

The regular meeting of the Conway Planning Commission was held, in person, Monday, August 15<sup>th</sup> at Conway City Hall. The following members, being a quorum, were present and acting: Ethan Reed, Alexander Baney, Adam Bell, Laura King, Greg West, Rebekah Fincher, Drew Spurgers, Latisha Sanders-Jones, and Rhea Williams. Larry Webb was absent.

Minutes from the July 18<sup>th</sup> meeting were approved 9-0 on a motion made Latisha Sanders-Jones and seconded by Ethan Reed, with the chairman voting.

**I. PUBLIC HEARING ITEMS**

**A. Request for zoning variance to allow a reduction of the required front setback for property located at 1255 Tsar Road**

James Walden, Planning Director, described the applicant is requesting a zoning variance to allow a reduced front setback along Tsar Road St from 25' to 22.2', granting a 2.8' variance. The need for a variance is the result of a drainage channel traversing the lot, which is unique specifically to this lot and not generally applicable to other adjacent properties. Planning staff recommended granting the variance, with no conditions, as it would allow normal use of the site, since development of the site is likely not possible without granting the variance.

Frank Shaw (1315 Main St) spoke in favor of this variance request. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the variance was made by Rebekah Fincher and seconded by Latisha Sanders-Jones; passed 8-1-0, with the chairman voting in opposition.

**B. Request to rezone a portion of 1310 E Dave Ward Drive [± 3.21 acres] from C-2 to C-3 and 1500 & 1520 E Dave Ward Drive [± 2.69 acres] from I-1 to C-2**

Beth Sketoe, Planner, relayed the applicant is requesting to rezone from I-1 to C-2 and C-2 to C-3 to develop the northern portion of the property with a 15,300-sf addition to one of the existing office buildings and associated parking, which would represent an expansion of the Conway Veteran's Affairs Clinic housed at 1520 E Dave Ward Dr. Additionally, the applicant has indicated plans for a new multi-tenant office/retail building to be developed on the southern, undeveloped portion of 1480 E Dave Ward Dr. Planning staff recommended approval of the rezone as it will not likely negatively impact adjacent properties.

Fred Langford (1500 E Dave Ward Dr) spoke to this rezoning request. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Drew Spurgers and seconded by Ethan Reed; passed 9-0, with the chairman voting.

**C. Request to rezone a portion of 1310 E Dave Ward Drive [±8.04 acres] from C-2 to C-3**

Beth explained the applicant is requesting to rezone from C-2 to C-3 indicating plans to divide the subject property into multiple lots and develop with various retail and dining options which would be accessed from an internal drive. The site was previously considered an extension of the Industrial Park, but in recent years has evolved into a regional commercial center including Lewis Crossing, Lewis Ranch, and Maly District. Planning staff recommended approval of the rezone as it will not likely negatively impact adjacent properties.

Bobby French with CAPS (1021 Front St) represented the applicant in this rezoning request.

There was opposition present to speak to this request from Danny Mills, the current tenant at this location with Clayton Homes. He expressed his lease on the property is valid through April of 2024, described the layout and process of bringing the mobile homes to the site, and road maintenance issues if the site was to be developed while he is still leasing property there.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Alexander Baney and seconded by Ethan Reed; passed 8-0-1, with the chairman voting and Latisha Sanders-Jones abstaining.

**D. Request to rezone 1445 Old Military Road [± 4.11 acres] and 3612 Dena Lane [±1.0 acres] from A-1 to MF-1**

Ryan relayed the applicant is requesting to rezone from A-1 to MF-1 for the purpose of low to medium density residential development. Multi-family zoning currently exists in the area as well as several different zoning districts including MF-2, A-1, I-1, and R-1. The Comprehensive Plan designates this area as a transitional zone, which allows for more intense land uses, such as multi-family residential, depending on adjacent uses. Planning staff recommended approval of the rezone as it will not likely negatively impact adjacent properties.

Bobby French represented the applicant in this rezoning request.

There was no opposition but a comment from neighbor, Daniel Kneese (3585 Donnell Ridge Rd), who spoke his concerns of egress and ingress at the existing Donnell Ridge Rd intersection, the volume of increased housing in the area has brought more traffic to the area and he would like to see a traffic assessment completed.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Ethan Reed and seconded by Latisha Sanders-Jones; passed 8-0-1, with the chairman voting and Latisha Sanders-Jones abstaining.

