

PLANNING COMMISSION MEETING

December 17, 2007

Chairman Adam Thomas called the regular meeting of the Conway Planning Commission to order at 7:00 p.m., Monday, December 17, 2007. Commissioners present were Ron Fields, Bill Graff, Sandy Mabry, Mary Etta Qualls, Terry Sossong, Junior Storie, and Adam Thomas. Chris Riggins and Todd Smithhart were absent.

Mr. Thomas explained the commission is an advisory board to the city council and that items are referred to the council for final action. Anyone interested in a particular agenda item should also attend the council meeting at which it is heard. Planning Commission meetings are generally divided into two halves—the first half being the Subdivision Committee report, the second half the public hearing, and possibly some discussion items at the end if needed.

Staff reports on the agenda require no action and include site plans, lot splits, mergers, and minor subdivisions filed for record. No site plans were reported out for December. Lot splits, mergers, and minor subdivisions filed for record: Replat of Tract A, Spring Valley Subdivision Phase I; Brooks Replat; Replat of Lots 1 and 2, Block 1, Weems Addition; Replat of Lots 1 and 4, Conway Market Place Shopping Center; and Germantown Center.

The first item of business was the November minutes. Bill Graff made the motion to approve the minutes as submitted. Mr. Sossong seconded. The motion passed 7 – 0.

Mr. Thomas then called on Junior Storie to make the Subdivision Committee report.

SUBDIVISION REPORT

1. Trinity Development request for preliminary plat approval of Replat of Lot 10D Scherman Heights was granted 7 – 0 on a motion to approve subject to the amended punch list. Junior Storie made the motion and Terry Sossong seconded.

PUNCH LIST:

BASIC INFORMATION NEEDED ON THE PLAT

1. The Certificate of Preliminary Survey Accuracy is needed.
2. The Certificate of Preliminary Plat Approval is needed.

EASEMENT DESIGN REQUIREMENTS

3. Utility easements as required Conway Corporation are needed.
4. Drainage easements as required by the City Engineer are needed.

LOT DESIGN REQUIREMENTS

5. Lots must abut upon a public street except where private streets are approved by the Planning Commission in Planned Unit Developments or where a dedicated access easement 25' in width in C-1, C-3 or O-1 zones has been approved by the Planning Commission. Street frontage width must comply with the Zoning Ordinance requirements. *A request for variance has been received to allow Lot 10F to be a lot with no street frontage and to have access through a 30' access easement on the Replat of Lot 10D Scherman Heights. The Planning Commission approves this request.*

UTILITY DESIGN REQUIREMENTS

6. Fire hydrants shall be placed so that the furthest point of a lot in a commercial subdivision is no more than 400 feet from the nearest hydrant located on the same street.

SIDEWALK DESIGN REQUIREMENTS

7. If, during the construction of a building or any other improvements upon a lot or by any other actions, the sidewalk(s) are damaged, the party responsible for the construction or other actions shall repair the sidewalk(s) to the satisfaction of the City.

EXPIRATION OF PLAT

8. 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 Replat of Lot 10D Scherman Heights will expire on December 17, 2008.
2. Three A Enterprises, LLC request for preliminary plat approval of Pecan Grove Replat was granted 7 – 0 on a motion to approve subject to the amended punch list made by Junior Storie and seconded by Terry Sossong.

PUNCH LIST:**BASIC INFORMATION NEEDED ON THE PLAT**

1. Application for review and approval of the preliminary plat is needed.
2. A legal description of the property with exact boundary lines, bearings and distances is needed. The legal description must include all property abutting the closed alley and/or street right-of-way. If the alley and/or street right-of-way is not closed, then the legal description must exclude such alley and/or street right-of-way.
3. The present zoning classification of the land to be replatted and of the adjoining land contiguous to the boundary of the proposed replat is needed.
4. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings.
5. Lot lines with appropriate dimensions are needed.
6. Proposed easements are needed.

ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

7. 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.
8. The Certificate of Preliminary Engineering Accuracy is needed on each set of street and drainage plans.
9. 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

10. 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.

