

[PLANNING COMMISSION STAFF REPORT]

for the meeting on Monday, December 21, 2009



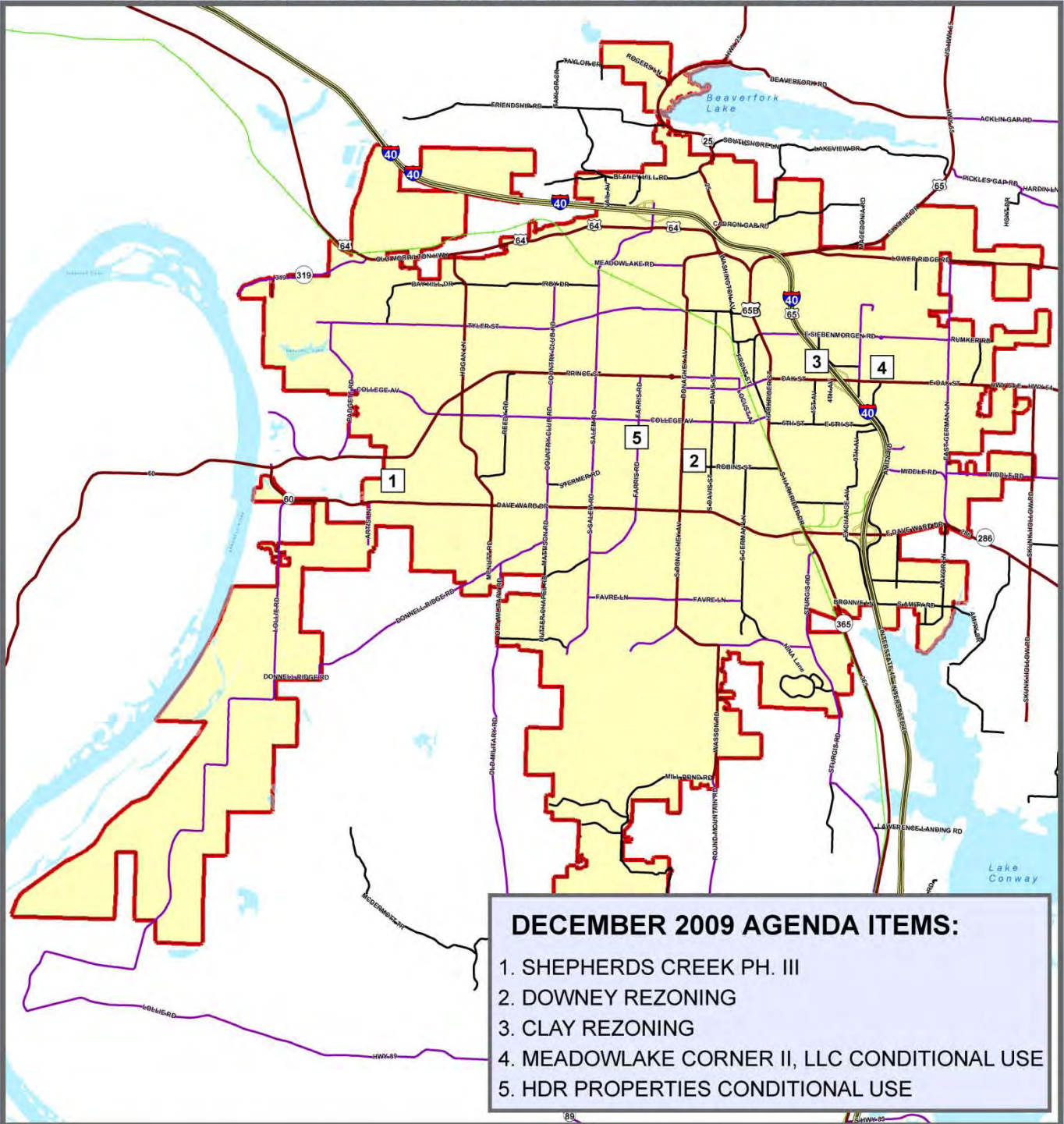
12.2009

Planning and Development
Department

City of Conway, Arkansas

CITY OF CONWAY

DECEMBER 2009 PLANNING COMMISSION ITEMS



DECEMBER 2009 AGENDA ITEMS:

1. SHEPHERDS CREEK PH. III
2. DOWNEY REZONING
3. CLAY REZONING
4. MEADOWLAKE CORNER II, LLC CONDITIONAL USE
5. HDR PROPERTIES CONDITIONAL USE



INTERSTATE	LOT LINE
MAJOR ARTERIAL	STREAMS
MINOR ARTERIAL	LAKES & PONDS
COLLECTOR	CITY LIMITS
RESIDENTIAL	
PRIVATE ROAD	
INTERSTATE RAMP	
RAILROADS	

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			

Commercial Office		Special	
C-1	O-1	S-1	
C-2	O-2	A-1	
C-3	O-3	PUD	
C-4			



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CONTACT INFORMATION
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 E-MAIL: Jason.Lynn@CityOfConway.org

CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA

TIME: 7:00 PM

DAY AND DATE: Monday, December 21, 2009

LOCATION: COURT ROOM, DISTRICT COURT, 810 PARKWAY, CONWAY, ARKANSAS

ITEMS REQUIRING PLANNING COMMISSION ACTION

- Presentation of awards for Planning Commission service
- November 2009 Minutes

Report of Standing Committees:

Subdivision

1. A request by Hal Crafton for preliminary plat approval of Shepherd's Creek Subdivision, Phase III.

Public Hearings:

Items below should be reviewed by the City Council on January 12, 2010. Denied items may be appealed within 30 days and scheduled for City Council review.

