

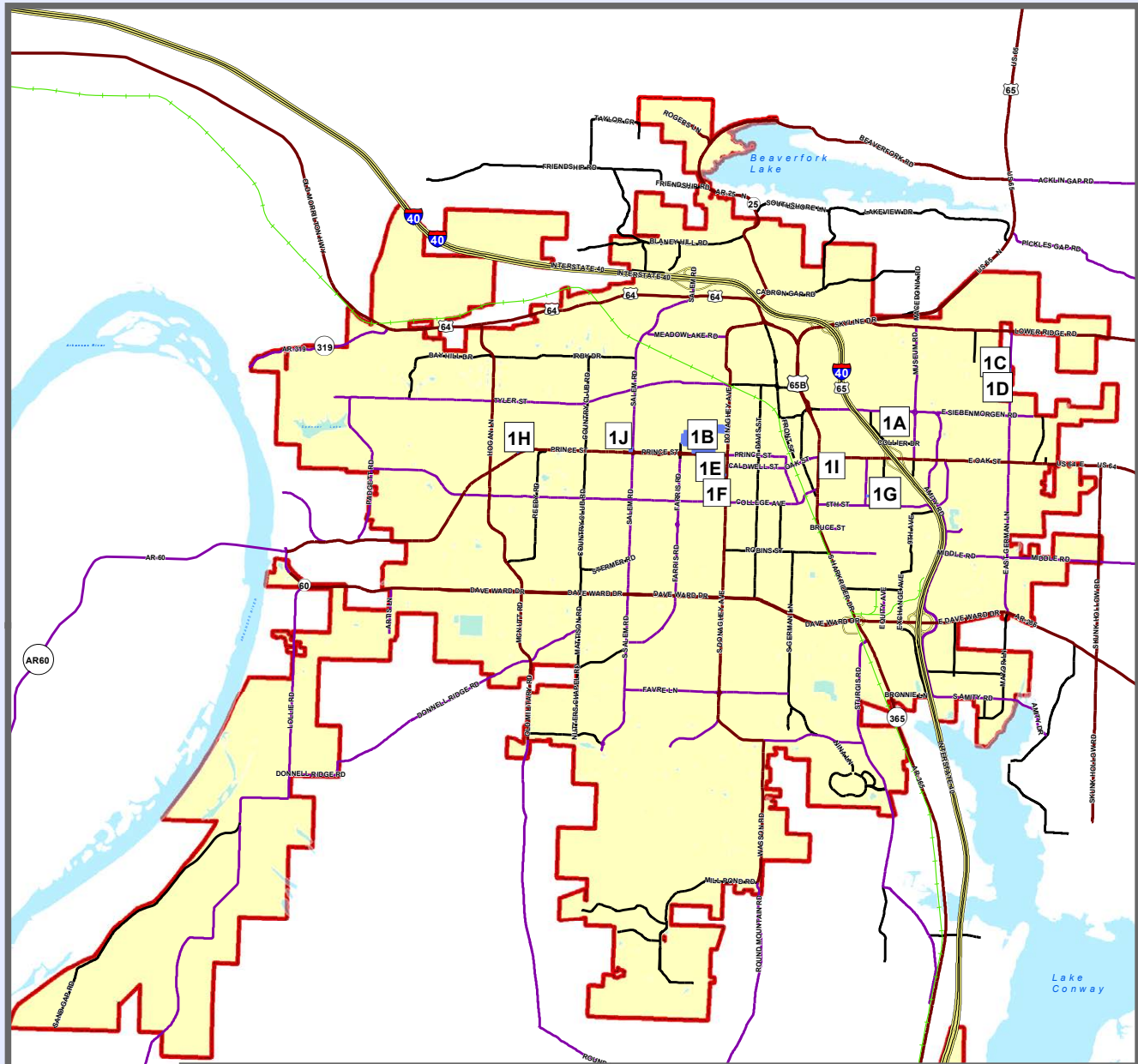
A close-up photograph of pink cherry blossoms in full bloom, set against a clear, bright blue sky. The flowers are the central focus, with some in sharp focus and others blurred in the background. The petals are a vibrant pink, and the centers show yellow stamens. The overall mood is fresh and spring-like.

**Conway Planning Commission**  
***APRIL 2015 • STAFF REPORT***

7:00pm  
Monday, April 20, 2015  
810 Parkway Avenue

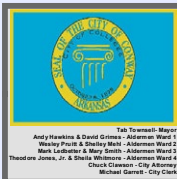
# CITY OF CONWAY

## APRIL 2015 PLANNING COMMISSION ITEMS



### APRIL 2015 AGENDA ITEMS:

- |   |   |
|---|---|
| 1A. JASON FREYALDENHOVEN -- CONDITIONAL USE | 1F. DAVID STOBAUGH -- CONDITIONAL USE     |
| 1B. CONWAY PUBLIC SCHOOLS -- REZONING       | 1G. SHAVER PROPERTIES -- CONDITIONAL USE  |
| 1C. CONRAD -- REZONING                      | 1H. GRIDIRON AP -- CONDITIONAL USE        |
| 1D. CONRAD -- CONDITIONAL USE               | 1I. VERIZON WIRELESS -- CONDITIONAL USE   |
| 1E. DAVID STOBAUGH -- REZONING              | 1J. EAGLE BANK & TRUST -- CONDITIONAL USE |



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	Special
INTERSTATE RAMP		C-1	O-1
RAILROADS		C-2	O-2
		C-3	O-3
		C-4	PUD
			TJ

Commercial	Special
C-1	S-1
C-2	A-1
C-3	PUD
C-4	TJ

North Arrow

Scale: 0 750 1500 3000 4500 Feet

1:100,000

APRIL 2015

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# CONWAY, ARKANSAS PLANNING COMMISSION MEETING AGENDA

7:00 pm • Monday • April 20, 2015

District Court Building • 810 Parkway

## SUBDIVISION COMMITTEE WILL NOT MEET

Call to Order

Introduction & Chairperson Remarks

Minutes: March 16, 2015

## SUBDIVISION COMMITTEE WILL NOT MEET

1. **Annexation, Zoning and Conditional Use (Requires Public Hearing)**
  - A. Jason Freyaldenhoven Conditional Use Permit Request.....6
  - B. Conway Public Schools Rezoning Request: R-1 to S-1 ..... 8
  - C. Conrad Rezoning Request: A-1 to RU-1..... 10
  - D. Conrad Conditional Use Permit Request..... 12
  - E. Stoby's Rezoning Request: R-2A to O-2 ..... 14
  - F. Stoby's Conditional Use Permit Request..... 16
  - G. Shaver Properties Conditional Use Permit Request ..... 19
  - H. GridIron AP, LLC Conditional Use Permit Request .....22
  - I. Verizon Wireless Conditional Use Permit Request.....26
  - J. Eagle Bank & Trust Conditional Use Permit Request.....30
2. **Discussion**
  - A. Items as decided by the Planning Commission

Adjourn

### Planning Staff Development Review/

#### Minor Subdivision Reports to the Planning Commission

The following items 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:

- A. **Development Review**
  - Central Arkansas Medical Park, 650 United Drive
  - Cambridge Village Apartments, 1950 Meadowlake
  - Jones Garage Expansion, 1090 Jim's Lane
- B. **Lot Splits, Lot Mergers, and Minor Subdivisions (filed for record)**
  - Overland Heights Replat, Lots 7-10
  - Oslica Replat
  - Watson Family Subdivision
  - Orchard at Round Mountain Correction

*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 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. A public notice will also be placed on the City's website: [www.cityofconway.org](http://www.cityofconway.org).*

*Denied Items may be considered by the City Council as early as April 28, 2015. Approved Items will be considered by the City Council on April 28, 2015.*



# 1A FREYALDENHOVEN CONDITIONAL USE PERMIT REQUEST

## FREYALDENHOVEN CONDITIONAL USE PERMIT REQUEST FOR HOME OCCUPATION (SINGLE OPERATOR HAIR STYLIST)

### APPLICANT/OWNER

Jason Freyaldenhoven  
817 E. Siebenmorgen Road  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: 821 E. Siebenmorgen

Site Area: 3.34 acres +/-

Existing Structures: Older single family residence (to be demolished)

Current Zoning: R-1 (One Family Residential District)

Requested Conditional Use Permit: To allow a home occupation (single operator hair stylist)

Overlay District: None

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

Projected Traffic Impact: A single family residence generates around 10 vehicle trips per day. The addition of a single operator hair salon on premise would not add significant traffic generation.

Utility Infrastructure: Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

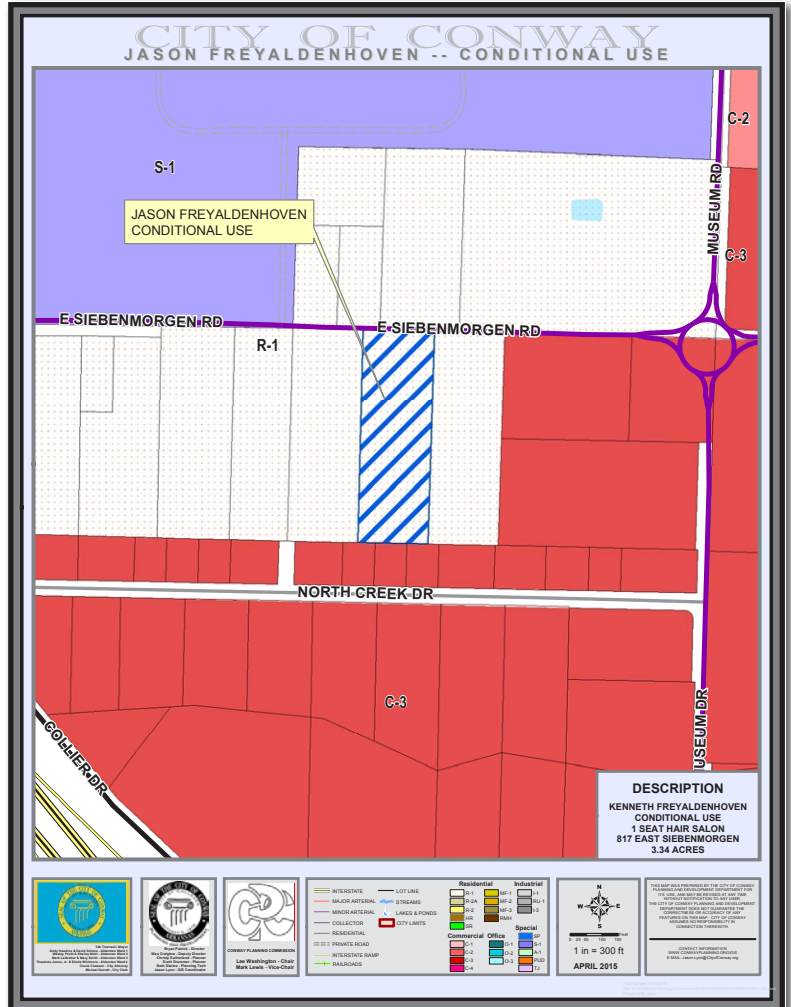
Flood/Drainage: The property is not within any flood plain or flood way.

Street Improvements: There are no area street improvements planned in the near future.

Conway 2025: Not directly applicable.

### STAFF COMMENTS

The applicant plans to demolish the existing old residence and construct a new residence and operate a single operator hair salon from the residence. A single operator hair salon is an allowed use as defined by home occupation per the zoning ordinance. In an R-1 zone, a home occupation is allowed with the approval of a conditional use permit.



View of property looking SE from Siebenmorgen Rd

### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit with the suggested conditions.



### SUGGESTED CONDITIONS

The Zoning Ordinance lists certain specifications for a home occupation. To be clear, these regulations could be made evident as conditions:

1. The hair salon shall not occupy more than 25% of the gross floor area of the residence.
2. The hair salon shall not require external alterations, construction features, or mechanical equipment not customary in dwellings.
3. Signage is limited to 1 non-illuminated identification sign not more than 2 square feet in area attached to the main or accessory building.

# 1B CONWAY PUBLIC SCHOOLS REZONING REQUEST: R-1 TO S-1

## CONWAY PUBLIC SCHOOLS REQUEST FOR REZONING FROM R-1 (ONE FAMILY RESIDENTIAL) TO S-1 (INSTITUTIONAL)

### OWNER/APPLICANT

Conway Public Schools  
2220 Prince Street  
Conway, Arkansas 72034

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** 2220 Prince Street and 1201 Donaghey Avenue (High School and Ida Burns Elementary campuses)

**Site Area:** 62.14 acres +/-

**Existing Structures:** High School campus, Elementary School, and outdoor athletic facilities.

**Current Zoning:** R-1 Single family residential

**Requested Zoning:** S-1 Institutional

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for public/quasi-public/school use.

**Projected Traffic Impact:** A change in zoning will not affect the amount of traffic generated by the existing school facilities.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

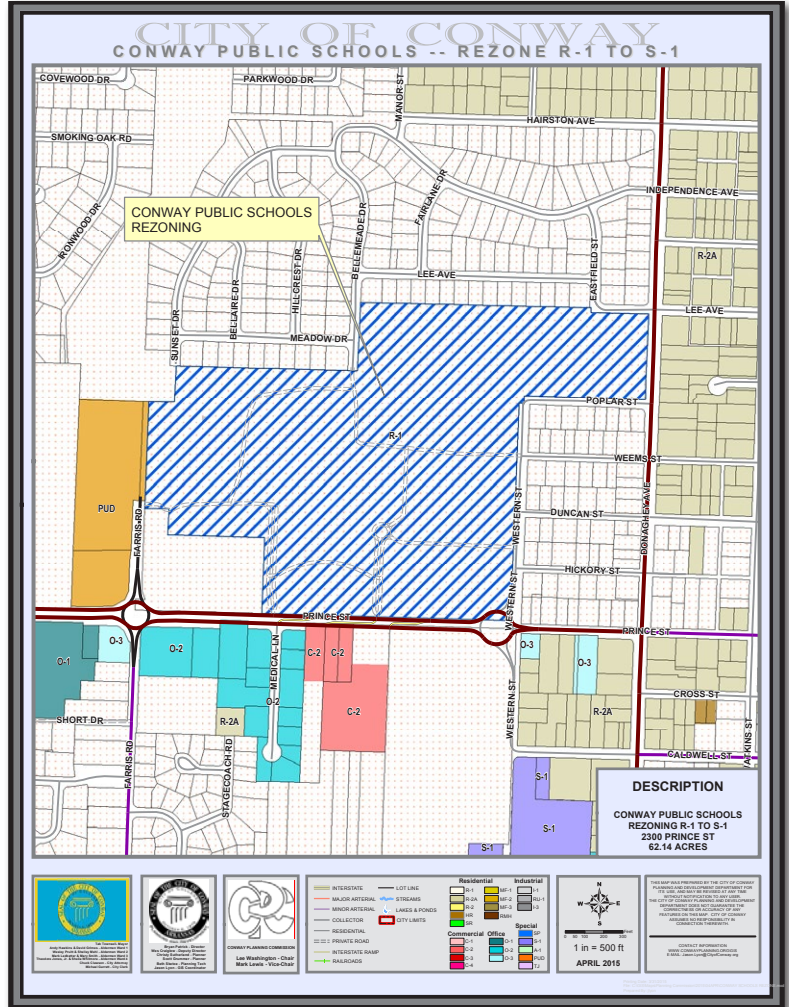
**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future. Prince Street saw major improvements in 2013 and 2014.

