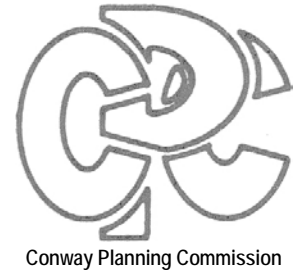




PLANNING COMMISSION MEETING
District Court Building
7:00 p.m., July 20, 2009



The regular meeting of the Conway Planning Commission was held Monday, July 20, 2009. Present: Craig Cloud, Kimberly Gardner, Richard Kirkman, Sandy Mabry, Kent Mathis, Mary Etta Qualls, Todd Smithhart, and Terry Sossong. Absent: Chris Steplock and Jeff Sturdivant.

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): none.

The first item of business was the June minutes. Todd Smithhart made a motion to approve the minutes; Mary Etta Qualls seconded. Motion passed unanimously.

There were no items submitted for Subdivision Committee consideration at this meeting.

PUBLIC HEARING

REZONING

1. City of Conway request to rezone from R-1 and MF-2 to I-3 property located at 2501 East Oak (new fairgrounds) was denied 8 – 0 on a motion to deny made by Richard Kirkman and seconded by Todd Smithhart. A second motion was made by Sandy Mabry and seconded by Kent Mathis to recommend to the City Council that it consider rezoning this property to O-1 with a conditional use granting the appropriate building and landscape variances suitable for a fairgrounds. This second motion passed 8 – 0. Planning Director Bryan Patrick presented the request on behalf of the city. Doug Ward, 30 Skunk Hollow Road, came forward to ask if Hart Lane might be extended south going through his property sometime in the future. Currently there is no plan for such an extension. He also asked about a gate currently at the edge of the property. The placement and future of that gate is an issue for the City Engineer to address and he is not at tonight's meeting. Don Sullivan, 33 Hazelwood Road, owns property adjoining this new fairgrounds property and has questions and concerns about the I-3 zoning since almost anything can be placed there including storage

of hazardous waste. Mr. Sullivan does not believe the fairgrounds would do that, but he questions what might happen in the future if the property were to be sold. There needs to be some protection for the property values in that area. The city is seeking the I-3 zoning so that it can use metal buildings to house livestock and craft exhibits. With the new development review standards for buildings, I-3 is the only zoning that will allow all metal structures with minimal landscaping. David Myers lives east of this property and feels that I-3 is going too far. Paul Totten, 4 Dusty Road, echoed Don Sullivan's concerns and spoke of the recent turn of events in Hot Springs concerning that city's fairgrounds. One commissioner stated the gentleman brings up a pretty good point and if the applicant were other than the City of Conway, he didn't think we would even consider doing this. There were no objections to the fairgrounds use, but the I-3 intensive industrial zoning was cause for much concern.

CONDITIONAL USE

2. Muslim Center of Conway request for a conditional use permit for religious activities to include new buildings for worship and staff residence was approved 6 – 2 on a motion made by Richard Kirkman and seconded by Sandy Mabry. Commissioners Kent Mathis and Craig Cloud voted against the motion. Both expressed concern about the parking and the traffic in this area that is also the location of nearby Faulkner County Day School should it go from restricted hours for religious activities to the normal worship practices followed in any Islamic center based on faith. Mr. Kirkman's motion included a condition to revoke the previous Conditional Use Permit No. 1116 that allowed an Association of Muslim Students with narrowly limited hours of use for religious services and placed no restrictions on the conditional use for religious activities. Speaking for the request were Dr. Javed Shinwari, Bob Musser, Jonathan Musser, and Lemien.

PROPOSED AMENDMENT TO COMPREHENSIVE PLAN

3. Planning commissioners voted 7 – 0 – 1 to recommend to the city council adoption of a resolution amending the Conway Comprehensive Plan in the Northeast Old Conway Area with replacement graphics and supporting text as per the 2009 Northeast Old Conway Area Study Comprehensive Plan Update. Sandy Mabry made the motion. Craig Cloud seconded. Kent Mathis abstained from voting.

