A. Call to Order

B. Approval of Minutes
1. July 17, 2017

C. Report from the Subdivision Committee (Subdivision Committee meets prior to the Planning Commission at 6:45 pm in City Hall)
   1. Willow Oak Manor Subdivision
   2. Robynmar Subdivision

D. Public Hearings
   1. Soul Food Café Mission request to Rezone from A-1 to R-2A property located at 1715, 1717, and 1727 S Donaghey Avenue
   2. Soul Food Café Mission request for a Conditional Use Permit to allow Religious Activities and a Shelter for the Homeless in an R-2A zoning district for property located at 1715, 1717, and 1727 S Donaghey Avenue
   3. Watson & Watson request to Rezone from A-1 to R-1 property located off S Donaghey, south of Spring Valley Subdivision
   4. *Dayer request for a Conditional Use Permit to allow General Retail in an O-1 zoning district for property located at 2545 Prince Street [Applicant has requested to postpone the public hearing for this item to September 18, 2017]
   5. Covington request to Rezone from I-3 to C-3 property located at 655 and 700 Dave Ward Drive
   6. Gordy request to Rezone from A-1 to R-1 property located at 2 Eve Lane
   7. Thelike request to Rezone from I-3 to C-3 property located at 1200 Thomas G Wilson Drive and 1300, 1350, and 1400 EW Martin Drive
   8. Byrd request for a Conditional Use Permit to allow Restricted Office in an R-2 zoning district for property located at 1344 Robins Street
   9. West request for a Conditional Use Permit to allow a Childcare Facility in an R-2 zoning district for property located at 2425 Tyler Street
   10. Request to amend Conway Zoning Ordinance Article 301.2 & Addendum A

E. Discussion
   Items as decided by the Planning Commission

F. Adjourn

Planning Staff Review reports to the Planning Commission
The following items (development reviews, minor subdivisions, plats filed for record, etc) have been reviewed and approved by the Director of Planning and Development and are being reported to the Planning Commission as required by the Zoning and Subdivision Ordinances:

G. Development Reviews
   1. Laurel Park Tennis Facility, 2215 Prince Street

H. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)
   1. North Market Partners Replat, Lots 5B & 5C (Book L, Page 333)
   2. Sherwood Estates Replat, Lots 63 & 64 (Book L, Page 334)
   3. Ingram Village PUD, Phase 2 (Book L, Page 335)

I. Lot Splits, Lot Mergers, and Minor Subdivisions (submitted for review)
   1. Zion Replat
   2. Cadron Valley Estates, Phase 1 Replat

Contact the Conway Planning Commission at planningcommission@cityofconway.org

The Conway Planning Commission makes recommendations to the City Council on public hearing items. The City Council will make a final decision on these items using the Planning Commission recommendations as a guide. Items reviewed at tonight’s Planning Commission meeting may be considered by the City Council on August 22, 2017.

Items not approved by the Planning Commission may be appealed to the City Council within 30 days after Planning Commission denial. If an item is appealed to the City Council, a public notice sign will be placed on the property at least 7 days prior to the City Council meeting and a public notice will be placed on the City’s website: www.cityofconway.org.
C. Report from the Subdivision Committee
   1. Willow Oak Manor Preliminary (N. of Bill Lucy Dr and E. of Trison Ln)
   2. Robynmar Phase I Preliminary (W. of S. Donaghey)

D. Public Hearings
   1. Soul Food Cafe Mission Request to Rezone, A-1 to R2-A (1715, 1717, 1727 S. Donaghey)
   2. Soul Food Cafe Mission Request for Cond. Use Permit, Religious Activity in R2-A (1715, 1717, 1727 S. Donaghey)
   3. Watson & Watson Request to Rezone, A-1 to R-1 (W. of S. Donaghey Ave, S. of Spring Valley Sub.)
   4. Byrd Request for Cond. Use Permit, General Retail in O-1 (2545 Prince St)
   5. Covington Request to Rezone, I-3 to C-3 (655, 700 Dave Ward Dr)
   6. Gordy Request to Rezone, A-1 to R-1 (2 Eve Lane)
   7. Thelma Request to Rezone, I-3 to C-3 (1200 Thomas G Wilson Dr; 1300, 1350, 1400 EW Martin Dr)
   8. Byrd Request for Cond. Use Permit, Restricted Office in R-2 (1344 Robins St)
   9. West Request for Cond. Use Permit, Childcare Facility in R-2 (2425 Tyler Street)
GENERAL DESIGN REQUIREMENTS

7. 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.

8. 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.”

9. 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 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 acceptable methods and procedures as approved by the City Engineer.

10. 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.

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

EASEMENT DESIGN REQUIREMENTS

12. Easements across lots or centered on rear or side lot lines shall be provided for utilities with widths as recommended by Engineering and Conway Corp.

13. Utility easements as required by Conway Corporation are needed.

14. Drainage easements as required by the City Engineer are needed.

UTILITY DESIGN REQUIREMENTS

15. 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. Variances must be approved by the Planning Commission and Fire Chief. Siting locations need to be verified with the City Fire Marshal.

16. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

SIDEWALK DESIGN REQUIREMENTS

17. Sidewalks are required along both sides of all streets within all zoning districts within Conway city limits and within the Conway Territorial Jurisdiction. Sidewalks are required along Bill Lucy Drive.

continued on page 10
C1 WILLOW OAK MANOR PRELIMINARY SUBDIVISION

18. All sidewalk construction location, and responsibility for construction 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. Sidewalks along Bill Lucy Drive need to be shown.

19. Sidewalks are to be constructed as required within the Conway city limits and within the Conway Territorial Jurisdiction. Subdivisions developed with open ditch design standards as addressed in Table 2, "Street Classifications and Design Standards", are also required to construct sidewalks.

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. Add to Sidewalk notes on plat.

OTHER REQUIREMENTS

21. In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.

AUTHORIZATION TO PROCEED

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

EXPIRATION OF PLAT

23. 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 Willow Oak Manor Subdivision will expire on 8/1/2017.

C2 ROBYNMAR PRELIMINARY SUBDIVISION, PHASE 1

WATSON & WATSON REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF ROBYNMAR SUBDIVISION, PHASE 1

APPLICANT

Kevin Watson

STAFF REVIEW BY

Scott Grummer, City Planner
1201 Oak Street
Conway, AR 72032

SITE DATA

Location. S Donaghey Ave

Site Area. ± 15.04 acres

Current Zoning. A-1 (Agricultural), Request to rezone to R-1 (Single-family residential) on this agenda

Existing Structures. None

Overly. None

STAFF RECOMMENDATIONS

Staff recommends the approval of the preliminary plat subject to the completed punch list.

CONWAY CITY PLANNING DEPARTMENT REVIEW

ROBYNMAR SUBDIVISION PRELIMINARY PLAT

SUBMITTED BY WATSON FAMILY PROPERTIES, LLC

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. The layout of all proposed sidewalk systems are needed, along with relevant dimensions and bearings. Add 5' to all sidewalk notations on plat.

2. The Certificate of Preliminary Plat Approval is needed. Change Signor to "Anne Tucker".

ADDITIONAL INFORMATION NEEDED, BUT NOT ON THE PLAT

3. Improvement plans for any new drainage system, including location, size and construction of drainage ways and structures and typical cross sections and centerline profiles are needed. Preliminary Plat approval is contingent upon Street Department approval of Drainage Plans and Drainage/Detention Report.

GENERAL DESIGN REQUIREMENTS

4. 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.

5. 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."

6. 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 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...
**STREET DESIGN REQUIREMENTS**

8. Sidewalks along streets on unbuildable, green space, and other permanently vacant lots will be the responsibility of the developer.

9. Street elevations. The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach. Add to Sidewalk Notes.

10. Driveway approach. The area remaining between the sidewalk and the flow line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk. Add to Sidewalk Notes.

**SIDEWALK DESIGN REQUIREMENTS**

16. 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. Correct Sidewalk Note #4 for residential standards, not commercial.

17. Street turnouts: Where possible pedestrian trail and pathway systems shall link sidewalks of adjoining lots so as to provide a continuous “ribbon” of pedestrian access throughout the community. Add to Sidewalk Notes.

**EASEMENT DESIGN REQUIREMENTS**

10. Utility easements as required by Conway Corporation are needed.

11. Drainage easements as required by the City Engineer are needed.

12. 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.

**LOT DESIGN REQUIREMENTS**

13. Every lot must slope to a street or to a drainage easement. Add this Note to the Plat.

**UTILITY DESIGN REQUIREMENTS**

14. 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. Variances must be approved by the Planning Commission and Fire Chief. Preliminary Plat approval contingent upon verification of hydrant placement review by Conway Fire Marshal.

15. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

**AUTHORIZATION TO PROCEED**

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

**EXPIRATION OF PLAT**

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 Robynmar Subdivision will expire on 8/9/2018.

**OTHER REQUIREMENTS**

22. In addition to the requirements established herein, all subdivision plats shall comply with all other applicable rules, regulations and laws including but not limited to the Growth Plan (Comprehensive Plan), the Conway Zoning Ordinance, building and housing codes, and any other regulations adopted by the City Council and any regulations or special requirements of the State Health Department, State Highway & Transportation Department, or other appropriate State agencies.
C2 ROBYNMAR PRELIMINARY SUBDIVISION, PHASE 1

ROBYNMAR SUBDIVISION PHASE I

Lying in the 1st of the Town
Section 8, T-19-N., R-14-W.
FAYETTE COUNTY, ARKANSAS

Plan and Survey:
1 The site plan was drawn on a scale of 1" = 100' with drafting inks and materials approved by the City of Fayetteville.
3 Plan submitted on August 10, 2017.
5 Plan submitted on August 10, 2017.
6 Plan submitted on August 10, 2017.
7 Plan submitted on August 10, 2017.
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51 Plan submitted on August 10, 2017.
52 Plan submitted on August 10, 2017.
54 Plan submitted on August 10, 2017.