**E. Request to rezone property located at the southeast corner of the intersection of South German Lane and Bill Bell Lane from R-1 to PUD**

James presented this rezoning request with the applicant seeking to rezone the property from R-1 to PUD due to the fact the land cannot be developed under normal regulations with triple frontage lots and a double frontage lot. The proposed lots are comparable in size to normal R-1 lots and are consistent with the Comprehensive Plan designation of single-family development on the site. Planning staff recommended approval of this PUD with the following 7 conditions:

1. Permitted uses shall be limited to 3 single-family lots/units.
2. No fences are allowed to exceed 3 feet in the front yard area from the property line to front edge of the primary structure.
3. All lots shall only take access from LaCroix Ln.
4. Applicant shall plat the property in accordance with the Subdivision Regulations excluding restrictions on triple frontage lots.
5. The developer shall be responsible for the installation of all handicap ramps as well as sidewalks on the Bill Bell Ln and S German Ln frontages prior to filing of the final plat.
6. All front and exterior building setbacks shall be at least 25' in depth.
7. The development shall meet all the provisions of R-1 zoning excluding lot width requirements and those provisions prohibiting triple frontage lots.

Frank Shaw spoke in favor of this rezoning request. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Drew Spurgers and seconded by Rebekah Fincher; passed 9-0, with the chairman voting.

**F. Request for conditional use permit to allow a Childcare Facility in the O-2 zoning district for property located in the 300-350 block, east of Hogan Lane**

Ryan described the applicant is proposing to construct and operate a childcare facility at the location. The Comprehensive Plan indicates the area is appropriate for office use. The childcare center will include an

approximately 8,800-sf building and three outdoor play areas. Planning staff recommended approval of this conditional use as it would not likely result in harm to adjacent property, with the following 10 conditions:

1. Operating hours are limited to Monday – Friday, 7:00am – 6:00pm.
2. All proposed site improvements shall be subject to development standards as outlined in Article 1101 of the Conway Zoning Code, unless otherwise noted in permit conditions.
3. Driveway to align with the shared property line to the north and will be required to provide shared access with the proposed out-parcel.
4. Parking layout will require revisions and will be addressed during the development review process.
5. The property shall be platted in accordance with the Conway Subdivision Ordinance prior to the issuance of building permits.
6. Decorative fencing or decorative vinyl-coated chain link fencing required. Any new fencing shall comply with Article 1101, Development Review Standards, of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
7. All signage shall be permitted and installed in accordance with Article 1301 of the Conway Zoning Code (Sign Ordinance).
8. Upon development review approval, any expansions or additions to the structure or outdoor play area as well as any changes to the use shall require an amended or new conditional use permit.
9. The conditional use shall automatically expire if the approved use ceases for more than 18 consecutive months.
10. The conditional use shall become null and void if construction for the site is not commenced within 18 months of approval.

Brad Peterson with Crafton Tull (10825 Financial Centre Pkwy, LR) spoke in favor of this use request. There was no opposition to this request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Ethan Reed and seconded by Alexander Baney; passed 8-0-1, with the chairman voting and Rebekah Fincher abstaining.

## **II. STAFF UPDATES**

James presented ongoing projects being undertaken by the Planning Department consisting of Oak Street Ahead, the RAISE Grant, and the amendment to Section 901 of the Conway Zoning Code pertaining to Conditional Use and Rezoning application processes.

## **ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

### **A. Development Review Approvals**

1. Crain GMC Carwash, 710 S Amity Rd (SDR-0622-0270)

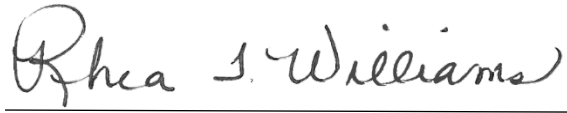
### **B. Plats Filed for Record (Lot Splits, Lot Mergers, and Final Plats)**

1. Paul's Subdivision (P2022-00046)
2. Replat 42B, Round Mountain Subdivision (P2022-00051)
3. Robynmar Subdivision, Phase 4 (P2022-00056)

## **Adjournment**

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

Approved:

A handwritten signature in black ink that reads "Rhea S. Williams". The signature is written in a cursive style with a large initial 'R'.

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2022 Chairman, Rhea Williams