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 as early as August 28, 2018.

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.
A. Call to Order

B. Approval of Minutes
   1. July 16, 2018

C. Report from Subdivision Committee
   Subdivision Committee will meet prior to the Planning Commission at 6:30 pm in City Hall
   1. Zion Temple Replat request for preliminary plat approval extension
   2. North View Estates request for preliminary plat approval extension
   3. Winterbrook Subdivision, Phase 3 request for preliminary plat approval

D. Public Hearings
   1. Robinson & Center Church of Christ request for conditional use permit to allow religious activities in R-2A at 615 Faulkner St
   2. Rush-Hal Development request to rezone property, located South of Irby Dr, East of St. John's Subdivision, and immediately North of Winterbrook Subdivision Phase 2, from A-1 to R-1
   3. Freyaldenhoven request to rezone +/-2.16 acres, located at NE corner of the intersection of Trison Ln and Bill Lucy Dr, from A-1 to R-1
   4. Lackey request to rezone property, located at 1295 E German Ln, from R-1 to R-2
   5. Stapleton request to rezone property, located at 364 & 375 Denison St, from R-2 to MF-3

E. Discussion
   1. 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
   • Keller Johnson Offices, 810 N Creek Dr
   • Zion Temple Church, 850 Pine St

H. Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)
   • Boulevard Addition Replat (P2018-00041)
   • Elry’s Addition Replat (P2018-00042)

I. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals (submitted for review)
   • Willow Oak Manor Final (SUB2018JUL01)
   • Princeton Replat (SUB2018JUL02)
   • Landmark Medical (SUB2018JUL04)
   • Carmichael Place Final (SUB2018JUL05)
   • Lenderman Addition (SUB2018JUL03)
ZION TEMPLE CHURCH OF GOD IN CHRIST REQUEST FOR EXTENSION OF PRELIMINARY SUBDIVISION APPROVAL OF ZION TEMPLE REplat

APPLICANT
Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

OWNER
Zion Temple Church of God in Christ
860 Pine Street
Conway, AR 72032

STAFF REVIEW BY
Scott Grummer, Planner
1201 Oak St
Conway, AR 72032

SITE DATA
Location. Portions of Blocks 1 & 2, Jones Addition and (previous) Zion Temple Replat. South part of block bordering Harkrider St, Pine St, and Sutton St.

Site Area. 1.11 acres

Current Zoning. T-5 Urban (Northeast Old Conway Area Specific Plan)

Existing Structures. One duplex at 1316 Clayton St.

Overlay. None; part of the Northeast Old Conway Area Specific Plan.

STAFF COMMENTS
Applicant has requested a one-year extension of the approval of the preliminary plat, granted 8/2/17. If approved, the plat will expire on 8/2/19.

STAFF RECOMMENDATION
Staff recommends approval of the extension request.
C2  NORTH VIEW ESTATES PUD PRELIMINARY PLAT EXTENSION

HAWS INVESTMENT COMPANY REQUEST FOR
EXTENSION OF PRELIMINARY SUBDIVISION
APPROVAL OF NORTH VIEW ESTATES PUD, PHASE 1

APPLICANT
Hawks Investment Company
2111 E German Lane
Conway, Arkansas 72032

STAFF REVIEW BY
Scott Grimmer, Planner
1201 Oak St
Conway, AR 72032

SITE DATA
Location. ±47.08 acres east of AR Hwy 25 and south of Southshore Lane; immediately north of North Woods Estates PUD.

Site Area. ±47.08 acres

Current Zoning. PUD (Planned Unit Development)

Existing Structures. None.

Overlay. None.

STAFF COMMENTS
North View Estates has requested an extension for the Preliminary Plat which was conditionally approved by Planning Commission on April 17th, 2017, and expired on April 17th, 2018. Issues dealing with the clients annexation of land, as well as challenges meeting City Engineering approval on Street and Drainage requirements due to the terrain and annexation issues, caused this preliminary plat approval to be delayed. The Client and City have determined that phasing this development is in the best interest of the project to allow time for the developer to work through the challenges that will impact what will be the 2nd phase of development. The client is moving forward with finalizing the Phase I Preliminary Plat for approval by the City, which plat is consistent with what was approved by Planning Commission. The new proposed expiration date for this Preliminary Plat will be April 17th, 2019, being one year from the original expiration.