Certified by:

Yer Group

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SOUL FOOD CAFE MISSION REQUEST TO REZONE FROM A-1 TO R-2A PROPERTY LOCATED AT 1715, 1717, & 1727 S DONAGHEY AVENUE

APPLICANT
Rick Harvey
Soul Food Café Mission
PO Box 1303
Conway AR 72033

STAFF REVIEW BY
Bryan Patrick, Director of Planning & Development
1201 Oak Street
Conway, AR 72032

SITE DATA
Location. 1715, 1717, 1727 South Donaghey Avenue

Site Area. ± 6.08 acres

Current Zoning. A-1 (Agricultural)

Requested Zoning. R-2A (Large Lot Duplex Residential District)

Existing Structures. A warehouse structure - Soul Food Mission (approximately 14,000 s.f.), an historic barn (approximately 10,000 sf), and various accessory structures.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential.

Projected Traffic Impact. The planned use as a homeless shelter, would not create a significant additional traffic impact from the current use. If the property were used as a church, a higher traffic volume would be expected during service hours. With a rezoning to R-2A, the property could be developed with duplexes. With 20 duplexes, traffic impact would be potentially 200 vehicle trips per day.

Overlay. None

Projected Traffic Impact. With a rezoning to R-2A, the property could be developed with duplexes. With 20 duplexes, traffic impact would be potentially 200 vehicle trips per day. The planned use as a homeless shelter, would not create a significant additional traffic impact from the current use. If the property were used as a church, a higher traffic volume could be expected during service hours.

Flood/Drainage. The Planning Department is not aware of any flooding problems on this property.

Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation to ensure that existing utility infrastructure can handle commercial activity.

Street Improvement. There are no current City plans for street upgrades in this area. However, abutting property is planned to become a single family residential neighborhood. This neighborhood might possibly provide future access to the Soul Food/Barn property.

SOUL FOOD CAFE MISSION REQUEST TO REZONE FROM A-1 TO R-2A

Staff Comments
Requested Zoning. The applicant is seeking a rezoning from A-1 (Agricultural) to R-2A (Large Lot Duplex) to add homeless shelter and church use to the property. The applicant is seeking R-2A duplex as it is the least intrusive zone that allows a homeless shelter and church through a conditional use permit. The applicant is seeking a conditional use permit for a homeless shelter and church on this same Planning Commission agenda.
D1  SOUL FOOD CAFE MISSION REQUEST TO REZONE FROM A-1 TO R-2A CONT.

Excerpts from Conway Zoning Ordinance #O-94-54, Addendum A

**Structures and Preexisting Land Uses.** The existing warehouse structure was constructed around 2007 while it was outside the city limits. The structure's use as a food and clothing distribution center is a preexisting nonconforming (grandfathered) use. The area was annexed into the City in 2008. Also on the property, is a historic barn that was built in 1937 and used as part of a demonstration farm project in conjunction with the Arkansas State Teacher’s College (UCA). Around the late 1990s, the barn was used as a church. The church stopped using the facility several years ago and the barn has remained unused. The preexisting nonconforming church use has lapsed as there has not been a Church there in many years.

The property is accessed by a driveway from Donaghey. It is not known if this driveway is situated on a filed access easement to the property. Without a legal access easement, the property could lose it’s only means of ingress/egress. Possibly, public street access will be gained as part of a new planned subdivision on abutting property. However, any additional/better access will be several years in the future as the planned subdivision will be constructed starting on the west.

Fire Code. Access to the property via a long gravel driveway is likely a fire access problem. Lack of fire flow, hydrants, and building code compliance is a fire safety problem. If the structure(s) were to be used as a homeless shelter and/or church, many building upgrades will be required to meet the Arkansas Fire Prevention Code. Sprinklers are one of the likely upgrades.

STAFF RECOMMENDATION

The Planning Commission recommends to consider allowing a homeless shelter on the property, there is little reason to rezone the property to R-2A duplex. If the Planning Commission would like to consider the homeless shelter request, then a rezoning will be in order as a homeless shelter is not allowed in the current A-1 zone. A church is allowed by conditional use permit in A-1. Therefore, if the Planning Commission feels that a homeless shelter is not appropriate, there is no need to rezone to R-2A as a church may be allowed by conditional use permit in an A-1 zone.

D2  SOUL FOOD CAFE MISSION REQUEST FOR CONDITIONAL USE PERMIT

SOUL FOOD CAFE MISSION REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW RELIGIOUS ACTIVITIES & A SHELTER FOR THE HOMELESS FOR PROPERTY LOCATED AT 1715, 1717, & 1727 S DONAGHEY AVENUE

APPLICANT
Rick Harvey
Soul Food Café Mission
PO Box 1303
Conway AR 72033

STAFF REVIEW BY
Bryan Patrick, Director of Planning & Development
Conway, AR 72032

SITE DATA
Location. 1715, 1717, 1727 South Donaghey Avenue
Site Area. ± 6.08 acres

Requested Conditional Use. Seeking permit for a homeless shelter and church within large lot duplex zoning district.

Existing Structures. None

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family development.

Projected Traffic Impact. The planned use as a homeless shelter, would not create a significant additional traffic impact from the current use. If the property were used as a church, a higher traffic volume could be expected during service hours. With a rezoning to R-2A, the property could be developed with duplexes. With 20 duplexes, traffic impact would be potentially 200 vehicle trips per day.

Flood/Drainage. The Planning Department is not aware of any flooding problems on this property.

Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation to ensure that existing infrastructure can handle commercial activity.

Street Improvement. There are no current City plans for street upgrades in this area. However, abutting property is planned to become a single family residential neighborhood. This neighborhood might possibly provide better future access to the Soul Food/Barn property.

