



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

May 15, 2023 • 6:30pm • 1111 Main Street

Planning Commission meeting procedures (per by-laws adopted July 19, 1993; amended September 20, 2021)

**Subdivision Review items are included for consideration as administrative reviews to determine compliance with the Conway Subdivision Ordinance, Zoning Code, and applicable plans. Such items are not conducted as public hearings.*

***Order and conduct for public hearings: Following the announcement of the item by the Chair, Planning Staff will present the report findings. Following Staff presentation the Applicant is granted up to 10 minutes for additional presentation with subsequent favorable public comments limited to 3 minutes per person. If opposed parties are present the initial speaker is then granted up to 10 minutes with each subsequent public comment limited to 3 minutes per person. No person shall address the Planning Commission without first being recognized by the Chair and stating his/her name and address for the public record. All questions/remarks shall be made from the podium and addressed through the Chair to the Commission as a whole. Any group with common interest shall select a speaker to address the Commission on behalf of the group; repetitive comments will be limited.*



City of Conway PLANNING COMMISSION

May 15, 2023

PLANNING COMMISSION

Rebekah Fincher, Chair
Laura King, Vice-Chair
Drew Spurgers, Secretary
Alexander Baney
Adam Bell
Mark Ferguson
Latisha Sanders-Jones
Lori Quinn
Ethan Reed

The Conway Planning Commission makes recommendations to the City Council on public hearing items. Items reviewed on this agenda will be considered by the City Council as early as **May 23, 2023.**

Items not approved by the Planning Commission/Board of Zoning Adjustment may be appealed to the City Council within 30 days of the date of denial.

Call to Order [Board of Zoning Adjustment] and Roll Call.

Finding of a Quorum.

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 (VAR-0323-0048)

Adjourn.

Call to Order [Planning Commission] and Roll Call.

Finding of a Quorum.

Approval of Minutes. April 17, 2023

I. Appeal Review

- A. Review of Appeal: Sign Variance Denial - Over-height sign at 1505 E Oak St (APP-0323-0053)

II. Public Hearings**

- A. Request to rezone property at 2138 Old Morrilton Highway from R-2 to O-1 (REZ-0123-0006)
- B. Request to rezone a ±0.55 acre portion of 1540 Old Morrilton Highway from R-1 to C-3 (REZ-0323-0055)
- C. Request for variance to reduce planting screen easement along east property boundary for property located at 112 Shamrock Drive (VAR-0423-0059)
- D. Request to rezone property located at 1700 South Boulevard from R-2A to S-1 (REZ-0423-0061)

III. Announcements/Additional Business

- A. Items as decided by the Commission

Adjourn.

Request for Variance: Building height in excess of maximum allowed in C-2

I.A

3200 Dave Ward Drive

APPLICANT/AUTHORIZED AGENT

Brandon Rush
Engineering Services, Inc.
1207 Old Missouri Rd
Springdale, AR 72765

OWNERS

Paladino Real Properties, LLC
225 Sturgis Rd
Conway, AR 72032

New Life Church of Arkansas, Inc.
633 S Country Club Rd
Conway, AR 72034



SITE AREA

Location. 3200 Dave Ward Dr.

Site Area. ±6.29 acres.

Current Zoning. C-2 (Neighborhood Commercial District).

Existing Structures. None.

Overlay. None.

Requested Zoning Variance. Allow building height of 38'. This will be a variance of 13' from the maximum allowed 25'.

General Overview. The applicant is proposing a new grocery store with a fuel component. The main structure will be 26' tall with two attached towers that will be 32' and 38' tall. This exceeds the maximum building height of 25' allowed in the C-2 zoning district.

Zoning Ordinance Regulations.

C-2 zoning district requires:

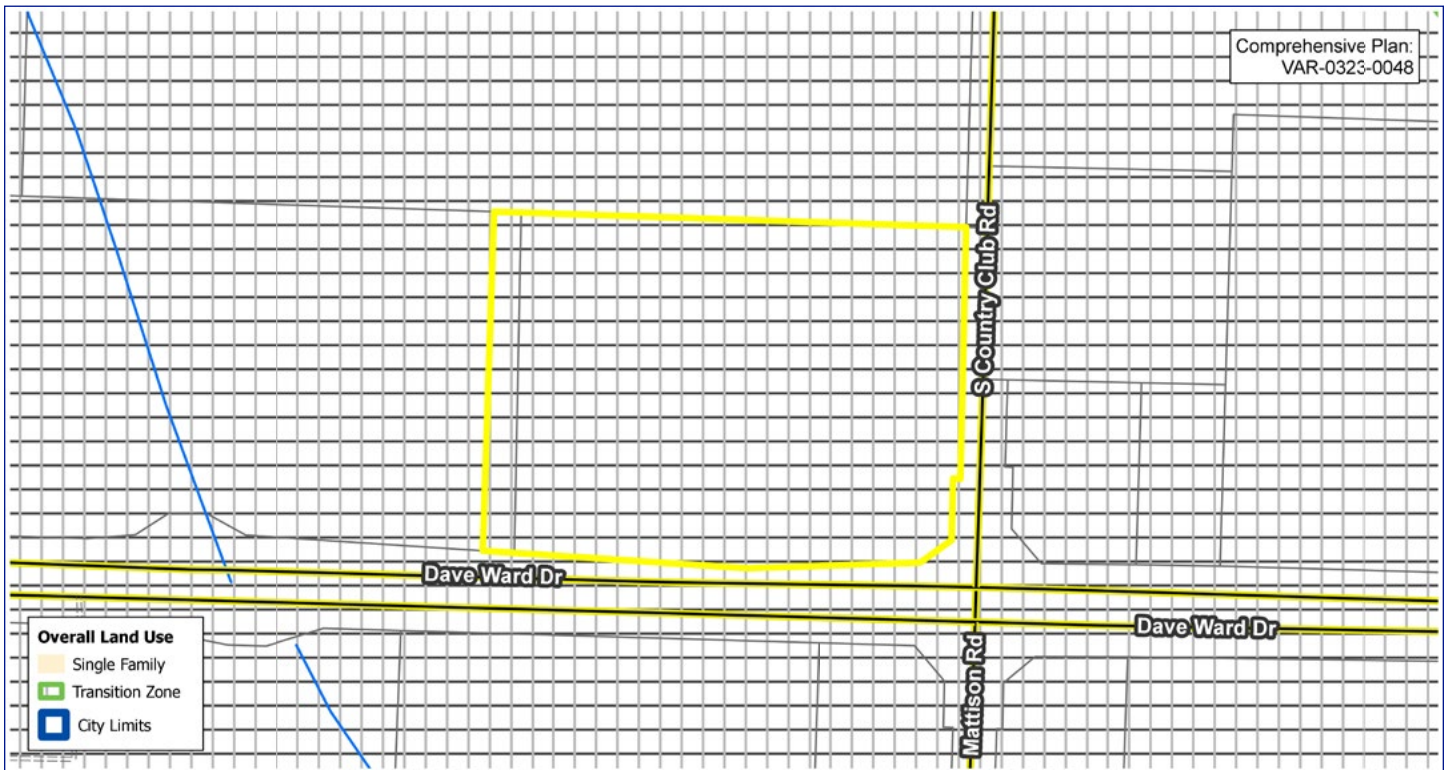
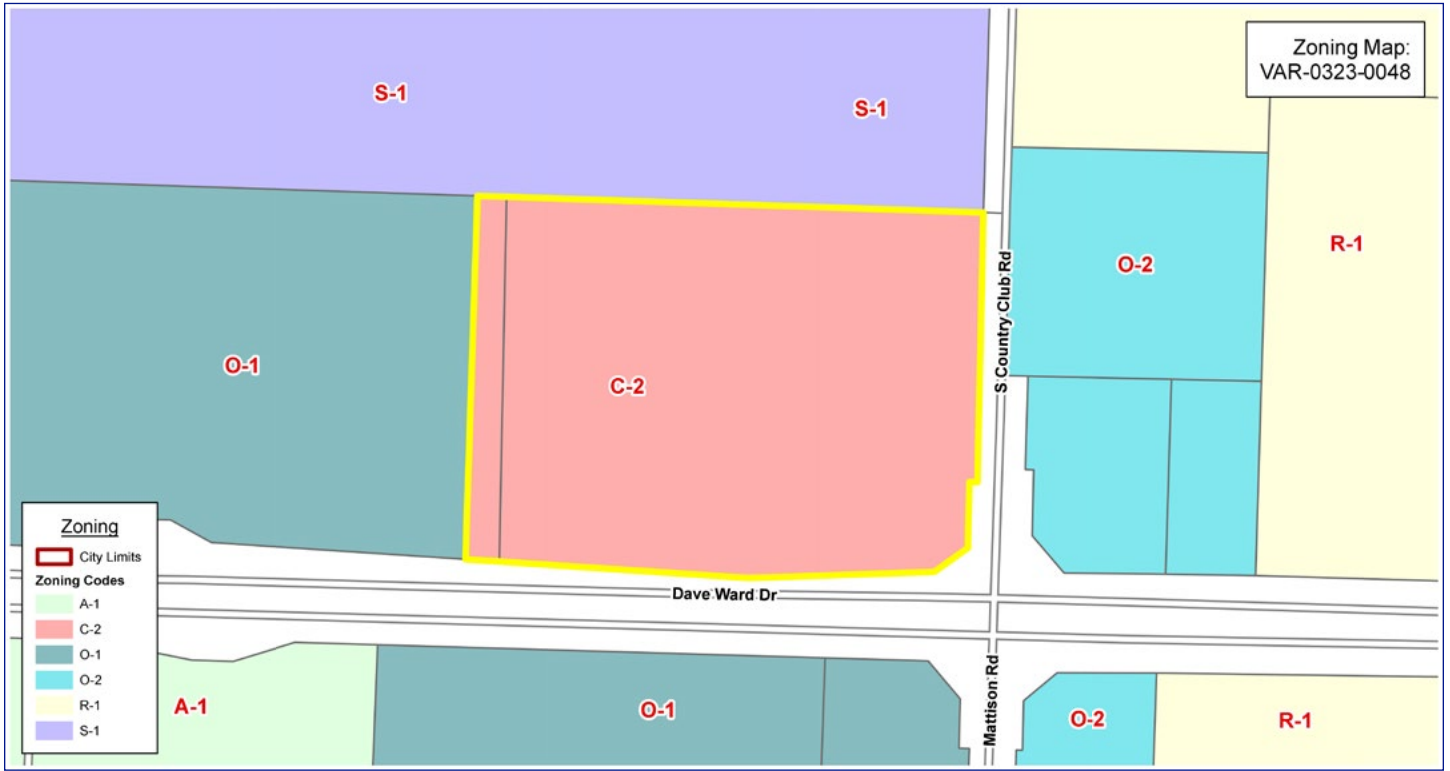
Lot Area - Minimum 5,000 sf.

Building Height - Maximum height of two stories and 25'.

Request for Variance: Building height in excess of maximum allowed in C-2

I.A

3200 Dave Ward Drive



Basis of Variance Review. The Planning Commission acting as the Board of Zoning Adjustment, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to ensure compliance and to protect adjacent property.