Rezoning

2. A request by Dennis Downey to rezone from R-2A to MF-3 property located at 1949 South Boulevard / 145 Baridon Street.
3. A request by Jo Ann Clay to rezone from R-2 to C-3 property located at 1114 Gum Street.

Conditional Use

4. A request by Meadowlake Corner II, LLC for a conditional use permit to allow *Retail—General (including restaurant) in O-1* at 1145 and 1165 Bob Courtway Drive.
5. A request by HDR Properties, LLC for a conditional use permit to allow *MF-3 density in MF-2* at 2505, 2507, 2509, 2511, 2513, 2515 and 2517 West Martin Street.

Discussion:

- Selection of Planning Commission officers for 2009.
- Committee assignments, as designated by the incoming Chairman.

Other items as decided by the Planning Commission.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

The following items have been reviewed and approved by the Director of Planning and Development and are being reported to the Planning Commission as stipulated in the applicable Zoning or Subdivision Ordinance:

Development Reviews

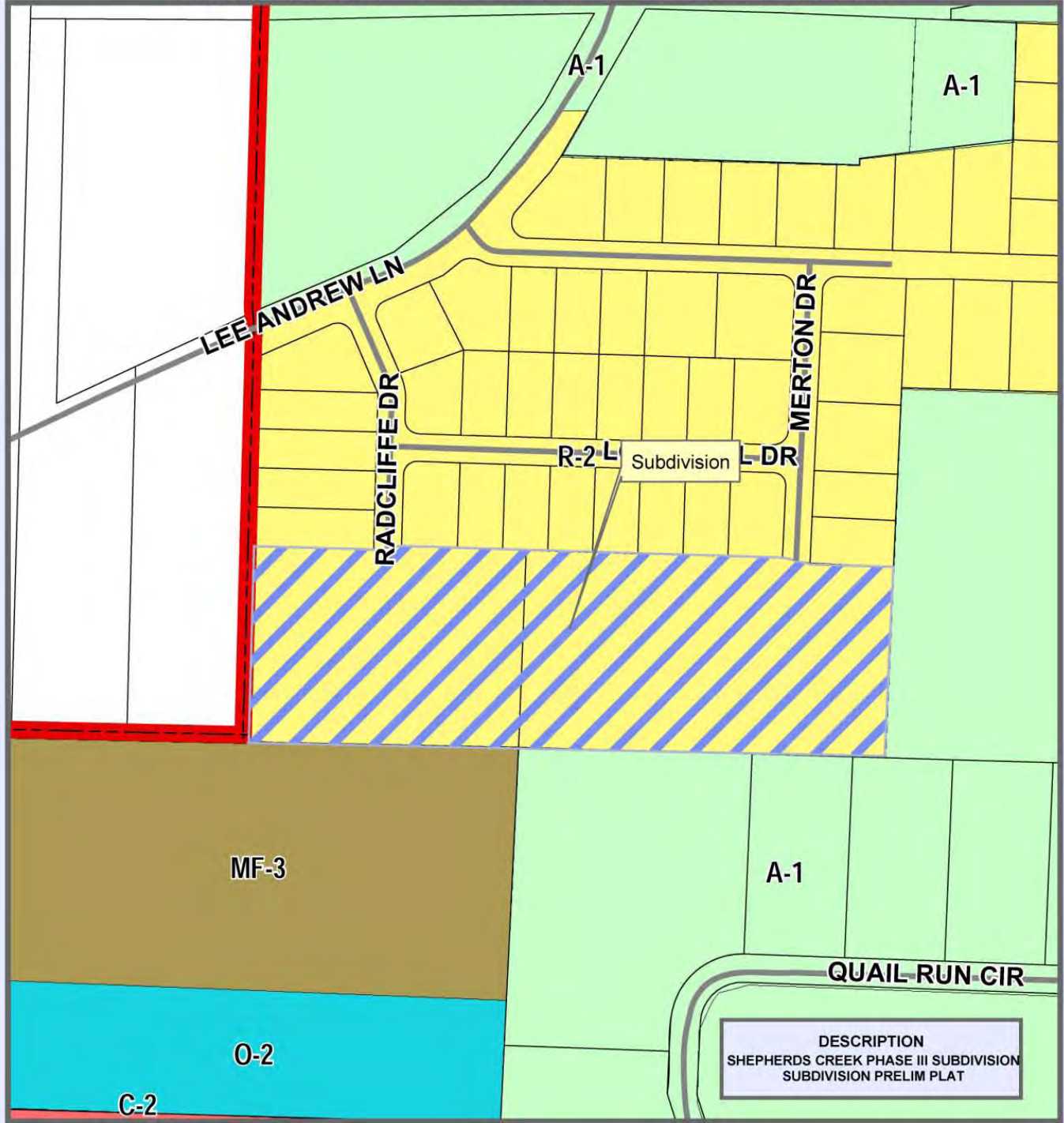
- Covington Freeway Building, 1160 Collier Drive
- Lot Splits, Lot Mergers and Minor Subdivisions (filed for record)
- none

Scheduled Times for Planning Commission Committee Meetings

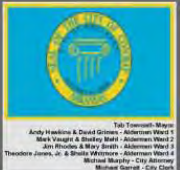
Subdivision Committee will meet at **6:30 p.m.** on Monday, December 21, 2009 in the **1st Floor Conference Room in City Hall, 1201 Oak Street**

CITY OF CONWAY

SHEPHERDS CREEK PH III SUBDIVISION



DESCRIPTION
SHEPHERDS CREEK PHASE III SUBDIVISION
SUBDIVISION PRELIM PLAT



		Residential	Industrial
		Commercial	Special

Commercial	Office	Special



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CONTACT INFORMATION:
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 E-MAIL: Jason.Lyon@CityofConway.org

SUBDIVISION

DN: SUB2009DEC01
ID: SUB2009DEC01
GL: 51417NE

1. Shepherd's Creek Subdivision, Phase III

**APPLICANT'S
NAME(S)**

Hal Crafton

**PLAT APPROVAL
REQUESTED**

Preliminary

**PRESENT
ZONING**

R-2

**ABUTTING
ZONING**

R-2, A-1, MF-3,
County

NUMBER OF LOTS

24

LOCATION

This property is located south and east of Lee Andrew Lane at the south terminations of Radcliffe and Merton drives.

