Storie that was seconded by Adam Thomas. Bill Graff and Chris Riggins opposed the motion to grant the extension. This was the only item on the Subdivision Committee agenda and was heard before the full commission at the Planning Commission meeting. Bill Graff proposed that the cul-de-sac on Horton Cove be connected with the cul-de-sac on Wallace Circle so that the subdivision will have some circulation. Local surveyor Bobby French who was present representing the owner stated that the proposed connection would be through a steep ridge and that it would cut into some of the developer's best lots. Also, it meets the requirements of the Subdivision Ordinance and Mr. Hart prefers to keep the plat as it is. Rather than cutting a road through the lots, he would let the plat lapse and come back with the same plat at a future time. Bill Graff made a motion that the extension be denied. It was seconded by Chris Riggins. The motion to deny failed 6 – 2.

PUNCH LIST

NUMBER OF COPIES

1. Five copies of the subdivision/replat are needed.

BASIC INFORMATION NEEDED ON THE PLAT

2. The name of the subdivision must be clarified on the plat.
3. A vicinity map showing the location and acreage of the subdivision must be shown.
4. The present zoning classification of the land to be subdivided and of the adjoining land contiguous to the boundary of the proposed subdivision is needed.
5. The layout of all proposed sidewalk systems is needed, along with relevant dimensions and bearings.

6. Street names that are not similar to existing street names are needed for all proposed streets. Standlee Drive is similar to Stanley Russ Road and Quapaw Circle is similar to Quapaw Lane in the County. These streets must be changed to a street name that is not similar to another street name already in use and approved by the Planning Department staff.
7. Lot lines with appropriate dimensions are needed. The 7.68 dimension for lots 253 and 261 must be identified.
8. A phasing plan outlining the boundaries for each phase and the location of all CAGIS monuments for the subdivision is needed. A minimum of two CAGIS monuments shall be placed in each subdivision or subdivision phase exceeding ten (10) acres. For subdivisions of ten (10) acres or less in size, no new CAGIS monumentation is required. However, these smaller subdivisions must all be tied to CAGIS monumentation.

ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

9. 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.
10. Natural features within the proposed subdivision including drainage channels, bodies of water, wooded areas and other significant features are needed.
11. The direction of flow of all watercourses entering the tract shall be indicated.
12. The direction of flow of all watercourses leaving the tract shall be indicated.
13. The drainage area of all watercourses above the points of entry shall be noted.
14. The downstream drainage channel and drainage structures substantially impacted by the subdivision shall be shown.
15. 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.
16. Where a subdivision/replat involves property other than entire lots that have already been through the subdivision process, copies of a deed or deeds dated on a date no less than ten years prior to the filing of the plat are needed to assure that no parcels less than five acres in area are being created through this platting.

GENERAL DESIGN REQUIREMENTS

17. 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 the 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) acres of adjacent lands drains onto the developed property and the total drainage area is less than five (5) acres.
18. An easement of adequate width to accommodate the required floodway shall be provided on the plat. The easement shall clearly identify the easement as a "100-year Floodway". The plat shall have a note that reads as follows: "No structures, fill or obstructions shall be placed in the 100 year Floodway easement. No reshaping of the surface within the 100-year Floodway easement shall be made without the approval of the City Engineer. No fences shall be in the floodway easement."
19. Minimum floor elevations shall be placed on the plat for all lots less than three (3) feet above the computed one hundred (100) year flood elevation. The minimum finished

flood elevation shall be established at one (1) foot above the computed one hundred (100) year flood elevation.