STAFF COMMENTS

- Given the location of the site and surrounding properties, this variance will likely not have a negative impact to the area.
- Allowing the variance would not preclude the applicant from meeting all other requirements of the zone.
- This variance permit will only apply to the principle building, the grocery store, exclusive of the fuel canopy and additions and/or redevelopment. Any additional structures will be required to meet the 25' maximum height allowed by the zoning code.
- The request is consistent with the Transitional Zone Comprehensive Plan designation for the site. This district allows for more intense land uses (multi family, professional offices, limited commercial) when deemed appropriate only when sensitivity to adjoining residential areas is taken into account.

STAFF RECOMMENDATIONS

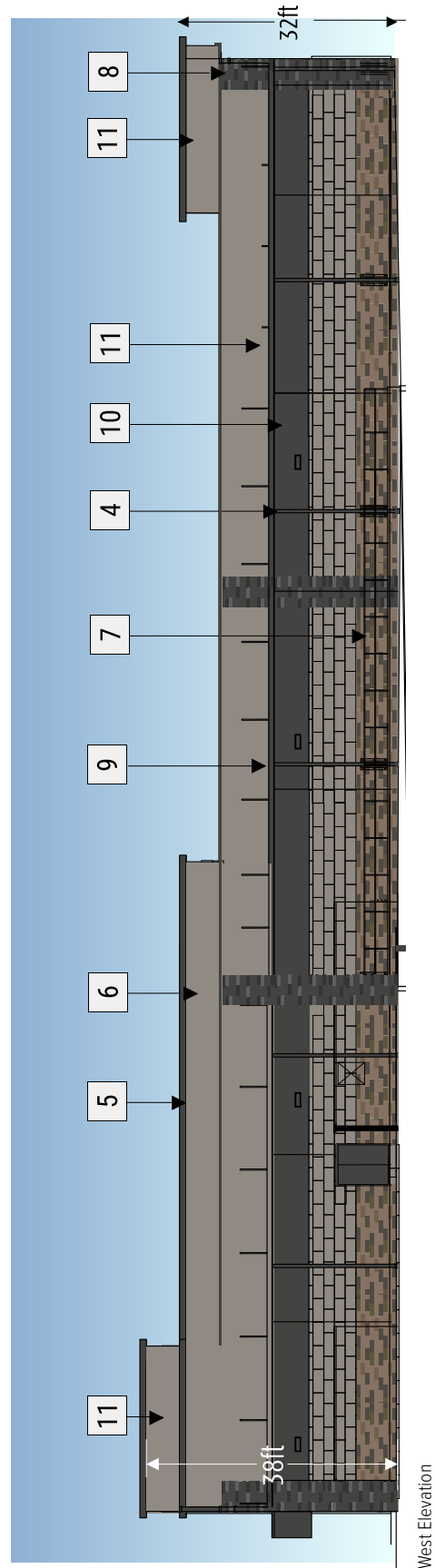
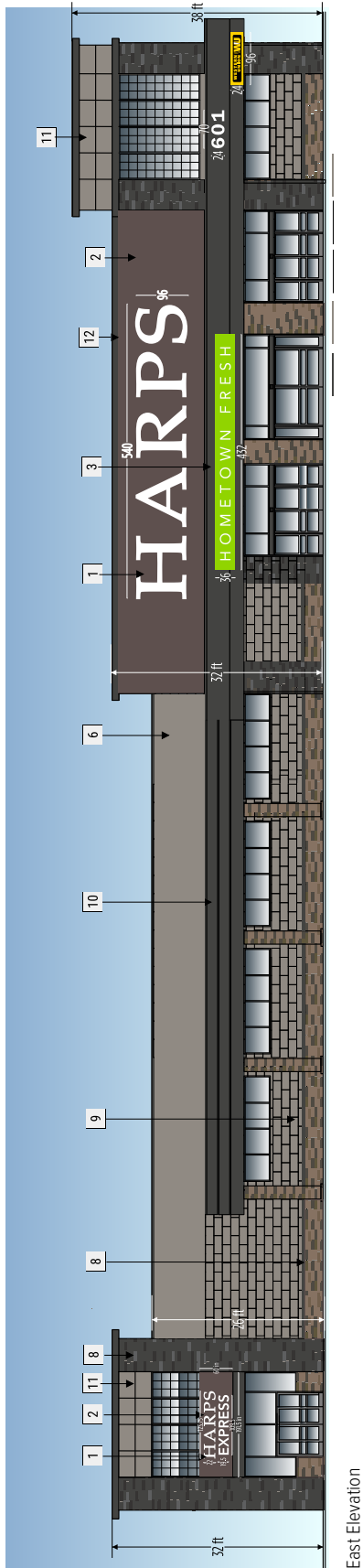
Staff recommends approval of the request on the basis that granting the variance would allow appropriate development of the site without harming adjacent property. If this property redevelops in the future, any new structure and/or expansion will be required to meet all applicable codes and ordinances.

Planning recommends the following conditions of approval :

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.

SAMPLE MOTION

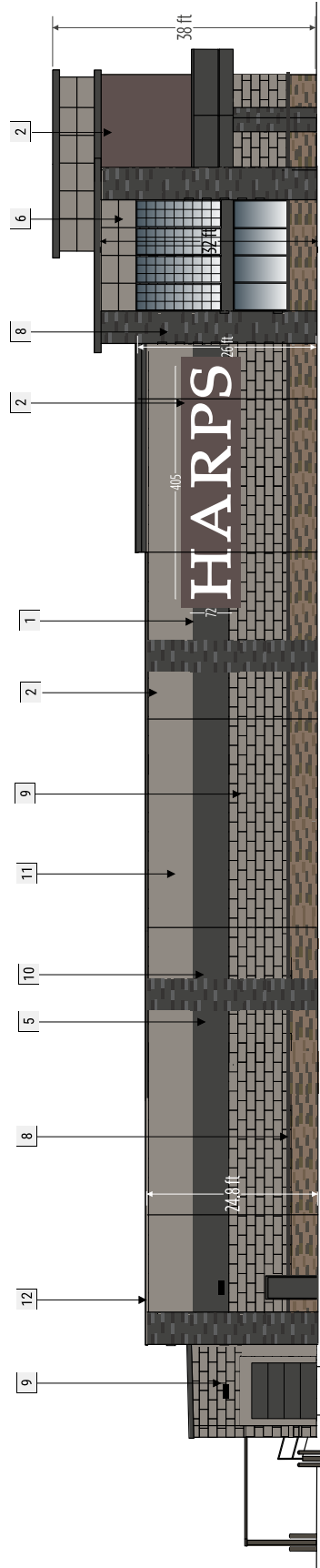
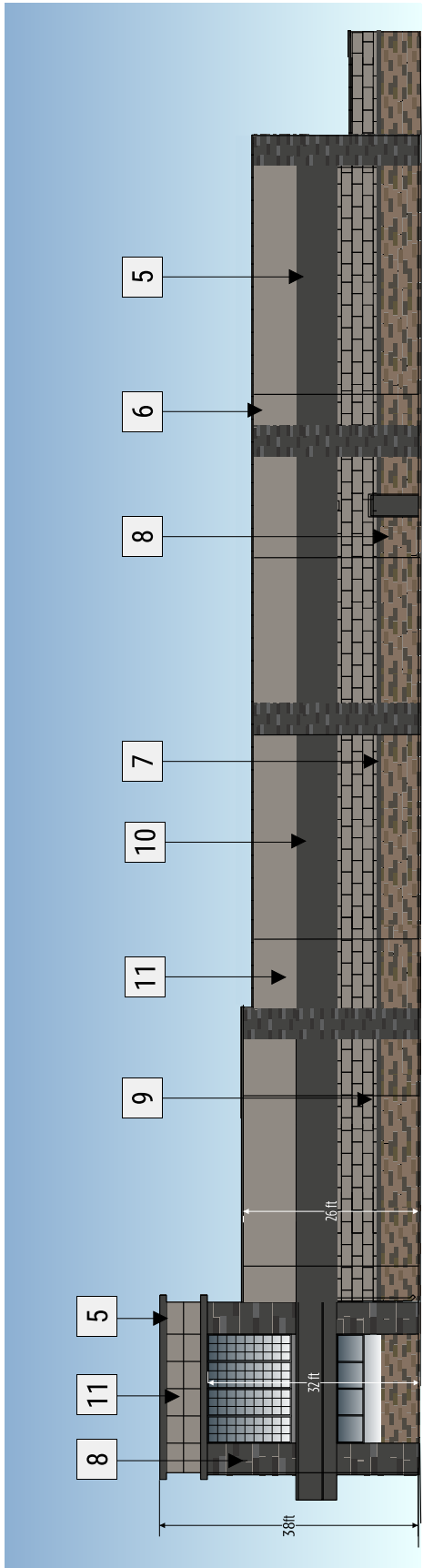
I move to accept the staff recommendation to approve the request with the conditions indicated in the staff report on the basis that as conditioned, it allows for appropriate use of the property and would not likely negatively impact adjacent property.



Request for Variance: Building height in excess of maximum allowed in C-2

3200 Dave Ward Drive

I.A



Request for Variance: Building height in excess of maximum allowed in C-2

3200 Dave Ward Drive

I.A



View from the subject property looking SW



View from the subject property looking NW



View from the subject property looking N



View from the subject property looking E



View of the subject property from the private drive looking E



View from the subject property looking SE

Appeal: Denial of Sign Variance - Over-height Sign

1505 E Oak Street

APPLICANT/AUTHORIZED AGENT

Lora Rand
Arkansas Sign & Neon
8525 Distribution Drive
Little Rock, AR 72209

OWNER

Linn Commercial Limited Partnership
1525 East Oak St
Conway, AR 72032



SITE DATA

Location. 1505 E Oak St.

Site Area. ±1.28 acres.

Current Zoning. C-3 (Highway Service and Open Display Commercial).

Existing Structures. None.

Overlay/Subarea Plan. Oak Street Ahead.

