

January 20, 2026

The regular meeting of the Conway Board of Zoning Adjustment was held, in person, Tuesday, January 20th at the Conway City Hall. The following members, being a quorum, were present and acting: Ethan Reed, Alexander Baney, Mark Ferguson, Jensen Thielke, Brooks Davis, Keena Haygood and Grace Rains. Cassidy Cook, Kevin Gambrill and Lori Quinn were absent.

I. Variance Review

A. Request for zoning variance to allow a commercial accessory structure greater than 160sf in size for property located at 1965 E Oak (VAR-1125-0133)

Lauren Hoffman, Planner, explained the applicant is proposing to construct a detached canopy over the drive-thru lane of a new commercial development submitted for site development review. The proposed structure is approximately 1,000-sf and is proposed to be setback from the eastern property line by 18.8'. The total area of commercial accessory structures is limited to 160-sf in the C-3 zoning district. This request would necessitate the granting of a variance to accommodate the larger commercial accessory structure by allowing the increase of allowed accessory area by 840-sf. In accordance with §702.2 the Zoning Code, the Board of Zoning Adjustment, consisting of the members of the Planning Commission shall, "*Hear and decide variance requests from the literal provisions of the Zoning Code in instances where strict enforcement of the Zoning Code would cause undue hardship because of circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the Zoning Code.*" A new eating place with drive-thru is proposed at the recently subdivided location. Due to the ordering nature of the restaurant, the applicant has requested a detached accessory structure be allowed on site. The properties to the west and east are currently undeveloped, but uses of high vehicle impact dining/retail are most likely planned in the future. The proposed accessory structure meets all setbacks and lot coverage requirements for the C-3 zone and the requirements for accessory structures. The design of and cladding on the structure will mimic that of the newly proposed commercial development on site. Allowing the variance would not preclude the applicant from meeting all other requirements of the C-3 zone. The maximum allowed area of accessory structures is too restrictive for feasible commercial operation. Granting the variance would not likely harm adjacent property.

Jose Castro (5359 Tyler St, Conway, AR) spoke in favor of the request.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request with the below conditions. A motion to approve made by Alexander Baney and seconded by Brooks Davis passed 7-0, with the chairman voting.

CONDITIONS

1. The accessory structure shall be constructed as proposed on the submitted elevations and site plan for site development review and be of similar/complementary exterior finishes to the primary structure on site.
2. The variance shall become lapsed and void if construction for the canopy has not begun within 18 months of site development approval.

B. Request extension of expired variance permit at 1695 S German Ln (VAR-1125-0137)

Lauren Hoffman, Planner, explained the applicant received four zoning variance approvals on the June 17, 2024, Board of Zoning Adjustment meeting (VAR-0524-0067) with nine conditions. Per condition #9, the variance shall lapse and void if the construction for the addition has not commenced within eighteen (18) months. On December 17, 2025, the Variance Permit expired. The applicant submitted for subdivision review in August of 2024, but as of September of 2024, the case has not been active. The

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applicant is requesting an additional 18-month extension to the Variance Permit. Should the Commission choose to approve the extension of the variance request, Planning Staff proposes the same conditions as originally approved per VAR-0524-0067.

Michael Hampton (1695 S German Ln, Conway, AR) spoke in favor of the request.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request with the below conditions. A motion to approve made by Jensen Thielke and seconded by Grace Rains passed 7-0, with the chairman voting.

CONDITIONS

1. Variance Permit No. VAR2010DEC01 will be voided and will be replaced by this variance permit.
2. Variances only apply to the existing church structure and addition, as proposed, and will not be applied to any future structures on site.
3. Building setbacks will be established as follows:
 - Front: 6 feet
 - Rear: 10 feet
 - Side: 25 feet
4. The 25' landscape setback requirement as required by the Zoning Code will not be required on the section of property south of the intersection of S German Lane and Bill Bell Lane. The 25' landscape setback requirement as required by the Zoning Code will not be required on the section of property south of the intersection of S German Lane and Bill Bell Lane. The 25' landscaping buffer is required along the S German Ln frontage north of the intersection.
5. A fully opaque fence of a height no less than six (6) feet shall be constructed/maintained along the western property line where any building abuts R-1 property.
6. Any existing vegetation along the western property line shall be left in an undisturbed state.
7. The parking lot along S German Ln shall not be expanded further into right of way and may eventually be required for removal should public improvements occur in the right of way.
8. The applicant shall be required to obtain site development review approval and plat the property prior to the issuance of building permits.
9. The variance shall lapse and void if the construction for the addition has not commenced within eighteen (18) months.

There being no further business to conduct, the Board of Zoning and Adjustment meeting was adjourned by unanimous vote on a motion made by Alexnader Baney and seconded by Brooks Davis.

The regular meeting of the Conway Planning Commission was held, in person, Tuesday, January 20th at the Conway City Hall. The following members, being a quorum, were present and acting: Ethan Reed, Alexander Baney, Mark Ferguson, Jensen Thielke, Brooks Davis, Keena Haygood and Grace Rains. Cassidy Cook, Kevin Gambrell and Lori Quinn were absent.

Minutes from the December 15th meeting were approved on a motion made by Alexander Baney and seconded by Jensen Thielke. Passed 7-0, with the chairman voting.