20. Storm water detention or another storm water flow reduction measures shall be provided where existing downstream subdivisions or developments have storm drainage systems with a capacity of less than a ten (10) year frequency storm. The requirement does not apply to the inadequate natural streams or creeks flowing through undeveloped areas. The storm water detention facilities shall be designed to provide a holding area such that storm water runoff can be accumulated and released through at an outlet structure. The required storage volume and outlet structure shall be sized to release the storm water at a rate that does not exceed the capacity of the downstream storm drainage system or a computed runoff rate equal to that of the pre-development conditions of the proposed development, whichever is the greater. The detention facilities shall be based on a twenty-five (25) year frequency storm event. Computations for the sizing of the detention facilities and outlet structure 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.
21. Detention basins may be either wet basins having a permanent pool of water for aesthetic purposes or a dry basin that retains no water other than that required during the storm event. A dry basin shall be graded and shaped to provide for the positive drainage of surface water from all portions of the basin. A concrete paved channel may be required from the inlet pipe to the outlet pipe to provide a maintainable bottom area.
22. An easement shall be placed around the high water limits of the detention area.

STREET DESIGN REQUIREMENTS

23. The designers of residential streets are encouraged to lay them out to slow the use by through traffic. The Planning Commission may require that traffic calming techniques be employed. *The Planning Commission determines that no traffic calming be required along Quapaw Circle.*
24. All methods to slow traffic must meet all relevant city regulations and must be approved by the City Engineer and the Planning Director. Multiple uses of traffic slowing methods are encouraged in an area.
25. The Planning Commission may authorize a new boundary street when the subdivider agrees to dedicate the entire right-of-way and construct all the required improvements. *A request for variance has been received to allow Allen Road as a boundary street. The Planning Commission approved this request in the February submission.*
26. A street that does not extend to the boundary of a subdivision shall be no closer than 50 feet to that boundary. Allen Road is less than 50 feet from the south side of the boundary of the Subdivision. This condition must be corrected.
27. Cul-de-sac turnarounds shall have a right-of-way diameter of 120 feet and a pavement diameter of 96 feet with an optional inside radius of 20 feet to the back of curb and 40 feet to the outside of the back of curb.
28. Street intersections shall be laid out as nearly at right angles as possible, with no angle of less than 75 degrees. *A request for variance has been received to allow intersections to be less than 90 degrees. The Planning Commission approved this request in the February submission.*
29. Where residential streets intersect other residential, collector or arterial streets, the curb radii at the intersection shall not be less than 28 feet.
30. In proximity to intersections of collector streets and above in the Functional Classification System, centerline offsets shall be no less than 250 feet. *A request for variance has been received to allow Quapaw Circle to be less than 250 feet from South Salem Road. The Planning Commission approved this request in the February submission.*

31. Property line corners at street intersections shall be rounded with a radius of at least 28 feet.

EASEMENT DESIGN REQUIREMENTS

32. Easements shall be provided for utilities where a subdivision is traversed by a watercourse, drainageway, channel or stream, or there shall be provided a storm water easement conforming substantially to the lines of the watercourse and shall be adequate for such intended purpose.
33. Utility easements as required Conway Corporation are needed.
34. Drainage easements as required by the City Engineer are needed.
35. Where possible, pedestrian trail and pathway systems should link open space corridors through major utility, drainage and other easements and another easement for the pathways should be established within that easement. The new comprehensive plan shows a pathway system along the creek in lots 168-170. This condition must be resolved.

BLOCK DESIGN REQUIREMENTS

36. Blocks over 1000 feet in length may require a public crosswalk within a dedicated easement of not less than 15 feet in width including a paved crosswalk not less than five feet in width to provide pedestrian circulation. *A request for variance has been received to allow the block from Hilton Drive to South Salem Road on the east side of the plat to be over 1000 feet in length. The Planning Commission approved this request in the February submission.*

LOT DESIGN REQUIREMENTS

37. Minimum lot depth must conform to the requirements of the Zoning Ordinance. *A request for variance has been received to allow lots 200, 201, 208, 209, 210, 212, 214, 220, 225, 227, 232, 237, 241, 242, 245, 248, 251, 252, 254, 256, 259, 262 and 263 to be less than 100 feet at their shallowest point. The Planning Commission approves this request.*
38. No lot shall be more than four times as deep as it is wide. *A request for variance has been received to allow lots 233, 246, 247, 257, 258 and 269 to be more than four times as deep as it is wide. The Planning Commission approves this request.*
39. The minimum building setback (building line) shall be no less than 25 feet from the right-of-way of the front street, or as required by the Zoning Ordinance. The complete building line must be shown for lot 220.
40. Double frontage lots other than corner lots fronting on two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission. *A request for variance has been received to allow lots 200-211 and 259-263 to be double frontage lots. The Planning Commission approves this request.*
41. On double frontage lots, a planting screen easement of at least 10 feet shall be provided along the portion of the lot abutting a traffic artery or other use where screening is required. There shall be no right of access across the planting screen easement and such restriction shall be clearly designated on the plat and within any Bill of Assurance.
42. Every lot must slope to a street or to a drainage easement.