Signage Allowance. Properties zoned C-3 and ≤ 5 acres are allowed:

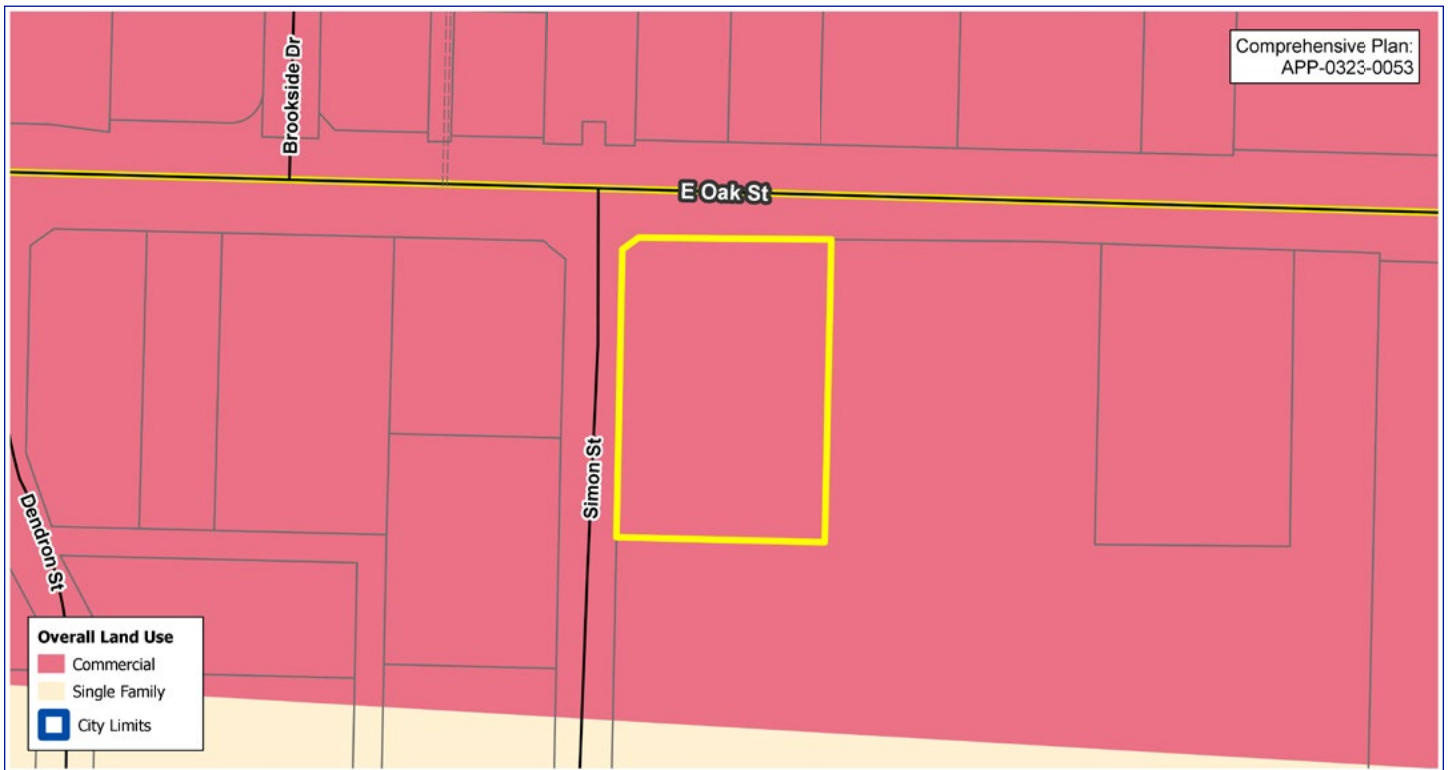
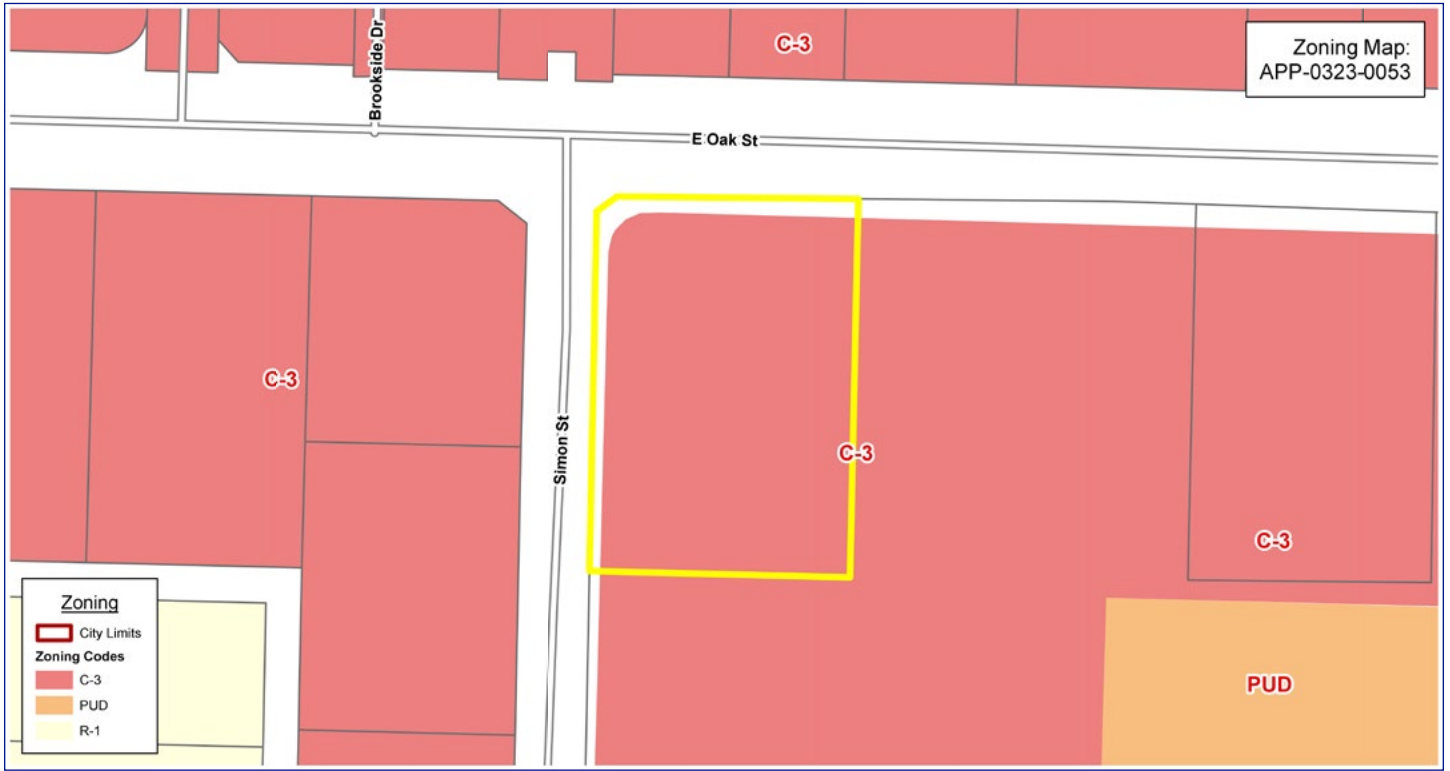
- one monument or two-pole sign per street frontage
- sign height ≤ 8 feet
- sign area up ≤ 64 square feet

Sign Variance. The Zoning Code allows for sign variance requests related to any sign requirement established by the ordinance excluding sign area and electronic messaging. The variance request shall demonstrate that special conditions or circumstances exist that are not applicable to other lands, structures, or buildings such that a literal interpretation of the ordinance would result in an undue hardship (Zoning Code §1208.7).

Appeal: Denial of Sign Variance - Over-height Sign

I.A

1505 E Oak Street



1505 E Oak Street

REQUEST

The applicant is appealing the Director of Planning's denial of a requested sign variance to allow a sign height of 20'.

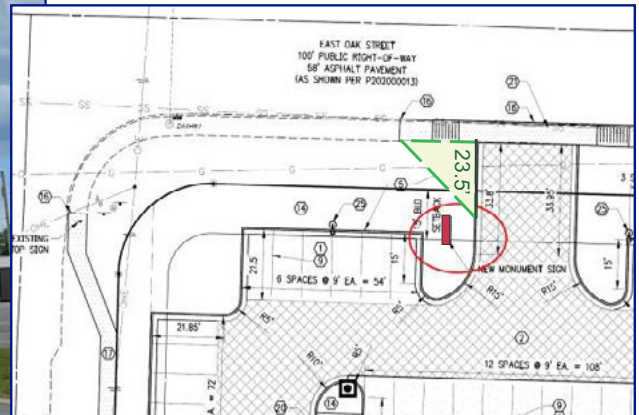
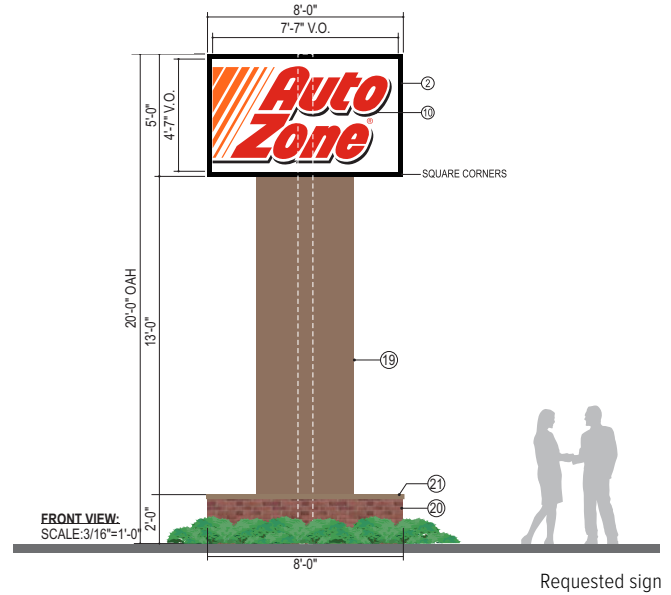
STAFF COMMENTS

After a review of the request the Director made the following considerations:

1. The applicant 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.

a. 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. The exhibit provided shows the approximate location of the proposed sign and the sign at the corner of Oak & Simon. In the future, it is expected that the non-conforming sign at Oak and Simon Streets will be removed with future redevelopment or new development.

D/F INTERNALLY ILLUMINATED MONUMENT



2. The Director reviewed considerations as to the applicant's discussion regarding other businesses within the area of the proposed AutoZone location having existing taller freestanding signs in which the applicant believes that by requesting a taller sign this would not take away from other area businesses.

a. The City Council, at the unanimous request of the Planning Commission, has recently adopted new considerations for the Oak Street Corridor with the Oak Street Ahead corridor plan. This frontage is within Oak Street District 3 Conceptual Area. Oak Street Ahead promotes considerations for sign regulations applying to all new development or redevelopment along this corridor. While staff is aware of non-conforming issues related to signage within this area, staff interprets the recently adopted considerations as a desire by the Council and Commission to reduce non-conforming issues along this corridor and considers signs to be an issue along Oak St which need more in-depth review and consideration.



City of Conway
Planning & Development
1111 Main Street
Conway, AR 72032

RE: Letter of Appeal to the Variance record (VAR-0323-0039)
1505 E OAK ST

Dear Planning Commission:

We are requesting an appeal from the decision of the Director of Planning & Development who denied the variance request on variance record VAR-0323-0039 requesting a larger freestanding sign for AutoZone

Per the email from Kris Paxton, Director of Planning & Development of the City of Conway on 3/23/23 to Lora Rand at Arkansas Sign, the variance request for a larger freestanding sign for AutoZone at was denied.

Per the email from the Director: The off-premise directional sign on the corner of Oak & Simon does not appear to interfere with the line of site from the travel lanes along Oak Street. There are known non-conforming signs along Oak Street that will be addressed during future redevelopment of those businesses along the Oak Street Corridor. The City of Conway policy along this corridor is in the process of being revised, and this variance request does not align with the intent of those policy considerations.