Aerial View of North View Estates PUD Phase 1
C3  WINTERBROOK, PHASE 3 PRELIMINARY SUBDIVISION

RUSH-HAL DEVELOPMENT, LLC REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF WINTERBROOK SUBDIVISION, PHASE 3

APPLICANT
Rush-Hall Development, LLC
PO Box 10482
Conway, AR 72034

STAFF REVIEW BY
Scott Grummer, Planner
1201 Oak St
Conway, AR 72032

SITE DATA
Location: Property located South of Irby Dr, East of St. John’s Subdivision, and North of Winterbrook Subdivision, Phase 2.
Site Area: 1,277.11 acres

Current Zoning: A-1 (Agricultural); agenda item D2 requests rezoning subject property to R-1 (Single-Family Residential)

Existing Structures: None.
Overlay: None.

STAFF RECOMMENDATION
Planning Commission action is required for item 17.

STAFF COMMENTS
Planning Commission staff recommend the approval of the preliminary plat subject to the amended punch list.

CONWAY CITY PLANNING DEPARTMENT REVIEW
WINTERBROOK PHASE 3 PRELIMINARY PLAT

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

BASIC INFORMATION NEEDED ON THE PLAT
1. A legal description of the property with exact boundary lines, bearings and distances is needed.
2. If any portion of the land being subdivided is subject to flooding, the limit of such flooding shall be noted and the appropriate 100 year floodplain and/or floodway shall be identified.
3. The present zoning classification, if any, of the land to be subdivided/replatted and of the adjoining land contiguous to the boundary of the proposed subdivision/replat is needed. Preliminary Plat approval is contingent upon rezoning to R-1.

GENERAL DESIGN REQUIREMENTS
4. If the Planning Commission considers this land is subject to flooding or topographically unsuitable for residential occupancy, it shall not be platted for any use that may increase the danger to health, life, property or aggravate erosion or flood hazard and shall be set aside for such land uses as will not be affected by these problems unless adequate corrective measures are formulated by the developer and approved by the Planning Commission.
5. Where proposed community or public facilities of the municipal plan are located in whole or in part in a proposed subdivision, the Planning Commission shall require that land for those public facilities to be reserved as a condition of preliminary plat approval. Such reservations shall be referred to the appropriate body to take appropriate action.
6. 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 and drainage of the site.

STORMWATER REQUIREMENTS
7. 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 accommodated 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 the twenty-five (25) year frequency storm event. Computations for the sizing of the detention facilities and outlet structure shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval. The computations shall be made using usual and accepted methods and procedures as approved by the City Engineer.

STREET DESIGN REQUIREMENTS
8. The proposed street layout should be integrated with the street system in the adjoining subdivisions. Staff recommends developer be required to extend Bison Dr. West to connect to existing Bison Drive in existing subdivision. This will require improvements in ROW beyond owners boundary.
9. Preliminary Plat approval is contingent upon Street and Engineering Review and approval of Street and Drainage Plans.
C1  WINTERBROOK, PHASE 3 PRELIMINARY SUBDIVISION

EASEMENT DESIGN REQUIREMENTS
14. Easements shall be provided for utilities where a subdivision is traversed by a water course, drainageway, channel or stream, or there shall be provided a storm water easement conforming substantially with the lines of the water course and shall be adequate for such intended purpose.
15. Utility easements as required by Conway Corporation are needed.
16. Drainage easements as required by the City Engineer are needed.

LOT DESIGN REQUIREMENTS
17. Corner lots shall be at least 75 feet in width at the building line. A variance has been requested for Lots 73, 85, 102, 105, 110 and 111, front lot lines to be less than 75’ at the building line. Planning Commission Approves / Does not approve this request, or this condition must be corrected.

UTILITY DESIGN REQUIREMENTS
18. All subdivisions containing more than four lots within the corporate limits shall be provided with a water supply and distribution system approved by the Conway Corporation and meeting the requirements of the State Health Department.
19. 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.
20. Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant.

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 Winterbrook Subdivision Phase 3 will expire on 08/03/2019.

