



PLANNING COMMISSION MEETING
District Court Building
810 Parkway Street
7:00 p.m., December 20, 2010



The regular meeting of the Conway Planning Commission was held Monday, December 20, 2010, in the Russell L. "Jack" Roberts District Court Building. Present: Jon Arms, Craig Cloud, John Hairston, Richard Kirkman, Kent Mathis, Chris Steplock, and Jeff Sturdivant. Absent: Kim Gardner, Sandra Mabry, and Todd Smithhart.

Vice Chair Kent Mathis called the meeting to order and requested that commission members introduce themselves to the audience present. Mr. Mathis explained he would be conducting the meeting in the absence of the chairperson who recently had surgery and could not be present.

Before getting started on the agenda, Mr. Mathis 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 issues. 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 issue heard tonight, that you follow the issue to the council's final approval or denial. The next Conway City Council meeting will be December 28 at 6:30 p.m. in the District Court Building. All land use decisions reached here tonight may be appealed within thirty (30) days to the City Council without further public notification (*Except that a public hearing sign must be posted on subject property*). Typically, the meeting is divided into three categories—review of the minutes, committee reports, and the public hearing of issues.

The October minutes were approved 7 – 0 as submitted on a motion by John Hairston seconded by Craig Cloud. The November minutes were approved 7 – 0 as amended on a motion by Richard Kirkman seconded by Jon Arms.

I. REPORT OF STANDING COMMITTEES

A. Subdivision

1. Chestnut Meadows Subdivision Phase 5 Preliminary Plat was approved 7 – 0 subject to amended punch list items 16, 16a, and 20 as shown below.
 16. 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 proposed road "A" to be a new boundary street. **The Planning Commission approves this request.***
 - 16a. *A traffic calming device to be provided along Road "A" as deemed appropriate by the city engineer.*
 20. Blocks over 1000 feet in length may require a public crosswalk within a dedicated easement of not less than 15 feet in width including a paved crosswalk not less than five feet in width to provide pedestrian circulation. *A request for variance has been received to allow the block on the east side of proposed road "A" to be over 1000 feet without a public crosswalk. **The Planning Commission approves this request.***

II. PUBLIC HEARINGS

Chair briefly reviewed the ground rules for the public hearing—ten (10) minutes for the initial speaker and five (5) for each speaker thereafter on the pro side and the con side.

B. WATSON REZONING

Kevin Watson request to rezone property from R-2 to PUD was forwarded to the City Council with a recommendation for approval with conditions as stated below on a motion made by Craig Cloud and seconded by Richard Kirkman. Motion passed 7 – 0.

1. The development shall be generally constructed as proposed including any amendments by the Planning Commission or City Council.
2. A complete Development Plan shall be submitted for The Cove at Cadron including all land uses, property restrictions, and conditions as required by the Planning Commission/City Council.
3. Easements for golf course access to satisfy green space requirements.
4. Minimum brick, six foot fence with decorative cap with minimum seven foot columns be constructed along the southern edge of the property to commence when one of the four mentioned lots [Lot 9, 10, 11, and 12] is sold and must be completed when either all of the four lots are sold or when one of the four homes is completed, whichever comes first.
5. That while any unsold or unbuilt lot [exists], the developer agrees to keep them mowed and free of debris and building supplies and equipment except for the short term three day maximum staging for construction of homes and fences.

SPEAKERS FOR THE REZONING REQUEST:

Kevin Watson, 612 Padgett Road

Developer/owner Kevin Watson was present to speak for this request which includes twelve (12) single-family, detached, patio homes on a little over two (2) acres at 3390 Irby Drive adjacent to The Links at Cadron Valley golf course development. Mr. Watson indicated that the project had received input from the city's street, fire, planning, and sanitation departments, as well as the local post office, and all were good with the project. These single family homes nestled as they are between the multi-family of The Links at Cadron Valley and the R-1 zoning will serve as a buffer or transition to the two. We think it is a wise use of the land, stated Mr. Watson. It is a great transition from R-1 density to multi-family density.

SPEAKERS AGAINST THE REZONING REQUEST:

Bob Broach, 2037 King Circle

Mr. Broach came forward to express some concerns about the development. He is not really against it, but there was not anywhere for him to speak about his concerns. He passed out a letter to the planning commissioners as repeated below.