There are many existing freestanding signs along Oak Street that are not within the interstate signage allowance zone so by requesting a larger freestanding sign it is not out of place as to what is already existing in the area. We do not know when future redevelopment in the area will take place or if existing businesses that already have freestanding signs will be part of that redevelopment. There is an off-premise directional sign right on the corner of the property which will stand out more than an on premise ground sign for the actual business that will be on the property.

b. While Oak Street Ahead supports an Auto Parts District use at the corner of Simon St and Oak St, the Simon St intersection is envisioned as a future gateway into the district, implying beautification along this area in the future with redevelopment. The Oak Street Ahead project also supported this consideration in the City Quality section, in which Oak Street east of I-40 is encouraged to become a Green Corridor, walkable with less oversized parking and more greenery. Exceeding sign requirements may be counterproductive to this setting and maintains non-conforming standards along the corridor during redevelopment and new development.

c. In addition, the Planning Commission Bylaws state, "Precedents - Each item docketed shall be decided upon its own merit and circumstances attendant thereto. No action shall be considered a precedent for future action."



Oak Street, East of I-40

Appeal: Denial of Sign Variance - Over-height Sign

1505 E Oak Street

I.A



View from subject property looking E along E Oak St



View from subject property looking W along E Oak St



View of subject property looking E across Simon St intersection

Request to Rezone: R-2 to O-1

±1.87 acres at 2138 Old Morrilton Highway

APPLICANT/OWNER

Faustino Hurtado
2130 Old Morrilton Hwy
Conway, AR 72032



SITE AREA

Location. 2138 Old Morrilton Hwy; Lot 1A of UGH Group LLC Replat. North side of Old Morrilton Hwy between the Salem Rd/Friendship Rd intersection.

Site Area. ±1.87 acres.

Current Zoning. R-2 (Two Family Residential District).

Requested Rezoning. O-1 (General Office District).

Adjacent Zoning. North: C-3 (Highway Service and Open Display District); East: R-2 and MF-1 (Multi-Family District; 12 units/acre); West: R-2; South: A-1 (Agricultural District).

Existing Structures. Driveway off of Old Morrilton Hwy; no existing buildings.

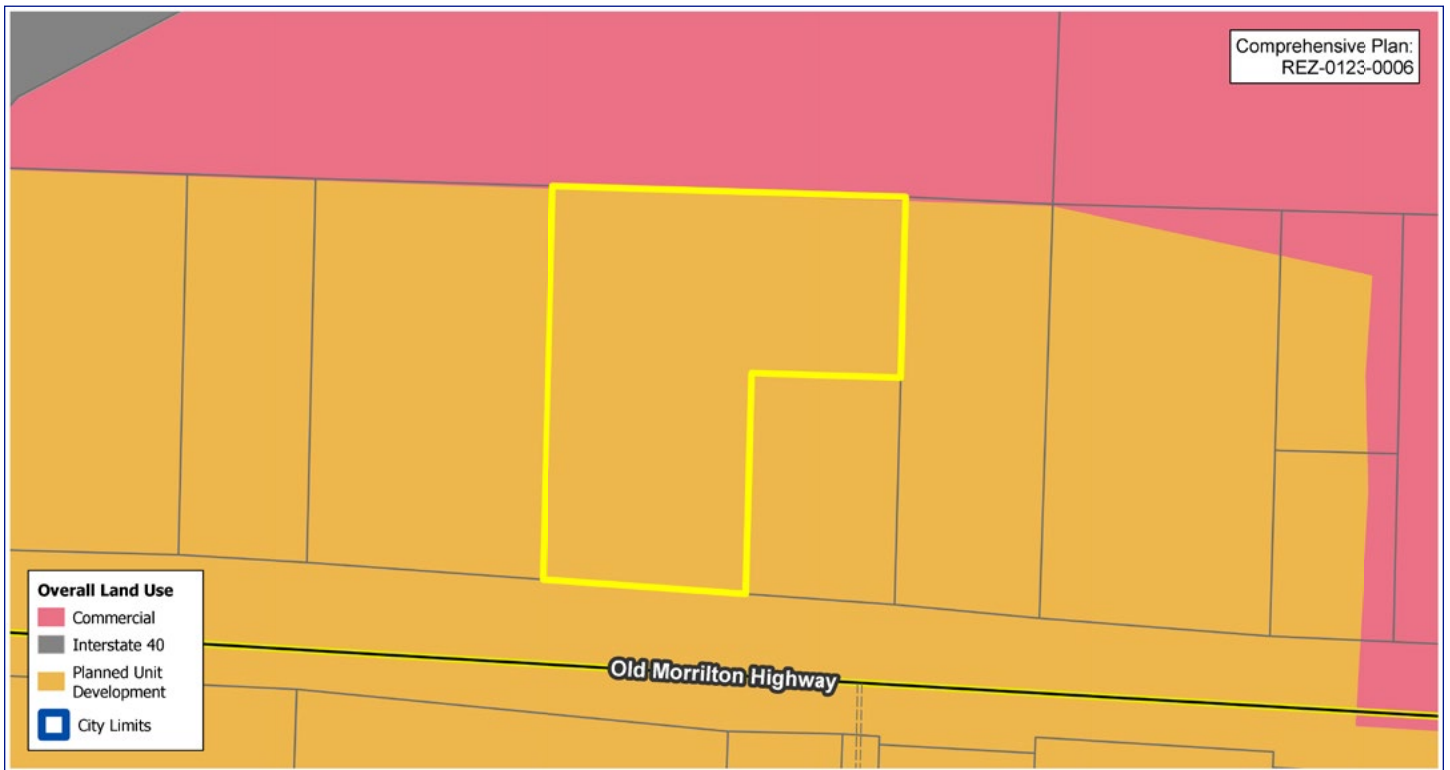
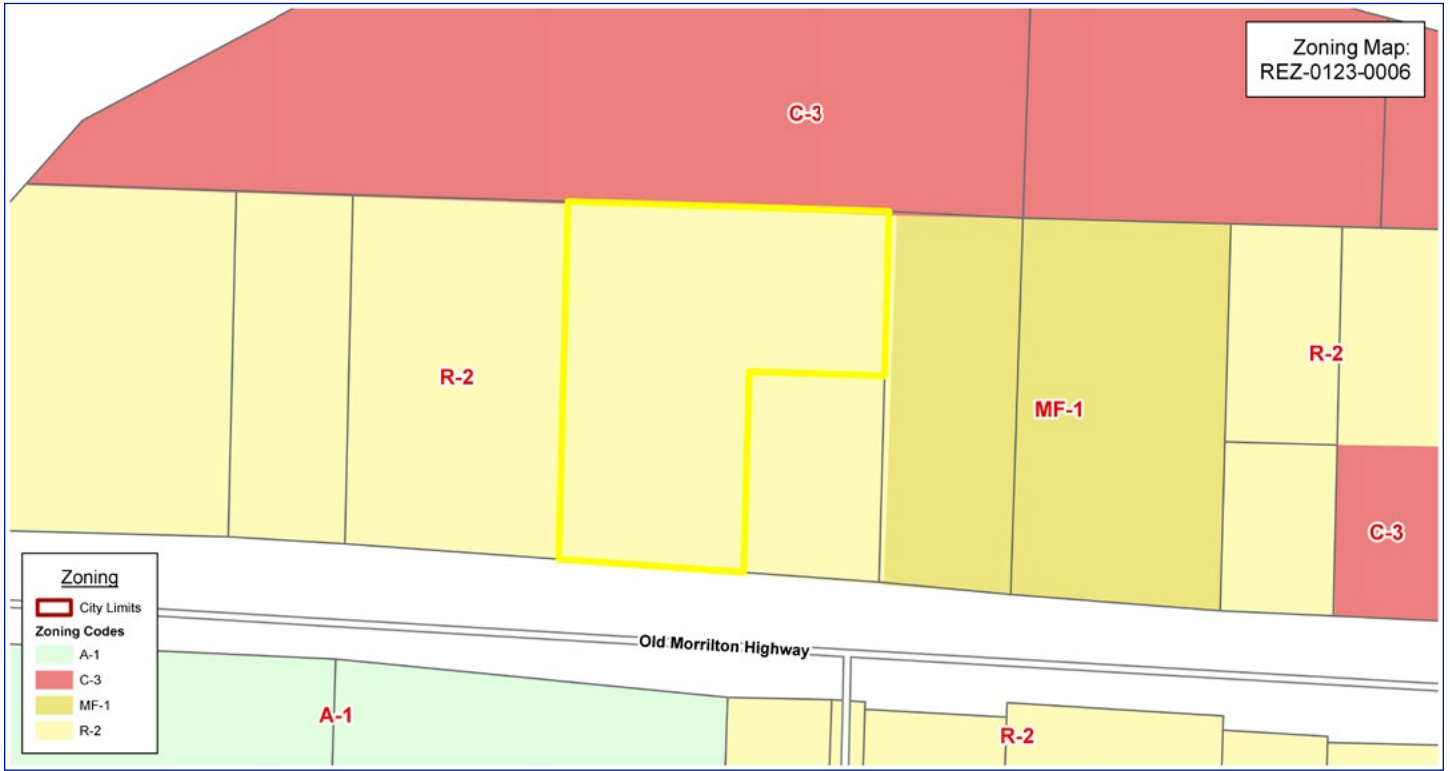
Overlay. None.

Comprehensive Plan. Planned Unit Development.

Projected Traffic Impact. With a rezoning to O-1, the traffic impact could be significant. The highest traffic generating uses permitted by right in O-1 are associated with institutional uses such as schools and churches. Depending on the type and level of school, this could yield more than 1,000 vehicle trips per typical weekday. No defined use has been provided at this time.

Request to Rezone: R-2 to O-1

±1.87 acres at 2138 Old Morrilton Highway



Request to Rezone: R-2 to O-1

II.A

±1.87 acres at 2138 Old Morrilton Highway

Current Traffic Counts. 9,700 ADT - Old Morrilton Hwy (just east of the site).

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

Utilities. The applicant will need to coordinate the extension of any utilities with Conway Corporation.

Master Street Plan. Old Morrilton Hwy/Hwy 64 – Major Arterial (100' ROW).

Street Improvement. No improvements are planned at this time.

STAFF COMMENTS

- 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 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.
- Sidewalks are required for all street frontages on new lots, including Old Morrilton Hwy.
- The request will not likely negatively impact adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the request. Rezoning to a general office district is consistent with projected future growth in this area. This rezoning will allow for appropriate use of the property and will not likely negatively impact adjacent properties.

SAMPLE MOTION

I move to accept the staff recommendation to approve the rezoning request on the basis that it will allow for appropriate use of the property and will not likely negatively impact adjacent property.

Request to Rezone: R-2 to O-1

±1.87 acres at 2138 Old Morrilton Highway



U.G.H. Group LLC Replat

REPLAT OF LOTS 1, 3, AND 4
FRANCISCO REPLAT (#P201900051)
FAULKNER COUNTY, ARKANSAS

US Highway 64 West (Old Morrilton Highway) (R/W Varies)

CERTIFICATE OF OWNER

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the (streets, alleys, drives, easements, etc.) as shown on said plat.

Date of Execution: 3-27-23

Owner: U.G.H. Group LLC
Francisco Holdings
#2130 Old Morrilton Highway
Conway, AR, 72032

Source of Title: Deed Book 2017 Page 2207

Certificate of Surveying Accuracy:

I Timothy P. Tyler, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

Date of Execution: 3/23/23

Signed: Tim P. Tyler
Tim P. Tyler Registered Land Surveyor
No. 1243 State of Arkansas

Certificate of Minor Subdivision Approval

Pursuant to the Conway Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.