**Conway 2025:** Not directly applicable.

### STAFF COMMENTS

Conway Public Schools has operated the high school and elementary school at this location since the 1960s. Both schools operated as a pre-existing non conforming “grandfathered” use in the R-1 residential zone for most of this time. Conway Public Schools is now requesting that both school campuses be rezoned to S-1 Institutional. The institutional zone is a district designed to provide for unified and orderly development of major cultural, educational, medical, and government facilities such as schools, churches, museums, government offices, etc.

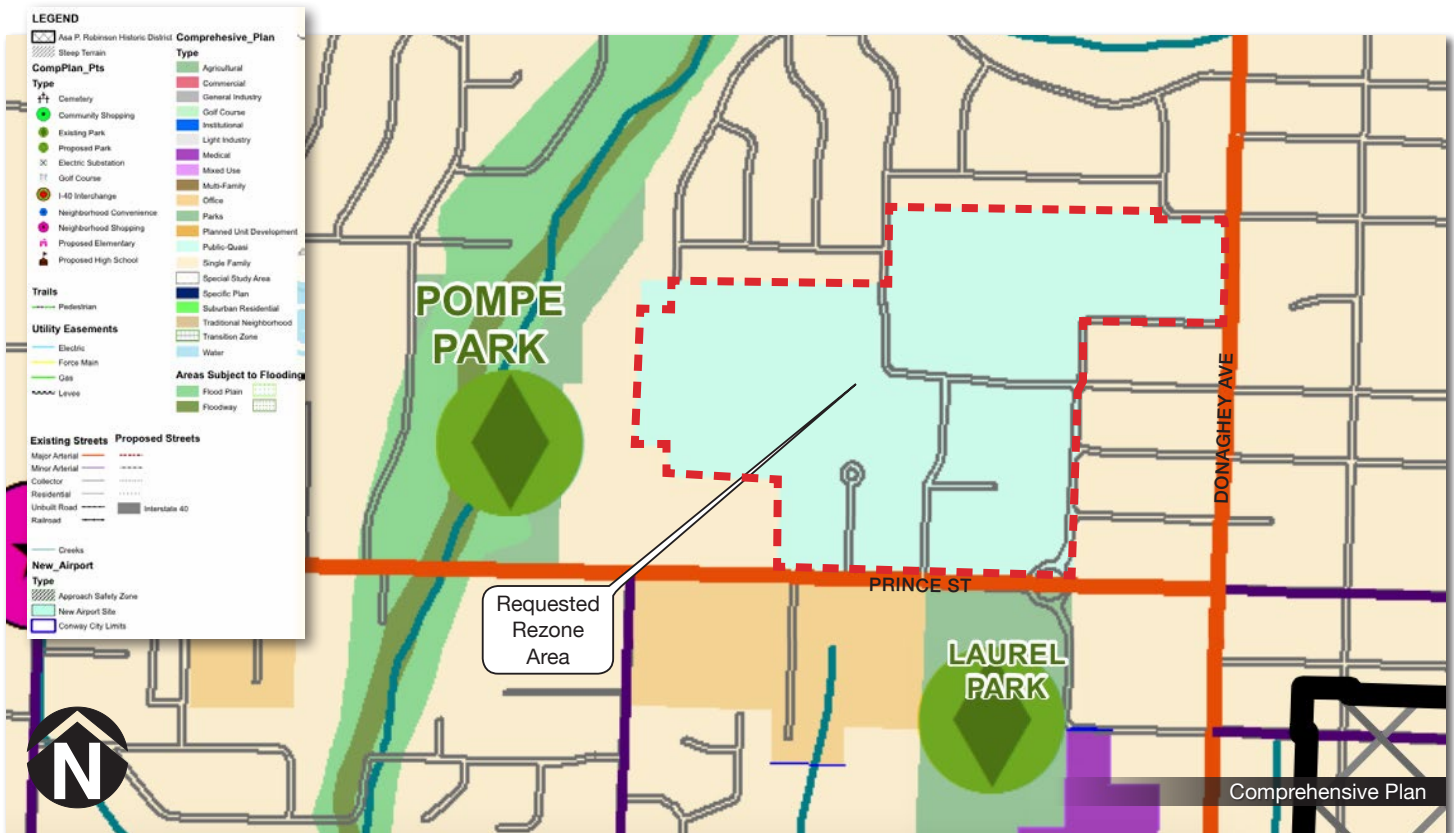


In July 2003, the high school campus was issued Conditional Use Permit No. 1186 to allow school facilities in order to expand and construct the “Buzz Bolding Arena” basketball facility. Ida Burns Elementary continues to operate as a pre-existing non-conforming use. Conditional Use Permit No. 1186 contained 4 conditions:

1. Any lighting in the area must be shrouded and directed inward and downward.
2. The school must dedicate an additional 25 feet of right of way on the western side of Western Avenue.
3. There are to be no curb cuts on Western Avenue until the street is improved to City Standards.
4. No exterior sound systems are to be used before 8:00 am and 4:00 pm.

These conditions have been met. Lighting, curb cut locations, and right of way dedication are now regulated and required by Planning Staff development review.

If the property is rezoned to S-1, the conditional use permit will become void. The S-1 zone would allow school activities to be conducted “by right” without any additional regulations. Sound system hours are not regulated through zoning regulations. The City noise ordinance forbids excessive noise from 11:00 pm to 7:00 am. Any new construction must meet development review regulations.



S-1 zoning would allow expansion and reconstruction on the Ida Burns campus and the shared “grandfathered” area between campuses. No additional conditions beyond City development review and building codes would be required on new construction. This rezoning will also allow the construction of a proposed indoor football practice facility on the school

property between Ida Burns Elementary and the High School football stadium.

**STAFF RECOMMENDATIONS**

Planning Staff recommends approval of this rezoning.

# 1C CONRAD REZONING REQUEST: A-1 TO RU-1

## CONRAD REZONING: A-1 (AGRICULTURAL) TO RU-1 (RESTRICTED USE)

### OWNER

Bobby and Angela Conrad  
310 Amity Road  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** 2105 East German Lane. Vacant property immediately north of Wills Drive and south of cabinet/counter top business.

**Site Area:** 5 acres +/-

**Existing Structures:** None

**Current Zoning:** A-1 Agricultural

**Requested Zoning:** RU-1 Restricted Use

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for single family residential. The Comprehensive Plan was amended in August, 2008 per the Lower Ridge Road Corridor Study. The property under review is along East German Road. This street will become more busy in the next few years. The RU-1 zone could be seen as a buffer area from the busy street and future residential development to the west.

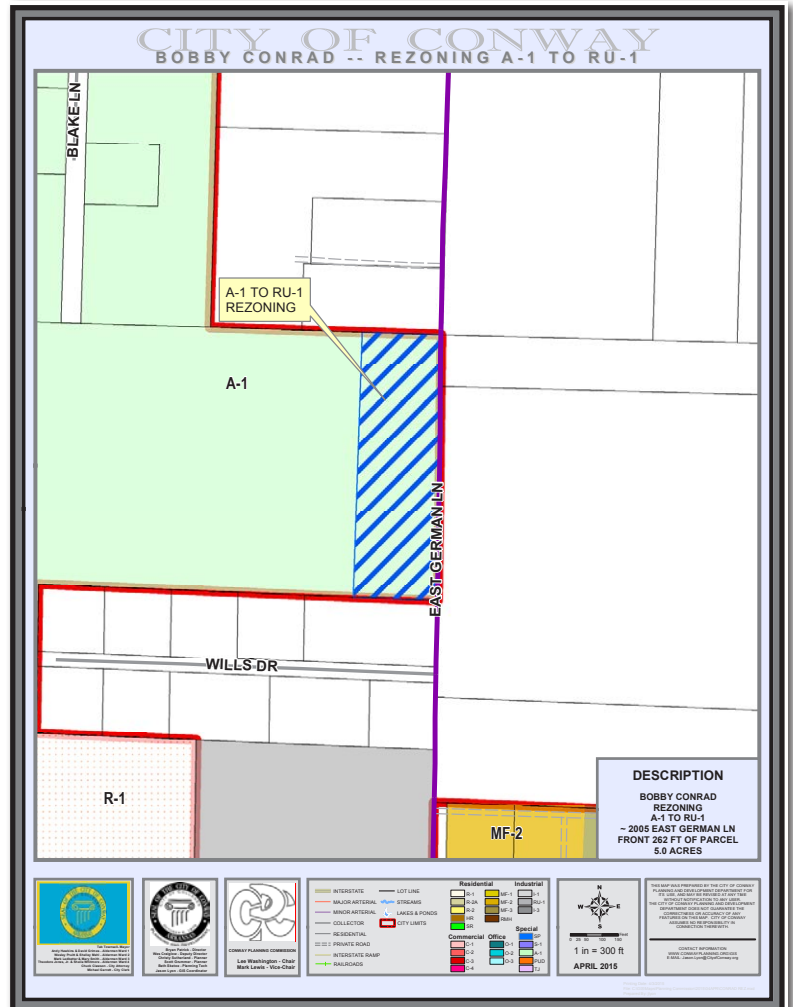
**Projected Traffic Impact:** Current A-1 zoning would allow the development of 5 single family residences resulting in 50 vehicle trips per day. With a rezoning to RU-1 and developed to the maximum allowed office space, 958 vehicle trips per day could be expected. The current proposal is to construct a 10,000 square foot office and auto glass company which should generate around 155 vehicle trips per day.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future. The Master Street Plan shows a new street along the south side of the existing cabinet/counter top business.

**Conway 2025:** Not directly applicable.

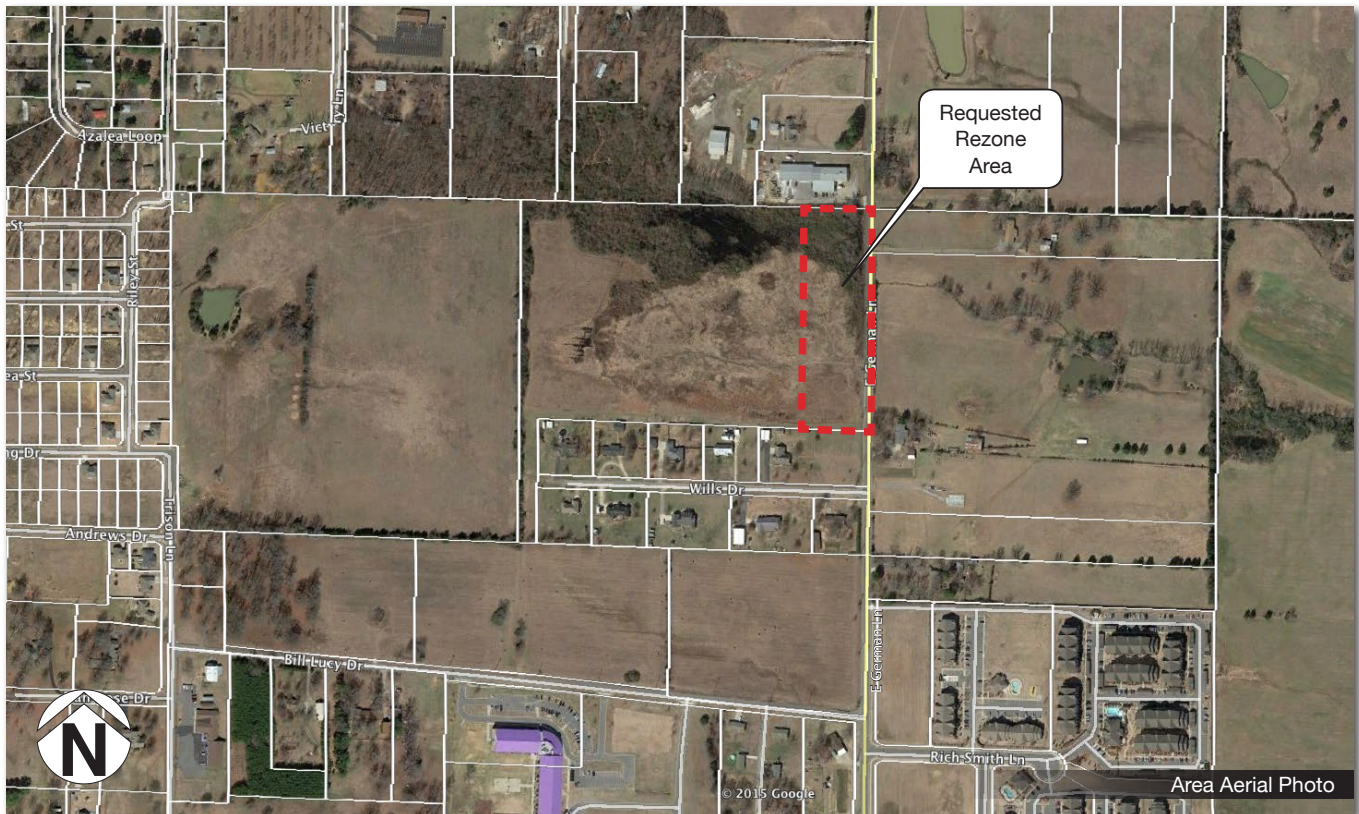
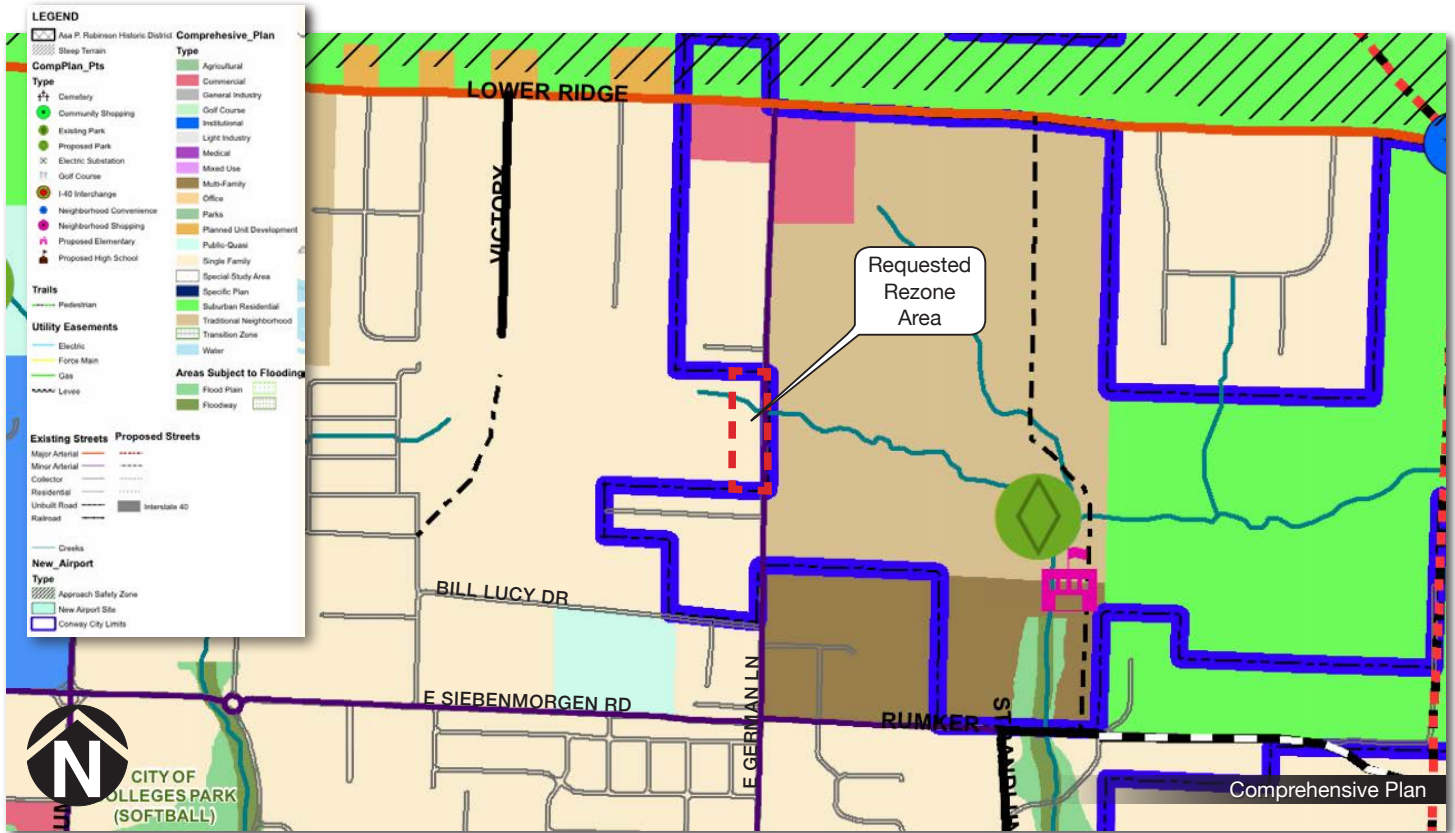