Conway 2025. Not applicable.

STAFF COMMENTS

The existing warehouse structure was constructed around 2007 while it was outside the city limits. The structure’s use as a food and clothing distribution center is a preexisting nonconforming (grandfathered) use. The area was annexed into the City in 2008. Also, on the property, is a historic barn that was built around 1937 and used as part of a demonstration farm project in conjunction with the Arkansas State Teacher’s College (UCA). Around the late 1990s, the barn was used as a church. The church stopped using the facility several years ago and the barn has remained unused. The preexisting nonconforming Church use has lapsed as there has not been a church there in many years.

The property is accessed by a driveway from Donaghey. It is not known if this driveway is situated on a filed access easement to the property. Without a legal access easement, the property could lose it’s only means of ingress/egress. Possibly, public street access will be gained as part of a new planned subdivision on abutting property. However, any additional/better access will be several years in the future as the planned subdivision will be constructed starting on the west.

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Access to the property via a long gravel driveway is likely a fire access problem. Lack of fire flow, hydrants, and building code compliance is a fire safety problem. If the structures were to be used as a homeless shelter and/or church, many building upgrades will be required to meet the Arkansas Fire Prevention Code. Sprinklers are one of the likely upgrades.

**STAFF RECOMMENDATIONS**

Recommended Conditions:
1. Limit the homeless shelter to the warehouse structure only.
2. Approval of the conditional use permit is contingent upon Fire Department and Permits and Inspections Department approval.

**STAFF COMMENTS**

The applicant is seeking a rezoning from A-1 (Agricultural District) to R-1 (Single Family Residential) with plans to build a new 140 lot subdivision on the property. Phase one will include 56 lots. Access to the property will come from current stub outs in Spring Valley Subdivision and stub outs currently under construction within Salem Woods Phase II. Ultimately, there will also be an entrance from South Donaghey near the current entrance to the existing plant nursery. An R-1 zoning is congruent with the area development. The Comprehensive Plan shows a pedestrian trail under the large power line easement on the east side of the property. Upon future platting and development, a trail easement can be captured to continue the area trail system southward.

**STAFF RECOMMENDATIONS**

Planning Staff recommends approval of this request. The rezoning is congruent with the comprehensive plan and with existing area land uses.
D3 WATSON & WATSON REQUEST TO REZONE FROM A-1 TO R-1

D4 DAYER REQUEST FOR CONDITIONAL USE PERMIT

DAYER REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW GENERAL RETAIL IN O-1 FOR PROPERTY LOCATED AT 2545 PRINCE STREET

APPLICANT
Phil Dayer
3270 Nutters Chapel Rd
Conway, AR 72034

STAFF REVIEW BY
Bryan Patrick, Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA
Location. 2545 Prince Street
Site Area. ±1.43 acres
Current Zoning. O-1 (General Office) with an existing conditional use permit (1277) allowing 60% restricted retail divided across two abutting properties.
Requested Conditional Use. General retail in office zone
Existing Structures. None
Overlay. None

Comprehensive Plan. The 2004 Comprehensive Plan shows this area as appropriate for single family residential. However, the property was rezoned to O-1 with a conditional use permit to allow 60% restricted retail in May 2008.

Projected Traffic Impact. With the current office zoning, an office development with the maximum allowed square footage of 31,000 square feet could be expected to generate 341 vehicle trips per day. If the addition of restricted retail as allowed at 18.9% of 60% (pro-rated), an 18,647 square foot restricted retail center could generate 820 vehicle trips per day. Prince Street was upgraded to a 4 lane divided median street with roundabouts “bookending” this property and abutting properties. Due to the divided median, any traffic entering or exiting the property would be limited to right in/right out. The design of Prince would lessen the impact of traffic generated from an intensive commercial use.

Flood/Drainage. No flood issues on this property.

Utility Infrastructure. Developers will need to coordinate utilities with Conway Corporation to ensure that existing infrastructure can handle additional commercial growth.

Street Improvement. Prince Street was upgraded to a 4 lane divided median street with roundabouts in 2013. No near term improvements are scheduled for Prince Street or other area streets in the near future.

Conway 2025. Not directly applicable.

STAFF COMMENTS
The applicant is seeking a conditional use permit for general retail in order to sell the property to a fast food restaurant. Examples of businesses allowed by right in general retail; appliance repair, bank, contractor, clothing store, dance hall, delivery service, department store, drive-in restaurant, eating place with drive-through, gunsmith, feed store, appliance store, luggage store, medical appliance sales, office equipment sales, pet shop, plumbing fixtures, restaurant, rug cleaning, second hand store, sewing machine shop, recording studio, upholstery shop, vending machine sales and service, and window blinds.

The property was rezoned to O-1 General Office in 2008. At the same time, a conditional use permit (1277) allowing up to 60% of the buildable floor area to be restricted retail was approved. Conditional Use Permit 1277 was amended in 2016 to remove .3 acres to allow a bank at the corner of Farris and Prince. Conditional Use Permit 1277 covers two abutting properties. Including the requested property there is approximately 7.5 acres total.

The request for a new conditional use permit for this property would necessitate amending the existing conditional use permit to exclude the Dayer Property.