Date of Execution: 3/24/23

Signed: Kris Paxton
Conway Planning Director, Kris Paxton

NOTES:

Iron pins are set at all lot corners and at points of curve. Lots with rounded corners are 25' radius unless noted otherwise. Distances on curves are chord distances.

All easements shall be for general utilities and/or drainage. Building lines are as noted.

All easements are dedicated to the public.

Every lot must slope to a street or to a drainage easement.

Existing Sidewalks are as shown on Plat.

All Construction shall comply with the 2021 Arkansas Prevention Code ex: Roofs, Access, Hydrants, Buildings, ETC.

Hydrant Locations and access to the back lots to be approved prior to building on this site.

This Property is not in the 100 Year Flood Plain according to Map #504450277H effective December 19th, 2006, found on Panel 277 of 480.

This property is serviced by Conway Corporation, Water and Sewer - Conway, Arkansas, Faulkner County.

This property is zoned R-2. All required setbacks will follow zoning regulations.

Date of survey: June 3rd, 2019

The error of closure is 1 to 112545.

This plat was prepared by Tim P. Tyler, Arkansas Professional Land Surveyor No. 1243
240 Skyline Drive, Sulphur, Arkansas 72032 Phone 501-329-1400

Sidewalk Notes:

- Sidewalk construction must meet the specification requirements as amended in the City of Conway Subdivision Ordinance #0-18-56, Article V, Section 9(13) "Sidewalk Specifications" (p. 46) including but not limited to:
 - a) SIZE AND DISTANCE: from the curb; as depicted by the City of Conway STANDARD DETAILS FOR ROADWAY AND DRAINAGE CONSTRUCTION, unless specifically approved by the City Engineer.
 - b) GRADES: establishment of property lines; Cement-concrete requirements, ADA guidelines; Sidewalk grade continuance through driveways; Sidewalk elevation; Driveway approach; Joint material, Expansion Joint; Eges; Removal/replacement.
 - 2. Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous "ribbon" of pedestrian access throughout the community.
 - 3. 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.

LEGAL DESCRIPTION (Lot-1A, U.G.H. GROUP LLC REPLAT):
Being a replat of Lots 1, 3, and 4 of Francisco Replat, as filed in document (#P201900051) to the City of Conway, Faulkner County, Arkansas more particularly described as follows: Commencing at the NE corner of the SE1/4 NE1/4 of Section 35, T-6-N, R-14-W; thence N88°13'51"W 120.73 feet to a found 1" pipe, said point being the point of beginning; thence S01°33'19"W 156.82 feet to a found 1/2" rebar; thence N88°14'31"W 129.94 feet to a found 1/2" rebar; thence S01°33'19"W 191.53 feet to a found 1/2" rebar; thence N88°52'17"W 176.45 feet to a found 1/2" rebar; thence N01°28'30"E 341.25 feet to a found 1/2" rebar; thence S88°15'51"E 306.71 feet to the point of beginning, 1.87 acres more or less.

LEGEND

- SET 1/2" REBAR & CAP #1243
- FOUND IRON PIN
- COMPLETED POINT
- POWER POLE
- OVERHEAD POWER
- TELEPHONE PESTAL
- WATER METER
- WATER VALVE
- FIBER MARKER
- PIPE MASTHEAD

Certificate of Recording

CERTIFICATE OF RECORD
FAULKNER CO. AIR FEE \$15.00
I hereby certify that this replat, with Plans and Recordation in the Official Records of Faulkner County, Arkansas, is a true and correct copy of the original as filed in the Office of the Clerk of the Court of Faulkner County, Arkansas, on 03/27/2023 at 10:51:11 AM.

NANCY EASTMAN
FAULKNER COUNTY CIRCUIT CLERK
BY SHAWN M. D.C.
PLAT

Signed: [Signature]
Faulkner County Circuit Clerk

Certificate of Recording

03/27/2023

COORINATE CORNER (FOUND CORNER MONUMENTS)
Mulated Arkansas State Plane Coordinates
NAD 83 1983 USNS, AS DETERMINED BY GPS.
COORDINATE MONUMENTS: CORNER: ELEVATION
1011 383114.553 117833.848 38637.07

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1243
TIMOTHY P. TYLER

CERTIFICATE OF AUTHORIZATION
Tim Tyler
Surveying & Mapping
No. 379
ARKANSAS

TYLER GROUP
surveying, mapping, engineering

1501 S. STATE ST. STE. 1000 CONWAY, AR. 72032
TEL: 501.329.1400 / FAX: 501.329.3977 / WWW.TYLERGROUP.COM / EMAIL: info@tylergroup.com

DATE	SCALE	PROJECT JOB NO.	DRAWN BY:	REVIEWED BY:	STATE CODE	SHEET NO.
01-26-2023	1" INCH EQUALS 50 FEET	123-042	PH	PH	500-000-148-0-35-120-23-1243	1 OF 1

DATE	DESCRIPTION OF REVISION MADE	DATE	DESCRIPTION OF REVISION MADE
8/19	CORRECTIONS PER CLIENT	9/10	CORRECTIONS PER CITY
9/10	CORRECTIONS PER CLIENT	1/26	REPLAT

PROJECT TITLE:
U.G.H. GROUP REPLAT

BEING A PART OF THE SE1/4 NE1/4 SECTION 35, T-6-N, R-14-W, FAULKNER COUNTY, ARKANSAS (Replat of Lots 1, 3, & 4)

Request to Rezone: R-2 to O-1

±1.87 acres at 2138 Old Morrilton Highway

II.A



View of subject property from Old Morrilton Hwy looking N



Property adjacent to the W



Property adjacent to the E



Property adjacent to the S, across Old Morrilton Hwy

Request to Rezone: R-1 to C-3

± 0.55 acres at 1575 Pike Ridge Road

APPLICANT/AUTHORIZED AGENT

Engage Management
201 Lee Andrew Ln
Conway, AR 72034

OWNER

Gene Salter Properties, Inc.
PO Box 11778
Conway, AR 72034



SITE DATA

Location. 1575 Pike Ridge Rd.

Site Area. ±0.55 acres.

Current Zoning. R-1 (One Family Residential).

Requested Rezoning. C-3 (Open Display and Highway Commercial).

Adjacent Zoning. West, South: C-3; East: R-1; North: unzoned ARDOT ROW

Existing Structures. None.

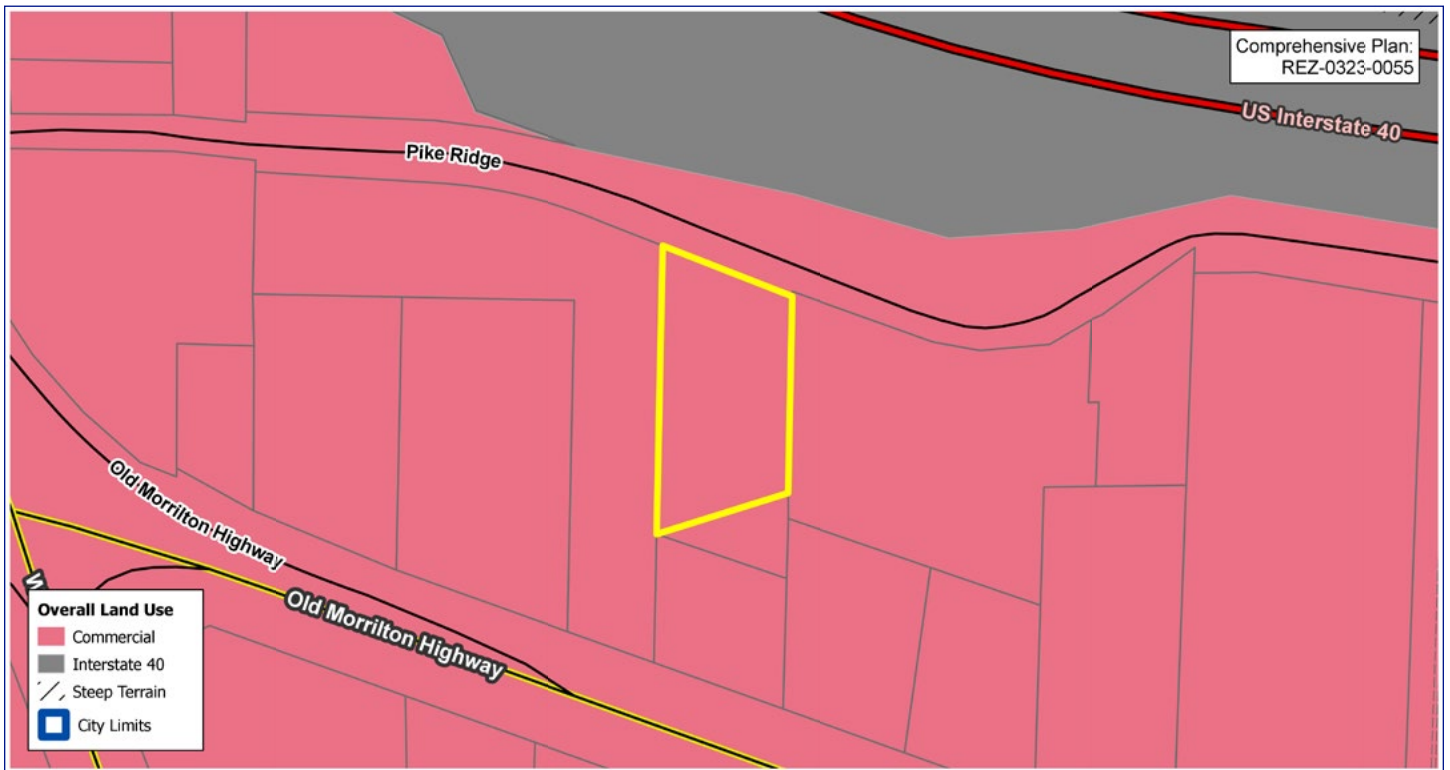
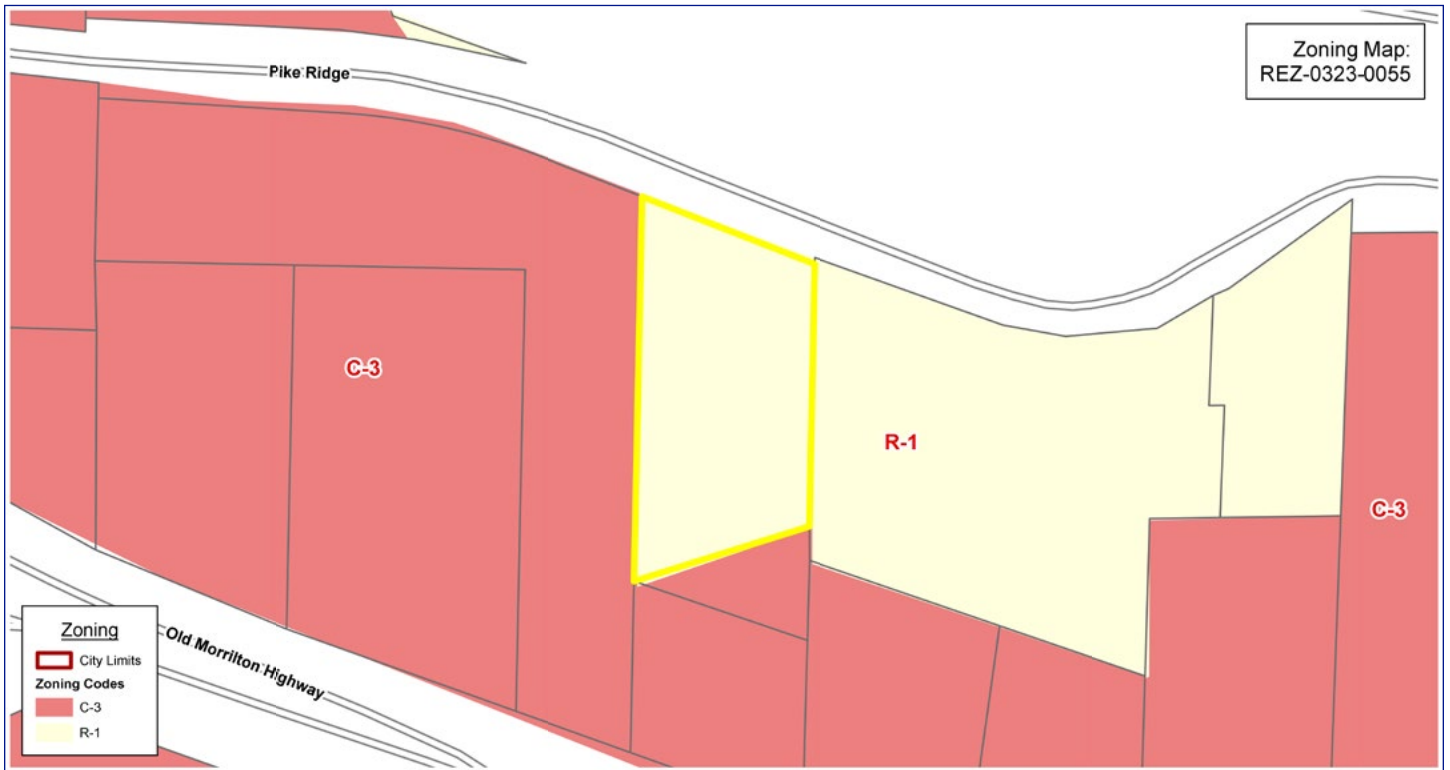
Overlay. None.