11. 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.
12. An easement shall be placed around the high water limits of the detention area.

STREET DESIGN REQUIREMENTS

13. State Fire Code 503.0.5 states that dead-end fire apparatus 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-de-sac requirement must be approved by the Conway Fire Marshall.
14. Cul-de-sac turnarounds shall have a right-of-way diameter of 120 feet and a pavement diameter of 96 feet. Measurements assume back of curb to back of curb for a roll curb. *A request for variance has been received to not require a turnaround at the north end of Ash Street. The Fire Marshall has approved the lack of turnaround with the access inside the PUD. The Planning Commission approves this request with a 20 foot access easement on the plat.*

EASEMENT DESIGN REQUIREMENTS

15. Utility easements as required Conway Corporation are needed.
16. Drainage easements as required by the City Engineer are needed.

LOT DESIGN REQUIREMENTS

17. Every lot must slope to a street or to a drainage easement.

UTILITY DESIGN REQUIREMENTS

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

SIDEWALK DESIGN REQUIREMENTS

19. Sidewalks are required along both sides of all streets. Sidewalks must meet all requirements in Table 1, Street Classification & Design Standards, City of Conway.
20. 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.
21. All sidewalks shall be handicapped accessible to public streets at street corners and at designated mid-block public service drives/alleyways. Sidewalks shall meet American Disability Act Standards.
22. Sidewalks along streets classified as residential shall be constructed by the homeowner/builder. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy. Sidewalks on lots that are not built out within three (3) years of final platting shall be the responsibility of the developer. A separate assurance for this completion shall be required prior to the filing of the final plat. This assurance shall be equal to the amount necessary to complete all sidewalks required within the subdivision. These funds shall be in the form of a letter of credit, performance bond, or cash deposit. The amount of sidewalk build out will be reviewed on an annual basis and this assurance shall be adjusted according to the percent of sidewalk completion.
23. Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous "ribbon" of pedestrian access throughout the community.
24. If, during the construction of a building or any other improvements upon a lot or by any other actions, the sidewalk(s) are damaged, the party responsible for the construction or other actions shall repair the sidewalk(s) to the satisfaction of the City.

EXPIRATION OF PLAT

25. 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. Pecan Grove Replat will expire on December 17, 2008.

AUTHORIZATION TO PROCEED

26. 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 subdivider to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The subdivider, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.

3. RichSmith Holdings, LLC and Park Ridge at Conway LP request for preliminary plat approval of Park Ridge Subdivision was granted 7 – 0 on a motion to approve subject to the amended punch list made by Junior Storie and seconded by Ron Fields.

PUNCH LIST:**BASIC INFORMATION NEEDED ON THE PLAT**

1. The date of the survey is needed.
2. The present zoning classification of the adjoining land contiguous to the boundary of the proposed subdivision is needed.
3. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings. Sidewalks must also be shown along East German Lane and Rumker Road.
4. Street names that are not similar to existing street names are needed for all proposed streets. A street name must be shown for the street from Rumker Road to Richsmith Lane. If the street lines up with Woodside Drive the name must remain the same.
5. The boundary of the subdivision should be of the same hard solid line which also shows the right-of-way dedication.
6. The source of water supply must be shown.
7. The method of disposal of waste water must be shown.
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.

ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

9. The Certificate of Preliminary Engineering Accuracy is needed on each set of street and drainage plans.
10. 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.
11. Where a subdivision 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

12. 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.

13. 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."
14. 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.
15. 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.
16. 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.
17. An easement shall be placed around the high water limits of the detention area.

STREET DESIGN REQUIREMENTS

18. The rights-of-way of all streets must conform to the Master Street Plan. East German Lane and Rumker Road are classified as a minor arterial which requires an 80' right-of-way. The right-of-way for both streets must be shown to be 80' on the plat.
19. Proper access in the form of stub streets or temporary deadend streets shall be provided to adjacent unplatted property unless, in the judgment of the Planning Commission, topographic conditions or physical constraints preclude reasonable provision of such access or alternate routes are or will be available in the future. *A request for variance has been received to not stub out to the east or the north. [The Planning Commission approves this request subject to the applicant asking Council for credit on the impact fee to build Rumker Road to the east property line.](#)*
20. Local street centerline offsets shall be no less than 125 feet. The road going south to Rumker Road must either match up with Woodside Drive or must be no less than 125 feet offset from centerline to centerline.
21. Proposed new intersections along one side of an existing street shall, wherever practical, coincide with any existing intersection on the opposite of the street.