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Currently Approved Conditions: Conditional Use Permit 1277:
1. No more than 60% of the development’s floor area may be used for retail.
2. The development must generally follow the conceptual site plan presented at the April 2008 Planning Commission meeting (see attachment). Key elements are interior parking, structure orientation to creek and trail, and the encouragement of plaza space and trail access points.
3. A 30 foot green space buffer strip with no parking or structures on the south to buffer residences.
4. Dedication of a riparian buffer area 30 feet in width, measured east of and parallel to the eastern Tucker Creek floodway boundary, also to be used for pedestrian/bike trail easement purposes.
5. Driveway separation/access management—curb cuts are to have 300 feet of separation and a minimum of 150 feet from side lot lines unless outstanding conditions warrant other locations.
6. Office uses only are allowed on the east and south sides of the development.
7. A brick wall must be constructed along the south property line to provide screening for residences. (Wall must be a minimum of 6 feet tall.)

In order to allow a new conditional use permit for general retail at 2545 Prince Street, these conditions must examined and amended as necessary.

Condition 1 - 60% Restricted Retail. Limits the amount of restricted retail to 60% of the development’s floor area. If the 7.55 acres covered by the conditional use permit is prorated, this property will receive 18.9% of the allowed 60% restricted retail. This translates into approximately 18,647 square feet of restricted retail.

Condition 2 - Unified Development. Requires the entire development, all 7.55 acres, be developed as a whole. Structures were to be closer to Prince Street with interior parking. Structures on the west side of the property were to be oriented to the pedestrian plaza and trail access. The requested conditional access would break apart the unified development. All three parcels would be developed separately.

Condition 3 - 30 foot buffer. A 30 foot non-parking buffer area is to be along south property line.

Condition 4 - Creek Buffer Area. Not applicable - buffer area adjacent to creek. Bike/pedestrian trail is constructed.

Condition 5 - Driveway Separation. Curb cuts are to be 300 feet apart and at least 150 feet from side lot lines unless there are outstanding conditions. This separation distance will likely not be possible without unified development. The requested property is 106 feet wide. Cross access and shared access would be required as part of development review. A shared driveway could possibly be created.

Condition 6 - Office Use. Office use only is required on the east and south sides of the property. The requested property does not abut residences on the east. Only a southern office use only condition could be applicable.

Condition 7 - Brick Wall. A 6 foot high brick wall is required along the south property line. The south property line of the requested property is 333 feet wide. Without additional wall across the entire vacant development area, this requirement may not be effective.

STAFF RECOMMENDATIONS
If a conditional use permit to allow general retail is approved for this property. There is little reason for future requests for general retail on abutting property to be denied. The property currently has a percentage of restricted retail that allows up to 18,647 square feet of restricted retail. A 6 foot restricted retail does not allow a drive through restaurant. Existing conditions complicate development for more intensive retail.

Recommended Conditions. If the Planning Commission feels that this conditional use permit is appropriate, recommendations need to be crafted to allow general retail with necessary amendments to the existing conditions.

New Conditions Applicable to requested property at 2545 Prince Street:

Office use only is required on the east and south sides of the property. The requested property does not border the creek. Any creek oriented conditions would not be applicable.

Condition 1 - 60% Restricted Retail. Limits the amount of restricted retail to 60% of the development’s floor area. If the 7.55 acres covered by the conditional use permit is prorated, this property will receive 45.9% of the allowed 60% restricted retail. This translates into approximately 18,647 square feet of restricted retail.

Condition 2 - Unified Development. Requires the entire development, all 7.55 acres, be developed as a whole. Structures were to be closer to Prince Street with interior parking. Structures on the west side of the property were to be oriented to the pedestrian plaza and trail access. The requested conditional access would break apart the unified development. All three parcels would be developed separately. (Wall must be a minimum of 6 feet tall.)

Condition 3 - 30 foot buffer. A 30 foot non-parking buffer area is to be along south property line.

Condition 4 - Creek Buffer Area. Not applicable - buffer area adjacent to creek. Bike/pedestrian trail is constructed.

condition could be applicable.

Amendments to Conditional Use Permit 1277:
1. No more than 60% of the development’s floor area may be used for retail. The allowed 60% restricted retail area of the approved conditional use permit is prorated according to parcel size. The east parcel: 710-08411-000 or 2525 Prince Street shall have no more than 51.6% of the developable area used for restricted retail. The west parcel: 710-08413-000 2565 Prince Street and 710-08413-000 2565 Prince Street shall have no more than 29.5% of the developable area used for restricted retail.

2. The development must generally follow the conceptual site plan presented at the April 2008 Planning Commission meeting (see attachment). Key elements are interior parking, structure orientation to creek and trail, and the encouragement of plaza space and trail access points.

3. A 30 foot green space buffer strip with no parking or structures on the south to buffer residences.

4. Dedication of a riparian buffer area 30 feet in width, measured east of and parallel to the eastern Tucker Creek floodway boundary, also to be used for pedestrian/bike trail easement purposes.
5. Driveway separation/access management—curb cuts are to have 300 feet of separation and a minimum of 150 feet from side lot lines unless outstanding conditions warrant otherwise. Driveway curb cuts shall meet development review standards. Cross access/shared access shall be used unless outstanding conditions warrant otherwise.