Comprehensive Plan. Commercial.

Project Traffic Impact. An accurate traffic impact is difficult to estimate for an undeveloped site given the wide range of uses allowed in the proposed zoning district. With a rezoning to C-3 and the site developed with the most intense use, the increase in traffic impact could be significant. The most intense use permitted by-right in the C-3 zoning district is considered to be a drive-through restaurant. A typical size drive-through restaurant can generate up to 1,039 vehicle trips per typical weekday. However, as the site only has frontage on Pike Ridge Rd, it is more likely that this ±0.55 acre property will be developed in conjunction with the remainder of the C-3

Request to Rezone: R-1 to C-3

± 0.55 acres at 1575 Pike Ridge Road



Request to Rezone: R-1 to C-3

± 0.55 acres at 1575 Pike Ridge Road

property to the west and the majority of trips distributed onto Old Morrilton Hwy.

Current Traffic Counts. 18,000 ADT - Old Morrilton Hwy (at the site).

Flood/Drainage. No portion of the property lies within a FEMA flood hazard zone.

Utilities. The applicant will need to coordinate with Conway Corporation for the extension of utilities at the time of development.

Master Street Plan. Old Morrilton Hwy/Hwy 64 – Major Arterial (100' ROW); Pike Ridge Rd -Local Nonresidential (50' ROW).

Street Improvement. None planned at this time.

STAFF COMMENTS

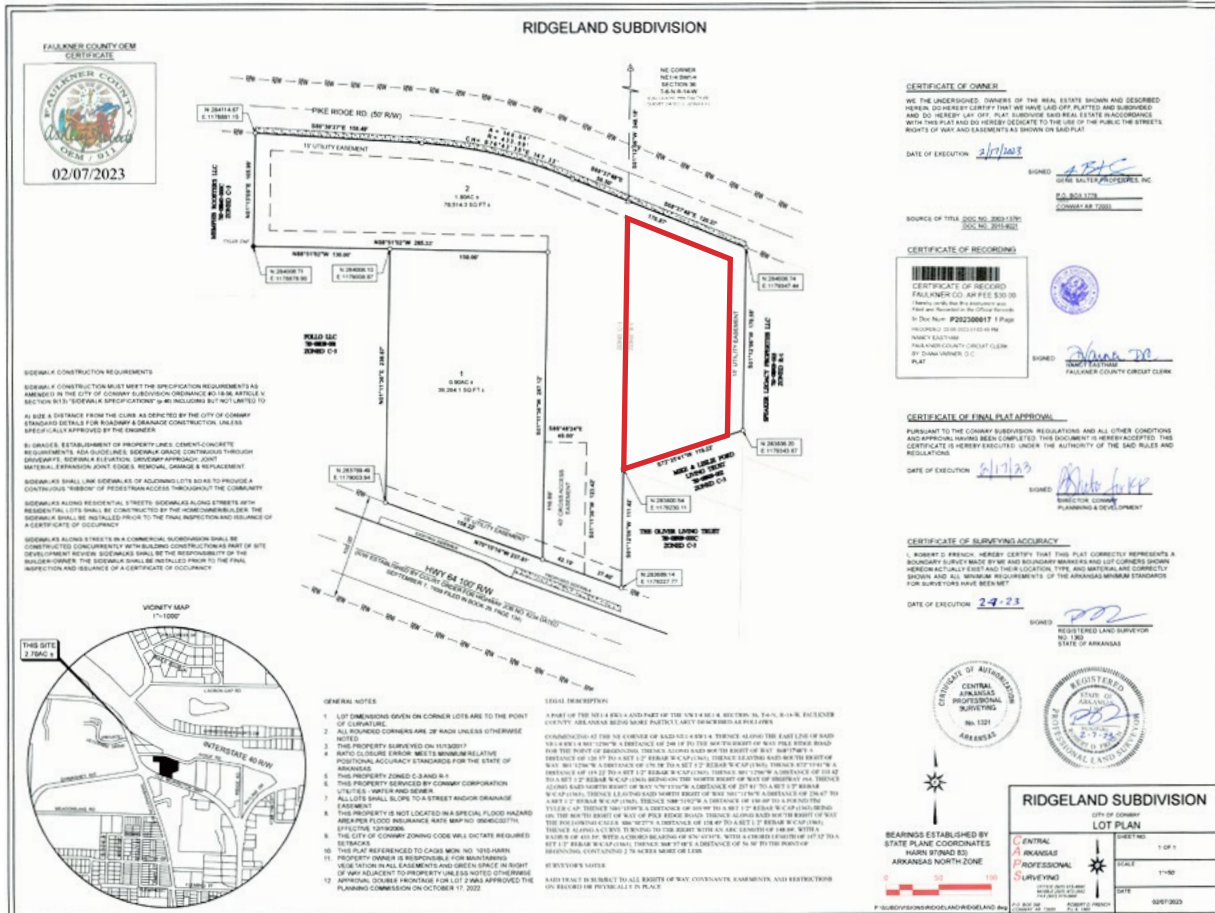
- The applicant is requesting to rezone a ±0.55 acre portion of Lot 2 Ridgeland Subdivision [±1.80 acres] to a comparable zoning.
- The requested zoning district is congruent with the Comprehensive Plan.
- The rezoning will not likely negatively impact adjacent property.

STAFF RECOMMENDATION

Staff recommends 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.

SAMPLE MOTION

I move to accept the staff recommendation to approve the request on the basis that it is congruent with the Comprehensive Plan and will not likely negatively impact adjacent property.



Request to Rezone: R-1 to C-3

± 0.55 acres at 1575 Pike Ridge Road

II.B



View of subject property from Pike Ridge Rd looking S



View of subject property from Old Morrilton Hwy looking N



Property across Old Morrilton Hwy to the S



Property adjacent to the E



Property across Old Morrilton Hwy to the S

Request for Variance: Reduced planting screen easement

II.C

112 Shamrock Drive

APPLICANT/AUTHORIZED AGENT

Brandon Foiles
Crafton Tull
1000 Ledgeawn Dr
Conway, AR 72034

OWNER

Aimee McGough
112 Shamrock Dr
Conway, AR 72034



SITE DATA

Location. 112 Shamrock Dr.

Current Zoning. MF-3 (Multi-family, 24 units/acre).

Existing Structures. 2,377 sf single-family residence, in-ground swimming pool.

Overlay. None.

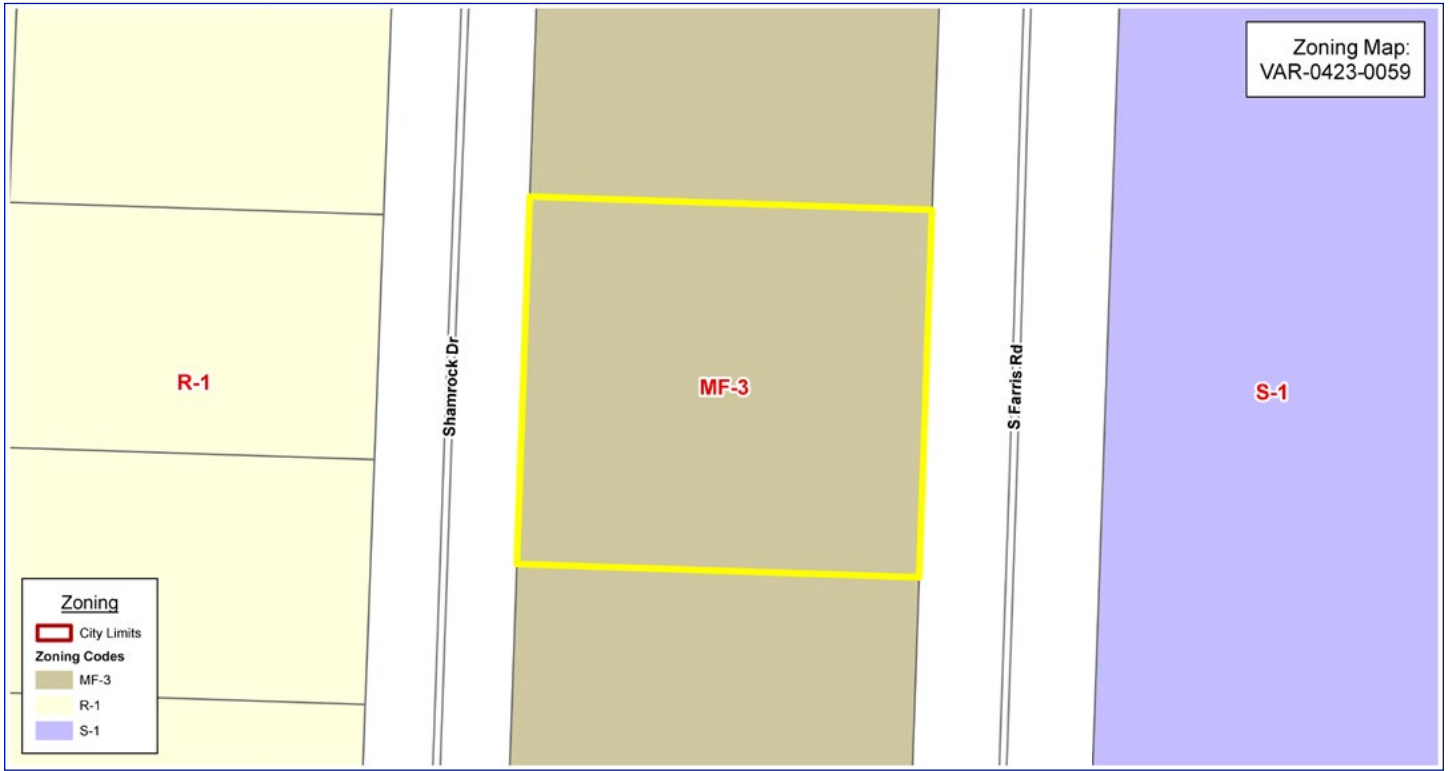
Requested Zoning Variance. Allow a reduction in the planting screen easement from 15' to 5', along the east property boundary; S Farris Rd frontage.