EASEMENT DESIGN REQUIREMENTS

22. Utility easements as required Conway Corporation are needed.
23. Drainage easements as required by the City Engineer are needed.

BLOCK DESIGN REQUIREMENTS

24. 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.

LOT DESIGN REQUIREMENTS

25. No lot shall be more than four times as deep as it is wide. *A request for variance has been received to allow lots 3 to be more than four times as deep as it is wide. The Planning Commission approves this request.*
26. 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.
27. Corner lots shall have a setback of 25 feet from the front lot line and 25 feet from the exterior side lot line, or as required by the Zoning Ordinance.
28. All existing buildings must be shown to meet the minimum setback requirements from all lot lines or they must be modified or moved to meet those setback requirements. The barn across the east property line of Lot 4 and the Hambuchen property must either be moved or removed so it does not cross the property line.
29. 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 4, 5 & 6 to be double frontage lots. The Planning Commission approves this request.*
30. Building lines shall be established for both front and rear lot lines for double frontage lots.
31. 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.
32. Every lot must slope to a street or to a drainage easement.

UTILITY DESIGN REQUIREMENTS

33. All subdivisions containing more than four lots within the corporate limits shall be provided with a water supply and distribution system approved by the Conway Corporation and meeting the requirements of the State Health Department.
34. Fire hydrants shall be placed so that the furthest point of a lot in a commercial subdivision is no more than 400 feet from the nearest hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
35. Where a public sanitary sewer is within 300 feet of any point of a subdivision, the subdivider shall install a system of sewer lines and provide connection to each lot.

SIDEWALK DESIGN REQUIREMENTS

36. Sidewalks are required along both sides of all streets. Sidewalks must meet all requirements in Table 1, Street Classification & Design Standards, City of Conway.
37. 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.
38. All sidewalks shall be handicapped accessible to public streets at street corners and at designated mid-block public service drives/alleyways. Sidewalks shall meet American Disability Act Standards.

39. Sidewalks along streets classified as a collector or above shall be constructed by the subdivision developer concurrently with construction of the other subdivision infrastructure. Such construction shall be completed or assurance of construction equal to that required for other infrastructure improvements provided prior to the filing of the final plat. Such sidewalk construction, location, and responsibility shall be clearly identified and be a requirement of the final plat.
40. Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous "ribbon" of pedestrian access throughout the community.
41. If, during the construction of a building or any other improvements upon a lot or by any other actions, the sidewalk(s) are damaged, the party responsible for the construction or other actions shall repair the sidewalk(s) to the satisfaction of the City.

EXPIRATION OF PLAT

42. 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. Park Ridge Subdivision will expire on December 17, 2008.

AUTHORIZATION TO PROCEED

43. 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 subdivider to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The subdivider, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.
4. The Greens at Nutter's Chapel, LP request for preliminary plat approval of The Greens at Nutter's Chapel Subdivision was granted 6 – 0 on a motion to approve subject to the amended punch list made by Terry Sossong and seconded by Sandy Mabry. Mr. Storie recused himself from hearing or voting on this item and left the room. Because Mr. Storie was unable to participate in the Subdivision Committee on this item, it lacked a quorum. For that reason, each item on the punch list requiring action as well as the overall vote was by the full commission absent Mr. Storie.