We the residents of King Circle have met with the developer Kevin Watson regarding the design and features of his proposed PUD The Cove. We have an interest in the design of this property since it is directly across the road from our homes and will affect the appearance, traffic, and value of the surrounding homes. By and large, we support the building of the homes guided by a PUD provided the following terms are met. We would like to have a six (6) foot solid brick fence plus cap and seven (7) foot columns will be constructed along the southern edge of the property. And that southern edge will run along the street. The next thing is east and west marquees (ends of the fence) may be built at the times selected by the developer. But construction on the central part of the fence behind

Lots 9, 10, 11, and 12 will commence once any one of the four mentioned lots is sold and must be completed either when all four lots are sold or when one house of the four lots is completed whichever comes first. What we're saying there is that once he begins work on these four lots that are next to our house—next to the road—then we would prefer that there would be this fence would be started at that time and completed as soon as possible. While lot 9, 10, 11, and 12 remain unsold and unbuilt upon, the developer agrees to keep them mowed, free of debris, and free of building supplies and equipment except for a short term. We put three days maximum stays for construction of homes and fences. We're willing to talk about this but we don't want a lot of building material and equipment and everything sitting right in front of our house. We feel like this is a reasonable request. It says the above mentioned residents request the option of reviewing and commenting on the plan for the fence before the PUD is finalized. And the commitment above must be included in the PUD design book that is filed with the city. We hope that these concerns will be met, incorporated and included in the PUD, and that the Cove at Cadron Valley will be completed as soon as possible. I have listed on the paper there the residents who live on King Circle and these are the people that will be affected there.

Loretta Gates, 2039 King Circle

She indicated she is not against the development. She thinks most of the design and the homes are attractive homes but she is not terribly pleased with the density. It is a lot more dense than the surrounding neighborhood except for the apartments. But the apartments on the Links have a deep buffer between the street and the apartments and we can hardly see them and they're quite a distance back. These are going to be very close—very close together, very close to the road, very close to our homes. And the four closest homes to us will be viewing them from their backs. And you all may have just the most immaculate backyards I've ever seen, but most of us have wading pools, and barbeque pits, and garden hoses and you know rusty tillers and whatever you have in the backyard. So we would like have this substantial fence in place to shield us from the view of the backs of these homes which would also include probably bedroom windows, and bathroom windows, and kitchen windows, and patio furniture and all those sort of things. She went on to re-emphasize some of the terminology used in the PUD section of the Zoning Ordinance that refers to harmonious living, common open space, and architecture and design. She questioned whether the recreational or common areas of the PUD would benefit the surrounding community which is not a requirement of the PUD. The green space or common areas are for the benefit of the inhabitants of the PUD. She also wanted the design of the fence to be part of the PUD and wanted it to be something they could review and comment on before the decision is made to approve a particular fence.

The item was brought back into commission for discussion. Mr. Watson stated that he had agreed to include the fence in the design guidelines. Discussion moved to the garages which are classified as single garages although they will accommodate two cars. No parking is allowed along the interior street and the driveways will possibly accommodate two cars.

C. PENNINGTON REZONING

John Pennington request to rezone property from A-1 to PUD was held in committee pending a special meeting of the Planning Commission to include Mr. Pennington and representatives of the Applewood Cove and Jefferson Place POAs on a motion made by Craig Cloud and seconded by Jeff Sturdivant. Motion passed 6 – 1. Mr. Cloud amended his motion to include the entire Planning Commission and not just a subcommittee.

SPEAKERS FOR THE REZONING REQUEST:

Attorney Joseph Falasco, 111 Center Street, Little Rock

Mr. Falasco gave a brief background of this property's legal history and the court's and council's direction that an R-1 zoning is not suitable for the property—that it should be a PUD so that traffic and pedestrian concerns could possibly be addressed.

