

The regular meeting of the Conway Planning Commission was held Monday, April 20, 2020 via Facebook Live from City Hall due to the restrictions imposed by the Covid-19 pandemic. The following members, being a quorum, were present and acting: Rebekah Fincher, Brooks Freeman, Dalencia Hervey, Arthur Ingram, Brandon Ruhl, Latisha Sanders-Jones, Brian Townsend, Anne Tucker, Rhea Williams, and Drew Gainor.

Minutes from the February 18th Planning Commission meeting were approved 9-0 on a motion made by Brooks Freeman and seconded by Dalencia Hervey. The chairman did not vote.

I. SUBDIVISION REPORT

A. Request for preliminary plat approval of Marvin Gardens Subdivision.

Levi Hill, Assistant Director of Planning, explained that this was approved by staff last month in accordance with the Mayor's Executive Order and has already been formally approved with conditions.

B. Request for preliminary plat approval of Cindy's Place Subdivision.

This item was withdrawn.

II.

PUBLIC HEARINGS

A. Request for zoning variance to allow an oversized commercial accessory structure and reduced accessory structure setback at 1115 East Oak Street

Levi Hill, Assistant Director of Planning, described that this item was heard in the realm of the BZA. This site is currently a Chick-fil-a. The applicant, Bryan Burger, wanted a canopy installed in the existing drive thru lanes like the one at the Prince St. location. The difference is that this location is not in a PUD, but zoned C3 (highway commercial). The applicant requested variances to reduce the required setback for a commercial accessory structure from 60 ft to 15 ft. As well as, requesting a variance to allow maximum square footage for a commercial structure in a commercial district, which is 160 sf. The actual square footage for the structure is 1,175 sf. The property is located within the Conway Commons commercial shopping center, where most setbacks are 15 feet. The applicant has proposed this structure on a less prominent corridor of Elsinger Boulevard, rather than Oak Street. Staff is in favor of the variance and requests approval. (Bryan Burger, applicant representative for Burger Engineering, LLC), spoke in favor of the project and was present via phone call to answer any questions or concerns. There were none. No one spoke in opposition.

There were no callers, Facebook Live questions, nor public comments on this topic.

The public hearing was closed and presented to the Commission for discussion. They discussed that this was similar to the Prince St. location and wanted to verify which side of the building and street it would be facing. The request was approved, 9-0 unanimously on a motion made by Anne Tucker and seconded by Brooks Freeman. The chairman did not vote. Motion passed.

B. Request for rezoning from C-3 to RU-1 at 260/310 S- Harkrider

Beth Sketoe, Planner, explained that the applicant for this project represents a fence and guardrail holding company looking to relocate their Arkansas state headquarters here. The property has been vacant for some time and is currently developed with about 22,000 sf of metal buildings with 3,000 sf for a mobile office. The buildings currently located here have fallen into disrepair and they plan on fixing them up and using them as storage. They will be using the outside for exterior storage as well. With the area currently being zoned C-3 this allows for the officing component, but not the warehousing component, which led to the staff recommending a rezone to RU-1 (restricted use zone/intermediate industrial). The applicant also has a concurrent application for a conditional use permit which will allow for warehousing, in item II.C below. The entire property is zoned for C3 but is in an area that allows for other industrial uses. Staff feels that the use is compatible and appropriate and recommends approval. (Todd Rice, applicant representative for Colliers International), spoke in favor of the project and was present via phone call to answer any questions or concerns. There were none. No one spoke in opposition.

There were no callers, Facebook Live questions, nor public comments on this topic.

The public hearing was closed and presented to the Commission for discussion. It was asked if this business would bring jobs to Conway. The applicant responded that he is a commercial realtor and not involved in the operations of the business. He stated they are currently located outside of Little Rock and will not be relocating people to Conway but will have daytime employment at the site each day. A motion to approve the rezoning was made by Brian Townsend and seconded by Rebekah Fincher. Motion passed 8-0-1; Anne Tucker abstained and the chairman did not vote.

C. Request for Conditional Use Permit for Warehousing at 260/310 S Harkrider

Beth Sketoe reiterated that this was for a conditional use permit relating to the above topic. This property is in proximity to other commercial uses, industry, and a mobile home park adjacent to the east. Conditions (below) were read into the record by Beth. Todd Rice (same applicant as above) reviewed and understood the conditions and agreed the buyers would adhere to these terms and are ready to move forward.

Conditions:

1. Outside uses shall be limited to storage of materials, goods, and equipment. Such outside uses shall be screened and shielded from view from adjacent property and public right-of-way.
2. Landscape screening is required along the street frontage at 1 canopy tree per 15 feet.
3. Any new lighting installed shall conform to standards set forth in Article 1101 of the Zoning Code.
4. Applicant is required to improve access drive and parking area to conform to standards set forth in Articles 501 and 1101 of the Zoning Code.
5. Applicant shall provide plans in accordance Article 1101 of the Zoning Code (Development Review) indicating all proposed improvements, including parking and circulation, fencing, and loading and storage areas.
6. Staff shall be authorized to impose reasonable conditions upon approval of the required development review application to mitigate impacts on adjacent property.
7. Any expansions or additions to the structure(s) on site as well as any changes to the use shall require an amended or new conditional use permit.
8. Failure to comply with the conditions imposed could result in the conditional use permit being revoked.

There were no callers nor public comments on this topic. However, there was a Facebook Live comment on the previous vote of abstention. It was discussed that there was no need to explain the abstention.

The public hearing was closed and presented to the Commission for discussion. No questions among the commissioners. The request was approved, with 8 conditions, 8-0-1 on a motion made Rhea Williams and seconded by Dalencia Hervey; Anne Tucker abstained, and the chairman did not vote. Motion passed.

D. Request for Rezoning I-3 to I-1 at 645 Exchange Avenue

Beth Sketoe explained that this property is located off of Exchange Avenue in Conway's industrial park. Currently it is developed with 19,200 sf of office and manufacturing space, with a large part of that being a printing company. The applicant has leased 6,000 sf of property on the South side of the property including an outside storage facility. The intent of the business is to operate an outdoor and marine retail store, which includes firearms sales, that are not allowed in the I-3 zone but are in the I-1 zone, which is why staff requests this rezone. Properties in this part of the Conway industrial park have transitioned over the last few years to commercial use and redevelopment of this area is unlikely. It is also unlikely that rezoning this area is not likely to impact surrounding areas. Planning staff recommends approval. (Will Fagan, 645 Exchange Ave) was the applicant who spoke in favor of the project and was present via phone call to answer any questions or concerns.

There were no callers, Facebook Live questions, nor public comments on this topic.

The public hearing was closed and presented to the Commission for discussion. It was asked if there would be firearm and ammo sales at this business. The applicant responded that both would be sold there. No more questions by the Commissioners. The request for approval for rezone was made by Dalencia Hervey and seconded by Anne Tucker passed 6-3. Anne Tucker, Drew Gainor, Brooks Freeman, Rebekah Fincher, Arthur Ingram, and Dalencia Harvey voted for and, Latisha Sanders-Jones, Brian Townsend, and Rhea Williams voted in opposition; the chairman did not vote.


III. DISCUSSION

Anne Tucker asked Planning Director James Walden if she needed to explain her abstention. He informed her that there was a comment on the Facebook Live feed about it. Anne Tucker explained that her husband was the president of the company involved in agenda items II.B and II.C and thought she should abstain from voting.

Adjournment

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Anne Tucker and seconded by Rebekah Fincher.

Approved:



2020 Chairman, Brandon Ruhl