PUNCH LIST:

BASIC INFORMATION NEEDED ON THE PLAT

1. The scale of the plat must be no smaller than one inch equals 100 feet. *A request for variance has been received to allow the scale of the plat to be 1 inch equals 200 feet. The Planning Commission approves this request. (6 – 0)*
2. A legal description of the property with exact boundary lines, bearings and distances is needed.
3. The date of the survey is needed.
4. If any portion of the land being subdivided is subject to flooding, the limit of such flooding shall be noted and the appropriate 100 year floodplain and/or floodway shall be identified.
5. The present zoning classification, if any, of the land to be subdivided and of the adjoining land contiguous to the boundary of the proposed subdivision is needed.
6. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings.
7. Street names that are not similar to existing street names are needed for all proposed streets. A new name must be submitted and approved by the Planning Department for the east/west street.
8. Proposed easements are needed.

9. 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.

ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

10. 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. Contours are also needed south of the creek.
11. Natural features within the proposed subdivision including drainage channels, bodies of water, wooded areas and other significant features are needed.
12. The direction of flow of all water courses entering the tract shall be indicated.
13. The direction of flow of all water courses leaving the tract shall be indicated.
14. The drainage area of all water courses above the points of entry shall be noted.
15. The downstream drainage channel and drainage structures substantially impacted by the subdivision/replat shall be shown.
16. Existing streets, buildings, water courses, railroads, culverts, utilities and easement on and adjacent to the tract are needed. The adjacent utilities must be identified.
17. 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.
18. Where a subdivision 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

19. 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.
20. 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."
21. 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.
22. 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.

23. 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.
24. An easement shall be placed around the high water limits of the detention area.

STREET DESIGN REQUIREMENTS

25. The minimum horizontal radii of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. *A request for variance has been received to allow two curves with a horizontal radii along South Salem Road to be 600 and five curves to have a horizontal radii of 550. The Planning Commission approves this request. (6 – 0)*
26. The minimum horizontal tangent distances between reverse curves of all streets must conform to the Master Street Plan and the requirements of Table 1, Street Classification & Design Standards, City of Conway in the Subdivision Ordinance. *A request for variance has been received to allow a distance of 227.23, 116.55, 47.97, and 64.91 feet between reverse curves on South Salem Road where the requirement is 300 feet. The Planning Commission approves this request. (6 – 0)*
27. Proposed through streets shall be extended to the boundary lines of the tract to be subdivided unless the Planning Commission has determined that such extension is not necessary or desirable for the coordination of the layout of the subdivision/replat with existing and adjoining parcels. *A request for variance has been received to not require to build the south end of South Salem Road to the south property line and only dedicate the right-of-way. The Planning Commission approves this request. (6 – 0)*
28. 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 the north end of Salem Road to be a boundary street. The Planning Commission approves this request. (6 – 0)*
29. Proper access in the form of stub streets or temporary deadend streets shall be provided to adjacent unplatted property unless, in the judgment of the Planning Commission, topographic conditions or physical constraints preclude reasonable provision of such access or alternate routes are or will be available in the future. *A request for variance has been received to not provide a stub out to the north between Nutter Chapel and Salem Road and to the west south of the Nutter Chapel Road intersection. The Planning Commission approves this request. (6 – 0)*
30. 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 the street intersections to be less than 90 degrees. The Planning Commission approves this request. (6 – 0)*
31. Where collector and arterial streets intersect other collector or arterial streets, the curb radii at the intersection shall not be less than 31.5 feet. The curb radii must be 31.5 feet at the intersection of Nutter Chapel Road and the new east/west collector.

32. Property line corners at street intersections shall be rounded with a radius of at least 28 feet. Property line corners shall be rounded with the unnamed east/west street and Nutter Chapel Road and the unnamed east/west street with Hilton Drive.
33. Street intersections shall be located to avoid creating hazardous driving conditions. Plans must be submitted to show how the unnamed east/west street joins with Nutter Chapel Road and Hilton Drive.

EASEMENT DESIGN REQUIREMENTS

34. Easements shall be provided for utilities where a subdivision is traversed by a water course, drainageway, channel or stream, or there shall be provided a storm water easement conforming substantially with the lines of the water course and shall be adequate for such intended purpose.
35. Utility easements as required Conway Corporation are needed.
36. Drainage easements as required by the City Engineer are needed.
37. 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. The Master Plan shows a pathway easement along the creek. A 25' pathway easement must be shown on the plat.