John Pennington, 935 Sherman Oaks Circle

A PUD is our only option at this point. What we want to do from a design perspective is actually eliminate the known concerns that we had and that were identified throughout the process of the litigation—primarily dealing with the twenty-one (21) curb cuts was definitely an issue as well as safety for pedestrians. Council members and the mayor suggested the internal street would address all of the concerns. So that was something that had to be factored into the design as well as direct access to Country Club from any of the units. That was also a design factor. To overview, Club Villas is a mixed use development. The south corner is a quiet office building about 10,300 square feet. The north twenty-four (24) units are single-family, detached housing we refer to as patio homes. All of these are accessed from an internal twenty-foot public street. Inward facing development with no direct access to Country Club—this was one of our design elements that we wanted to include and we achieved this through a cross access allowed between the residential and quiet office parcels. And what this allows that development to do is quiet office is able to access the internal street which will drive the cars onto the internal street before accessing Country Club. As well as it will serve as overflow parking for short term guests and visitors of the twenty-four (24) patio homes. That has a dual purpose. Mr. Pennington noted their three curb cuts and their efforts to eliminate curb cuts as a source of discussion. There will also be an external ribbon sidewalk that has only two curb cuts in it. The driveways are regulation twenty-six (26) feet long and eighteen (18) feet wide with two parking spaces per driveway and two cars in the garage giving each unit four parking spaces in addition to the overflow parking. The residential component is twenty-four (24) patio homes, approximately 1200 square feet heated and cooled, single story, about 1656 total foot print or under roof, 90 percent masonry exterior with architectural shingle. The same kind of quality you'll find in the homes in Applewood Cove you'll find in these houses. Carriage style garage doors, 100 percent brick façade. The quiet office is single story, approximately 10,300 square feet, same masonry exterior. Green space required is twenty percent. This project has twenty-two percent.

SPEAKERS AGAINST THE REZONING REQUEST:

Leigh Lassiter-Counts, 1010 Applewood Drive

Issues included the commercial component of the development, lighting, density, greenspace, covenants, and safety of their children. They like the sidewalk. It's not all bad. It's a good plan. The 90% brick exterior, the architectural shingles—it's the density, the safety and the commercial areas we are concerned about.

Rhonda Ellis, 1150 Applewood Cove

She is not necessarily against the plan; she just has some concerns she would like addressed by the commission. She asked that the residences be reduced to four per acre, or a total of fourteen or sixteen instead of twenty-four. This would alleviate a lot of the concerns of the Applewood Cove and Jefferson Place residents. It would take care of a lot of the greenspace issues. They also want fencing recommendations put into place; requiring a brick fence along Country Club would be good. She would also like to see restrictions on the property that would keep it from becoming rental property.

Mark Strickland, 3 West Point

Mr. Strickland raised the issue of square footage citing a minimum of 2500 in Jefferson place, 2000 in Shady Valley, 2500 in Sherman Oaks, and Applewood 2500 at a minimum. The homes have consistently been large and these 1200 square foot homes are not consistent with these larger properties. Just want you all to make it consistent.

Steve Lagasse, 6 West Point

Mr. Lagasse said his biggest concern is the commercial at the corner. He brought up the issue of traffic with a curb cut right at that corner. He is also concerned about the lack of square footage of these small homes compared to what is around them and their value which he says ranges from \$250,000 to half a million dollars. He also wants fencing along Country Club.—attractive fencing.

Randy Reddy, 1100 Applewood Drive

His main concern is that the back of these homes face Country Club and without a fence—he would prefer a six foot solid brick fence around the whole development, around the whole community. He spoke of other PUDs. He feels they need to be fenced in. It will help the homeowners and satisfy some safety concerns.

The item was brought back into commission for discussion. Mr. Cloud endeavored to seek a compromise between all parties and suggested holding it in committee for another month. They spoke of reducing the number of residential units and perhaps removing the commercial component. Neither option was acceptable to Mr. Pennington. Mr. Mathis spoke of this needing to fit into the area it's being put in. Mr. Pennington spoke of Westfield Subdivision which allows 1300 square foot minimum homes and its having been platted prior to the development of Applewood Cove that it abuts.

III. Discussion**2011 Planning Commission Meeting Date Calendar**

The calendar was adopted as presented.

IV. ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**A. DEVELOPMENT REVIEWS**

1. Covington Office Warehouse, 600 South German Road

B. LOT SPLITS, LOT MERGERS AND MINOR SUBDIVISIONS REPORTED (FILED FOR RECORD)

1. Replat 24B Fieldhouse Replat
2. Fieldhouse Replat

A plaque was presented to outgoing commissioner Richard Kirkman. The meeting adjourned at 9:00 p.m.