UTILITY DESIGN REQUIREMENTS

43. Fire hydrants must be placed so that the furthest point of a residential lot in a subdivision is more than 600 feet from the hydrant located on the same street.

SIDEWALK DESIGN REQUIREMENTS

44. Sidewalks are required along both sides of all arterial and collector streets and on both sides of all streets within commercial, office and institutional districts. The plans for the sidewalk are needed. Sidewalks must meet all requirements in Table 1, Street Classification & Design Standards, City of Conway.
45. Sidewalks must be a minimum of five feet wide and located within the public right-of-way, with the edge closest to the street located five and one-half feet from the back of

the curb. Sidewalks are not required to be constructed in a straight line, if such straight line construction would damage trees, or if an aesthetic effect is desired and the Planning Commission approves.

EXPIRATION OF PLAT

46. 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. Quapaw Quarters at The Village will expire on August 15, 2006. ***A request has been received to extend this Preliminary Plat for one year. The Planning Commission grants this request for a one year extension. Quapaw Quarters at The Village will expire on August 15, 2007.***

PLANNED UNIT DEVELOPMENT

2. **FOR RECORD ONLY:** The Rausch Coleman Conway, LLC rezoning from MF-3 to PUD for property located off East German Lane was passed by the City Council as presented at its meeting on June 27, 2006. Junior Storie moved to approve council's action. Bill Graff seconded. Motion passed 8 – 0.

PUBLIC HEARING

REZONING

3. Dwight Sutherland request to rezone from R-2A to MF-3 property located at the northeast corner of Bruce and Baridon streets was denied 7 – 0 – 1 on a motion made by Adam Thomas and seconded by Mary Etta Qualls. Terry Sossong abstained from voting. Speaking for this rezoning request was Dwight Sutherland who highlighted the current nature of this and surrounding properties as rental and multi-family properties. He would like to have the property zoned to reflect its current use as multi-family and perhaps to do something with the adjacent vacant lot and a half that he also owns that was at one time occupied by a single family home used as a duplex. The home burned in 1999 and was subsequently razed. He has owned the property about two years and is concerned that if anything were to happen to the two existing buildings, they would have trouble trying to replace them because the R-2A zoning of the property does not reflect its use as multi-family.

Residents and interested parties speaking against the rezoning were Dr. Carl Reddig, Kelly King, Pat Ramsey, David Hatfield, Ken Fairless, Marianne Welch, Jimmy Bryant, Lisa Mabry-Williams, and Scott Carroll. Among the many concerns expressed were increased traffic, increased crime, lack of parking, drainage and flooding issues, negative impact on the quality of life, and the potential for detriment to the neighborhood. Residents like living in this older area of town. They like the architecture, the trees, the ambience of living in the old part of town. A high density apartment building will be a detriment to the neighborhood; it will affect the quality of life—the whole neighborhood on Bruce Street in a very negative way. Residents want to maintain the integrity of their neighborhood and the historic nature of the homes in the Bruce Street area. The current apartments blend with the neighborhood. In fact, Mrs. Welch stated that the apartment complexes currently on the property represent historic structures within their own right. They are probably older than 50 years old. The Old Conway Preservation Society has tried to ascertain the age of those structures but hasn't been able to pin down the exact age. The apartments represent a time when UCA and the neighborhood had a different relationship with one another. It would be great to see those apartment complexes honored for what they are. Mrs. Welch said she felt this rezoning request was premature because at least some of this property falls under the moratorium that the Mayor proposed in April while a task force meets to develop design and construc-

tion standards for Old Conway. To make a rezoning of this nature at this time is premature to the efforts of the task force. She asked that the Planning Commission consider this as it deliberates on this rezoning request.