DIMENSIONS

Maximum east-west dimension approximately 1,150 feet

Maximum north-south dimension about 350 feet

AREA

9.25 acres

STRUCTURES ON THE PROPERTY

None

COMMENTS

One or more items in the punch list require Planning Commission action.

ENCLOSURES

A map of the area, a reduced copy of the plat, a copy of the punch list.

CONWAY CITY PLANNING DEPARTMENT REVIEW
SHEPHERD'S CREEK SUBDIVISION, PHASE III
PRELIMINARY PLAT
SUBMITTED BY
HAL CRAFTON
DECEMBER 2009

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

BASIC INFORMATION NEEDED ON THE PLAT

1. A north arrow must be shown.
2. The graphic scale must be shown.
3. A vicinity map showing the location and acreage of the subdivision must be shown.
4. A legal description of the property with exact boundary lines, bearings and distances is needed. The distance 484.15' in the legal description differs from 484.18' shown on the south boundary of the plat. This condition must be rectified.
5. 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. The city limits boundary must also be shown.
6. The layout of all proposed streets are needed, along with relevant dimensions and bearings.
7. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings.
8. Street names that are not similar to existing street names are needed for all proposed streets. A street name must be submitted and approved for the east/west street.
9. Lot lines with appropriate dimensions are needed. The bearings must be shown for all lot lines adjacent to street right-of-way.
10. Proposed easements must be identified.
11. 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

12. 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.
13. 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

14. 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.
15. 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.”

16. 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.
17. 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.
18. 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.

STREET DESIGN REQUIREMENTS

19. 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 traffic calming is/is not required along the unnamed east/west street.*
20. All methods to slow traffic must meet all relevant city regulations and must be approved by the City Engineer and the Planning Director.
21. 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. *The Planning Department recommends that the eastern stub-out to the south be moved to stub out to the east. The Planning Commission determines that the stub-out (needs/does not need) to be moved.*

EASEMENT DESIGN REQUIREMENTS

22. All easements must be identified.
23. Utility easements as required Conway Corporation are needed.
24. Drainage easements as required by the City Engineer are needed.

LOT DESIGN REQUIREMENTS

25. 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 building setback line must be identified for lots 55-61 and 67-73.

UTILITY DESIGN REQUIREMENTS

26. 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.

SIDEWALK DESIGN REQUIREMENTS

27. Sidewalks Along Residential Streets: Sidewalks along streets with residential lots shall be constructed by the homeowner/builder. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy. The last sentence must be removed about the developer being responsible if not built within three (3) years.
28. All sidewalk construction locations shall be clearly identified on the final plat. Detailed sidewalk construction drawings coordinating sidewalks with other street/lot/easement infrastructure shall be shown on or included with the final plat.

FEE REQUIREMENTS

29. Preliminary review and engineering fees must be paid.

EXPIRATION OF PLAT

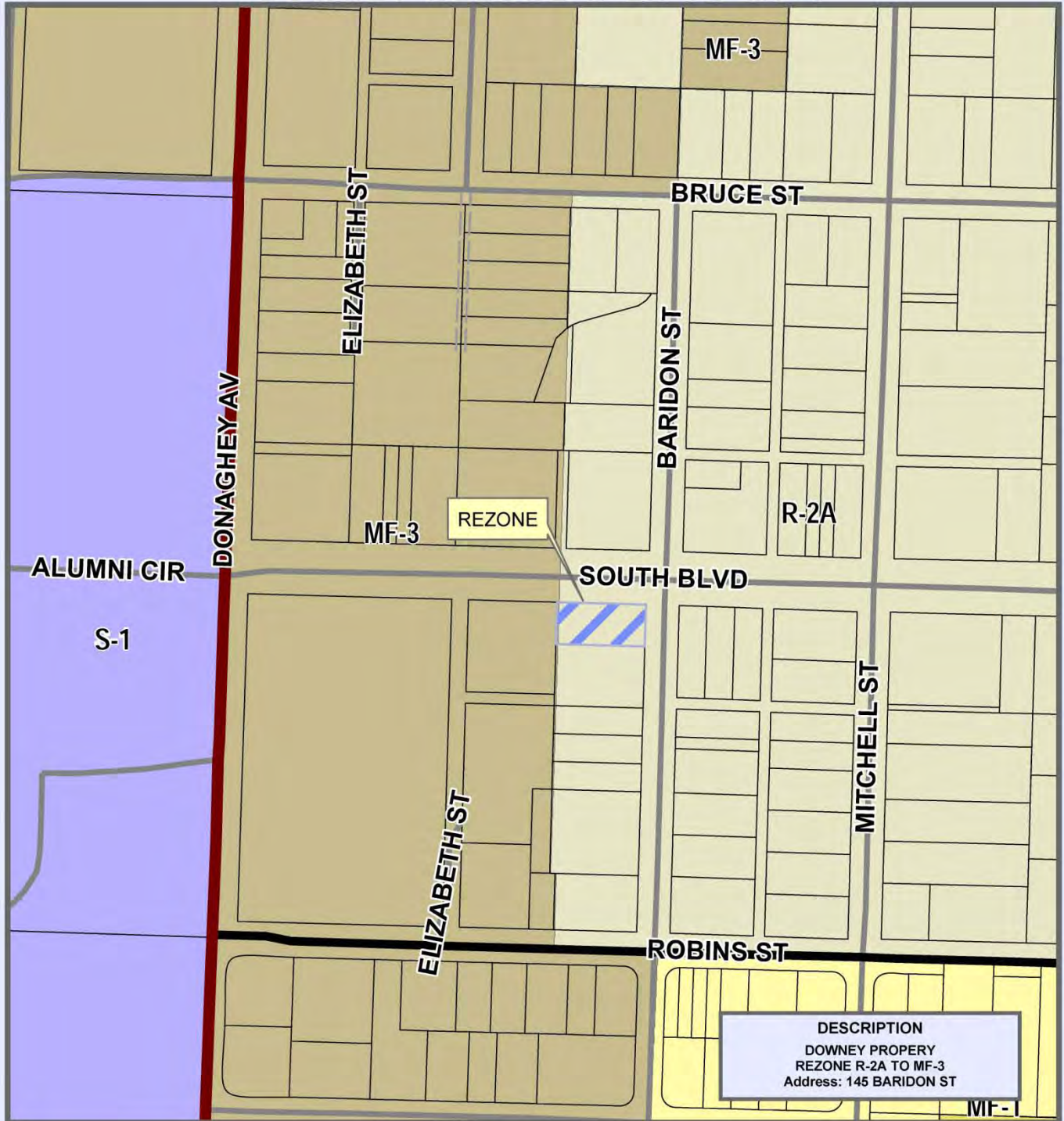
30. Plats will expire at the end of one year from acceptance of the Preliminary Plat unless an extension is requested and granted by the Planning Commission. Shepherd's Creek Subdivision Phase III will expire on December 21, 2010.