### STAFF COMMENTS

The property is currently zoned for Agriculture. The applicant would like to construct a specialty advertising and auto glass repair business. The requested Restricted Use zone would allow the specialty advertising business by right. However, the auto glass business would need a conditional use permit to operate in the restricted use zone. A conditional use request is the next item on the agenda.

In March, the Planning Commission and City Council approved a rezoning to restricted use and a conditional use permit for a mini storage facility south of this property at the northwest corner of Bill Lucy and East German Lane. Residences exist between this property and the mini storage property to the south. To the north, is a cabinet/counter top business that is in the County. With the exception of the Wills Drive residences, an office/commercial/multi-family node has been created at the Bill Lucy and East German intersection. Allowing the rezoning of this property to RU-1 creates essentially, an office area. RU-1 "by right" land uses are limited to office uses. Many other options are available through conditional use permit such as retail, light manufacturing, hotel, etc. However, an approved conditional use permit must be obtained to allow these activities. The basic RU-1 zone can be seen as a buffer between East German Lane and future residences to the west. In order to not "strip out" East German





Lane, future area rezonings should be limited to residential. This limiting will maintain a node in the general area of Bill Lucy and East German but not “strip out” the length of East German Lane.

**STAFF RECOMMENDATIONS**

Planning Staff recommends approval of this rezoning.

# 1D CONRAD CONDITIONAL USE PERMIT REQUEST

## CONRAD CONDITIONAL USE PERMIT REQUEST TO ALLOW AN AUTO GLASS BUSINESS

### OWNER

Bobby and Angela Conrad  
310 Amity Road  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** 2105 East German Lane. Vacant property immediately north of Wills Drive and south of cabinet/counter top business.

**Site Area:** 5 acres +/-

**Existing Structures:** None

**Current Zoning:** A-1 Agricultural. Seeking RU-1 Restricted Use

**Requested Conditional Use Permit:** Auto glass business

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for single family residential. The Comprehensive Plan was amended in August, 2008 per the Lower Ridge Road Corridor Study. The property under review is on East German Road. This street will become more busy in the next few years. The RU-1 zone could be seen as a buffer area from the busy street and future residential development to the west.

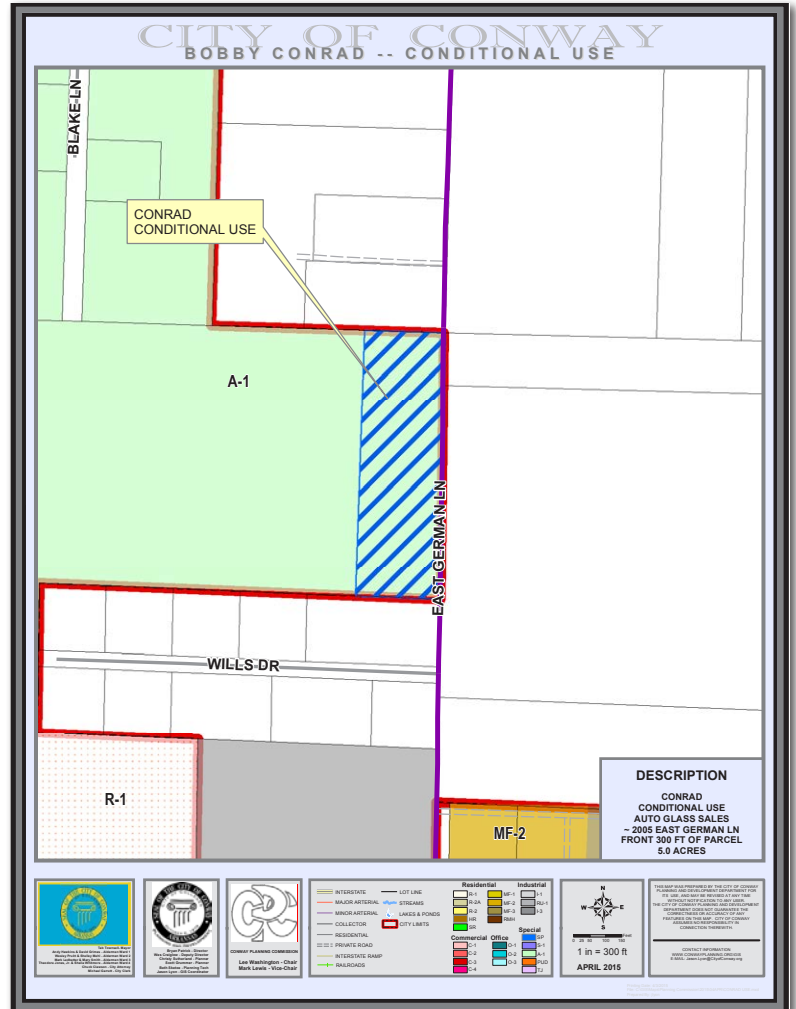
**Projected Traffic Impact:** Current A-1 zoning would allow the development of 5 single family residences resulting in 50 vehicle trips per day. With a rezoning to RU-1 and developed to the maximum allowed office space, 958 vehicle trips per day could be expected. The current proposal is to construct a 10,000 square foot office and auto glass company which should generate around 155 vehicle trips per day.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future. The Master Street Plan shows a new street along the south side of the existing cabinet/counter top business.

**Conway 2025:** Not directly applicable.



### STAFF COMMENTS

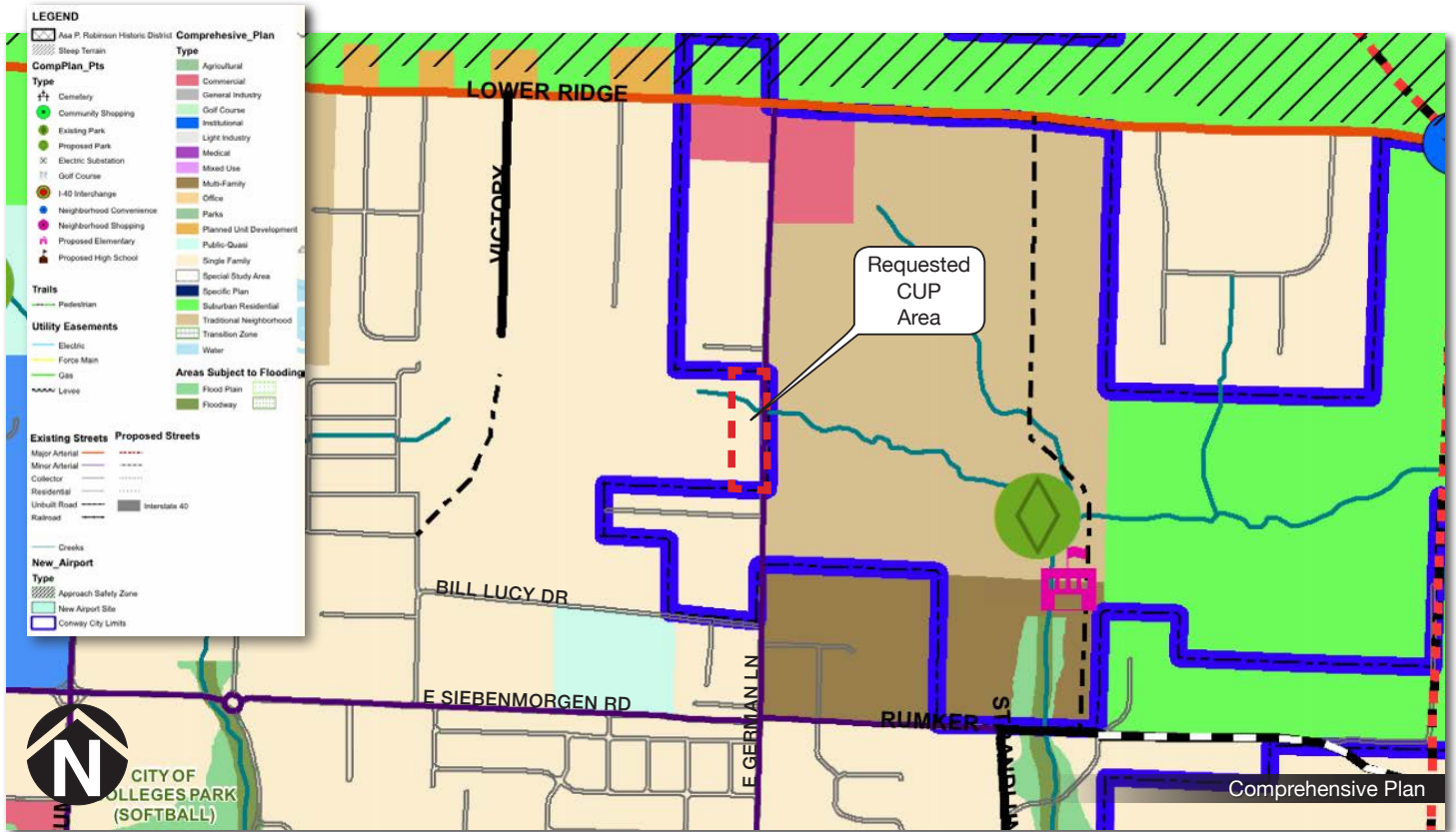
The property is currently zoned for Agriculture. The applicant would like to construct a specialty advertising and auto glass repair business. This conditional use request is in addition to the prior requested rezoning. This conditional use permit would allow the applicant to run an auto glass repair shop in addition to the planned specialty advertising business. This would also allow the applicant to add “wraps” and decals to vehicles as part of their advertising business.

### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit with the suggested conditions.

### SUGGESTED CONDITIONS

- Hours of operation should be determined
- Double the amount of development review required landscaping along the south boundary. One half of required trees are to be evergreen species to provide additional buffering to neighboring residences.



# 1E STOBY'S REZONING REQUEST: R-2A TO O-2

## STOBY'S REZONING REQUEST: R-2A (TWO-FAMILY RESIDENTIAL) TO O-2 (QUIET OFFICE DISTRICT)

### OWNER/APPLICANT

David and Patti Stobaugh  
47 Lakeview Drive  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: 817 Donaghey Ave. Property immediately north of Stoby's.

Site Area: .38 acre +/-

Existing Structures: Single family residence and driveway

Current Zoning: R-2A Large Lot Duplex

Requested Rezoning: O-2 Quiet Office

Overlay District: Old Conway Design Overlay District

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for single family residential with medical center on adjoining lots. The Donaghey Corridor study was completed in June 2010. The Donaghey study recommends that this property be allowed to transition to non residential use through the conditional use permit process. The request is congruent with the Donaghey Corridor Study.

**Projected Traffic Impact:** Current R2-A zoning allows a single family residence at this location. One residence generates around 10 vehicle trips per day. With a rezoning to O-2 and developed to the maximum allowed office space, 74 vehicle trips per day could be expected.