BLOCK DESIGN REQUIREMENTS

38. Blocks over 1500 feet in length are prohibited. *A request for variance has been received to allow blocks over 1500 feet in length. The Planning Commission approves this request subject to City Engineer review for traffic calming. (6 – 0)*
39. 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 not require any crosswalks. The Planning Commission approves this request. (6 – 0)*

LOT DESIGN REQUIREMENTS

40. 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. *A request for variance has been received to allow a 20' building line along all street frontage. The Planning Commission approves the building line to be 20 feet. (6 – 0)*
41. 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 1, 2, & 3 to be double frontage lots. The Planning Commission approves this request. (6 – 0)*
42. 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.

UTILITY DESIGN REQUIREMENTS

43. Fire hydrants must be placed so that the furthest point of a lot in a residential 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 streets. Sidewalks must meet all requirements in Table 1, Street Classification & Design Standards, City of Conway.
45. Sidewalks along streets classified as a collector or above shall be constructed by the subdivision developer concurrently with construction of the other subdivision infrastructure. Such construction shall be completed or assurance of construction equal to that required for other infrastructure improvements provided prior to the filing of the final plat. Such sidewalk construction, location, and responsibility shall be clearly identified and be a requirement of the final plat.

46. Sidewalks along streets classified as residential shall be constructed by the homeowner/builder. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy. Sidewalks on lots that are not built out within three (3) years of final platting shall be the responsibility of the developer. A separate assurance for this completion shall be required prior to the filing of the final plat. This assurance shall be equal to the amount necessary to complete all sidewalks required within the subdivision. These funds shall be in the form of a letter of credit, performance bond, or cash deposit. The amount of sidewalk build out will be reviewed on an annual basis and this assurance shall be adjusted according to the percent of sidewalk completion.

EXPIRATION OF PLAT

47. 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 Greens at Nutter's Chapel Subdivision will expire on December 17, 2008.

AUTHORIZATION TO PROCEED

48. 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 subdivider to proceed with the preparation of the Final Plat, the installation of improvements, and the staking out of lots and blocks. The subdivider, after conditional approval of the Preliminary Plat, shall complete all improvements required under this regulation.

Held in Committee

5. – 6. A rezoning request and conditional use permit request submitted by Travis Weaver that was held over from the November meeting to give the applicant the opportunity to present additional information in response to issues raised at that meeting was again opened for public comment by Chairman Thomas. Specific issues addressed were noise level and drainage. Marsha Chase, Pat Clark, Sandra Bryant, and Pat Davis again spoke to oppose both requests. Junior Storie made a motion seconded by Mary Etta Qualls to recommend approval of the conditional use request to city council subject to the seven conditions stated below. Motion passed 7 – 0.

- 1) Lighting shall be inward, downward, and shrouded.
- 2) Enclose condensers with sound reducing materials to be approved by the City Engineer and City Planner.
- 3) Drainage ditch to be approved by the City Engineer.
- 4) Sanitary sewer tanks must be installed.
- 5) Interceptor ditch may process up to 500 gallons (12 condenser units times 40 gals. each) of water per day. If the output exceeds that, clean water tank(s) must be installed.
- 6) No external sound system.
- 7) Hours for external activities, i.e. loading of delivery trucks, shall be 6:00 a.m. to 6:00 p.m., Monday to Saturday.

PUBLIC HEARING

Planned Unit Developments

7. The Greens at Nutter's Chapel, LP request for rezoning from R-1, MF-2, C-2 and O-1 to PUD for property located on the south of Eggman Lane and east of Nutter's Chapel Road (The Greens at Nutter's Chapel PUD) was approved 6 – 0 on a motion to approve the

rezoning with the nine additional conditions stated below. Sandy Mabry made the motion and Mary Etta Qualls seconded. Commissioner Junior Storie left the hearing room after recusing himself from hearing this request.