AUTHORIZATION TO PROCEED

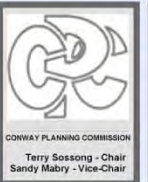
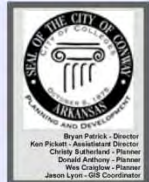
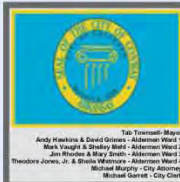
31. Receipt of an approved or conditionally approved copy of the Preliminary Plat, together with an approved copy of the Improvements Plan shall constitute authorization of the Planning Commission for the subdivider to proceed with the preparation of the Final Plat, the installation of improvements, 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.

CITY OF CONWAY

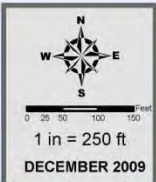
DOWNNEY REZONE R-2A TO MF-3



DESCRIPTION
DOWNNEY PROPERTY
REZONE R-2A TO MF-3
Address: 145 BARIDON ST



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	
		Special	
		SP	S-1
			A-1
			PUD



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CONTACT INFORMATION:
 LANDMARK GIS WEBSITE:
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 E-MAIL: jason.lyon@cityofconway.org

REZONING

DN: REZ2009DEC01
ID: REZ2009DEC01
GL: 51412SW

2. Downey Rezoning R-2A to MF-3

<u>APPLICANT'S NAME(S)</u>	<u>PRESENT ZONING</u>	<u>REQUESTED ZONING</u>	<u>ABUTTING ZONING</u>
Dennis Downey	R-2A	MF-3	R-2A, MF-3

LOCATION

This property is located at 1949 South Boulevard / 145 Baridon Street at the southwest corner of South Boulevard and Baridon Street.

DIMENSIONS

Maximum east-west dimension (South Boulevard frontage) 150 feet
Maximum north-south dimension (Baridon Street frontage) 75 feet

AREA

0.26 acres

STRUCTURES ON THE PROPERTY

none

CONGRUENCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan shows this area as suitable for single-family residential. There is a mix of single-family residences, duplexes and University of Central Arkansas property in the area. The property abuts MF-3 to the west. The Plan shows Multi-Family Residential extending from Donaghey Avenue east to Baridon Street both north and south of this property but not in this block.

TRAFFIC IMPACT

The property is vacant presently. With a rezoning to MF-3 and with full development, approximately six dwelling units could be constructed with traffic generation of around 40 vehicle trip ends per day.

NOTIFICATION REQUIREMENTS

In compliance.

COMMENTS

The applicant has requested a rezoning to MF-3 Multi-Family District. MF-3 allows a density of not more than 24 units per gross acre. Six units are possible on this property if it is rezoned. The property likely includes half of a closed alley (10 feet) along the west side that is not included in the dimensions or acreage above. The east-west dimension would be 160 feet with the additional 10 feet. Even with the additional square footage of the alley, six units would still be the maximum allowed if zoned MF-3.