I. Public Hearings**A. Request to rezone property at 2125 College Ave from O-3 to C-2 (REZ-1225-0143)**

Lauren Hoffman, Planner, explained the applicant is requesting to rezone this parcel of land from O-3 to

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C-2 for commercial development. It is Planning Staff's understanding that the requested rezone will allow more freedom with lease options for the shopping center while also allowing the existing Pharmacy with Drive Thru to operate by right, not via a conditional use permit. The applicant has proposed such uses as retail, food service, gym, and other business uses. The property was rezoned from R-2A to O-3 in October of 1999 and at that time, the request was made due to the property no longer being desirable as residential due to adjacent offices and the hospital. The lot was vacant and direct abutting uses were a single-family home to the east, 2 homes to the west across Augusta Ave, and land to the north acquired by Conway Regional for redevelopment. There was also a Conditional Use Permit (No.1235A) granting Pharmacy with Drive-Thru approved at the site in December of 2005. The Zoning Code designates the purpose of the O-3 district to provide conversion of older structures no longer useful, serviceable, or desirable in present use to office use and to provide appropriate locations for offices which are in proximity to both residential and nonresidential zones. The C-2 district provides use areas for retail trade and personal service enterprises designed to serve surrounding residential neighborhoods. Such a district should depend chiefly on neighborhood business and less on larger service areas outside the neighborhood and shall generally be located at arterial or collector street intersections and should be within walking distance of area neighborhoods. The property is bound by a Collector street to the west and Minor Arterial street to the north, which aligns with general location requirements for C-2 district guidelines. General uses allowed by right in the C-2 zone are clothing/antique store, art gallery, bakery, bank, beauty shop, childcare facility, clinic, pharmacy, restaurant (dine in only), food store, hardware store, gym, laundromat, office, and retail—restricted uses as defined by the Zoning Code. Abutting land uses today are Multi-Family to the south and R-2A to the east in the form of sorority housing for UCA; Institutional uses to the north for the Conway Regional Medical Center campus, and UCA owned property to the west across Augusta Ave developed for a Greek Village. The Comprehensive Plan indicates the property as Single-Family. A large majority of the property in this area is indicated as Single-Family, but as the area has been redeveloped, it would no longer be attractive or appropriate for single-family land use. Due to such diverse adjacent land uses and higher street classifications, the zoning request would allow neighborhood commercial uses within walking distance to much of the adjacent higher density developments.

Bryce Richardson (2405 Prince St, Conway, AR) spoke in favor of the request.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request. A motion to approve made by Mark Ferguson and seconded by Keena Haygood passed 7-0, with the chairman voting.

B. Request to rezone property at 51 Southerland Rd from A-1 to R-1 (REZ-1225-0147)

Tara Jackson, Assistant Director, explained the applicant is requesting to rezone this parcel of land from A-1 to R-1 for residential development. The A-1 Zoning District is designed to preserve and protect prime agricultural lands and to protect undeveloped areas from intensive uses until a use pattern is approved. The R-1 Zoning District is designed to provide quiet, low-density areas for single family living and related recreational, religious, and educational facilities protected from all commercial and industrial activity. The R-1 district is characterized by single-family homes on large lots (minimum 6,000sf). The site is adjacent to a mix of zoning districts with various densities and different intensity of use types: Intermediate Industrial (I-1); Multi-Family (MF-2 and MF-3); Agricultural (A-1); Single-family, Planned Unit Development (PUD); and One-Family Residential (R-1). The current use pattern is characterized as a transition between light industrial and commercial along S Amity Road and E Dave Ward (minor and major arterials) towards residential along local and collector street classifications. The Comprehensive Plan designates the area as Single-Family. The maximum number of lots that could be developed on site is 183. It is unlikely that the site will be developed to this capacity given the need for a detention area, site topography, typical easement requirements, and an existing electrical easement. There is a concurrent 96 lot, major subdivision application under review for the site (SUB-1225-0148). In review is a standard R-1 subdivision consisting of lots over 6,000sf in area meeting the minimum lot width (60ft) and lot depth (100ft) requirements. The preliminary plat shows an internal street system accessed via Middle



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Rd and Southerland Rd. Also shown are Open Space tracts and right-of-way dedication. Any subdivision of the land into smaller lots will require adherence to the Conway Subdivision Ordinance and the Conway Zoning Code, which includes, but is not limited to, the approval of: Street and drainage plans in accordance with the Drainage Criteria Manual and Transportation Standard Details; required lot coverage, setbacks, and easements; street right-of-way dedication. An R-1 zoning designation would not likely result in harm to adjacent property.

Roy Andrews (200 Casey Dr, Maumelle, AR) spoke in favor of the request.

Laci Lyons (43 Southerland Rd, Conway, AR), William Simmons (18 Southerland Rd, Conway, AR) and Rita Sanders (64 Southerland Rd, Conway, AR) spoke in opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request. A motion to approve made by Alexander Baney and seconded by Mark Ferguson passed 7-0, with the chairman voting.

II. ANNOUNCEMENTS/ADDITIONAL BUSINESS

A. Statements of Financial Interest

Commissioners must turn in their Statements of Financial Interest by January 31st, 2026.

B. Next Meeting

The next Planning Commission meeting will be at 5:30 PM on February 17th at Conway City Hall.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. (SDR-1025-0128) Braums Post-SDR at 2505 Prince St
2. (SDR-0325-0048) McDonald's at 1955 E Oak St

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

1. (P2025-00069) Maxwell Villas Subdivision
2. (P2026-00004) Lot 7 Replat of Orchard Hill Subdivision Phase II

Adjournment

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Alexnader Baney and seconded by Grace Rains.

Approved:

2026 Chairman, Ethan Reed