The commissioners' vote followed discussion and a presentation from Conway city planner Donald Anthony concerning the completed study of Conway's Pine Street area begun a year and a half ago. This small-area study of what is now being called the Northeast Old Conway Area better defined existing and desired land use patterns, preferred street designs, and pedestrian and bicycling opportunities. The study area, chiefly bounded by Siebenmorgen to the north, Spencer Street to the west, Garland and Merriman to the South, and Gum Street and Interstate 40 on the east, was subsequently divided into four sub areas—the Markham Street Corridor, the Harkrider Corridor, the historic Pine Street neighborhood, and the Brown and Erbacher neighborhood known to many as "cow town." The city is looking at this area because it has deteriorating economic conditions, rising poverty rates, and falling incomes. Its current state is one of decline with an abundance of vacant and abandoned properties as evidenced by boarded-up buildings and empty lots. Currently, the zoning for the area is simply not compatible with the land uses that are there. The predominant zoning is MF-3 (multi-family), 24 units per acre; there is nothing like that in that area. It is a single family, traditional neighborhood, especially the core Pine Street area, and the zoning simply does not work with what is there. Finally, stated Mr. Anthony, this area is a critical portion of the city. It sits right between downtown, the Village at Hendrix, Oak Street, Harkrider—all of our

major corridors run right there. After discussing the process of the study and its participants many of whom are stakeholders in the area, Mr. Anthony shared the six goals of the study.

1. Neighborhood design that fosters a unique sense of place and provides a single transition for various areas within the neighborhood.
2. A land use scheme that allows for multiple types of land uses while protecting single family residential neighborhoods from commercial encroachment.
3. A transportation scheme that supports desired neighborhood forms and enhances connectivity and accessibility and provides for multiple modes of transportation.
4. Neighborhood structural designs that foster energy efficiency and protect local air and water quality.
5. Neighborhoods in which culture and history are preserved, opportunities for recreation are available, and residents are empowered to make decisions about the neighborhood's future.
6. Neighborhoods in which infrastructure is adequate for redevelopment, multiple types of housing are available, and home ownership is emphasized and attainable for people of every socioeconomic background.

He then discussed the decision to use the new and more adventurous urban transect design for land use in the Northeast Old Conway Area versus the more traditional land use categories. With transect, the form, design, and feel of a place are what is important and not so much what is actually in the building but how it relates to the other buildings around it, how it relates to the street.

The study made use of three transect zones T3, T4, and T5—suburban, transition, and urban. The suburban would be the traditional Pine Street neighborhood, primarily, and the Brown and Erbacher additions. Transition would be the fringe area surrounding those areas that has some mix of residential and commercial with a little higher density and a little more traffic. The urban zone is primarily exemplified at this time by what is around the Harkrider Street area.

[City Council passed Resolution R-09-39 amending the Conway Comprehensive Plan in the Northeast Old Conway Area with replacement graphics and supporting text as per the 2009 Northeast Old Conway Area Study Comprehensive Plan update at its July 28, 2009 meeting.]

PROPOSED AMENDMENT TO OLD CONWAY DESIGN OVERLAY DISTRICT

4. Planning Director Bryan Patrick presented a proposed amendment to the Old Conway Design Overlay District that would expand its scope and scale to the Planning Commission for consideration and recommendation to the city council for adoption. All projects within the district, including non-residential, would become subject to review by the Old Conway Design Review Board. Expansion of the district to include the Northeast Old Conway Area would provide Design Review Board oversight of more of that area's redevelopment. Mr. Patrick gave a brief history of the current Old Conway Design Overlay District and the Design Review Board—what it is and where it's going. It is not so much about preservation of current structures as it is about keeping the character of the neighborhood, making sure new structures going in, and additions to those existing structures, blend with the neighborhood. Basically, the amendment expands the Board from the current seven (7) to nine (9) members to include a Pine Street neighborhood and a downtown representative,

and expands the scope of the board's responsibility from just residential projects to include all projects within the district, not just residential projects. This addresses architecture not land use. Following the presentation and discussion in commission, Craig Cloud made a motion seconded by Mary Etta Qualls that the amendment be recommended to the city council for adoption. Vote on the motion was 6 – 1 – 1 with Kent Mathis voting against approval and Terry Sossong abstaining from the vote.

[City Council passed Ordinance O-09-86 amending Ordinance O-06-139 in reference to the Old Conway Design Overlay District at its meeting on July 28, 2009.]

DISCUSSION

5. Creation of a new zoning designation Specific Plan (SP)
6. Applying the new zoning designation to the Northeast Old Conway Area

Items 5 and 6 were touched on briefly by both Mr. Anthony and Mr. Patrick in their presentations and the plan is to discuss them in more detail at a future meeting. Specific Plan (SP) will become the base zone for the Northeast Old Conway Area.

Meeting adjourned around 9:45 p.m. on a motion made by Sandy Mabry and seconded by Kim Gardner. Vote to adjourn was 8 – 0.