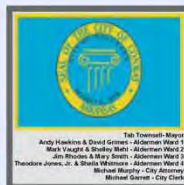
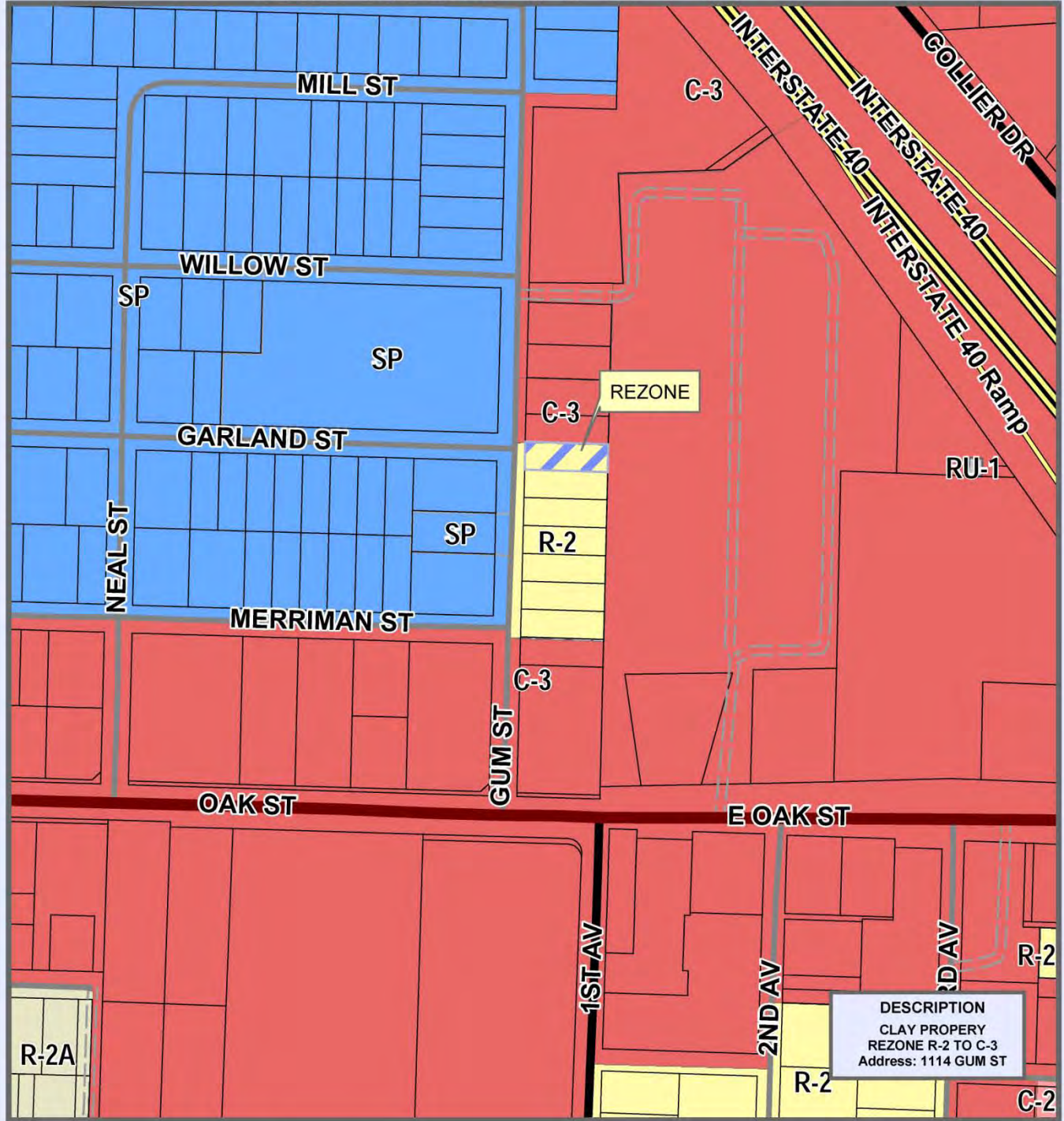
The Zoning Ordinance states that a tract rezoned to MF-3 must have an area of at least one acre or contiguity with other MF-3 property that together equal or exceed one acre. This property touches MF-3 property on its west side that is far in excess of one acre.

The area has a mix of single-family residences, duplexes and University of Central Arkansas property (or university-related property uses). There are five duplexes to the south, a single-family residence to the west, the Missionary Baptist Student Fellowship to the north and single-family residences to the east and northeast. This lot is in the transition area between the university and primarily single-family homes to the east. The transition area is moving eastward as the university grows and then expands its area of influence. Extending MF-3 to Baridon in this location would be a reaction to that expansion.

ENCLOSURES A map of the area

CITY OF CONWAY

CLAY REZONE R-2 TO C-3



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Special
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	A-1
			PUD

	I-1
	RU-1
	S-3
	SP
	S-1
	A-1
	PUD



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CONTACT INFORMATION
 LANDMARK WEB WEBSITE:
gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: jefferson.lump@cityofconway.org

REZONING

DN: REZ2009DEC02
ID: REZ2009DEC02
GL: 51306SE

3. Clay Rezoning R-2 to C-3

<u>APPLICANT'S NAME(S)</u>	<u>PRESENT ZONING</u>	<u>REQUESTED ZONING</u>	<u>ABUTTING ZONING</u>
Jo Ann Clay	R-2	C-3	C-3, R-2, SP

LOCATION

This property is located at 1114 Gum Street.

DIMENSIONS

East-west dimension (lot depth) 150 feet
North-south dimension (street frontage) 50 feet

AREA

0.17 acres

STRUCTURES ON THE PROPERTY

A single-family residence

CONGRUENCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan shows this lot as Commercial with no information about intensity.

TRAFFIC IMPACT

The most intense use for this lot with its present R-2 zone is one duplex, with expected traffic of about 20 vehicle trip ends per day. If the lot is rezoned to C-3 and maximum development occurs, about 150 vehicle trip ends per day could be expected for "specialty retail."

NOTIFICATION REQUIREMENTS

In compliance.

COMMENTS

The applicant has requested a rezoning to C-3. The property is presently occupied by a single-family residence. This lot and other property in the area are transitioning to non-residential uses but there are still residences nearby. The properties to the north and east are zoned C-3, with an office building to the north and a shopping center to the east. The property to the south is still zoned R-2. Across Gum Street the zoning is SP (Specific Plan District).