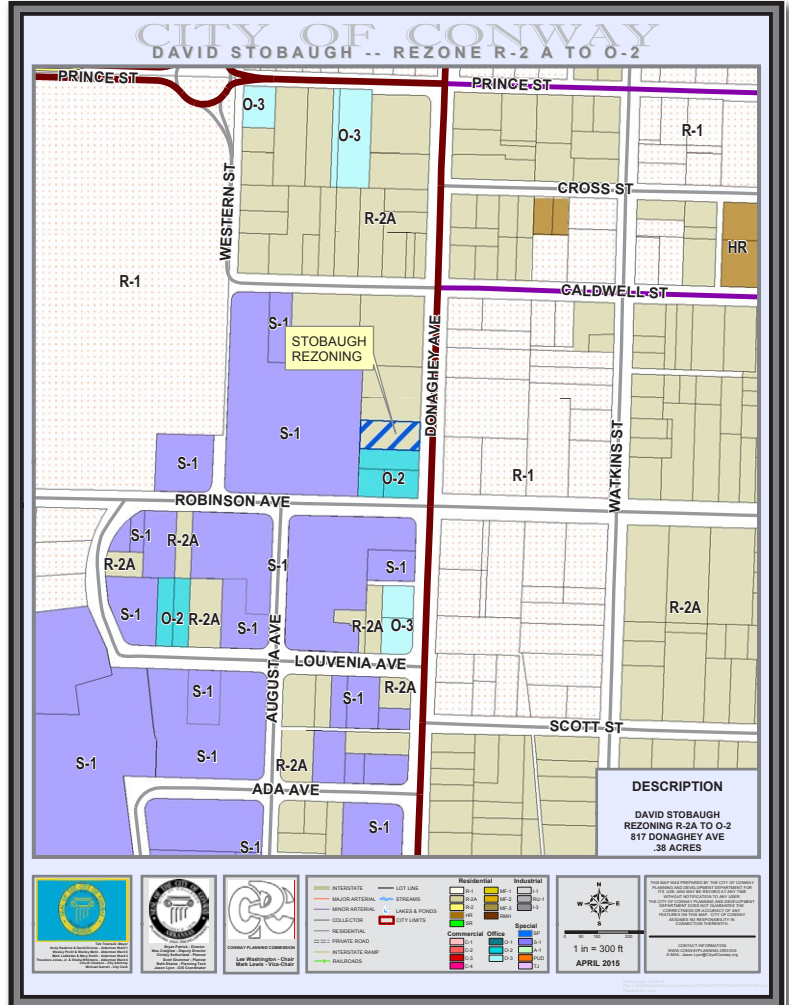
**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future.

**Conway 2025:** The following Conway 2025 statements could be seen as applicable to this request:

In 2025, Conway has a number of walkable/livable "villages" that were developed using planning tools such as Traditional Neighborhood Development and form-based zoning. In 2025, mixed use developments are prevalent throughout



Conway. The city has moved away from its previous "subdivision ordinance" style of planning.

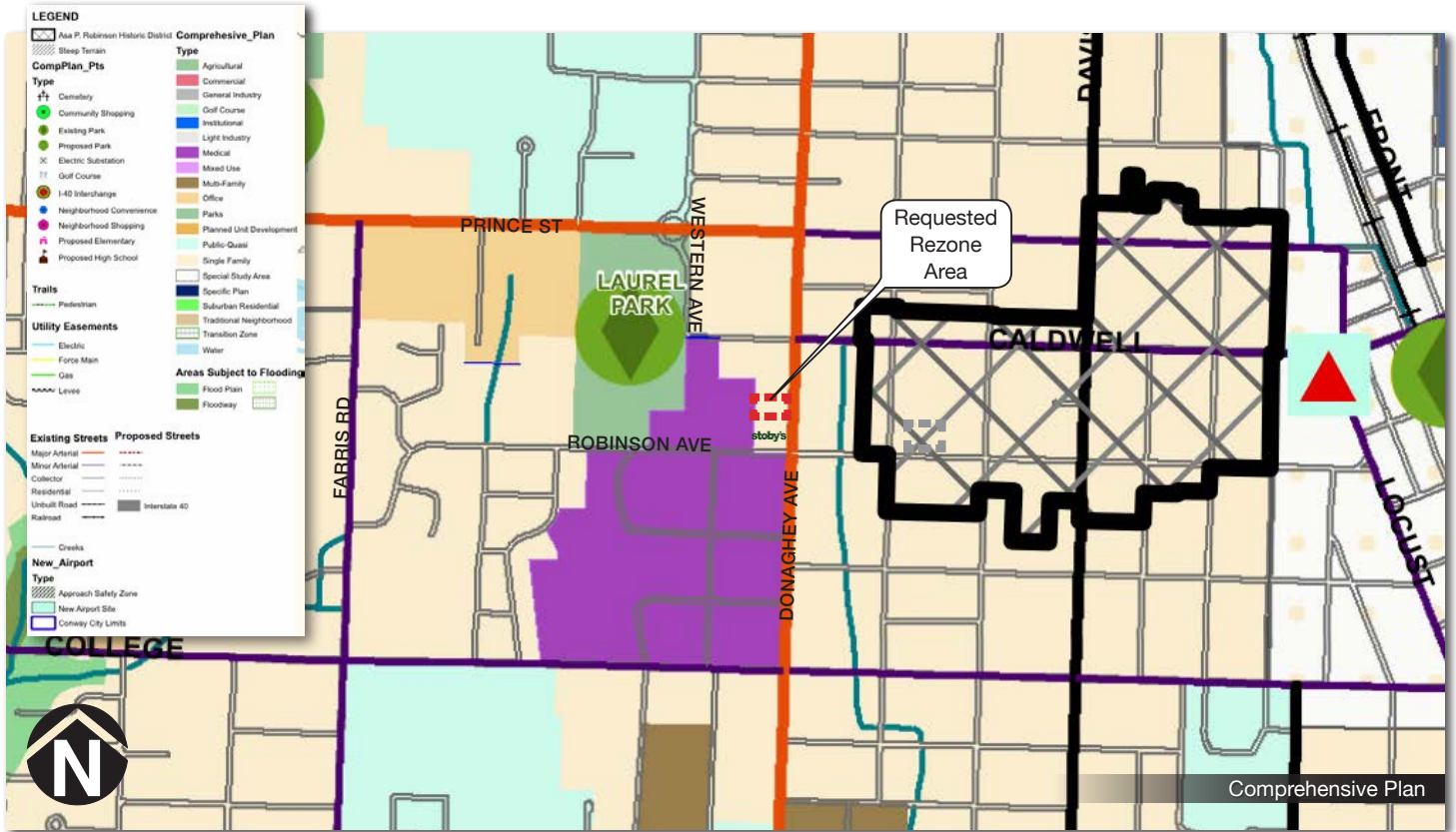
In 2025, Conway's commercial buildings are built to a scale that is consistent with nearby buildings.

### STAFF COMMENTS

The property is currently zoned for single family and duplex residential use. The applicant would like to renovate the existing single family residence to create a group dining area. Food will be catered to the remodeled residence from the existing Stoby's kitchen. In order to achieve the desired dining area, the property must first be rezoned to a use that allows an eating place. The requested zone, O-2 Quiet Office allows an eating place by conditional use permit. The following agenda item will examine a conditional use permit to allow eating place. On it's own, a rezoning to allow office would be appropriate for this property. The Donaghey Corridor Study finalized in 2010, recommends that this property be allowed to transition from a residential use to office and other uses through the conditional use permit process. Although not officially adopted by Council, the Donaghey Corridor Study offers a comprehensive guide for growth along the Donaghey Corridor.

### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this rezoning request.



# 1F STOBY'S CONDITIONAL USE PERMIT REQUEST

## STOBY'S CONDITIONAL USE REQUEST TO ALLOW AN EATING PLACE

### OWNER/APPLICANT

David and Patti Stobaugh  
47 Lakeview Drive  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: 817 Donaghey Ave. Property immediately north of Stoby's.

Site Area: .38 acre +/-

Existing Structures: Single family residence and driveway

Current Zoning: R-2A Large Lot Duplex. Seeking O-2 Quiet Office

Requested Conditional Use Permit: Eating Place

Overlay District: Old Conway Design Overlay District

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for single family residential with medical center on adjoining lots. The Donaghey Corridor study was completed in June 2010. The Donaghey study recommends that this property be allowed to transition to non residential use through the conditional use permit process. The request is congruent with the Donaghey Corridor Study.

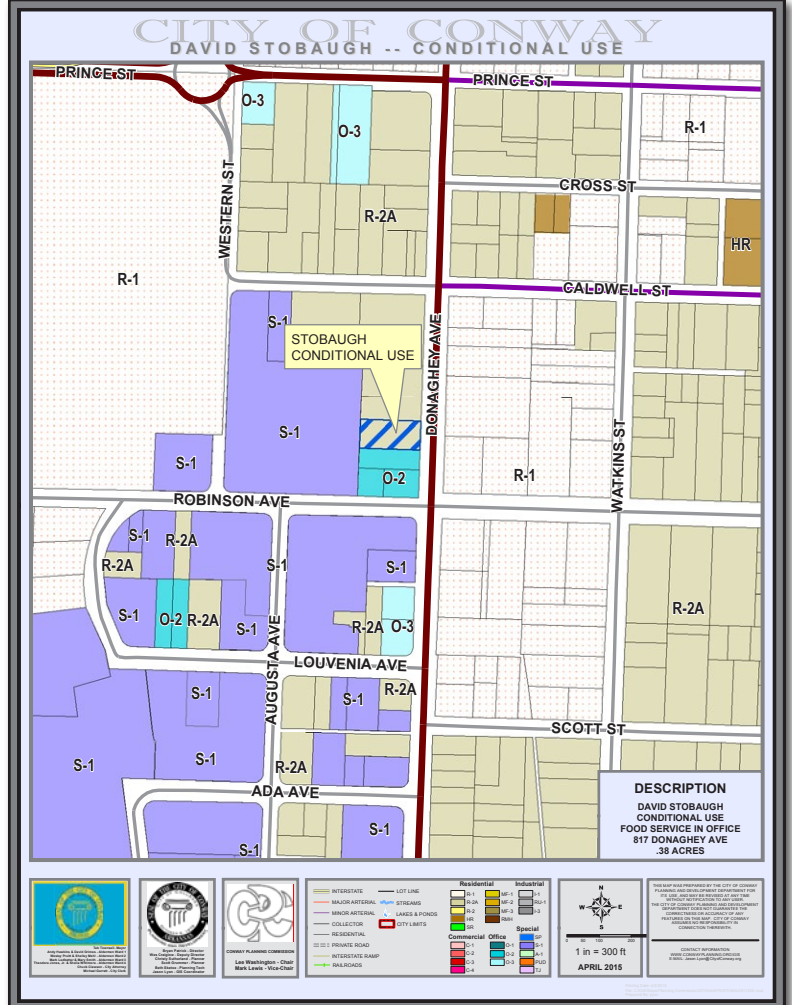
**Projected Traffic Impact:** Current R-2A zoning creates around 10 vehicle trips per day. With a rezoning to O-2 and developed to the maximum allowed office space, 74 vehicle trips per day could be expected. The applicant plans to use the existing residence to serve as group dining which should generate around 44 vehicle trips per day. This is assuming a dining area of 500 square feet. This number could be more or less for short periods depending on the amount of group dining activity.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future.

**Conway 2025:** The following Conway 2025 statements could be seen as applicable to this request:



In 2025, Conway has a number of walkable/livable “villages” that were developed using planning tools such as Traditional Neighborhood Development and form-based zoning.

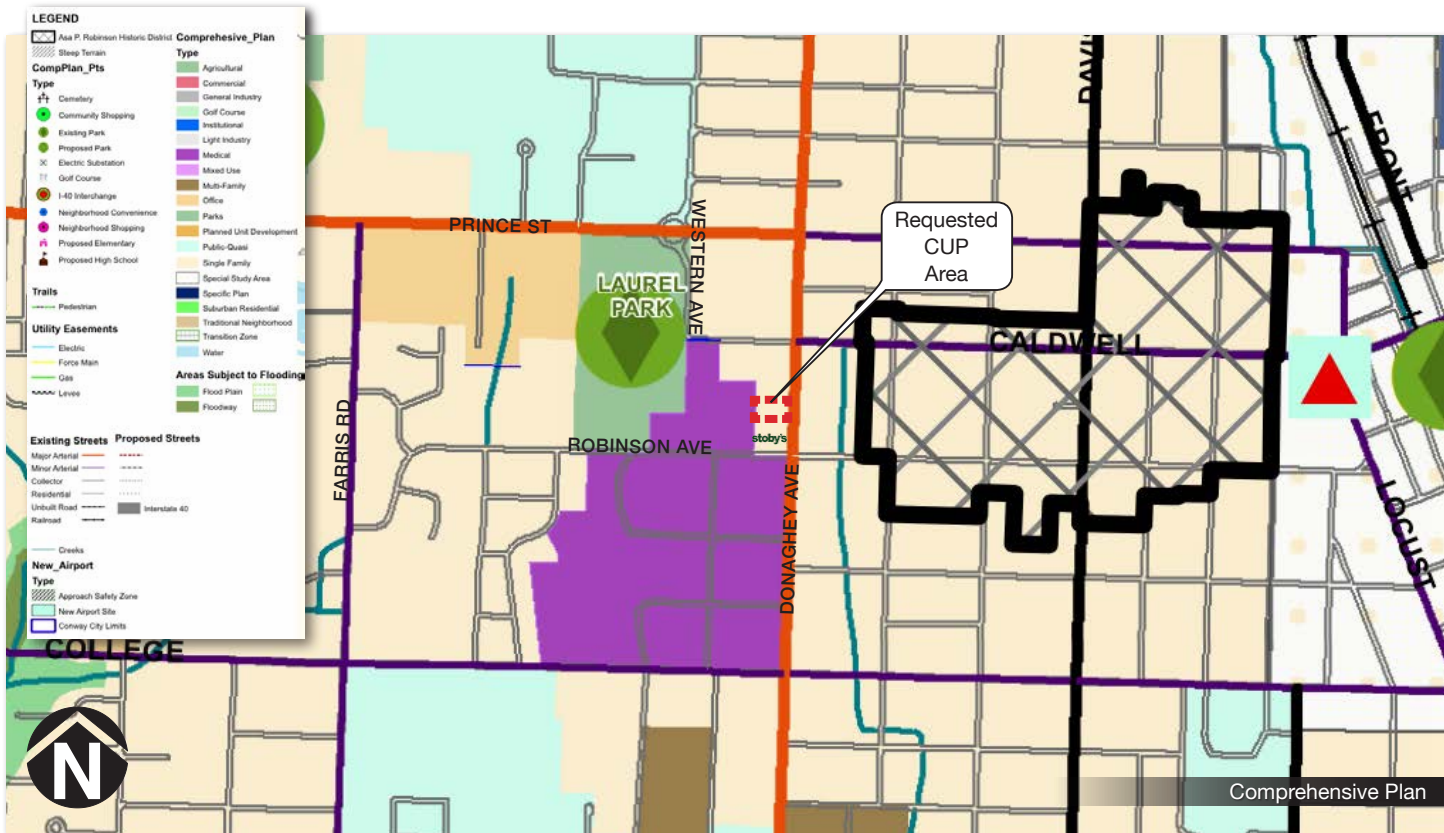
In 2025, mixed use developments are prevalent throughout Conway. The city has moved away from its previous “subdivision ordinance” style of planning.

In 2025, Conway’s commercial buildings are built to a scale that is consistent with nearby buildings.

### STAFF COMMENTS

This request is to allow an eating place at the existing residence. The residence would need to be remodeled and brought up to current building codes for a dining area. Specifically, the applicant wants to use a portion of the residence as a group dining area. Food would be catered to the group dining area from the existing Stoby’s kitchen. This request is in response to diner requests to accommodate parties, church groups, and teams. An additional parking area will likely be needed. A Planning Staff sketch of additional parking is included. This parking area could also be used by Stoby’s patrons when no event is taking place in the group dining area.