- 1) PUD shall be as submitted in drawings to the Planning Department—900 apartment units in 75 buildings clustered within an 18-hole golf course—with Planning Department adjustments as needed.
- 2) Building #20 and #12 green shall be located forty (40) feet north from the property line.
- 3) PUD will not exceed 900 apartment units in 75 buildings.
- 4) At no time in the future shall golf course have less than eighteen (18) holes.
- 5) The portion of Nutter's Chapel Road abutting this property must be improved and brought up to current city standards **with impact fees if approved by the City Council.**
- 6) Planning Department staff will examine parking and parking placement with an eye to the parking being more compartmentalized and located to the rear or sides of the apartment structures so as to create a better streetscape.
- 7) On-site water from lake to be used for golf course irrigation.
- 8) No external sound system usage between 10:00 p.m. and 8:00 a.m.
- 9) Trees larger than six (6) inches in diameter within twenty-five (25) feet of the property line will not be removed.
- 10) Construction traffic for this project is limited to Salem Road and Nutter's Chapel Road.

SPEAKING FOR THE REZONING:

Hal Crafton, 1595 Declaration Cove, and Bobby French, 1000 Front Street.

- 110 acres of golf course versus development with the current multiple zonings
- Traffic impact of this 900 unit complex versus development with the current zonings
- Dedication and development of Salem Road to their property's extents
- Open up south Conway for future development with infrastructure—sewer—going in
- Preservation of trees where possible
- Buildings similar or matching those in The Links at Cadron Valley

EXPRESSING CONCERN AND/OR SEEKING MORE INFORMATION:

Jerry Park, 6 Richland Hills Drive; James Darnell, 40 Hilton Drive; Mark Powers, 2 Richland Hills Drive; James Cullom, 13 Richland Hills Drive; Randall Bowlin, 32 Hilton Drive; and Terry Reynolds, 10 Richland Hills Cove.

- Flooding from the creek, all units are rental units, golf course open to the ordinary citizen
- Large buffer of trees and more space between property line and Building 20
- Traffic using Hilton Drive that is essentially a glorified cow path that has been paved
- Possible reduction of the golf course to build more apartment units

8. Three A Enterprises, LLC request for rezoning from R-2A to PUD for property located at 1220 & 1221 Ash Street at the terminus of North Ash Street north of Mill Street (Pecan Grove PUD) was denied 7 – 0 on a motion to deny the request made by Bill Graff and seconded by Mary Etta Qualls.

SPEAKING FOR THE REZONING:

James Dreher, Civil Design; Roberts Williams & Associates landscape architect Barry Williams; and property owner Mitch Fry

- Recapped the background preceding the current request which is the outcome of some six revisions and the property owner's year-long efforts to work with surrounding property owners to develop his property in a manner that would be a fit for what is already in the area and also meet his needs

- Scaled down density from MF-3 apartment complex to a small development of five duplexes
- Structures changed to a story and a half instead of three story
- Increased green/yard space
- Tree preservation—only ten will be removed with this design
- Privacy fencing
- Windows, porches, and residential parking to the rear
- Resident manager
- Issues addressed included traffic, drainage, compatibility with old Conway, walkways

SPEAKING AGAINST THE REZONING:

Sarah Bryan, 1704 Mill; Jonathan Binyon, 1833 Johnston; Rod Mize, 1621 Mill; Carolyn Milligan, 1203 Clifton; Donna Mathis, 1620 Mill; Patricia Heath, 1827 Mill; Amanda Moore, 1135 Clifton; Gary Tumlinson, 1221 Mitchell; Carl Reddig, 1909 Bruce; Betty Osborne, 1172 Watkins; Jimmy Bryant, 1836 Bruce; and Eric Jones, 1516 College.

- Density
- Intersection at Mill Street and Ash still dangerous and a source of concern
- Erosion of Old Town Conway
- Preservation of lifestyle, history, and heritage

Although many of these same persons speaking against the rezoning expressed concerns that the developers have addressed with their current plan and request for rezoning to PUD, they agreed with Mrs. Bryan that essentially, regardless of how many compromises the developer has made in trying to work with the neighborhood and its residents, they are unwilling to compromise and concede one additional duplex more than is allowed by the property's current zoning which is what the developer is asking. "So you're telling me you'd rather him go to four with no restrictions versus saying five and we would agree on some restrictions to it," inquired Chairman Thomas. "I personally am willing to take that chance," stated Mrs. Bryan, "although I can't speak for everyone."