D1  REQUEST FOR CONDITIONAL USE PERMIT; 615 FAULKNER ST

ROBINSON & CENTER CHURCH OF CHRIST REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW RELIGIOUS ACTIVITIES IN R-2A FOR PROPERTY LOCATED AT 615 FAULKNER ST

APPLICANT
Steve Norris
Robinson & Center Church of Christ
1505 Robinson Ave
Conway, AR 72034

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

SITE DATA
Location. 615 Faulkner Street.
Site Area. ±0.35 acres.
Current Zoning. R-2A (Large Lot Duplex).
Requested Conditional Use. Religious activities.
Existing Structures. An historic 4,000 s.f. residence being used as a quad-plex.
Overlay. Old Conway Design Overlay District.
Comprehensive Plan. The Comprehensive Plan shows this area appropriate for residential uses.

Projected Traffic Impact. With its current use as a residential quad-plex, traffic generation stands at around 38 vehicle trips per day. If used as Church offices as proposed, around 44 vehicle trips per day could be expected.

Utility Infrastructure. The applicant will need to coordinate any future utility expansion with Conway Corporation.
Street Improvement. There are no current area street improvement plans.

Conway 2025. Not applicable.

STAFF COMMENTS
The applicant is seeking a conditional permit to allow religious activities. The property is currently used as a residential quad-plex. The Church has been working with the Historic District Commission to find an appropriate location to place a metal cover for the Church bus. The rear of this property is likely the most favorable place to hide the metal cover and bus from public view. The metal cover is currently located at the northwest corner of Robinson and Faulkner. The HDC has stated that the cover must be relocated out of the Robinson Historic District. The property is currently zoned R-2A. In order to use the property for Church activities such as bus parking, a conditional use permit allowing religious activity is needed.

In the submitted application, the Church has stated that the ultimate plan for the property is to restore the historic structure and use for Church offices. The property was purchased by the Church in 2015. All other Church property is covered by a conditional use permit allowing religious activities.

STAFF RECOMMENDATIONS
Planning Staff recommends approval of this request with conditions that assure the best neighborhood compatibility.

Suggested Conditions:
1. The residence may not be demolished without seeking Historic District Commission approval.
2. Large passenger van/bus parking must be at the rear of the property.
**D1 REQUEST FOR CONDITIONAL USE PERMIT; 615 FAULKNER ST**

![Aerial View of 615 Faulkner St](image)

**D2 REQUEST TO REZONE A-1 TO R-1; WINTERBROOK PHASE 3**

**RUSH-HAL DEVELOPMENT REQUEST TO REZONE FROM A-1 TO R-1 PROPERTY NORTH OF WINTERBROOK, PHASE 2, AND SOUTH OF IRBY DR**

**APPLICANT**
Hal Crafton
Rush-Hal Development
PO Box 10482
Conway, AR 72034

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

**SITE DATA**
Location. Location 3400 Block Tyler (North and West of Winterbrook Ph 2)
Site Area. 27.11 acres.
Current Zoning. A-1 (Agricultural District)
Requested Zoning. R-1 (Single-Family Residential District)
Existing Structures. None; vacant land.

**STAFF COMMENTS**
The applicant is seeking a rezoning from A-1 (Agricultural District) to R-1 (Single-Family Residential District) for the development of Winterbrook Subdivision. Phase 3 proposes an additional 65 lots for a total build out of 131 lots. There are no drainage issues present on the property. The unimproved Buffalo Lane ROW along the western edge will not be built as a boundary street. The proposed subdivision meets all R-1 standards and should have relatively little impact on overall traffic flow along Tyler and Irby.

**STAFF RECOMMENDATIONS**
Planning Staff recommends approval of this request, the rezoning is in line with further development of Winterbrook Subdivision. Phase 3 will connect Tyler and Irby as well as provide access via Bison Ln to St John’s Subdivision creating more area connectivity. The potential for further trails and pedestrian access to Tyler and Irby is good for the city trail network connecting currently separated neighborhoods.

**Projected Traffic Impact.** With a rezoning to R-1 and developed with 65 single family lots as proposed by the applicant; traffic growth can be expected with mainly increase onto Irby Drive while connecting streets will allow traffic to disperse onto multiple roads. Approximately 622 vehicle trips per day could be expected at full build out, dispersed throughout the day.