As mentioned earlier, this parcel of land is shown on the Donaghey Corridor Study as one to be allowed to transition to a



# 1F STOBY'S CONDITIONAL USE PERMIT REQUEST

non-residential use. The Study suggest that structures no longer desirable as residences be allowed to transition to an office and/or limited retail uses by conditional use permit. This request is congruent with the Study.

The property is within the Old Conway Design Overlay. Any major structural changes to the residence will require Historic District Commission approval. Likewise, a new structure will require HDC approval.

## STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit with the suggested conditions.

## SUGGESTED CONDITIONS

1. Hours of operation should be determined.
2. Dining facility is limited to Stoby's / Branch, Inc. use only.
3. The structure is limited to group dining. A full service restaurant will require a future amendment to this conditional use permit.
4. Additional parking similar to the Planning Staff sketch (below) will be required.





# 1G SHAVER PROPERTIES CONDITIONAL USE PERMIT REQUEST

## SHAVER PROPERTIES CONDITIONAL USE PERMIT REQUEST FOR MF-1 DENSITY IN R-2 ZONE

### OWNER/APPLICANT

Allen Shaver  
Shaver Properties  
1261 Harkrider Street  
Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

**Location:** 511 1st Ave, 501 and 505 2nd Ave. Northwest corner of Prince Street and Salem Road

**Site Area:** .83 acre +/-

**Existing Structures:** Two duplex residences, accessory buildings, and driveways

**Current Zoning:** R-2 Small Lot Duplex

**Requested Conditional Use Permit:** Multi family density up to 12 units per acre.

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this property as a special study area. This study has never been conducted. However, the area is a mixture of residential densities from single family to multifamily. This request would appear to be appropriate for the area.

**Projected Traffic Impact:** Current R-2 zoning developed to the maximum allowed residential units (8 units), would create around 80 vehicle trips per day. If this increase in density is approved, 90 vehicle trips per day can be expected.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

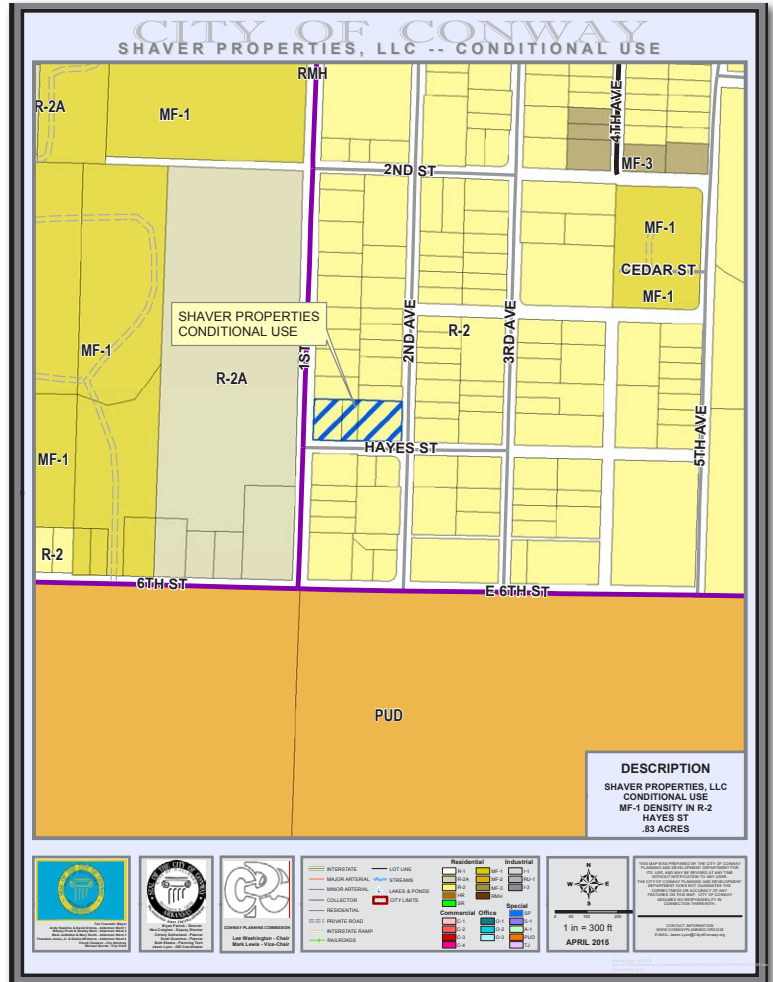
**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** 1st Avenue is likely to be improved in the near future as a primary access to the Central Landing development. There are no street plan details at this time as engineering and design are on going.

**Conway 2025:** Not directly applicable.

### STAFF COMMENTS

This request is to allow the equivalent of MF-1 (12 units/acre) density for this combined property. This request would allow 1 additional unit than could be constructed by right in



the existing R-2 (small lot duplex) zone. As currently zoned, 8 units could be constructed (4 duplexes). The applicant plans to construct 9 units (3 duplexes and 3 single family residences). If approved, the property would effectively become multifamily. The development would be subject to development review and must be re-platted into one lot. This would also trigger right of way dedication along the abutting streets; a 5 foot dedication along 2nd Ave, a 5 foot dedication along Hayes St, and a 20 foot dedication along 1st Avenue. This results in a lot approximately 120 feet deep (north-south) and 255 feet wide (east-west). The structures as shown, would need to be redrawn in order to fit the ultimate lot dimension or the applicant will need to seek setback variance(s) from the Board of Zoning adjustment. Sidewalks must also be constructed.

The final design can be worked through at a later date. At this time, the Planning Commission should decide if one additional dwelling unit is warranted on this property.

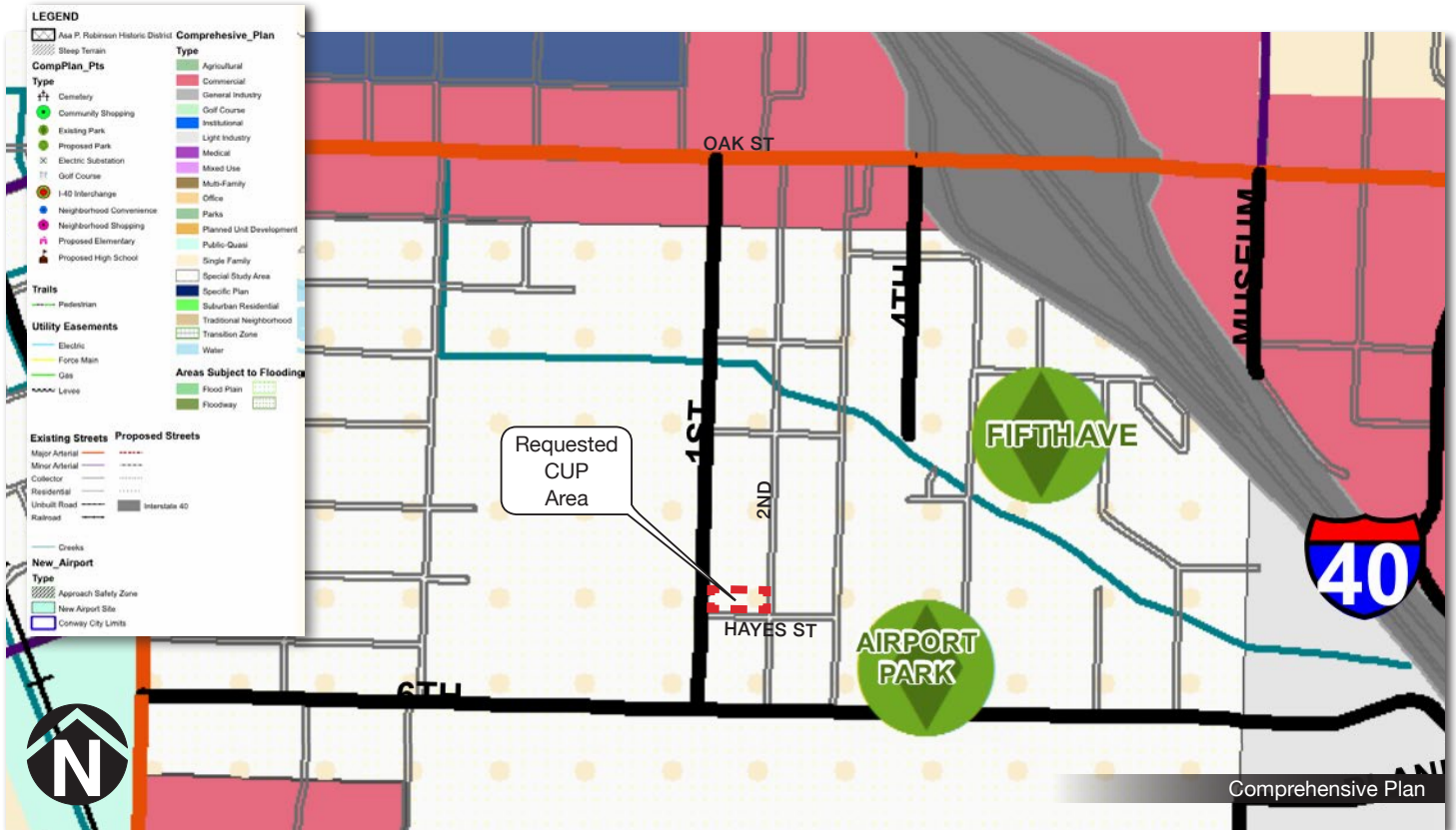
### STAFF RECOMMENDATIONS

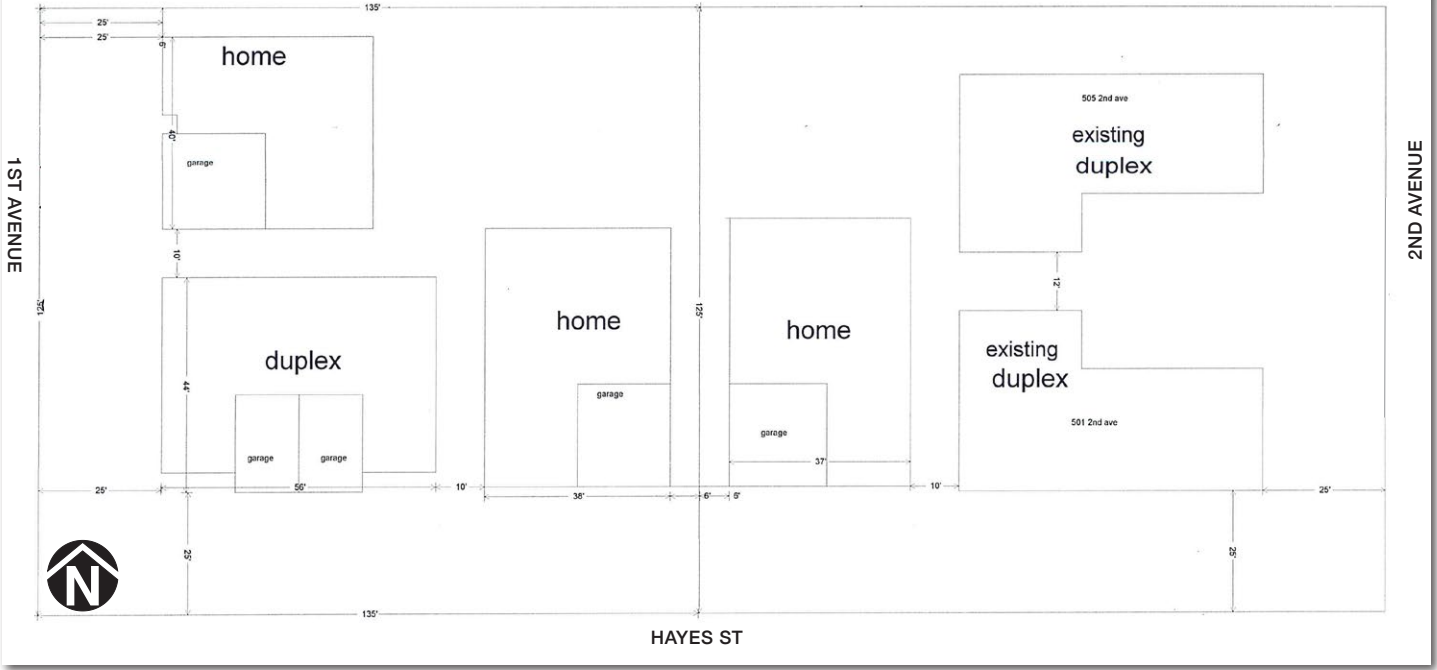
Planning Staff recommends approval of this conditional use permit with the suggested conditions.

### SUGGESTED CONDITIONS

1. The property must be re-platted with appropriate street right of way dedications.
2. The re-platted property shall have a maximum of 9 dwelling units.

# 1G SHAVER PROPERTIES CONDITIONAL USE PERMIT REQUEST





View looking E along Hayes St at 1st Ave



View looking NW along Hayes St at 2nd Ave

**GRIDIRON AP, LLC CONDITIONAL USE PERMIT REQUEST FOR COMMUNICATION TRANSMISSION TOWER**

**APPLICANT/OWNER'S REPRESENTATIVE**

Jim Curley  
Gridiron AP, LLC  
1717 S. Boulder, Suite 300  
Tulsa, OK 74119

**STAFF REVIEW BY**

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

**SITE DATA**

**Location:** 3750 Prince Street (former residence - now demolished)

**Site Area:** .5 acre +/-

**Existing Structures:** None

**Current Zoning:** C-3 Highway Shopping District

**Requested Conditional Use Permit:** To allow a 140 foot tall monopole cell tower

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for a single family residential. However, the property is zoned C-3 Highway Shopping Commercial. A cell tower can be seen as appropriate for this commercial property.