6. Offices can only be allowed on the east and south sides of the development.

7. A brick wall must be constructed along the south property line to provide screening for residences. (Wall must be a minimum of 6 feet tall.) 8 foot wooden privacy fence? Match any new fencing requirements.

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D5 COVINGTON REQUEST TO REZONE FROM I-3 TO C-3

COVINGTON PROPERTIES REQUEST TO REZONE FROM I-3 TO C-3 PROPERTY LOCATED AT 655 & 700 DAVE WARD DRIVE

APPLICANT/OWNER
Covington Properties
1023 Front Street
Conway, AR 72032

STAFF REVIEW BY
Jason Lyon, Assistant Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA
Location. 700 Block Dave Ward Drive (north and south side)

Site Area. ±40.61 acre +/- (21.67 South; 18.94 North)

Current Zoning. I-3 (Intensive Industrial District)

Requested Zoning. C-3 (Highway Service & Open Display District)

Existing Structures. Vacant land; overgrown parking lot.

Overlay. Dave Ward Drive Access Management Plan

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for Industrial activity.

Projected Traffic Impact. With the current I-3 zoning and developed with the maximum amount of industrial building square footage, 9048 vehicle trips per day could be expected. With a rezoning to C-3, significant traffic could be expected depending on the nature of development. Dave Ward is large enough to handle the additional traffic but significant internal traffic flow will be imperative for any development. No new traffic signals are planned in the area, however a large shopping center would trigger a traffic study which in turn, might necessitate additional traffic signals and/or roundabouts (with AHTD approval). Traffic impact will vary depending on nature of development, for instance fast food restaurants or convenience stores will generate a significant volume of traffic (convenience store - 738 vtd/1000 s.f., fast food - 496 vtd/1000 s.f.) Assuming 20% of the area covered with general shopping a maximum of 14,000 vehicle trips per day could be expected.

Flood/Drainage. No flooding problems on this property; although there are some natural drainage ditches on the northern tract that will need to be addressed during development.

Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation.

Street Improvement. There are no current plans for area road improvements. Dave Ward Drive is a four lane divided median, however, the median stops immediately west of the requested rezoning area. The Dave Ward Access Management Plan, limits curb cuts to one per 300 feet and require AHTD, Metroplan, and City of Conway approval.

Conway 2025. Not specified.

STAFF COMMENTS
The applicant is seeking a rezoning from I-3 (Intensive Industrial District) to C-3 (Highway Service & Open Display District). The rezoning of the properties shows the evolving nature of the Dave Ward Corridor in this area from an industrial use to a commercial/office use. A commercial rezoning allows more intensive commercial uses than I-3 but also removes intensive industrial uses. Likewise, a commercial zoning will require more stringent development standards (all sides of a commercial development). I-3 development standards are limited to the street side of the structure (image zone).

STAFF RECOMMENDATIONS
Planning Staff recommends approval of this request for commercial zoning. Although not congruent with the Comprehensive Plan, the rezoning would make the property more congruent with the evolving land uses along Dave Ward Drive. A rezoning from I-3 would remove the possibility for a less desirable intense industrial use to occupy the property.

Postponed to September 18, 2017
D5 COVINGTON REQUEST TO REZONE FROM I-3 TO C-3

700 Block of Dave Ward Drive in the Comprehensive Plan

700 Dave Ward Drive

655 Dave Ward Drive

Aerial View of 700 Block of Dave Ward Drive

D6 GORDY REQUEST TO REZONE FROM A-1 TO R-1

GORODY REQUEST TO REZONE FROM A-1 TO R-1
PROPERTY LOCATED AT 2 EVE LANE

APPLICANT
Grant Gordy
4915 Tyler Street
Conway, AR 72034

STAFF REVIEW BY
Jason Lyon, Assistant Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA
Location. 2 Eve Lane; Lot 41 Block 1 Golden Meadows Subdivision
Site Area. ±0.73 acres
Current Zoning. A-1 (Agricultural)
Requested Zoning. R-1 (Single family residential)
Existing Structures. One single-family residence
Overlay. The property is within the Old Conway Design Overly District.
Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential.
Projected Traffic Impact. With a rezoning to R-1, traffic impact would be negligible.
Flood/Drainage. No flood issues on this property
Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation for any future structures.
Street Improvement. There are no current plans for area street improvements, although Tyler Street will need to be rebuilt in the near future.
Conway 2025. Not applicable

STAFF COMMENTS
The applicant is seeking a rezoning from A-1 (Agricultural) to R-1 (Single family residential). The applicant indicates that they would like to construct a new single family structure on the lot. The current A-1 zoning does not allow a new replacement home to be built as the lot is less than 1 acre in area. A-1 requires 1 acre per residence. This rezoning could also allow a future replat to split the lot in two creating a new single family residential lot.

STAFF RECOMMENDATIONS
Planning Staff recommends approval of this request as the rezoning request is minimal. The area consists of single family homes on larger lots. Any new home(s) would conform to single family standards.