**Flood Drainage.** The site is not within any FEMA Flood Zones.

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

**Street Improvement.** There are no current area street improvement plans. The proposed subdivision will have a connection to Irby Drive. Bison Drive will connect into St John’s Subdivision as well as utilizing existing residential streets from earlier phases of Winterbrook to connect with Tyler Street.

**Conway 2025.** Not specifically applicable. A 30 foot unimproved right of way along western edge of property is expected to be used as a pedestrian/bike trail connecting Irby to Tyler and other area trails.
D2 REQUEST TO REZONE A-1 TO R-1; WINTERBROOK PHASE 3

This map was prepared by the City of Conway Planning & Development Department. The City of Conway Planning & Development Department does not guarantee the accuracy of the features on this map. This document is to be used for reference purposes only.

D3 REQUEST TO REZONE FROM A-1 TO R-1; FREYALDENHOVEN SUBDIVISION

Larry Freyaldenhoven Request to Rezone from A-1 to R-1 Property Located at the NE Corner of Trison Ln & Bill Lucy Dr

Applicant
Larry Freyaldenhoven
1595 Trison Ln
Conway, AR 72032

Staff Review By
Jason Lyon, Assistant Director of Planning and Development
1301 Oak St
Conway, AR 72032

Site Data
Location. 1600 Block Trison Ln (North and West of Bill Lucy Dr)

Site Area. ±2.16 acres.

Current Zoning. A-1 (Agricultural District)

Requested Zoning. R-1 (Single-Family Residential District)

Existing Structures. None; vacant land.

Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area appropriate for residential use.

Projected Traffic Impact. With a rezoning to R-1 and 6 single family lots as proposed by the applicant, approximately 55 vehicle trips per day could be expected at full build out.

Flood/Drainage. The site is not within any FEMA Flood Zones.

Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation for any future expansion of utilities.

Street Improvement. There are no current plans for this area, the proposed site will have street frontage and drives along Trison Ln with connections to Bill Lucy Dr and Andrews Dr.

Conway 2025. Not specified.

Staff Recommendations
Planning Staff recommends approval of this request, the rezoning is in line with existing developments in the immediate area. Area traffic is heavy 2 hrs a day during school times due to the proximity to Theodore Jones Elementary and Simon Middle School. The proposed 6 lots along Trison Ln will have negligible area traffic impact. In the future Trison Lane might be improved to a collector as development to the north begins and a boundary road is built connecting Trison Lane to Victory Lane.

Staff Comments
The applicant is seeking a rezoning from A-1 (Agricultural District) to R-1 (Single-Family Residential District) for the development of a 6 lot subdivision. Adjacent to the property on the east side is a 28 lot subdivision under construction fronting Bill Lucy Drive. The 6 proposed lots would have minimal traffic impact and would add additional single family residences to the area housing stock.
D3 | REQUEST TO REZONE FROM A-1 TO R-1; FREYALDENHOVEN SUBDIVISION

Freyaldenhoven Subdivision

Aerial View of Freyaldenhoven Subdivision

D4 | REQUEST TO REZONE FROM R-1 TO R-2; 1295 E GERMAN LN

GERAINE LACKEY REQUEST TO REZONE FROM R-1 TO R-2 PROPERTY LOCATED AT 1295 EAST GERMAN LANE

APPLICANT/OWNER
Carroll & Geraine Lackey
530 Evening Dr
Conway, AR 72032

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

SITE DATA
Location. 1295 East German Ln (Lots 11-13 Adcock Sub).
Site Area. .299 acres (330 ft x 396 ft, less 40 ft ROW when re-platted)
Current Zoning. R-1 (One-Family Residential District).
Requested Zoning. R-2 (Two-Family Residential District).
Existing Structures. Single Family Home.
Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area appropriate for residential uses.
Projected Traffic Impact. The current single family use generates around 10 vehicle trips per day. With a rezoning to R-2, the property could be platted into 6 duplex lots with an average street frontage of 55 ft and 346 ft in depth. With 6 duplexes, traffic generation of around of 115 vehicle trips a day (8.5 vehicle trips per dwelling unit) could be expected. East German is a minor arterial and can handle the new traffic.