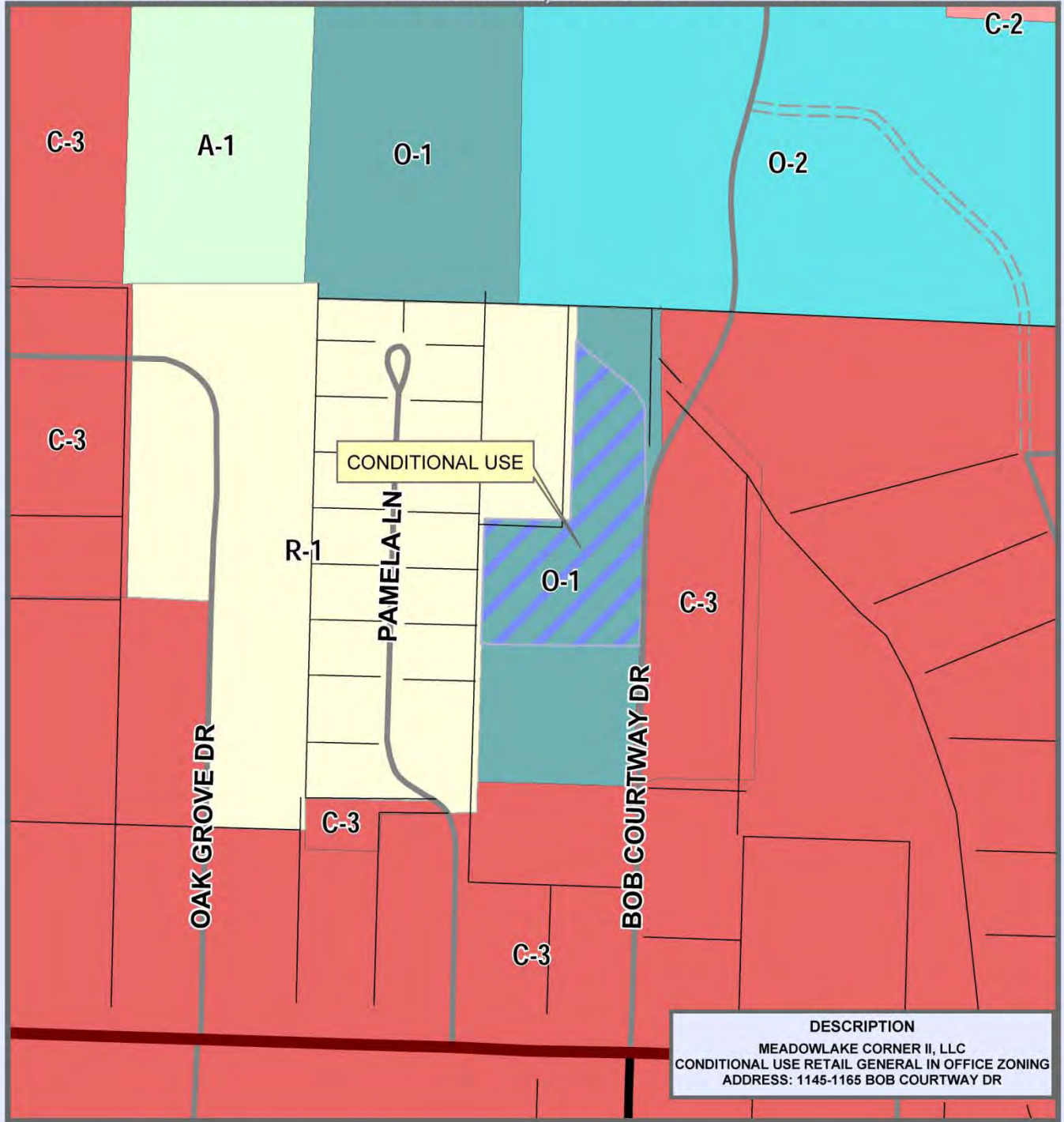
The Comprehensive Plan shows this property as commercial. As a matter of fact, the Plan shows commercial for all the property north and south of this lot along the east side of Gum Street between Oak Street and Interstate 40. The zoning along the west side of Gum is SP and the specific plan for the area shows a transition zone (T-4) from Gum westward. This transition zone is a buffer between higher-intensity uses and primarily single-family use. A rezoning of this lot to C-3, therefore, is compatible with the specific plan to the west because a buffer zone has already been established.

ENCLOSURES

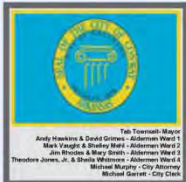
A map of the area

CITY OF CONWAY

MEADOWLAKE CORNER II, LLC CONDITIONAL USE

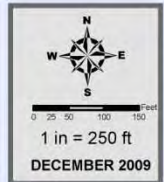


DESCRIPTION
 MEADOWLAKE CORNER II, LLC
 CONDITIONAL USE RETAIL GENERAL IN OFFICE ZONING
 ADDRESS: 1145-1165 BOB COURTWAY DR



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	
		Special	
			SP
			S-1
			A-1
			PUD

Commercial	Office	Special
C-1	O-1	SP
C-2	O-2	S-1
C-3	O-3	A-1
C-4		PUD



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CONTACT INFORMATION
 LANDMARK AND WEBSITE:
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 E-MAIL: jason_lynn@cityofconway.org

CONDITIONAL USE

DN: USE2009DEC01
ID: USE2009DEC01
GL: 51305SW

4. Meadowlake Corner II, LLC Conditional Use—general retail

<u>APPLICANT'S NAME(S)</u>	<u>REQUESTED CONDITIONAL USE</u>	<u>PRESENT ZONING</u>	<u>ABUTTING ZONING</u>
Meadowlake Corner II, LLC	Retail—General	O-1	R-1, O-1, C-3

LOCATION

This property is located at 1145 and 1165 Bob Courtway Drive.

DIMENSIONS

Maximum east-west dimension approximately 260 feet
Maximum north-south dimension about 570 feet

AREA

2.04 acres

STRUCTURES ON THE PROPERTY none

TRAFFIC IMPACT

If this conditional use permit is granted and general retail uses—including restaurants—are established, expected traffic in a range of 1,000 to 4,000 vehicle trip ends per day could be expected with full development.