Rezoning

9. Randall Davis request for rezoning from R-2A to MF-2 for vacant property located at 1910 Bruce Street was denied 7 – 0 on a motion to deny that was made by Junior Storie and seconded by Ron Fields.

SPEAKING FOR THE REZONING:

Randall Davis, owner of property at 1910 Bruce Street

- Intent is to build four one-bedroom 700 square foot rental units within a single one-story building on subject property that has been vacant for a number of years
- Surrounded by a number of rental units including apartments, duplexes and single family homes
- Typical clients are established people of middle age who don't want a large home but still want a really nice quality built place to live
- Promises a structure that will fit in with the neighborhood and as far as looks be a benefit to what is on the property now
- Obscure parking so that it is not visible from the street, shared drive way with neighboring apartment building
- Preserving trees and only removing some trash trees

SPEAKING AGAINST THE REZONING:

Carl Reddig, 1909 Bruce; Jimmy Bryant, 1836 Bruce; Ken Fairless, 321 Mitchell; Sarah Bryan, 1704 Mill; Eric Jones, 1516 College; Chad Brown, 1903 Bruce; Mike Schaeffer, 1818 Bruce; Anita Reddig and Alexis Reddig, 1909 Bruce.

- Rezoning is in contradiction of the comprehensive plan
- Increased traffic would not be minimal
- Keep the R-2A zoning and insure whatever is constructed is in keeping with that zoning
- Any type of high density housing in Old Conway is opposed
- Several corrections noted to the map showing property use
- Noise, trash, theft—all part of living near apartments occupied by UCA students
- Adverse effect on the neighborhood, property values, and lifestyle
- Erosion of the neighborhood and historic structures
- Insufficient parking and parking on neighboring properties

Conditional Use

9. Nabholz Properties request for a conditional use permit for an eating place with drive through for property located at 550 Salem Road north of Arvest Bank at the intersection of College Avenue and Salem Road and south of Simmons First National Bank was denied on a 7 – 0 vote on a motion to deny made by Bill Graff and seconded by Junior Storie.

SPEAKING FOR THE REZONING:

Scott Murphy, 58 Robinwood, Little Rock; Bill Adkisson, 711 Locust Avenue; and Tom Gordon of Slim Chickens, Inc., 2403 Main Drive, Fayetteville.

- Property has a cross access agreement with the property to the east
- Right in / right out suggested onto Salem may pose problems in selling this property
- Don't see their business attracting a lot of new traffic to the area until much later down the road—just hoping to attract traffic that is already there for McDonald's and other established eateries
- No opposition from Arvest or Simmons, just encouragement
- Allow the developer to work with the Planning Department and the city to iron out the traffic issues and ingress / egress without putting any conditions on the property

SPEAKING AGAINST THE REZONING:

None

"It's not the traffic numbers I'm worried about," stated Mr. Thomas. "It's the snarl of traffic you'll create by coming south on Salem and trying to turn there; you're going to block all the rest of the traffic. That's the concern that I have. That's why I just can't accept anything other than right in/right out. That's my issue."

OTHER

10. Subcommittee chairs were nominated and confirmed by vote. Mr. Storie was nominated to serve as chair of the Planning Commission, Terry Sossong as vice chair, and Mary Etta Qualls as secretary and to serve on the Old Conway Design Review Board.

<u>Annexation</u>	<u>Conditional Use</u>	<u>Subdivision</u>	<u>Zoning</u>
Ron Fields, Chair	Mary Etta Qualls, Chair	Terry Sossong, Chair	Todd Smithhart, Chair

Awards were presented to Adam Thomas, Bill Graff, and Chris Riggins for their service on the Planning Commission.

The meeting adjourned at 12:17 a.m. on a motion made by Bill Graff seconded by Adam Thomas.