View of property looking NW
THIELKE REQUEST TO REZONE FROM I-3 TO C-3
PROPERTY LOCATED AT 1200 THOMAS G WILSON DRIVE AND 1300, 1350, & 1400 E W MARTIN DRIVE

APPLICANT
Joseph Thielke
10 Justice Lane
Conway AR 72032

STAFF REVIEW BY
Bryan Patrick, Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA
Location. 1200 Thomas G. Wilson Drive; 1300, 1350, and 1400 E W Martin Drive
Site Area. ±10.03 acres
Current Zoning. I-3 (Intensive Industrial)
Requested Zoning. C-3 (Highway Shopping and Open Display District)
Existing Structures. 1200 Thomas G. Wilson - 5000 s.f. building (Unoccupied), 1300 E W Martin - Empty Lot, 1350 E W Martin - 26,250 s.f. building (Habitat for Humanity Warehouse), 1400 E W Martin - 52,000 s.f. building (FedEx & G & W Diesel)
overlay. None
Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for General Industrial use.
Projected Traffic Impact. With the current I-3 zoning and developed to the maximum allowed industrial square footage, 2,262 vehicle trips per day could be expected. An I-3 use with the current building square footage could generate around 1,079 v.t.d. With a rezoning to C-3 at maximum buildout, 9,147 v.t.d could be expected. A C-3 use with the current building square footage could be expected to generate around 3,496 v.t.d.
Flood/Drainage. Planning staff is not aware of any flooding problems on this property.
Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation to ensure that existing infrastructure can accommodate new growth.
Street Improvement. There are currently no planned area road improvements. East Dave Ward Drive was recently upgraded with new interstate access ramps and roundabouts to better serve the new Lewis Crossing Shopping Center. These improvements stop at Thomas G Wilson Drive. A new Amity Road is being constructed on the north side of Dave Ward Drive to serve Lewis Ranch Shopping Center.

STAFF COMMENTS
The applicant is seeking a rezoning from I-3 (Intensive Industrial) to C-3 (Highway Shopping and Open Display District). There are 3 businesses currently occupying 2 of the 3 buildings (1300, 1350, and 1400 E W Martin). The smaller building at 1200 Thomas G Wilson is unoccupied. The current business uses are all allowed in I-3 and C-3. If the property is rezoned to C-3, no preexisting non-conforming (grandfathered) businesses are created. The area has seen a shift from industrial use to commercial use. The former “Sale Barn” property has changed to a shopping center. Industrial property on the north side of Dave Ward Drive is also transitioning to a commercial shopping area. A request to rezone the large open parcel of land between the Thielke property and Dave Ward Drive will likely happen in the short term future. The large I-40/ Dave Ward Drive intersection is shown as appropriate for commercial use on the Comprehensive Plan. Rezoning the Thielke property to commercial would be an expansion of this commercial node. This transition seems appropriate, however, the area south of William J Clark should likely be the boundary between commercial and industrial use. Several large industrial facilities are located south of William J Clark including a new industrial linen facility.

Conway 2025. Not applicable.
Recent improvements to Dave Ward Drive and Amity Road have increased traffic volume capacity and traffic movement. The additional traffic generated should not be detrimental to area traffic movement. A rezoning to C-3 would make the property subject to development review standards. If developed as an industrial property, lesser development regulations may be used. Only the front areas of industrial structures must have landscaping and better quality building materials. Developments in commercial zones must have all 4 sides of the structure meeting building material, landscaping, lighting, access, etc development review regulations. A rezoning to C-3 will better ensure appropriate commercial development.

**STAFF RECOMMENDATIONS**

Due to the transitioning nature of the area away from industrial use and recent improvements to Dave Ward Drive to better accommodate increased traffic, Planning Staff recommends approval of this requested rezoning.

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**BOARD ACTION REQUESTED:**

Approval of rezoning.

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**STAFF RECOMMENDATIONS**

Due to the neighborhood compatibility of a small attorney’s office, buffering provided between higher intensity uses to the south and west from residential uses to the north, and improvements to the property, Staff recommends approval of this conditional use permit with appropriate conditions.
Zoning Ordinance Required Conditions:
The following restricted office conditions as specified by the zoning ordinance require review:

- Hours of operation
- Signage: Wall signage shall be limited to a non-illuminated faceplate attached to the structure no greater than 2 square feet in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide. A non-illuminated post and arm sign as defined by Conway sign regulations, may be substituted for a monument or two pole sign. No banners shall be permitted.
- Architectural Compatibility: Any remodeling or new construction must be compatible with the surrounding architecture. In areas outside of the Old Conway Design Overlay District or any Certified Local Government Historic District, compatibility shall be decided by the City Council after review by the Planning Commission. Within the Old Conway Design Overlay District or any Certified Local Government Historic District, the Old Conway Design Review Board or Historic District Commission shall review and decide compatibility. This review shall include overall exterior appearance, materials, setbacks, height, lot coverage, etc. The setbacks, height, and lot coverage restrictions will be no greater than allowed by the lot regulations per zone, overlay, or historic district.
- Term of the Conditional Use: Conditions are limited to the applicant. If the applicant does not own the property within 6 months of approval, the conditional use permit shall be void. If the property is sold, the conditional use shall be void.
- Lighting, parking, screening/buffering shall minimally match Conway Development Review Standards. Additional parking and/or screening/buffering requirements may be recommended by the Planning Commission and required by the City Council including, but not limited to, parking location and design, fencing or landscaping as required to provide an adequate buffer for neighboring properties.
- Sidewalks: Construction and or repair of existing sidewalks, if necessary, is required as per Conway Development Review Standards.

