

The regular meeting of the Conway Board of Zoning Adjustment was held, in person, Monday, May 15th at Conway City Hall. The following members, being a quorum, were present and acting: Alexander Baney, Laura King, Latisha Sanders-Jones, Rebekah Fincher, Mark Ferguson, Lori Quinn, Adam Bell, Ethan Reed, Drew Spurgers, and Jensen Thielke.

I. VARIANCE REVIEW**A. Request for variance to allow primary building height in excess of maximum allowed in the C-2 zoning district for property located at 3200 Dave Ward Drive**

Ryan Robeson, Planner, explained the applicant is requesting a variance to allow building height of 38'. This will be a variance of 13' from the maximum allowed 25'. Planning staff recommended approval based on the following conditions:

1. The allowed maximum height for the building is 38' (The detached fuel canopy must comply with height regulations per Zoning Code §306.4 and in accordance with CUP-1122-0387).
2. Any additional structures or redevelopment will be required to meet the 25' maximum height allowed by the zoning code.

Sarah Hopper (Springdale, AR) spoke on behalf of the applicant in support of this request. There was no opposition present.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the variance request was made by Alexander Baney and seconded by Drew Spurgers; passed 10-0.

Board of Zoning Adjustment meeting adjourned, and Planning Commission meeting commenced.

The regular meeting of the Conway Planning Commission was held, in person, on Monday, May 15th at Conway City Hall. The following members, being a quorum, were present and acting: Alexander Baney, Laura King, Latisha Sanders-Jones, Rebekah Fincher, Mark Ferguson, Lori Quinn, Adam Bell, Ethan Reed, Drew Spurgers, and Jensen Thielke.

Minutes from the April 17th meeting were approved 10-0 on a motion made by Lori Quinn and seconded by Alexander Baney.

I. APPEAL REVIEW

A. Sign variance denial- appeal to Planning Commission: Over-height sign at 1505 E Oak Street

Kris Paxton, Planning Director, explained the applicant appealing the Director of Planning's denial of a requested sign variance to allow a sign height of 20'. In the applicant's letter they stated in their hardship that an existing off-premise directional sign on the corner of E Oak St and Simon St would block the visibility of AutoZone's sign from traffic heading east along E Oak St. The Director visited the site and planned location of the sign, and it does not appear that the sign at the corner of E Oak St and Simon St would interfere with the visibility of the sign heading east on Oak St.

David Ashely (19825 Jones Rd, Little Rock) spoke in favor of the sign size and location.

The appeal review was closed and presented to the Commission for discussion to which a motion to uphold the denial of the requested sign variance was made by Drew Spurgers and seconded by Ethan Reed. The motion passed 10-0.

II. PUBLIC HEARINGS

A. Request to rezone property at 2138 Old Morrilton Highway from R-2 to O-1

Ryan explained the applicant is requesting to rezone 1.87 acres from R-2 to O-1. The land use plan designates this area as Planned Unit Development. O-1 is consistent with a type of development that may be found in a PUD, however, there are generally greater restrictions on rezoning to O-1. With the improvements to access to the I-40 corridor, this area will likely develop with higher intensity uses in the future. Planning staff recommended approval of the request, as rezoning to a general office district is consistent with projected future growth in this area.

Faustino Hurtado (2130 Old Morrilton Hwy) spoke in favor of the rezoning. There was no opposition present.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Alexander Baney and seconded by Drew Spurgers; passed 10-0.

B. Request to rezone a ±0.55 acre portion of 1540 Old Morrilton Highway from R-1 to C-3

Beth Sketoe, Planner, explained the applicant desires to rezone this area to a compatible zoning. Planning staff recommended approval of the rezoning request on the basis that it is congruent with the Comprehensive Plan and will allow for appropriate use of the property.

Brent Salter (201 Lee Andrew Ln) spoke in favor of the rezoning. There was no opposition present.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Lori Quinn and seconded by Mark Ferguson; passed 10-0.

C. Variance request to reduce planting screen easement along east property boundary for property located at 112 Shamrock Drive

Beth explained the applicant desires to reduce the platted planting screen easement at the rear of the property to allow for the sale of the property. A previous property owner installed an in-ground pool encroaching into

the planting screen easement; the date of the pool installation is unknown. An exception would be needed to be permitted to reduce the depth of the platted easement to allow for the sale of the property. Planning staff recommended approval of the exception, with suggested conditions below, on the basis that permitting the exception would allow for appropriate confirming use of the site without harming adjacent property:

1. The exception is valid only pertaining to the existing structure [pool] and encroachment; no further or additional encroachment is permitted by means of expansion of the pool or addition of any accessory structure.
2. There shall be no right of access [from S Farris Rd] across any portion of the planting screen easement.
3. Replatting of the property may be required at the discretion of the Planning Commission.

Brandon Foiles (1000 LedgeLawn Dr), Cynthia Allen (116 Shamrock Dr), and Kay Osbourne (300 Bruce St, Apt 102) spoke in favor of the variance being granted. There was no opposition present.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the variance was made by Alexander Baney and seconded by Ethan Reed; passed 10-0.

D. Request to rezone property located at 1700 South Boulevard from R-2A to S-1

Ryan explained the applicant desires to rezone the property from R-2A to S-1 to bring the site into compliance with the S-1 zoning and be able to expand their office. Staff noted that while zoned R-2A, the site has been institutional use for over 50 years and recommended approval of the rezoning, as this would bring the site into zoning compliance and would not negatively impact adjacent property.

Emily Ferris (27 Bluebird Lane) spoke in favor of the request on behalf of the applicant, explaining that the applicant wasn't looking to rezone, just to expand their office. Upon speaking with Planning staff, staff explained they would have to bring the site into zoning compliance before proceeding.

Opposition to the rezone was present from Lisa Mabry Williams (1717 Bruce St), explaining that S-1 would allow for future owners to use the property in a way that was harmful or disruptive to the neighbors. Giuseppina Bartlett (1722 Bruce St) and Steve Evans (234 Davis St) also spoke in opposition.

After discussion with staff, the applicant verbally requested to amend their application to rezone to R-2 instead of S-1, with a conditional use request to allow Childcare Facility. That would put this item being heard again on the June 20th Planning Commission with the subsequent conditional use permit request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the amended request was made by Lori Quinn and seconded by Alexander Baney; passed 10-0.

III. ANNOUNCEMENTS/ADDITIONAL BUSINESS

Kris announced that Tara Jackson has been hired as the new Long Range Planner and binders from the Planning Commission Workshop were provided to those unable to attend.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Captain D's- 1610 Old Morrilton Hwy (SDR-1122-0396)
2. Westrock Coffee Distribution Center, 1430 William J Clark Dr (SDR-0323-0047)

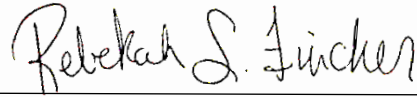
B. Plats Filed for Record (Lot Splits, Lot Mergers, and Final Plats)

1. Thielke Replat (P2023-00024)
2. Tupelo Ridge, Phase 5 Correction (P2023-00025)
3. Hamley Subdivision (P2023-00026)
4. Replat of Parts of Lots 11 and 14, Conway Gardens Subdivision (P2023-00027)

Adjournment

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Drew Spurgers and seconded by Latisha Sanders-Jones.

Approved:



2023 Chairman, Rebekah Fincher