**Projected Traffic Impact:** None

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

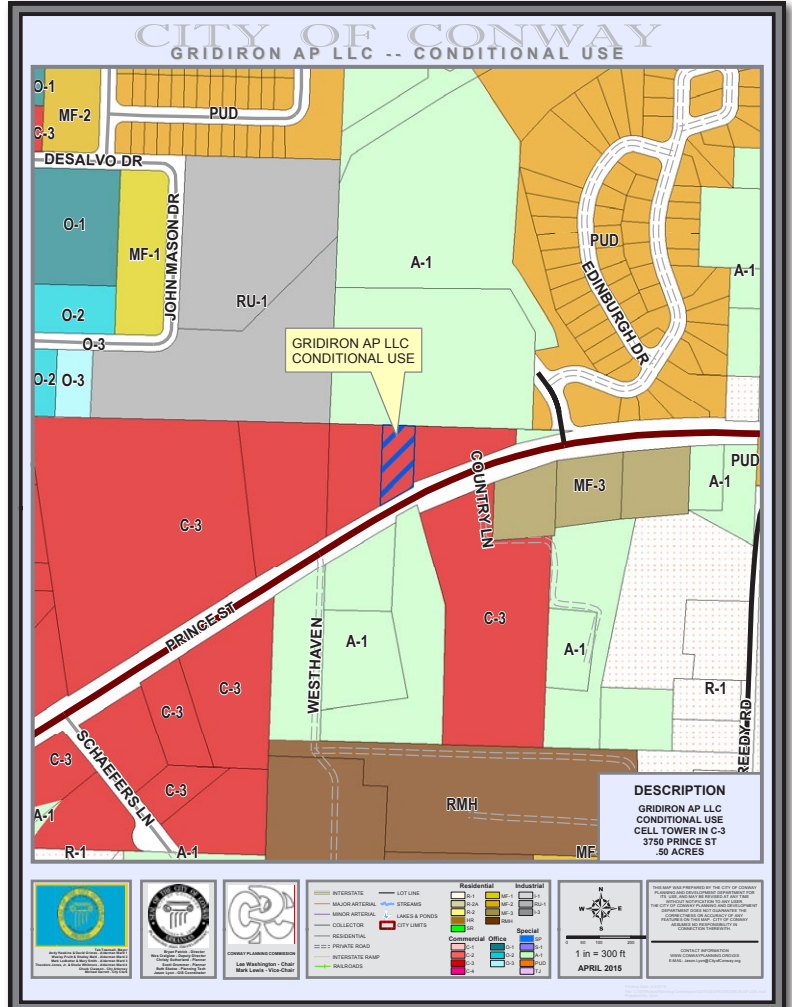
**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future.

**Conway 2025:** Not directly applicable.

**STAFF COMMENTS**

This request is to allow a 140 foot tall monopole "stealth" cell tower. Transmission towers are allowed in all zones with a conditional use permit. The zoning ordinance lists several regulations specific to transmission towers. Staff comments are made between zoning requirements:

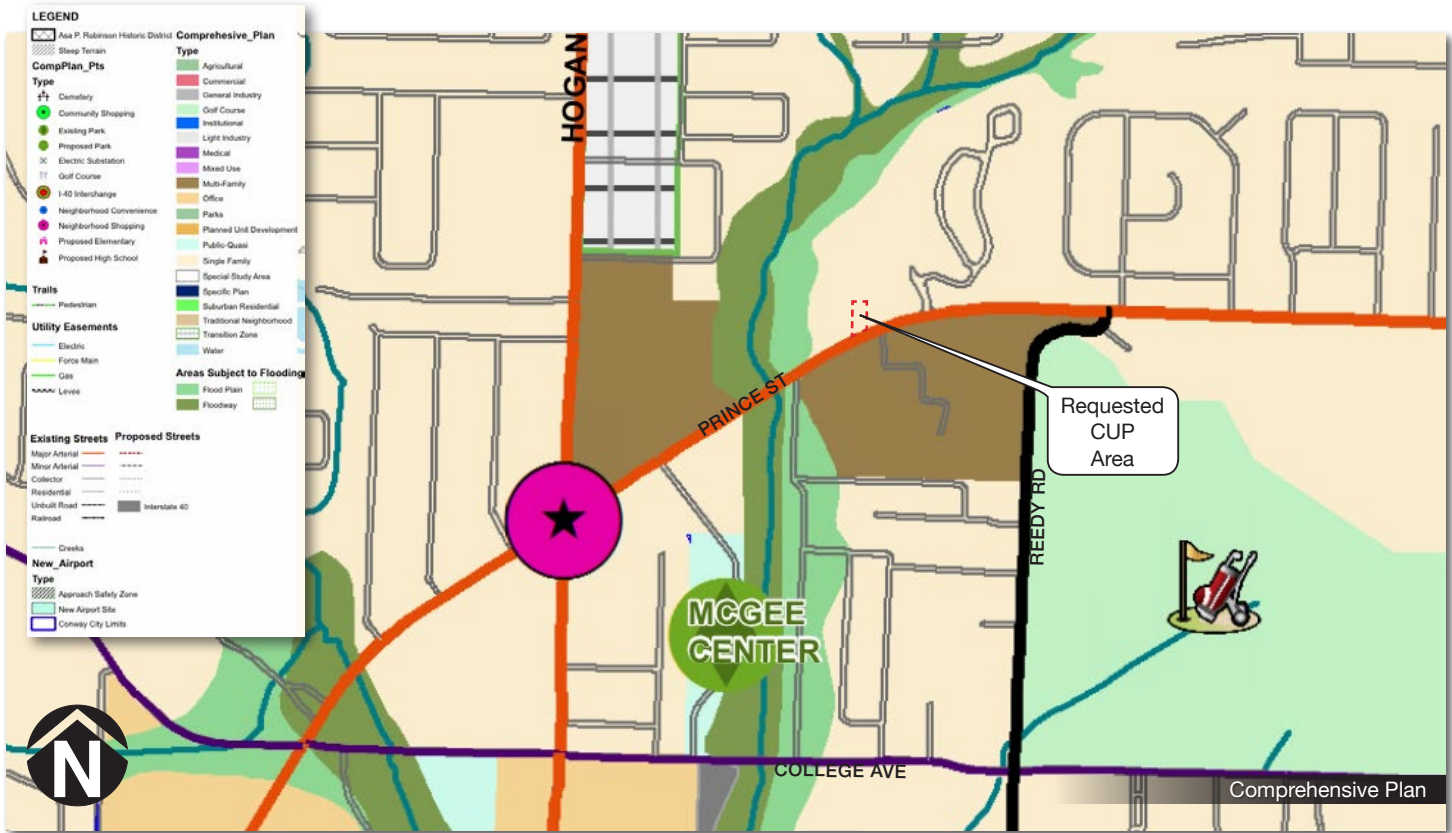


**SECTION 601.26 – TRANSMISSION TOWER/STATION**

Unless outstanding conditions warrant otherwise, the following conditions apply to any transmission tower/station. If the Planning Commission/City Council find outstanding conditions are warranted, deviations from these prescribed conditions may be allowed.

**Height.** Tower height shall be limited to 150 feet maximum as measured from average undisturbed soil area to the highest tower projection. The City Council reserves the right to limit tower height for any given location to the most appropriate height. *The ordinance allows up to 150 feet. The requested tower is 140 feet.*

**Setbacks.** Transmission towers shall be setback a distance equal to the tower's height from the property line or any occupiable structure. If the Applicant provides a letter or design drawings stamped by a certified structural engineer documenting that the proposed structure's fall zone is less than the actual height of the structure, the setbacks shall be reduced to applicable structure setbacks per zoning district. Accessory equipment must conform to the setback standards of the applicable zone. *As proposed, the tower is over 140 feet from the nearest occupiable structure. However, engineered drawings show that the tower design will not need the full fall zone.*



**Monopole Only.** Transmission towers shall be a monopole design. A monopole is defined as a single, freestanding pole-type structure supporting one or more antenna. A lattice-type structure whether guyed or freestanding, is prohibited.

*The proposed tower is a monopole design.*

**Internal Antenna and Wiring.** All antennas, cabling, and wiring shall be internally mounted. No antennas or wiring shall be visible on the exterior of the tower.

*All wiring and antennas are to be internal and "stealth" mounted.*

**Fencing.** Ground mounted accessory equipment and support structures shall be secured and enclosed with a fence not less than 6 feet in height. If the tower location is within view of a public right of way, or an aesthetically sensitive area, fence shall be made of a durable material appropriate for the development and/or area. Brick or masonry shall be the preferred materials. *Lesser material shall be appropriate for non aesthetically sensitive areas.*

The tower enclosure is proposed to be fenced with an 8 foot tall wooden privacy fence. The fence will be viewable from the Prince Street public right of way. *The preferred enclosure is brick or split face masonry.*

**Landscaping.** If the tower location is viewable from a public right of way, or otherwise located in an aesthetically sensitive area, landscaping shall be required surrounding the fencing of accessory equipment. Required landscaping shall be consistent with surrounding vegetation and shall be maintained by the facility owner. The City Council may choose to not require landscaping for sites that are not visible from the public right-of-way or adjacent property or in instances where in the judgment of the City Council, landscaping is not appropriate or necessary. *A hedgerow of Korean boxwoods is planned around the outside perimeter of the enclosure. There is an existing tree line along the north and east side of the property. These trees should be preserved if at all possible to lessen the view of the tower and enclosure.*

**Lighting.** Lighting and Marking. Telecommunications Facilities or Support Structures shall not be lighted or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

**Signage.** Signs located at the transmission tower/station shall be limited to ownership and contact information, FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited.

*No special lighting or signage is proposed*

**Removal.** Any transmission tower/station which is not used for a continuous period of twenty four (24) months must be dismantled and removed by the telecommunications service provider.

### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit with the suggested conditions.

### SUGGESTED CONDITIONS

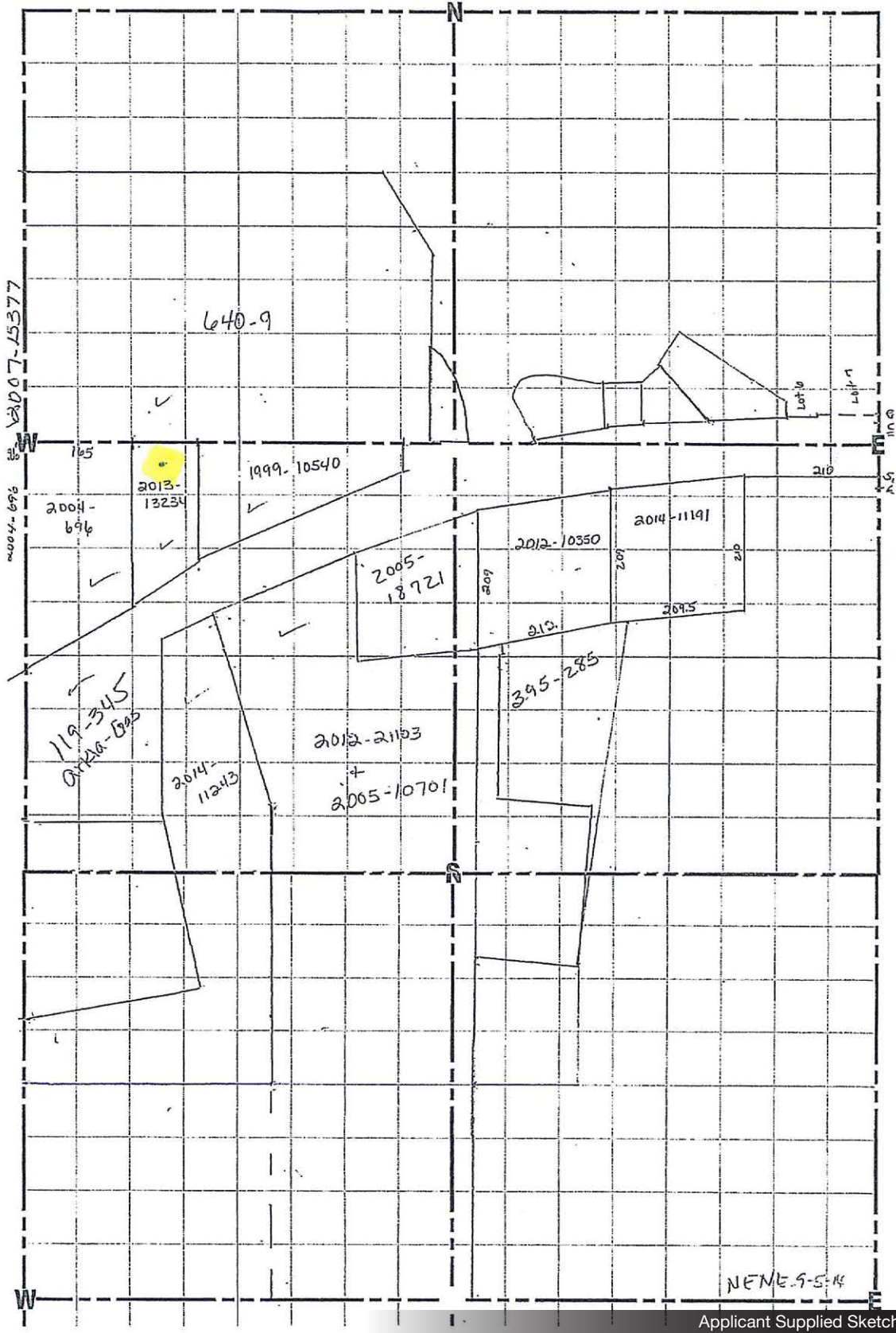
1. Height of tower is to be maximum of 140 feet.
2. The tower must be a monopole "stealth" design with no external wiring or antennas.
3. A brick or spit face 8 foot tall masonry enclosure must be provided. (Alternately, an 8 foot wooden privacy fence) Planning Commission should decide which is most appropriate.
4. Landscaping shall be provided as proposed with a boxwood or similar species hedgerow around the exterior perimeter of the enclosure.
5. No additional lighting unless required by the FCC/FAA.
6. The tower must be removed if it is not used for a continuous period of 24 months.



View of Property Looking N from Prince St

SCALE FOR SECTION  
660 Ft. = 1 inch

Each side large blue squares = 20 chains, 80 rods, 1320 feet: area of square 40 acres.  
Each side small red squares = 5 chains, 20 rods, 330 feet: area of square 2 1/2 acres.



Applicant Supplied Sketch

# 11 VERIZON WIRELESS REQUEST FOR CONDITIONAL USE PERMIT

## VERIZON WIRELESS CONDITIONAL USE PERMIT AMENDMENT TO ALLOW HEIGHT INCREASE

### APPLICANT/OWNER'S REPRESENTATIVE

Jim Curley  
B & T Engineering, Inc.  
P.O. Box 14095  
Tulsa, OK 74159

### OWNER

Verizon Wireless  
1 Allied Drive  
Little Rock, AR 72202

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
1201 Oak Street  
Conway, AR 72032

### SITE DATA

Location: 718 Monroe Street (The Ministry Center)

Site Area: .013 acres +/-

Existing Structures: Church facilities

Current Zoning: C-3 Highway Shopping District

Requested Conditional Use Permit: Amend Conditional Use Permit No.1195 to allow a 10 foot increase in tower height.

Overlay District: None

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for a commercial activity. A cell tower can be seen as appropriate for this commercial area.