NOTIFICATION REQUIREMENTS

In compliance

COMMENTS

The applicant has requested a conditional use permit for Retail--General, to include restaurant ("eating place" in ordinance), for this O-1 property. According to the Zoning Ordinance, O-1 is designed to provide locations for well-designed office facilities on large tracts. Low-intensity land use and a park-like setting are characteristic of the district, with limited retail and service uses allowed as accessory uses.

The apparent rationale for the O-1 zoning of this property was to provide a transition—or buffer—zone between the residential development to the west and the prevalent C-3 to the east and south. If this conditional use permit is granted, moderately intense commercial use could back up to homes along Pamela Lane. Careful crafting of conditions can mitigate the impact on the neighborhood.

In addition to the protections for adjacent property inherent in the Development Review standards, topics for possible conditions include:

1. Building height and setback from west lot line
2. Hours of operation
3. Privacy fencing, to include type and height
4. Location of garbage dumpster as far away from west lot line as possible / location at least x feet from west lot line
5. No services or service lane along west side of building, or not within x feet of west lot line
6. All general retail / restricted retail uses allowed except _____ (from list in definitions)
7. or, restaurant / [list other uses] ONLY allowed by this conditional use permit
8. West side of building(s) ALL masonry
9. Additional soundproofing along west line (dense medium-height shrubs, etc.)
10. Drive-through allowed / NOT allowed for any restaurant.

ENCLOSURES

A map of the area, Retail—General and Retail—Restricted definitions from Zoning Ordinance

Retail – General: A facility or group of facilities whose main use is the distribution and sale of products and/or services to the general public. In the general retail sales area facilities are grouped to serve persons traveling by vehicular means. Uses include but are not limited to:

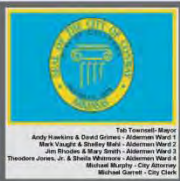
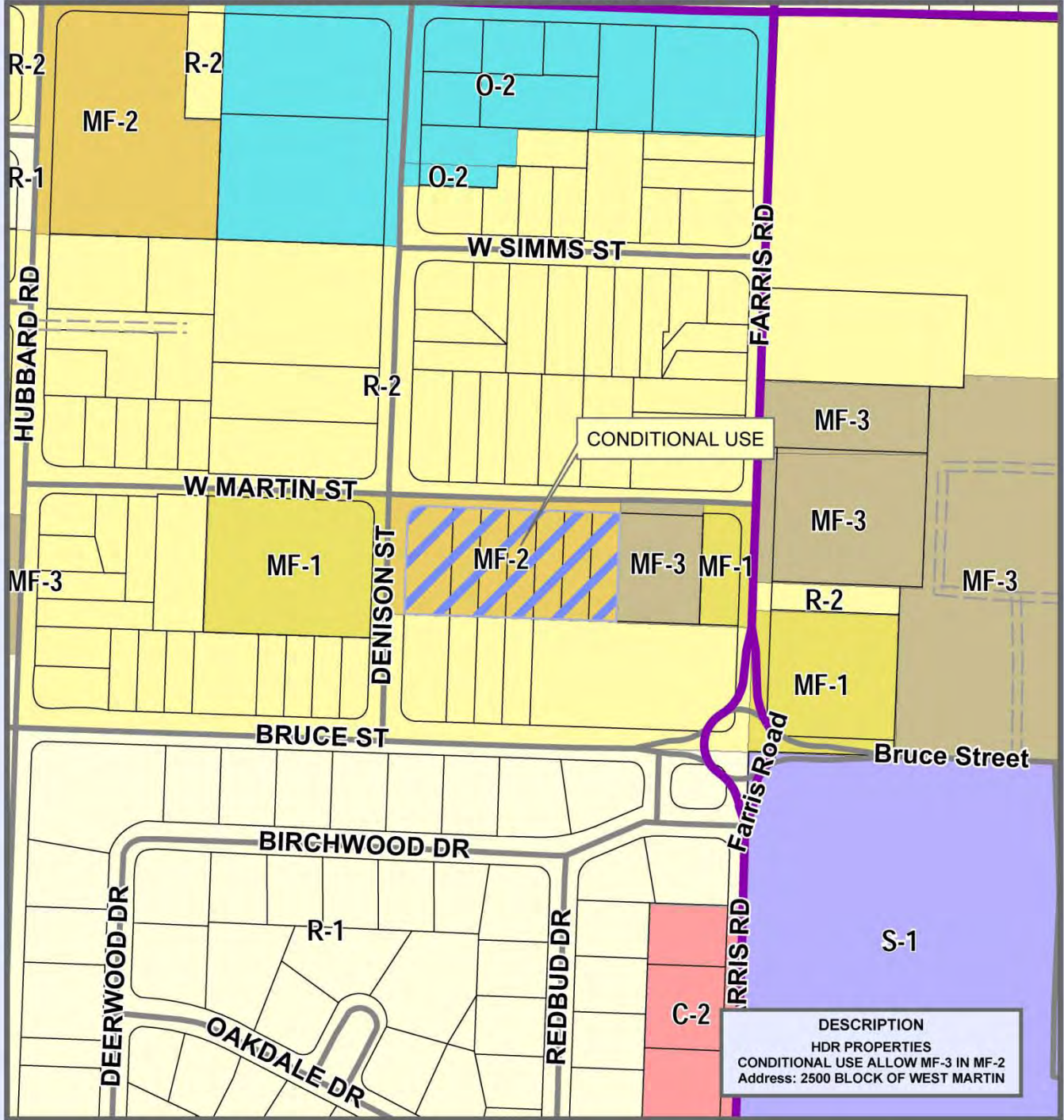
Appliance repair	Mail order house: catalogue office or retail store
Building services including janitorial services, floor waxing and office cleaning	Medical appliance fittings and sales
Clothing, second hand sales	Motion picture distribution and service
Dance hall	Office equipment: sales and service
Delivery service	Pet shop
Department store	Plumbing, electrical, air conditioning, heating shop
Detective or protective service	Plumbing fixtures, sales and service
Direct selling organization: retail	Rug cleaning or repair
Disinfecting, deodorizing or exterminating service	Sales, service, repair or rental of business machines
Drive-in Restaurant	Secondhand store
Eating place with drive-through service (Ordinance O-95-78)	Sewing machine shop
Fire extinguisher service	Studio: broadcasting or recording
Food locker plant	Telegraph transmitting or receiving station
Fur sales, repair and storage	Upholstery shop
Glass or glass products sales	Vending machine sales, service, rental, repair
Gunsmith shop	Venetian blind cleaning
Hat cleaning or repair shop	Window cleaning service
Hay, grain or feed store	Restaurant (Ord. O-04-93)
Household appliance store	
Leather goods or luggage store	
Loan office	

