



PLANNING COMMISSION MEETING
District Court Building
7:00 p.m., May 18, 2009



The regular meeting of the Conway Planning Commission was held Monday, May 18, 2009. Present: Craig Cloud, Kimberly Gardner, Richard Kirkman, Sandy Mabry, Kent Mathis, Mary Etta Qualls, Terry Sossong, Chris Steplock, and Jeff Sturdivant. Absent: Todd Smithhart.

Chairman Terry Sossong called the meeting to order and requested that commission members introduce themselves to the audience present.

Before getting started on the agenda, Mr. Sossong gave a quick background of the Planning Commission stating that it is a board of ten volunteers charged with providing the city council objective recommendations about land use items presented to the city. The council has the option to use or reject the planning commission's recommendations. It is important that if you are here in support of, or against, any item heard tonight, that you follow the item to the council's final approval or denial. All land use decisions reached here tonight may be appealed to the city council without further public notification. The meeting is divided into three categories, typically, or three sections—review of the minutes, the committee reports, and then a public hearing.

Staff reports on the agenda require no action and include site plans, lot splits, mergers, and minor subdivisions filed for record. Site plans reported: none. Lot splits, lot mergers and minor subdivisions reported (filed for record): Bethlehem House Replat and Jacob's Sixth Street Replat.

The first item of business was the April minutes. Richard Kirkman made a motion to approve the minutes; Jeff Sturdivant seconded. Motion passed unanimously.

REPORT OF STANDING COMMITTEES

SUBDIVISION

1. Rush/Hal Development LLC request for a one-year extension for completion of the final plat for Weatherstone Subdivision Phase II was granted on a 9 – 0 vote subject to the amended punch list. Motion was made by Sandy Mabry and seconded by Kent Mathis.
2. Hendrix College request for preliminary plat approval of Southwestern Energy Subdivision was approved 9 – 0 subject to completion of the amended punch list. Motion was made by Kent Mathis and seconded by Richard Kirkman. The last sentence of punch list items 11 through 14 now reads "*The Planning Commission approves this request.*" (see below)

STREET DESIGN REQUIREMENTS

11. 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 less than 50 feet between reverse curves on Sanders Street. The Planning Commission approves this request.*

These minutes are summations of Planning Commission proceedings. The official record of each Planning Commission meeting is the audio recording from the meeting, a copy of which can be made available upon request at a charge of \$7 Per CD.

12. 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 Sanders Street as a boundary street. The Planning Commission approves this request.*
13. 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 intersection of Fleming and Sanders Street to be 83 degrees. The Planning Commission approves this request.*
14. Local street centerline offsets shall be no less than 125 feet. *A request for variance has been received to have the centerline offset from Fleming Street and Burrow Avenue to Sanders Street to be less than 125 feet. The Planning Commission approves this request.*

PUBLIC HEARING

PUD AMENDMENT

3. Purple Bear Investments, LLC request for an amendment to the Scherman Heights PUD Lot 1C to allow an eating place with drive-through at 605 Salem Road was approved 9 – 0 on a motion made by Richard Kirkman and seconded by Sandy Mabry. The motion included one condition to read,

Applicant is to work with Planning staff to create a more desirable parking lot layout, possibly relocating all non-handicap spaces to east side of proposed building and leaving handicap accessible spaces near the entrance as currently shown.

Speaking for the request were Todd Hart and Jason Risner. No one spoke against the request.

4. Conway Towne Centre LLC request for an amendment to the Conway Towne Centre PUD to allow a larger theater was approved 9 – 0 on a motion made by Craig Cloud and seconded by Sandy Mabry. Mr. Cloud's motion to approve was subject to the following conditions.
 1. Parking lot upgrades within redevelopment area to be as shown on Planning Department sketch.
 2. Development Review guidelines will apply to redevelopment.
 3. Building setback of four (4) feet shall be allowed on west property line.
 4. A new freestanding two (2) pole or monument sign may be constructed no larger than existing signage. This new sign or existing sign may have static LED text to be used for movie titles, times, and ratings. No blinking, flashing, or electronic animation allowed. Cinema limited to one freestanding sign only (if a new sign is installed, the old sign must come down).

Present to speak for this request was David Hall, an engineer with Tim Tyler Surveying and Mapping. There was no one present to speak against the request.

CONDITIONAL USE

5. Armstrong request for a conditional use permit to allow a small insurance office in a single family home zoned R-2A at 919 Donaghey Avenue was approved 6 – 2 on a motion made by Kent Mathis and seconded by Jeff Sturdivant. Mary Etta Qualls abstained from voting. Sandy Mabry and Richard Kirkman voted against the motion to approve the conditional use permit. The motion to approve included one condition—that hours of operation be 8:30 a.m. to 5:30 p.m., Monday through Friday.

Eric Armstrong was present to speak for the request. A resident at 2035 Prince Street also came forward to speak for the request saying it's a way to help out small businesses right now and it's something that could help out in the community to generate good services locally, and he and his wife are for it.

OTHER

6. Planner Donald Anthony gave a brief presentation on the draft rewrite of the PUD Section in the Zoning Ordinance that was submitted to the Planning Commission for its review and consideration for public hearing. There were four major points he covered about the rewrite. First of all, he said, this would streamline the language of the PUD ordinance. The current ordinance is rather piecemeal, taken from different sources, and the flow is not necessarily there. The new language is written in-house and the language is consistent from start to finish. The terminology is consistent and the application and amendment processes are better explained than in the current ordinance. Secondly, it continues the move away from specific numeric standards. One of the points of a PUD is to encourage some creativity in design from the applicant and by taking away those numeric standards and instead giving the Planning Commission discretion, the Planning Director discretion, the City Council discretion—we think that will allow for better developments in the future. The third thing is that the new ordinance would require greater cooperation between the applicant and the surrounding property owners. We would actually require at least one meeting between the applicant and the property owners prior to the application effort ever making it before this body. We think that would alleviate some of the pressure on you as well as give these folks a better opportunity to get to know each other and to work out their differences ahead of time so that by the time it comes here, they don't have to battle it out here. Finally, we think this new process would ease the cross burden on the applicant. It makes a bit of a change. Currently, when the applicant comes forward with their PUD application, they also have to come forward with a plat. We have changed that process. A plat will not be required until after the rezoning has gone all the way through and has been approved. We think that will make the PUD process a little easier on the applicant. Those are the highlights. Mr. Anthony then encouraged commissioners to read the draft for themselves and to look for the differences. Some sections are the same while others have disappeared. Green space requirement / open space requirement is still the same; it has not been changed at all.

Following commission discussion, Sandy Mabry made a motion seconded by Mary Etta Qualls to direct the Planning Department to add this item to the June agenda for public hearing. Motion passed 8 – 0. Kent Mathis had previously left the meeting.

Meeting adjourned around 8:00 p.m. on a motion made by Sandy Mabry and seconded by Mary Etta Qualls. Vote to adjourn was unanimous.