It was noted that commissioners had received signed petitions as well as letters protesting against this rezoning.

4. Esmeralda Castro request to rezone from A-1 to MF-1 property located on the west side of Churchill Drive between Spring Valley Drive and Morning Glory was denied 8 – 0 on a motion to deny made by Junior Storie and seconded by Ron Fields. Ms. Castro was present to speak for her request and stated her intent to build single family town homes on this long narrow lot if it is rezoned to MF-1. The town homes would be sold as single family units. They would not be rental properties. Also speaking for this rezoning were Gail and Margie Jones. They own property east of the subject property and would like to see their property used for quiet office or perhaps another church.

Coming forward to speak against this rezoning were Chris Sullivan, Arnold Covington, Rusty Paige, Blake Wagner, Michael Garlington, John Randal, and Scott Hampton. One concern expressed by more than one speaker was that circumstances would change and the developer would find it no longer feasible to build single family town homes and the property would be fully developed as MF-1 and apartments would be built there. Speakers felt the single family town homes would be an asset but that apartments would have a negative impact on property values. Traffic in the area is already heavy and creates problems at various times because of the elementary school located on South Donaghey as well as the apartments that are occupied by UCA students. Another concern was that the school is using what is a back driveway to start loading their children and increased traffic from apartments or duplexes going in there could cause a greater risk for a child being hit as they are being picked up or riding their bicycle to school. More than one speaker asked if this property could be rezoned PUD so that conditions could be set. However, that is not an option with this piece of property. It does not meet the minimum acreage to qualify for a PUD.

CONDITIONAL USE

5. Pam McDowell Properties request for a conditional use permit to allow a bank with drive through on property at the southeast corner of Hogan Lane and College Avenue was approved with the conditions as stated on a 7 – 0 – 1 vote on a motion made by Bill Graff and seconded by Terry Sossong. Adam Thomas abstained from voting. Speaking for this request was Scott Brooks representing Pam McDowell Properties. Surveyor Robert French presented the proposed site plan for the property where the Bank of Dardanelle proposes to build. David Hatfield, pastor of Woodland Heights Baptist Church that sits on the northwest corner of this intersection, came forward to voice their support for this proposed use of the property.

Conditions attached to the motion for approval were

1. Lighting is to be inward, downward, and shrouded with no more than one foot-candle per square foot at the property lines.
2. The number of curb cuts is limited to the two (2) located as shown on the Bank of Dardanelle site plan presented before the Planning Commission at its July 17, 2006 meeting (as far away from the intersection as possible).
3. No outdoor sound system other than as necessary for operations of the bank as to the drive-through area.
4. Screening and berming are required along the street frontage on College Avenue and on

Hogan Lane.

5. A monument sign conforming to the Overlay District standards is required.
6. Preserve all trees above 18 inches as necessary, if possible. Planning Director must approve removal of any trees larger than 18 inches.

OTHER BUSINESS

Terry Sossong reported that the nominating committee had completed its work and wanted to recommend Todd Smithhart to fill the vacancy on the Planning Commission. After thanking Bill Graff, Mary Etta Qualls, and Ron Fields for their work on this committee, Mr. Sossong briefly described Mr. Smithhart as a CPA and local property owner who has been active in community activities including a significant amount of work with the Toad Suck Daze Committee, Conway Jaycees, United States Jaycees, SCAN Board of Directors, Relay for Life, and Faulkner County Landlord Association. Mr. Smithhart's real estate and financial experience as well as knowledge of cell towers should prove an asset to the commission.

Mr. Sossong made a motion to approve Mr. Smithhart as the nominee to recommend to the City Council to fill the vacancy on the Planning Commission. Mary Etta Qualls seconded the motion. It passed 8 – 0.

The meeting adjourned at 8:30 p.m. on a motion to adjourn made by Adam Thomas and seconded by Terry Sossong.