**Projected Traffic Impact:** None

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

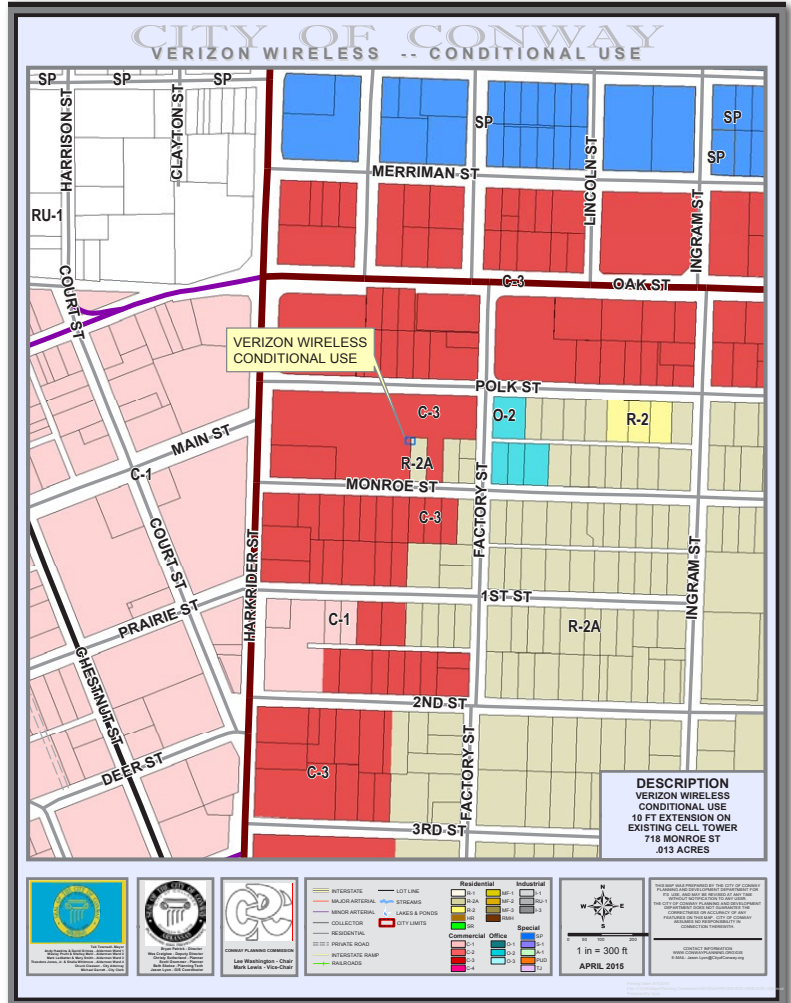
**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future.

**Conway 2025:** Not directly applicable.

### STAFF COMMENTS

This request is to allow an amendment to Conditional Use Permit 1195 to allow a 10 foot increase in height to better serve downtown Conway. Conditional Use Permit 1195 was approved on April 27, 2004. The tower is currently limited to a flagpole design 80 feet tall. Conditions approved in 2004:



1. Height of pole is to be maximum of 80 feet
2. Flag must be maintained
3. Flag must be lighted at night
4. US flag only with no secondary flags on pole
5. No visible cabling except flag supports
6. Landscaping as described and shown on plan

Cell towers were a fairly new structure at the time of the original request. City regulations have been specified to require a monopole tower with internal wiring like this approved design. The new City standard is to allow 150 foot tall towers. It would seem appropriate to approve the requested amendment and allow the tower height to be increased to 90 feet. There have been no complaints or problems associated with this tower since it was installed.

### STAFF RECOMMENDATIONS

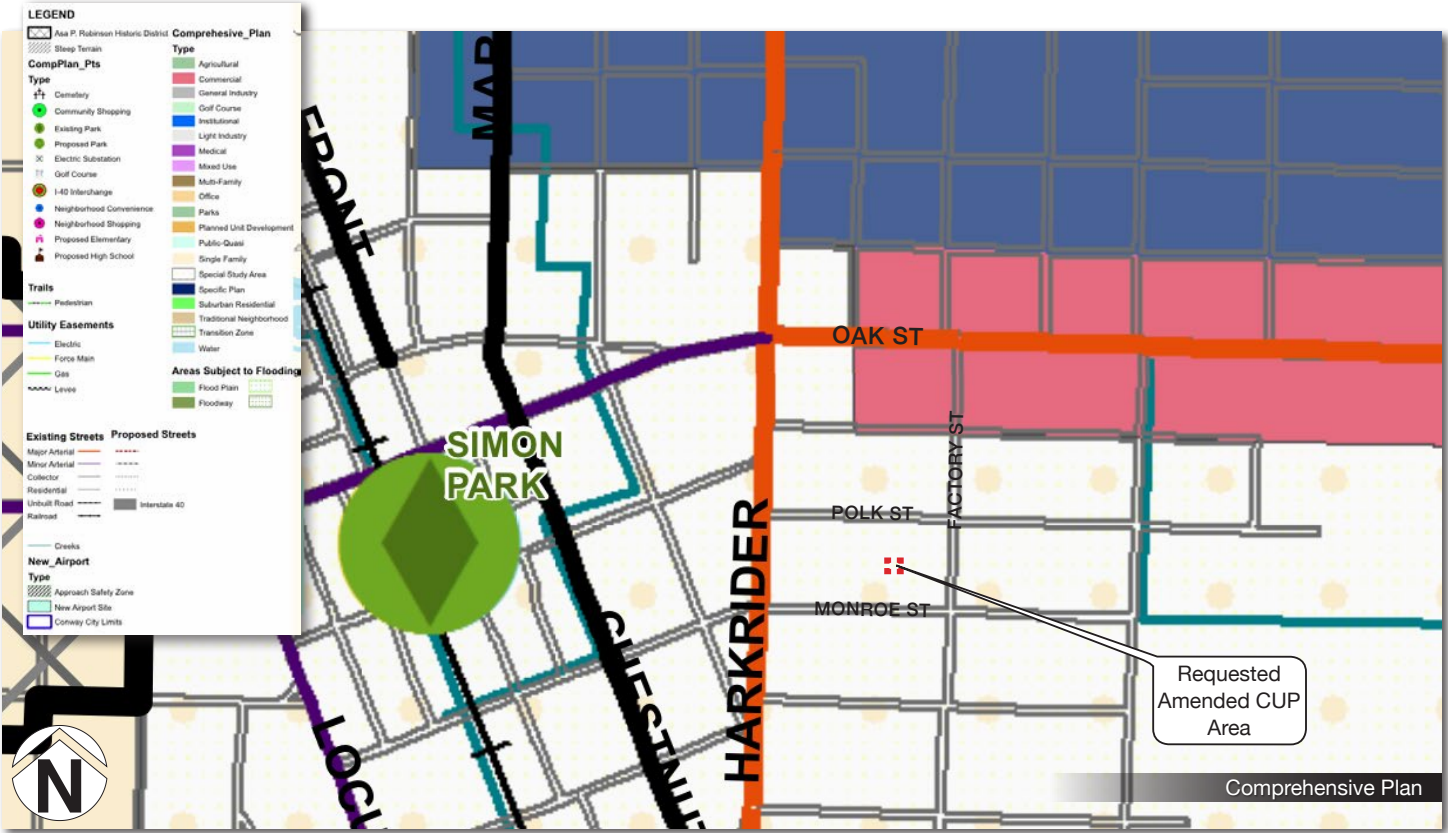
Planning Staff recommends approval of this conditional use permit amendment with the suggested conditions.

### SUGGESTED CONDITIONS

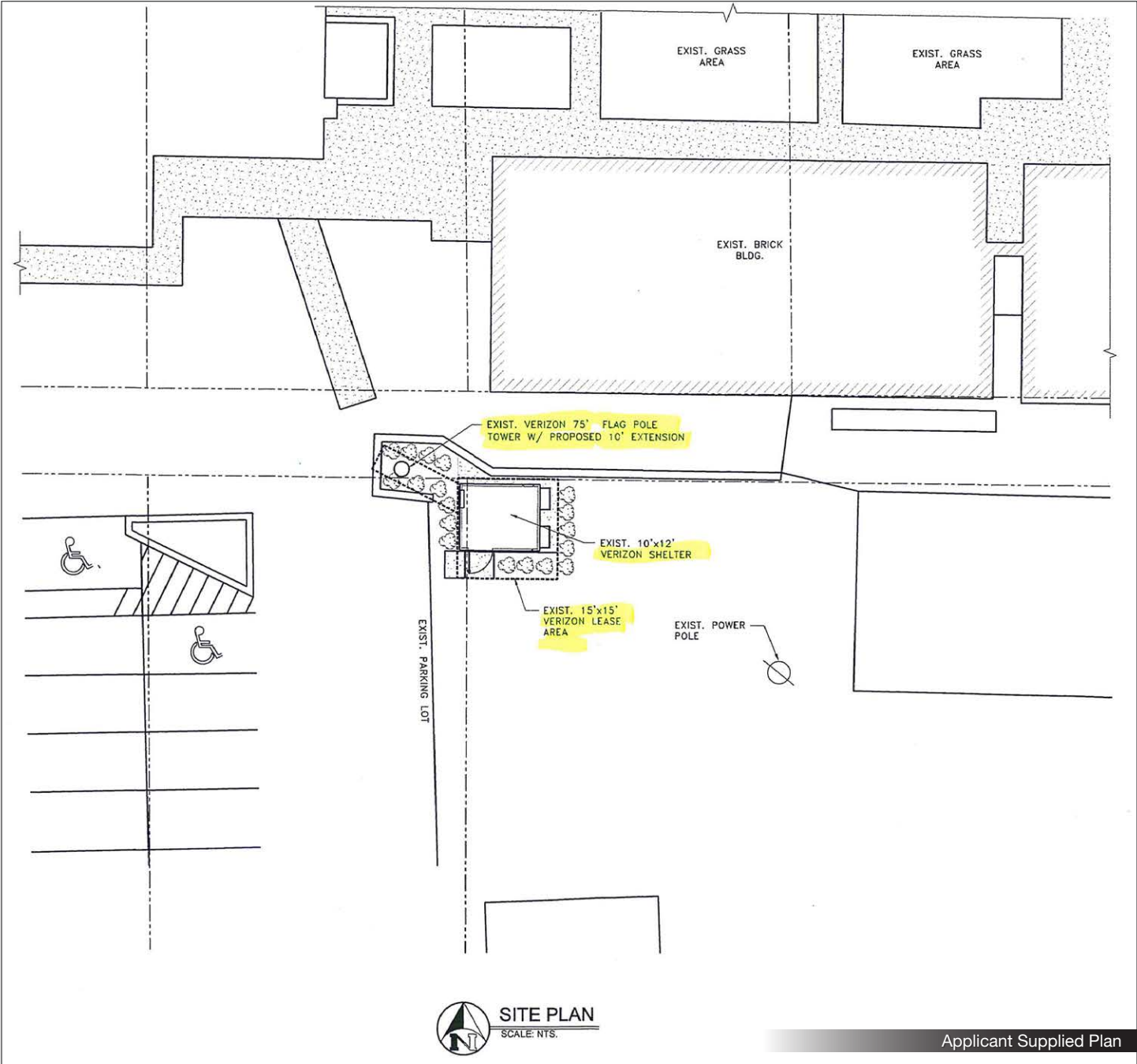
Amend condition 1 to read:

1. Height of pole is to be maximum of 90 feet. Other conditions would remain unchanged.





11 VERIZON WIRELESS REQUEST FOR CONDITIONAL USE PERMIT



PERMIT No 1195

USE2004APR03  
51307NW

## CONDITIONAL USE PERMIT CITY OF CONWAY, ARKANSAS

PROPERTY DESCRIPTION/ADDRESS/LOCATION:

Part of lot 1, Second Baptist Replat to the City of Conway as described as follows:  
Commencing at the NW corner of said Lot 1 run thence S1-53-10-W along the west line of said Lot 1 172.65 feet; thence S88-35-43-E 199.3 feet; thence S1-32-25-W 100.52 feet to a point on the north right of way of Monroe Street; thence S88-31-29-E along said right of way 230.0 feet; thence N1-29-14-E 123.15 feet to the point of beginning of said Tower easement; thence continue N1-29-14-E 5.37 feet; thence N67-11-20-W 14.32 feet; thence S22-58-27-W 5.0 feet; thence S67-11-20-E 16.27 feet to the point of beginning containing 76.5 square feet.

ZONING: C-3


CONDITIONAL USE PERMITTED: Communications Tower

DATE OF COUNCIL MEETING ALLOWING PERMITTED USE: April 27, 2004

CONDITIONS ATTACHED TO PERMIT:

1) Height of flag pole to be maximum of 80 feet 2) Flag must be maintained 3) Flag must be lighted at night 4) U.S. flag only with no secondary flags on pole 5) No visible cabling except flag supports 6) Landscaping as described and shown on plan.

APPROVED:

  
\_\_\_\_\_  
Mayor

4 28 04  
\_\_\_\_\_  
Date

Original Conditional Use Permit

# 1J EAGLE BANK & TRUST REQUEST FOR CONDITIONAL USE PERMIT

## EAGLE BANK & TRUST CONDITIONAL USE PERMIT REQUEST FOR A BANK

### APPLICANT/OWNER'S REPRESENTATIVE

Barry Williams  
 Crafton Tull & Associates  
 170 Commerce Rd.  
 Conway, AR 72032

### STAFF REVIEW BY

Bryan Patrick, Director of Planning  
 1201 Oak Street  
 Conway, AR 72032

### SITE DATA

**Location:** 2900 and 2920 Prince Street. Northwest corner of Prince Street and Salem Road

**Site Area:** 1 acre +/-

**Existing Structures:** Two single family residences, accessory buildings, and driveways

**Current Zoning:** O-2 Quiet Office

**Requested Conditional Use Permit:** Bank

**Overlay District:** None

**Comprehensive Plan:** The Comprehensive Plan shows this property as appropriate for a Neighborhood Shopping Node. A Neighborhood Shopping node is defined as: Major convenience shopping centers anchored by a large grocery store or supermarket. Maximum recommended size - 100,000 square feet of gross leasable area with appropriate acreage of approximately 15-20 acres. (Appropriate zoning: C-2).

**Projected Traffic Impact:** Current O-2 zoning developed to the maximum allowed office space, would create around 200 vehicle trips per day. A bank with drive through could be expected to generate around 246 vehicle trips per day.

**Utility Infrastructure:** Conway Corporation Engineering will review and consider the adequacy of existing infrastructure. Extensions and re-routing of utilities may be required. Easements will likely be required to provide for future area development.