Flood/Drainage. The site is not within any FEMA Flood.

Utility Infrastructure. The applicant will need to coordinate utilities any future expansion of utilities with Conway Corporation.

Street Improvement. There are no current area street improvement plans. Plating and development of property will require. East German right of way dedication. Sidewalks would also be required at the time of new construction.

Conway 2025. Not applicable.

STAFF COMMENTS
The applicant is seeking a rezoning from R-1 (Single Family Residential District) to R-2 (Two-Family Residential District) for the development of 2 or more duplexes. The property’s street frontage and depth allows a maximum of 6 duplexes. Potentially additional duplexes could be built, however, this would require major platting and a new public street to be built into the property yielding approximately 10-12 lots or 20-24 dwelling units. The area currently has a mix of zonings and land uses from MF-3 density down to R-1 neighborhoods. This rezoning would maintain the residential nature of the area while adding residential density.

STAFF RECOMMENDATIONS
Planning Staff has no recommendation for this rezoning request. The comprehensive plan calls for residential within this area, however residential drives along a minor arterial may not be best use of the property with regards to safety and development. Ideally, the applicant property and properties to the north and south could combine for a larger development of single family or duplex residential. The combining of property would allow for a road to be built internally with no driveways along East German.
D4 REQUEST TO REZONE FROM R-1 TO R-2; 1295 E GERMAN LN

STAN STAPLETON REQUEST TO REZONE FROM R-2 TO MF-3 PROPERTY LOCATED AT 364 & 375 DENISON ST

APPLICANT
D. Stan Stapleton
908 Otto Road
Conway, AR 72032

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

SITE DATA
Location. 362 and 364 Denison St; Pt of Block 5 BT Laney Subdivision.

Site Area. ±1.37 acres.

Current Zoning. R-2 (Small Lot Duplex Residential).

Requested Zoning. MF-3 (Multifamily District 24 units per acre).

Existing Structures. Daycare and accessory buildings.

Overlay. None.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family, although majority of the area is already multifamily, duplex, and office.

Projected Traffic Impact. With a rezoning to MF-3, traffic impact would be potentially 214 trips per day with 32 apartment units. Due to the proximity of the property to UCA, this number could be lower as student residents could possibly walk or bike to campus. A maximum build out of 32 apartment units should not create an area traffic burden.

Flood/Drainage. The property is not within any FEMA recognized floodway or floodplain area. At past public meetings, two neighbors spoke in opposition to the project due to concerns over existing area storm water drainage and the possibility that the proposed multifamily project could create an additional drainage problem. The applicant now has a drainage report conducted by a licensed civil engineer.

Utility Infrastructure. The applicant will need to coordinate utilities with Conway Corporation to ensure that existing infrastructure can handle new higher density growth.

Street Improvement. There are no current plans for this area, existing roads are about 22 ft wide, smaller than the standard 27 feet found in newer developments. The area lacks sidewalks outside of new development to the east along West Martin St.

Conway 2025. Not applicable.

STAFF COMMENTS
The applicant (property owner) is seeking a rezoning from R-2 (Small Lot Duplex Residential District) to MF-3 (Multifamily District 24 units per acre). The size of the property could allow up to 32 apartment units. The area surrounding the property contains a large number of duplexes and apartments, which generally serve UCA students. Additional right of way will be acquired for West Martin Street during platting/development review. Current right of way is 40 feet wide. 50 feet is the required typical width.

A different applicant came before the Planning Commission in July 2017 requesting to rezone from R-2 to MF-3. The Commission unanimously voted a recommendation of approval. On July 25, 2017 the City Council voted 2-5 for approval. The Rezoning failed.

On September 26, 2017, a request to reconhe the item in less than one year’s time came before the City Council. At this time, Mr. Stapleton addressed the Council asking to have the opportunity to present additional information including an engineer’s drainage report. Mr. Stapleton stated that the report should give the Council sufficient reason to approve the rezoning. The request failed by unanimous vote.
At the July 2017 Planning Commission meeting, and subsequent Council meetings, two neighbors spoke in opposition to the project due to concerns over existing area storm water drainage and the possibility that the proposed multifamily project could create an additional drainage problem. The applicant has new information regarding area storm water flow. There was concern at Council meetings that City required drainage improvements would not be sufficient to prevent additional storm water problems.