General Overview. The applicant is requesting 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 need to be permitted to reduce the depth of the platted easement. A replat of the property may also be required.

Subdivision Regulations. "...Where double frontage exists, a planting screen easement of at least ten feet shall be provided along a portion of the lot abutting the traffic artery or other use where screening is required. In this circumstance there shall be no right of access across the planting screen easement." Art IV §5.F(7)

Request for Variance: Reduced planting screen easement

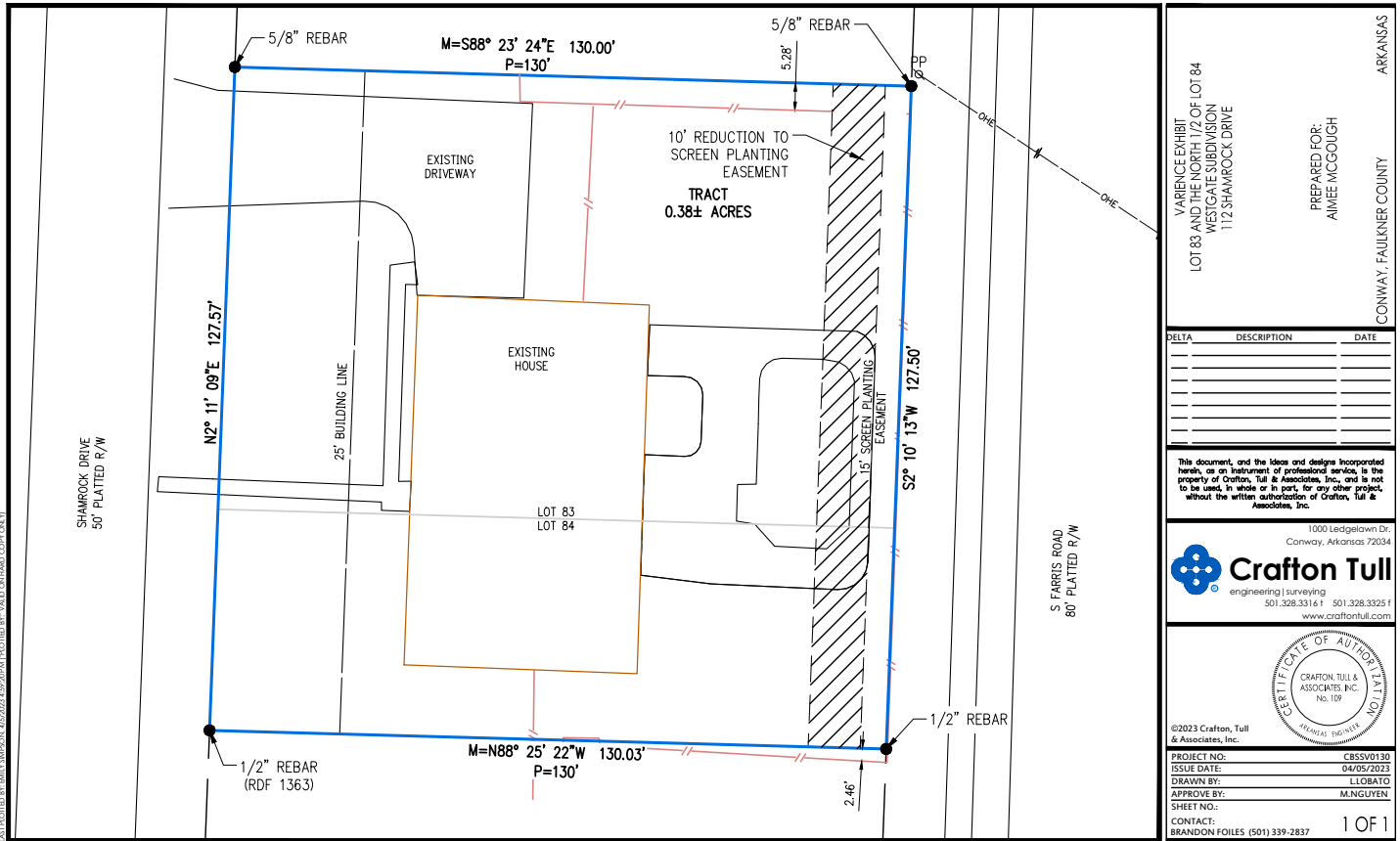
112 Shamrock Drive



Request for Variance: Reduced planting screen easement

112 Shamrock Drive

II.C



VARIANCE EXHIBIT
LOT 83 AND THE NORTH 1/2 OF LOT 84
WESTGATE SUBDIVISION
112 SHAMROCK DRIVE

PREPARED FOR:
AIMEE MCGOUGH

CONWAY, FAULKNER COUNTY
ARKANSAS

DELTA	DESCRIPTION	DATE

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

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CERTIFICATE OF AUTHORITY
CRAFTON, TULL & ASSOCIATES, INC.
NO. 109
SURVEYING ENGINEER

PROJECT NO.: CBSSV0130
ISSUE DATE: 04/05/2023
DRAWN BY: LLOBATO
APPROVE BY: M.NGUYEN
SHEET NO.:
CONTACT: BRANDON FOILES (501) 339-2837

1 OF 1

Basis of Variance Review. In accordance with Art V §11 of the Subdivision Regulations, the Planning Commission may permit special exceptions to the rules and regulations when, in the opinion of the Commission, such exceptions are in keeping with the intent of these rules and regulations and when exceptions will provide for a development which will be in conformance with existing platting of the general neighborhood of the proposed subdivision. The Commission may impose conditions in granting an exception.

STAFF COMMENTS

- The encroachment condition was created by a prior property owner.
- The encroachment is hindering clear title work and preventing the sale of the property.
- An existing 6' wooden privacy fence serves as ample and appropriate screening of the use from the traffic artery.
- There are no underground utility facilities located within the current planting screen easement; Conway Corporation has no objection to the requested exception.
- At the discretion of the Planning Commission, replatting of the property to indicate the reduced easement and correct the lot configuration may be required.
- This is an existing structure with no proposed expansion at this time.

STAFF RECOMMENDATION

Planning Staff recommends approval of the exception, with suggested conditions below, on the basis that permitting the exception would allow for appropriate conforming use of the site without harming adjacent property. Suggested conditions of approval:

1. The exception is only valid 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.

112 Shamrock Drive



View of rear of subject property from S Farris Rd looking W



View of front of subject property from Shamrock Dr looking SE



Properties adjacent to the S



Properties adjacent to the N

Request to Rezone: R-2A to S-1

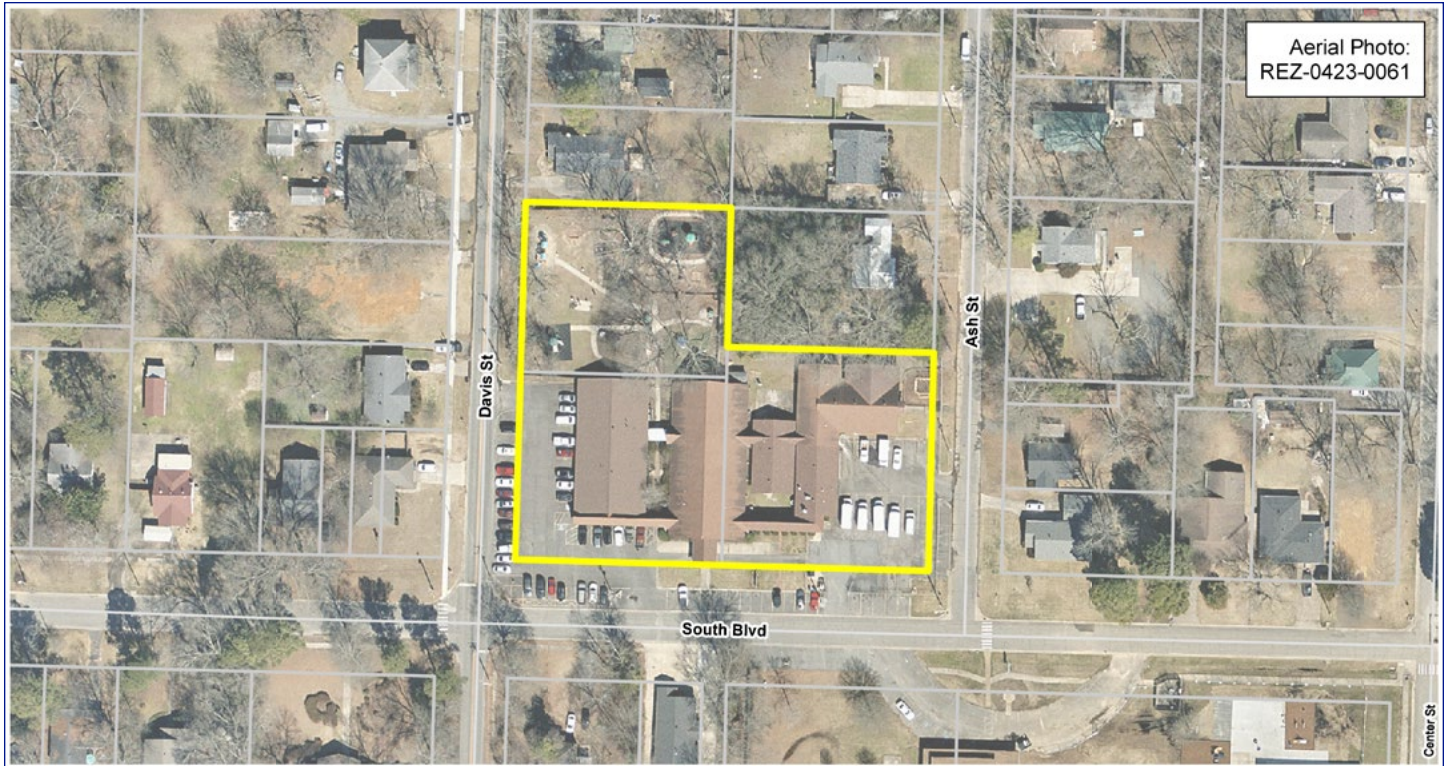
1700 South Blvd

APPLICANT/AUTHORIZED AGENT

Emily Ferris
Sowell Architects
1315 North St, Ste 100
Conway, AR 72034

OWNER

Milestones Services, Inc. / Faulkner County Day School Inc.
1700 South Blvd
Conway, AR 72034



SITE DATA

Location. 1700 South Blvd.