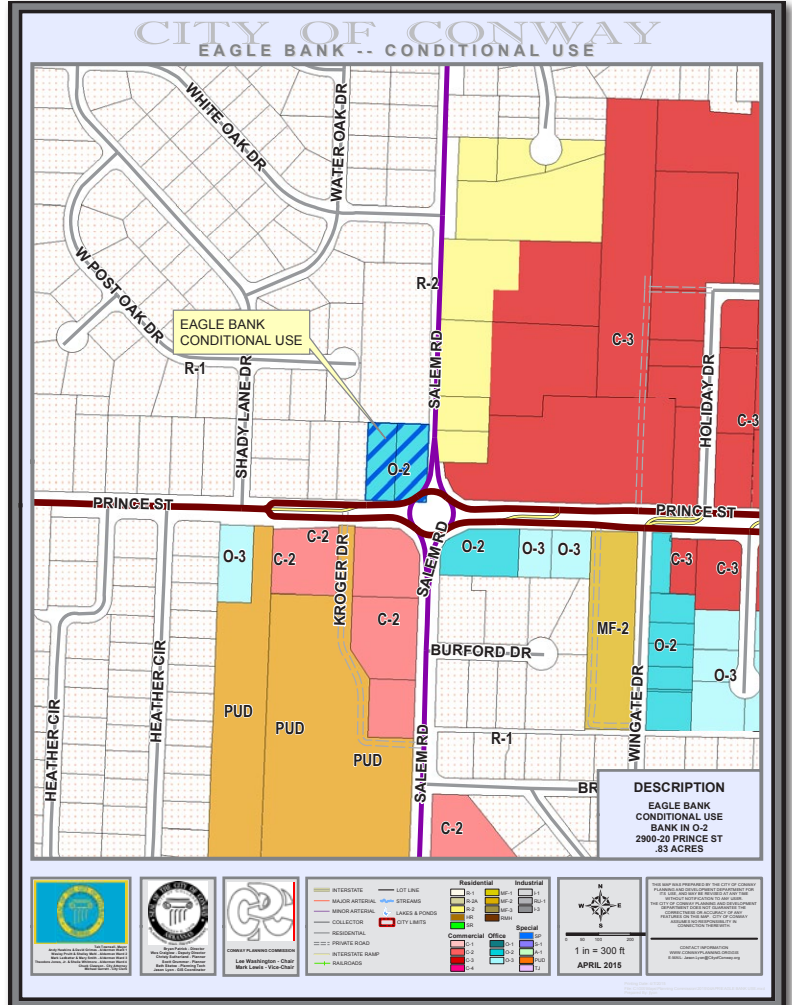
**Flood/Drainage:** The property is not within any flood plain or flood way.

**Street Improvements:** There are no area street improvements planned in the near future. Prince Street along with the Prince/Salem roundabout, were significantly improved in 2013-2014.

**Conway 2025:** Not directly applicable.

### STAFF COMMENTS

This request is to allow a small bank with drive through lanes. The property was rezoned to O-2 quiet office in July 2013. At



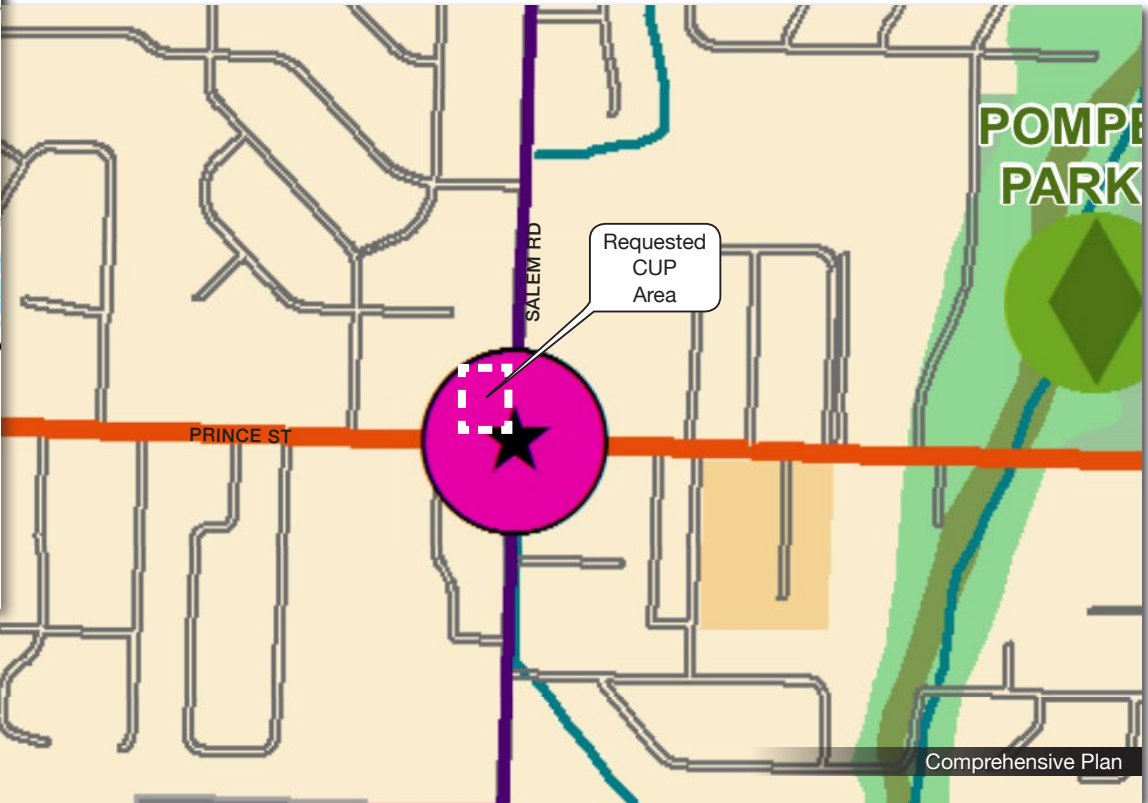
that time, a conditional use request was sought to allow general retail (a Family Dollar Store). The request for general retail was denied but the rezoning to quiet office was approved. The Planning Commission felt that the general retail request would be too intrusive for abutting residences. This request would be much less intrusive to area residences although slightly more intrusive than a typical office development. However, hours of operation, residential buffering, and other means can be created with conditions to make the requested development most compatible with residential neighbors.

The request is congruent with the Comprehensive Plan as it is a less intense use than that called for in an NS node. As noted above, the suggested zoning for an NS node is C-2. However, the recommended amount of leasable area and acreage are exceeded at this node. In order to maintain the node and not “strip out” Salem or Prince with commercial activity, future requests for rezoning and/or conditional use permits west of the two remaining Prince Street frontage lots and north of this property on Salem should be denied.

Development review regulations require a 20 foot landscape buffer area when an office/commercial property abuts a residential lot. The 20 foot buffer strip has been met with the exception of the west drive through lane area. If the Planning Commission feels that this is acceptable, the recommendation

**LEGEND**

<ul style="list-style-type: none"> <li>Asa P. Robinson Historic District</li> <li>Sleep Terrain</li> </ul>	<ul style="list-style-type: none"> <li>Comprehensive_Plan Type</li> <li>Agricultural</li> <li>Commercial</li> <li>General Industry</li> <li>Golf Course</li> <li>Institutional</li> <li>Light Industry</li> <li>Medical</li> <li>Mixed Use</li> <li>Multi-Family</li> <li>Office</li> <li>Parks</li> <li>Planned Unit Development</li> <li>Public Quasi</li> <li>Single Family</li> <li>Special Study Area</li> <li>Specific Plan</li> <li>Suburban Residential</li> <li>Traditional Neighborhood</li> <li>Transition Zone</li> <li>Water</li> <li>Areas Subject to Flooding</li> <li>Flood Plain</li> <li>Floodway</li> </ul>
<ul style="list-style-type: none"> <li>CompPlan_Pts Type</li> <li>Cemetery</li> <li>Community Shopping</li> <li>Existing Park</li> <li>Proposed Park</li> <li>Electric Substation</li> <li>Golf Course</li> <li>I-40 Interchange</li> <li>Neighborhood Convenience</li> <li>Neighborhood Shopping</li> <li>Proposed Elementary</li> <li>Proposed High School</li> </ul>	
<ul style="list-style-type: none"> <li>Trails</li> <li>Pedestrian</li> </ul>	
<ul style="list-style-type: none"> <li>Utility Easements</li> <li>Electric</li> <li>Force Main</li> <li>Gas</li> <li>Levee</li> </ul>	
<ul style="list-style-type: none"> <li>Existing Streets</li> <li>Major Arterial</li> <li>Minor Arterial</li> <li>Collector</li> <li>Residential</li> <li>Utility Road</li> <li>Railroad</li> <li>Creeks</li> </ul>	<ul style="list-style-type: none"> <li>Proposed Streets</li> <li>Interstate 40</li> </ul>
<ul style="list-style-type: none"> <li>New_Airport Type</li> <li>Approach Safety Zone</li> <li>New Airport Site</li> <li>Conway City Limits</li> </ul>	



to allow a decrease will be sent to the City Council. The Council can approve this reduction as a development review variance.

#### STAFF RECOMMENDATIONS

Planning Staff recommends approval of this conditional use permit with the suggested conditions.

#### SUGGESTED CONDITIONS

1. Hours of operation should be determined.
2. A reduction in the required 20 foot residential landscape buffer on the west side adjacent to the drive through lanes is allowed.
3. Double the amount of development review required landscaping along the residential boundaries. One half of the required trees are to be evergreen species to provide additional buffering to neighboring residences. A six foot wooden privacy fence shall be constructed on the west and north property lines adjacent to the residential lots. The privacy fence shall stop at an appropriate distance from the street rights of way to not cause traffic sight line problems.





# Coming to Terms with Terms



*Encore from February 2014*

**Acre:** 43,560 square feet. Based on the area a person could plow with a team of oxen in one day.

**By Right:** Many times you will see “by right” referenced in the Planning Commission reports. “By right” refers to a land use or activity that is allowed with no further action. For example, O-2, quiet office allows a medical office, “by right”. If a doctor decided to open an office and begin seeing patients at a property zoned O-2, she would not need to visit the Planning Commission and/or City Council for approval. The property is “good to go”. However, retail is not allowed “by right” in an O-2 zone. A person seeking to open a music store must seek to have the property rezoned to a commercial zone or obtain a conditional use permit in order to start their business.

The best reference to view allowed “by right uses” is the land use matrix in Addendum A of the Conway Zoning Ordinance. The matrix uses 3 designators to identify allowed uses: blank, meaning not allowed; X, meaning allowed “by right”; and C, meaning allowed with a conditional use permit.

Allowed Uses	R-1	R-2A	R-2	BK	MF-1	MF-2	MF-3	RMH	HR	G-1	G-2	G-3	G-4	O-1	O-2	O-3	L-1	RM-1	I-2	A-1	B-1	S-2	P	
Retail - General										X	C	X	X	C	C	C	X	C	C	C	C	C	C	C
Retail - High Impact										C	C	X	X	C	C	C	C	C	C	C	C	C	C	C
Retail - Restricted										X	X	X	X	C	C	C	X	C	C	C	C	C	X	C

**Comprehensive Plan:** The Comprehensive Plan, aka, “Growth Plan” is a graphic guideline reflecting the community’s planning goals and objectives. It is not the zoning map. The majority of the current version was adopted by resolution of the City Council in 2004. There have been 3 recent major updates to the plan; the Old Morrilton Corridor Study, the Northeast Old Conway Area Plan, and the Lower Ridge Road Corridor Study. A Donaghey Corridor Study has also been conducted but not yet made an official part of the Comprehensive Plan. The Comprehensive Plan also includes the Master Street Plan and Pedestrian/Bike Path Plan.

**Conditional Use Permit:** A “special permit” in addition to the underlying zoning district. This permit allows a particular land use that is seen as generally compatible with a zoning district. However, it may require specific “conditions” or requirements in order to make the use most compatible with surrounding land uses.

**Conway 2025:** A study utilizing major community input to define the desirable 2025 Conway. The study was a joint effort by the City of Conway and the Conway Chamber of Commerce. The City Council adopted the study as the strategic vision for Conway with resolution R-11-15, on April 12, 2011. More information can be obtained at [www.conway2025.com](http://www.conway2025.com).

**Curbcut:** Vehicular access to a property. Typically a driveway providing ingress/egress to a property. The term comes from the need to cut and remove the curb in order to place a driveway.

**Duplex Zones:** In Conway, there are 2 duplex zones. They allow the same land uses; a single family home, or a duplex. They also use the same setbacks. However, in R-2 a duplex may be constructed on a lot with 50 feet of street frontage. R-2A requires a lot with 100 feet of street frontage. The R-2A zone was created in the 1980s as a way to limit the number of duplexes in the Old Conway area.

**Floodplain:** The area referenced on the Federal Emergency Management Administration’s (FEMA) Flood Insurance Rate Map (FIRM) as susceptible to being inundated by floodwaters from any source. These areas are described as having a 1% chance of annual flooding (100 year event). Structures may be built in the floodplain with City Engineer approval of proper building finished floor elevations. Areas outside the floodway typically have a .2% chance of flooding annually (500 year event).

**Floodway:** The area referenced on FEMA FIRM Maps as a creek, river, or other water flow area. Structures may not be constructed or placed in the flood way.

**Master Street Plan:** The Master Street Plan is a component of the Conway Comprehensive Plan. The MSP classifies streets by their function, size, and capacity. There are four basic classifications:

1. Local: A residential street/50 foot right of way/27 feet from curb to curb/25 mph
2. Collector: Carries traffic from local streets to arterial streets/60 foot right of way/36 feet from curb to curb/30 mph
3. Minor Arterial: A moderate to high capacity road just below a highway/80 foot right of way/48 feet from curb to curb/40 mph
4. Major Arterial: A high capacity road/100 foot right of way/60+ feet from curb to curb/50+mph

**Multi-Family Zones:** In Conway, there are 3 multi-family zones. These all basically allow the same land uses and setbacks. They differ in allowed density; MF-1 allows 12 units per acre, MF-2 allows 18 units per acre, and MF-3 allows 24 units per acre.

**Overlay District:** A district that is “laid” on top of another zone or zones. The overlay will typically have a specific set of regulations to achieve a desired planning outcome. For example, The Village at Hendrix is a Traditional Neighborhood Development (TND) overlay. The underlying zone is (S-1) Institutional, but a new form based code allowing the denser mixed used traditional neighborhood is “overlaid” on top of the zone. The Old Conway Design Overlay District is another example of an Overlay District.

**Rezoning:** The action of changing the zoning district of a particular piece of property. A zoning district will allow certain land uses by right or through a conditional use permit. Conversely, a zoning district may prohibit certain land uses. Unlike a conditional use permit, a rezoning may not have additional requirements tied to it. In a particular zone, a use is allowed or disallowed.

**Setback:** The area between a property line and the primary structure. There are differing setbacks in the various zoning districts. For example, the side setback in C-3 is 0 feet. In an R-1 zone, a 6 foot side setback is required. There are typically, front, rear, side, and exterior (street frontage i.e. corner lot) setbacks.

**Vehicle Trips Per Day:** Vehicle trips per day is the average number of cars, trucks, motorcycles, etc. that enter and exit a property within a 24 hour weekday time span. The VTD numbers quoted in Planning Commission reports are sourced from the Institute of Transportation Engineers Trip Generation 6th or 7th edition.