Retail – Restricted: An enclosed facility or group of facilities providing for the sale of retail products or personal service enterprises. These facilities are typically designed to serve surrounding residential neighborhoods. Uses include but are not limited to:

Antique store	Hardware store
Apparel and accessory store	Health studio or spa
Bakery or confectionary shop	Hobby shop
Bank or savings and loan	Ice vending machine establishment
Barber or beauty shop	Jewelry: sales and repair
Bicycle store	Laundry, self-service and pickup station, laundry services, laundromat
Billiard or pool parlor	Music, musical instruments or phonograph record store
Blueprinting, photocopying and similar reproductive services	Locksmith, key shop
Bookstore	Newsstand
Camera and photographic supply store	Nursery (plants) sales
Catering service	Optical laboratory
Cigar, tobacco and candy store	Optical shop
Clothing, custom dress making or altering for retail, including tailoring and millinery	Photo finishing service
Diaper service	Picture framing
Drafting service	Radio, phonograph, television or other household electronics equipment store
<i>Drive-in restaurant</i> (Ordinance O-95-78)	Religious goods store
Drugstore or pharmacy	Shoe sales and repair
Drycleaning, pickup or self-service	Sporting goods store
Dry goods store	Stationery store
Eating place	Store selling architect's, artist's, engineer's supplies & equipment or dental, medical, or office supplies or equipment
Financial institution (drive-through) (Ordinance O-95-78)	Studio – photographic
Florist shop	Tailor
Food store including bakery (retail only)	Toy store
Furniture, home furnishings, and equipment store: sales and repair	Transportation ticket service
Garden supply store	Travel arranging service
General store; general merchandise store	Variety store
Gift, novelty, or souvenir shop	Video store
Handcraft, ceramic sculpture or similar artwork– sales	

CITY OF CONWAY

HDR PROPERTIES CONDITIONAL USE MF 3-in MF-2



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	I-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	RU-1
COLLECTOR	CITY LIMITS	R-2	I-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	O-4
		Special	
			SP
			S-1
			A-1
			PUD



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CONDITIONAL USE

DN: USE2009DEC02
ID: USE2009DEC02
GL: 51411SW

5. HDR Properties, LLC Conditional Use—MF-3 density in MF-2

<u>APPLICANT'S NAME(S)</u>	<u>REQUESTED CONDITIONAL USE</u>	<u>PRESENT ZONING</u>	<u>ABUTTING ZONING</u>
HDR Properties, LLC	MF-3 density in MF-2 zoning	MF-2	R-2, MF-1, MF-3

LOCATION

This property is located south and east of the intersection of Denison Street and West Martin Street.

DIMENSIONS

Maximum east-west dimension 381.6 feet
Maximum north-south dimension 194 feet

AREA

1.70 acres

STRUCTURES ON THE PROPERTY

Seven duplexes (14 living units)

TRAFFIC IMPACT

The existing duplexes--seven of them--generate about 130 vehicle trip ends per day. Approximately 30 dwelling units are possible on the property with the existing MF-2 zoning and traffic of about 200 vehicle trip ends per day could be expected. If this conditional use permit for MF-3 density in MF-2 is granted, approximately 40 dwelling units could be constructed with traffic generation of around 270 vehicle trip ends per day.

NOTIFICATION REQUIREMENTS

In compliance

COMMENTS

The applicant requested a rezoning to MF-3 (24 units per gross acre) at the October 19, 2009 Planning Commission meeting. The request was effectively denied with a 4-2 vote on a motion to deny. The applicant appealed this denial to the City Council. On November 3, 2009 the Council unanimously approved a rezoning to MF-2 (18 units per gross acre) and instructed the applicant to return to the Planning Commission with a conditional use request for MF-3 density in MF-2 if that density is desired. The aim of the Council was to provide a method for REQUIRING street improvement if apartment construction is at MF-3 density, since conditions cannot be placed on a rezoning. The applicant can avoid street improvements and other possible conditions by disregarding this conditional use permit (if granted) and building at the density of the existing MF-2 zoning.

Seven duplexes (14 living units) are currently located on the property, each on a separate lot. A maximum of 40 dwelling units will be allowed if the conditional use permit is granted--30 with the existing MF-2.

This locale has been occupied primarily by duplex residences for a number of years with a current trend toward multi-family housing. The property immediately to the east was rezoned in May 2008 to MF-3 (the Planning Commission voted 6-0-1 for approval) and approximately 15 apartment units are under construction. There are apartments to the west and duplexes to the north. To the south are more duplexes and to the southeast is a University of Central Arkansas parking lot. West Martin Street is somewhat narrow in the area, with open drainage ditches on one or both sides.

Topics for possible conditions include:

1. Improvement to residential street standard required for south half of West Martin Street adjacent to

this property

2. Surety for completion of street and drainage improvements is required to be presented to the City of Conway.

ENCLOSURES

A map of the area