Site Area. ±1.86 acres.

Current Zoning. R-2A (Two Family Residential).

Requested Rezoning. S-1 (Institutional).

Adjacent Zoning. West, East, North, South: R-2A (2 properties with Conditional Use Permits to allow Religious Activities at 1715 South Blvd and Office with adjacent parking at 222 Ash St).

Existing Structures. Approximately 26,984 sf of childcare and supporting facilities plus associated outdoor play area equipment.

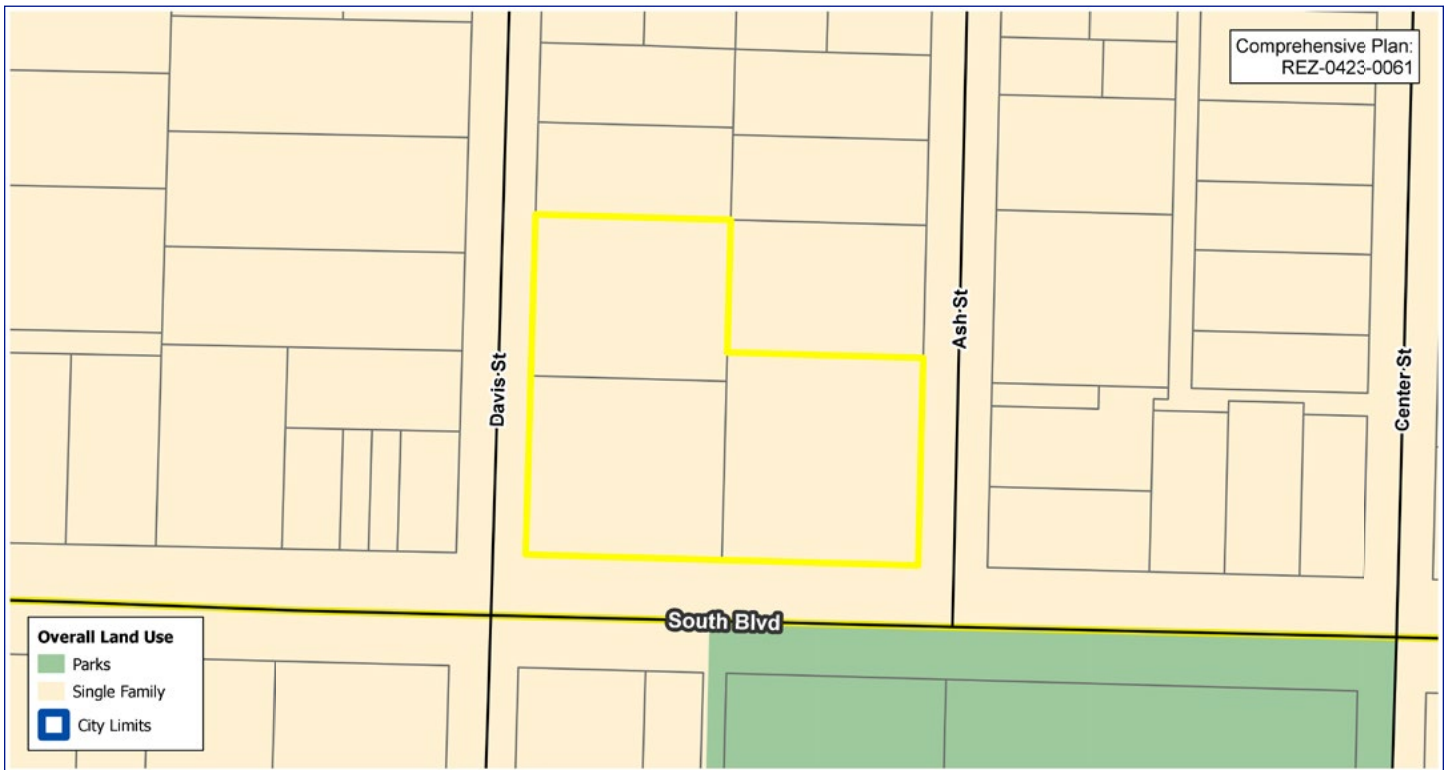
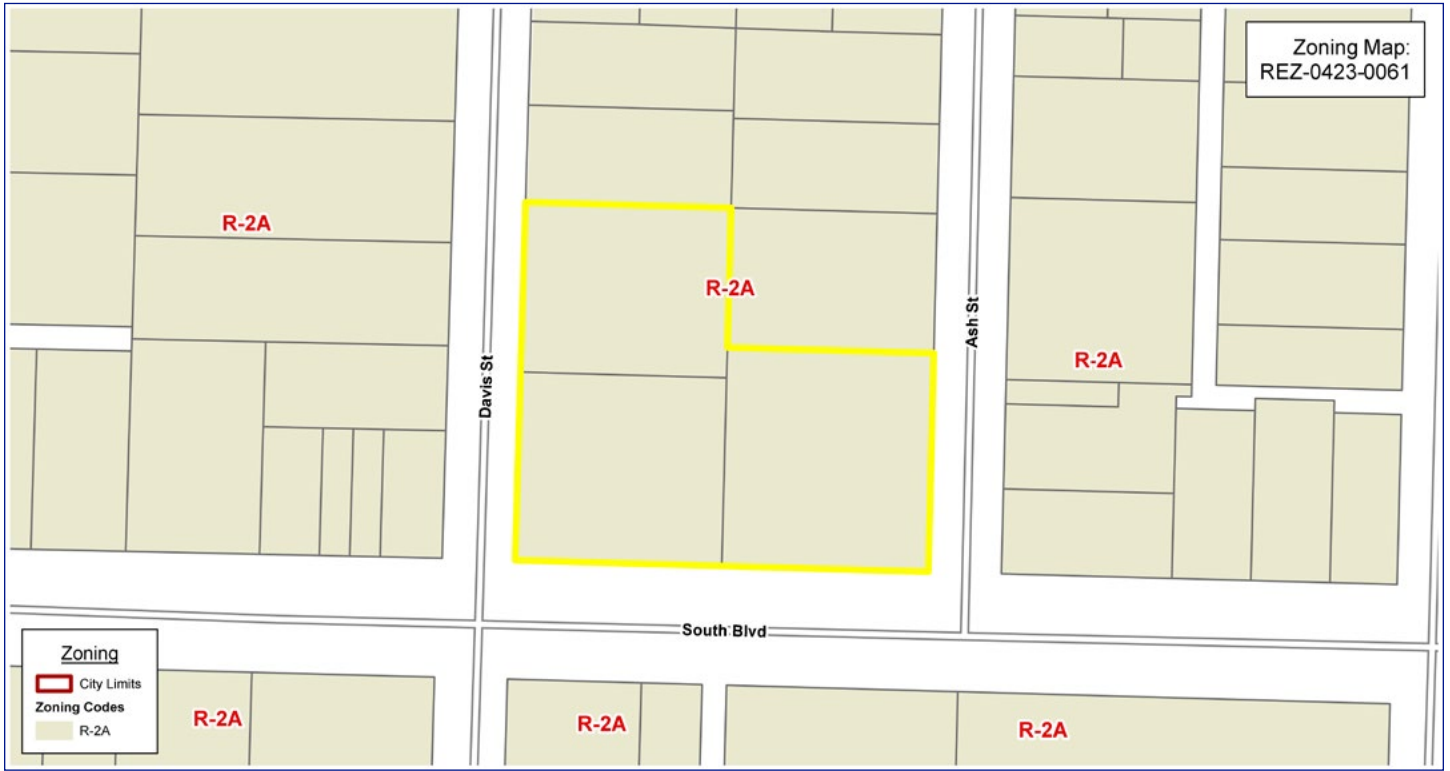
Overlay. Old Conway Design Overlay District.

Comprehensive Plan. Single Family Residential.

Project Traffic Impact. No increase in traffic is anticipated as no change in use is proposed. The rezoning request is to bring the long-established use of the site into zoning conformance.

Request to Rezone: R-2A to S-1

1700 South Blvd



Current Traffic Counts. No traffic data is available for this site. The nearest data is 1,800 ADT - Conway Blvd (north of the intersection at South Blvd).

Flood/Drainage. No portion of the property lies within a FEMA flood hazard zone.

Utilities. The site is developed.

Master Street Plan. South Blvd – Major Arterial (100' ROW); Davis St - Collector (60' ROW).

Street Improvement. None planned at this time.

STAFF COMMENTS

- The applicant is requesting to rezone ±1.86 acres from R-2A to S-1.
- This rezoning appears to create no change of use. The applicant is seeking the rezoning to bring the site into conformance with current zoning standards.
- The land use plan designates this area as Single-Family Development. However, this site has been used as an institutional use for decades, first as a church and then as a school.
- The adjacent property to the south is also used for educational/institutional purposes. This rezoning appears consistent with uses in the area.
- Any new development/redevelopment will be subject to development review in accordance with Article 10 of the Conway Zoning Code.
- The rezoning request will not likely negatively impact adjacent property.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning. The proposed zoning would bring the site into zoning compliance and would not negatively impact adjacent property.

SAMPLE MOTION

I move to accept the staff recommendation to approve the rezoning request on the basis that it will bring this property into compliance and will not likely negatively impact adjacent property.

Request to Rezone: R-2A to S-1

1700 South Blvd

II.D



View of subject property from Davis St looking E



View of subject property from Davis St looking E



View of subject property from South Blvd looking N



View of subject property from Ash St looking NW



Properties adjacent to the N (along Ash St)



Properties adjacent to the E, across Ash St

Subject: RE: Milestones REZ-0423-0061
Date: Thursday, May 4, 2023 at 11:26:54 AM Central Daylight Time
From: Lisa Mabry-Williams <Lisa.Williams@conwayarkansas.gov>
To: planning <planning@conwayarkansas.gov>

Can you please send me the difference in restrictions/allowed uses for a property zoned R2A with a conditional use and S1? Being in a historic overlay district, how will the new zoning affect the property? Thank you.

From: planning <planning@conwayarkansas.gov>
Sent: Thursday, May 4, 2023 11:11 AM
To: Lisa Mabry-Williams <Lisa.Williams@conwayarkansas.gov>
Subject: Re: Milestones REZ-0423-0061

Please find attached all files provided with the application to rezone property located at 1700 South Blvd. You can also view the status of this record by utilizing the search function of the [Civic Access Customer Portal](#) and searching for REZ-0423-0061.

Would you like for your previous email to be included in the staff report as a public comment?

If you have additional questions please feel free to reach out to staff.
Thank you,
City of Conway • Planning & Development
1111 Main Street • Conway, AR 72032
(501) 450-6105

From: Lisa Mabry-Williams <Lisa.Williams@conwayarkansas.gov>
Date: Tuesday, April 25, 2023 at 11:29 AM
To: planning <planning@conwayarkansas.gov>
Subject: Milestones REZ-0423-0061

As a concerned homeowner in the area, I request copies of all documents submitted by Sowell Architects and Milestones in reference to rezoning the property, located in a historic residential area, from R2A to S1. Thank you.

Lisa

APPENDIX

Development Review Approvals

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

Plats filed for record (Lot Splits, Lot Mergers, and Final Plats)

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