Staff Recommended Conditions:
The following conditions are edited versions of the above required conditions for restricted office modified to fit the requested property:

1. Hours of operation - Commission needs to determine.
2. Signage: Signage shall be limited to a non-illuminated faceplate attached to the structure no greater than 2 square feet in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide. A non-illuminated post and arm sign as defined by Conway sign regulations, may be substituted for a monument or two pole sign. No banners shall be permitted.
3. Terms of Conditional Use: The restricted office is limited to the applicant. If the applicant does not own the property within 6 months of approval, the conditional use permit shall be void. If the property is sold, the conditional use shall be void.
4. Lighting, parking, screening/buffering, and sidewalks are subject to Staff Development Review.

Architectural Compatibility: Not applicable - No additional condition. The property is not within a historic district and is not architecturally significant. General materials and construction will be reviewed by Planning and Permitting Staff.
WEST REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW A CHILDCARE FACILITY IN AN R-2 ZONE FOR PROPERTY LOCATED AT 2425 TYLER STREET

APPLICANT
Michael & Elizabeth West
2943 Highway 287
Hattieville, AR 72063

STAFF REVIEW BY
Bryan Patrick, Director of Planning and Development
1201 Oak St
Conway, AR 72032

SITE DATA
Location. 2524 Tyler Street

Site Area. ±0.28 acres

Current Zoning. R-2 (Small Lot Duplex)

Requested Conditional Use. Child Care Facility

Existing Structures. An approximately 3200 s.f. structure formerly used as a child care facility

Overlay. None

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential. However, the area is zoned for duplexes.

Projected Traffic Impact. With the current single family residential use, around 10 vehicle trips per day can be expected. A child care facility could generate around 240 vehicle trips per day. These vehicle trips would be generated at peak before and after work times.

Flood/Drainage. Planning Staff are not aware of any flooding problems on this property.

Utility Infrastructure. Utilities are currently provided. Any upgrades may need to be coordinated with the Permits Department and Conway Corporation.

Street Improvement. No near term improvements are scheduled for Tyler Street.

Conway 2025. Not applicable.

STAFF COMMENTS
The applicant is seeking a conditional use permit for a child care facility. The structure was used a child care facility for many years. The facility began when Child Care was a “by right” use in an R-2 zoning district. The zoning ordinance was later amended requiring a conditional use permit for Child Care in residential zones. This created a preexisting nonconforming (grandfathered) use. A grandfathered use may continue to operate unless the activity ceases for one year or more. It is unclear when the facility closed, however it has been over one year. Therefore, a conditional use permit is necessary to reopen a child care facility at this location.

STAFF RECOMMENDATIONS
Due to the preexisting use of this property as a child care facility, Staff recommends approval of this conditional use permit with appropriate conditions.

Staff Recommended Conditions:
1. Hours of operation - Commission needs to determine.
**D10 REQUEST TO AMEND CONWAY ZONING ORDINANCE**

**REQUEST TO AMEND CITY OF CONWAY ZONING ORDINANCE ARTICLE 301.2 & ADDENDUM A TO CLARIFY THE DEFINITION OF OFFICE AND ALLOWED ZONING DISTRICTS FOR PHARMACY AND PHARMACEUTICAL COMPOUNDING**

**STAFF REVIEW BY**
Bryan Patrick, Director of Planning & Development
1201 Oak Street
Conway, AR 72032

**STAFF COMMENTS**
The current Zoning Ordinance definition of “Office” is unclear in need of an update. For example, the current definition includes antiquated office uses such as: “Addressing, duplicating, mailing lists, stenographic telephone messages and similar office services” and “Computer, data processing or similar services”. It also lists specific uses understood to be an office use; “Advertising Agency”, “Employment service”. Further, it includes specific uses that are possibly not office related; “Interior decorating shop”, “Mobile home and/or subdivision sales office without display”, “Animal clinic (enclosed) small animals”. “Pharmacy” is also included in this list of allowed office uses. The intent of this pharmacy listing is an in-house non-retail pharmacy. Pharmacy is listed in other sections of the zoning ordinance as allowed by conditional use permit in office zones. This creates a discrepancy without further clarification. Pharmacy/drugstore is listed as a use under restricted retail. Restricted retail requires a conditional use permit in an office zone. To clarify the intent of the zoning ordinance, pharmacy should be removed from the “by right” listed uses in office zoning.

A new more general definition for “Office” is proposed:
Office: A business providing administrative, executive, management, professional services, or medical clinic. Examples include architect, accountant, engineer, attorney, doctor, dentist, or similar profession.

Along with a new definition, the allowed use matrix is updated to clarify which zoning districts allow pharmacy and compounding pharmacy.
Office is clarified with the deletion of extraneous text, the deletion of a redundant category, and the insertion of “Office, Restricted”.

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<th>Allowed Uses</th>
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<th>B-2A</th>
<th>B-2B</th>
<th>R-1</th>
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<td>Compounding of cosmetics, toiletries, drugs, and pharmaceutical products</td>
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Office, Restricted (See 001.27) | C C C C C C C C | X | X | C |