At previous public meetings, neighbors stated that they did not have a problem with the multifamily land use request.

A 1.5 acre property immediately north of the requested property was rezoned from R-2 to MF-3 on January 9, 2018.

**STAFF RECOMMENDATIONS**

Due to congruence with surrounding property use and close proximity to UCA, Planning Staff recommends approval of this multifamily request. However, assurance that no additional drainage problems will be created must be addressed.

Development Review requires City Engineer review for compliance with current storm water regulations.
Euclidian Zoning, Smart Code, Form Based

Euclidian Zoning. Our “conventional” zoning ordinance could be referred to as Euclidian zoning. This is due to the US Supreme Court decision in The Village of Euclid, Ohio vs. Ambler Realty (1926). This decision made it legal for cities to zone private property for the greater good of the community. This style of zoning is commonly used in practice throughout the United States. It is a more simplistic style of zoning that geographically separates differing land uses. Residential uses are separated from office and business uses. Intensive industrial is located another. There is little “mingling” of the various land uses. This style of zoning for the most part, works very well. However, it does not allow much mixing of land uses and typically has little control over the shape, or “form” of structures that are ultimately built. For example, a drug store is allowed in C-1, downtown commercial. The store may be built to any number of stories, it must be set back from property lines minimal distances, and occupy no more than 50% of its site. Under this zoning, a drug store may be built on a corner in a downtown area with a large parking lot on the front and one story in height. This style of zoning encourages the use of automobiles by highly separating land uses, sometimes miles apart.

Smart Code and Form Based Code. In contrast to conventional zoning ordinances which have been in place since the 1930s, a new, or actually old way of zoning has emerged. Starting in the late 1980s, City planners began examining older patterns of development; those built largely before the rise of automobile. From this examination emerged a “smart code” that encourages traditional neighborhood development. The smart code allows more mixed land uses along with regulating the final form of structures. The code divides areas into “Transect Zones” which range from rural (T-1) to intensely urban (T-6). The code is more three dimensional in that the “form” a structure takes is as important as the land use. For example, a wood sided barn with a feed lot is not allowed in a T-6 zone. A towering office skyscraper is not allowed in a T-1 nature preserve. Structures and uses are based on a more “human” scale. A traditional downtown has living spaces above shops. Restaurants, shoe stores, offices, and theaters are common on any block. A traditional residential area will commonly have churches, schools, possibly a neighborhood corner store, restaurant, or other business. A properly placed downtown drug store will anchor the corner with a corner entrance or other vertical architectural feature. Parking will be in the rear or side. The store will be constructed to “build to” lines instead of “setback” lines. The store will be built close to the sidewalk and create the desired urban streetscape. In this way, the form is given as much emphasis as the actual use. This type of development places the automobile in a secondary role. It also creates more walkable/bikeable communities.

Conway Conventional Zoning Ordinance Areas and Form Based Areas. Most of Conway is regulated by the use of a conventional zoning ordinance. However, there are two areas with a form based codes in place. The regulating documents for these areas leave land uses less defined and allow more mixing of uses. They regulate the form of new construction. In the Northeast Old Conway area, new structures and additions must be approved by the Conway Historic District Commission. In this way, the HDC can ensure that proper structures are approved. Likewise, the Village at Hendrix has their own Architectural Review Board to approve new construction.

What’s Best? The jury is still out on which type of code is best. The conventional code has worked well for decades and provided good guidance. However, it has also greatly aided sprawl and over dependence on automobiles. It is also arguable that much of the awful late 20th century architecture was designed with conventional zoning or lack of control in mind. The form of structures is somewhat regulated through Development Review controls, but still, largely unregulated. Form based codes have and are producing better traditional designs in Conway. The Village at Hendrix, Hendrix apartments on Front and Harkrider, new CBC buildings, new residences, etc.

Likely, a mixture of both is best. Interstates did not exist before World War II, a traditional building pattern does not exist. Although land uses can be better mixed, no one one would argue that a chicken processing plant is appropriate for a residential neighborhood. A small restaurant such as Stoby’s can be seen as beneficial. A balance of proper land uses with appropriate structures can be found by using both regulating methods or a blending where appropriate.