

The regular meeting of the Conway Planning Commission was held, in person, on Monday, August 21st at Conway City Hall. The following members, being a quorum, were present and acting: Alexander Baney, Latisha Sanders-Jones, Rebekah Fincher, Mark Ferguson, Lori Quinn, Adam Bell, Ethan Reed, Drew Spurgers, Jensen Thielke, and Laura King.

Minutes from the June 20th meeting were approved 9-0 on a motion made by Alexander Baney and seconded by Drew Spurgers, without the chairman voting.

I. PUBLIC HEARINGS

A. Request to rezone property located at 931 Faulkner Street from O-3 to C-1

Ryan Robeson, Planner, explained the applicant is requesting the rezoning from O-3 to C-1 to be more in line with the zoning of adjacent properties and appropriate uses as C-1 zoning currently exists to the south and east. The Comprehensive Plan defines this area as Single Family, however, non-residential zoning exists on three sides of this parcel. As this rezoning appears consistent with uses in the area, Planning Staff recommended approval of the rezoning.

Brent Salter (201 Lee Andrew Ln) spoke in favor of the rezoning as the property owner. He was aware of the Robinson Historic District contributing status of the home and the existing 6 residential units in the structure.

Opposition to the rezone was present from Dan & Margaret West (920 Center St) who expressed concerns with the broad number of uses that could be allowed by right in a C-1 zone, the lot requirements, lot coverage and setback standards for C-1 zones, and the contributing status of the structure in the Robinson Historic District. Pam Rawlins (933 Faulkner St) explained the property was surrounded by residences, relayed existing traffic and on street parking concerns along Faulkner St, the issues with adding a business to the historic district here, and the historical significance of the home. Emily Walter (940 Center St) relayed many neighbors were upset with this request, that the adjacent properties are mostly quiet office, and inquired to the use being established after the rezone. Corey Parks (532 Faulkner St) asked questions on the historic nature of the home.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Adam Bell and seconded by Alexander Baney; passed 7-3, with the Mark Ferguson, Drew Spurgers, and Laura King all voting in opposition.

B. Request to rezone property located at 203 Second Street from R-2 to MF-3

Beth Sketoe, Planner, described the applicant is requesting a rezoning from R-2 to MF-3 to construct a multi-unit residential structure with garages. The site is currently platted as 12,250 sf (±0.28 acre). It is anticipated that after required right-of-way dedication the remaining developable area will be ≤11,050 sf (±0.25 acre). A rezoning to MF-3 could accommodate up to 6 dwelling units on the site with the acreage identified. The property adjacent to the west, across Second Ave, is similarly developed. As this rezoning would not likely result in harm to adjacent property when developed Planning Staff recommended approval of the rezoning.

Brent Salter spoke in favor of the rezoning as the property owner. His intent is to develop the site with a 2-story multi-family structure, hosting 6 units with garages and rear and side parking.

Opposition to the rezone was present from Junior Parker (205 Second St), explaining that his children live at the site and that this proposal is not in line with other developments in the area. He relayed he would rather see duplex construction on the lot.

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 10-0.

C. Request for conditional use approval to allow *Eating Place with Drive-Through Service and Food Store* in O-1 zone for property located at 2505 & 2515 Prince Street & 963 Farris Road

Kris Paxton, Director, relayed the applicant is requesting conditional use approval to operate an Eating Place with Drive-Through Service and Food Store. As conditioned, the negative impact to adjacent properties will be mitigated through the use of screening and landscaping and the site will be subject to the commercial development standards in accordance with Article 10 of the Zoning Code. Planning staff recommended approval of the use request with the following conditions:

1. Operating hours are limited to 5:00am – 12:00am.
2. Approved uses are limited to eating place with drive-through service and food store.
3. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
4. Development of the site is subject to site development review, in accordance with Article 10 of the Conway Zoning Code, prior to the issuance of building permits.
5. A perimeter landscape strip at least 20' in width shall be provided along all property lines adjoining any residential area. Landscaping abutting residential areas should consist of trees, bushes, etc. of evergreen species to provide additional buffering/screening to the neighboring residence. An installation diagram and list of proposed species shall be submitted for approval by Planning staff prior to installation. The Director of Planning & Development may require additional screening (e.g. 8' wood privacy fence and evergreen vegetation) along adjacent residential areas to reduce the impact of the proposed use.
6. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent property and shall comply with Article 10, Development Review Standards, of the Zoning Code. Extra caution shall be taken for lighting around boundaries adjacent to residential uses.
7. Any new fencing shall comply with Article 10, Development Review Standards, of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
8. The property shall be platted in accordance with the Subdivision Regulations, prior to issuance of building permits.
9. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
10. The conditional use permit shall expire if the use is not commenced within 18 months of approval.
11. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months. The Director of Planning & Development shall be authorized herein to grant an extension of no more than 90 days beyond said 18-month period to accommodate the applicant's identified construction and engineering timeline if necessary.
12. Any new signage shall be permitted and installed in accordance with the Conway Zoning Code.
13. With the approval of this conditional use permit request any prior conditional use permits shall be revoked for 2505 Prince St, 2515 Prince St, and 963 Farris Rd and replaced by this new permit.

Frank Shaw (1315 Main St) spoke in favor of the conditional use request as the authorized agent. He relayed the conditional use permit would be for Braum's and they had no opposition to the proposed conditions.

Present with concerns to the request was Roger McDougal (959 Farris Rd). He relayed the hours seemed too broad and questioned the fencing installation on the south property line but did mention the use would be great for Conway.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Drew Spurgers and seconded by Lori Quinn; passed 10-0.

D. Request to rezone property located at 450 Corporate Drive from PUD & I-3 to S-1

Kris explained the applicant intended to rezone the property from I-3 and PUD to S-1 to accommodate a more appropriate Community Center space zoning. As the rezoning would not likely result in harm to adjacent

property and would likely complement the surrounding neighborhoods being a civic space, Planning staff recommended approval of the rezoning.

Brad Peterson with Crafton Tull (Little Rock, AR) spoke in favor of the rezoning as the authorized agent. Corey Parks spoke in favor of the use stating how great it will be for the community. No one spoke in opposition.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Lori Quinn and seconded by Drew Spurgers; passed 10-0.

E. Request for conditional use approval to allow *Shelter for the Homeless* in C-3 zone for property located at 134 Harkrider Street

Ryan relayed the applicant is requesting conditional use approval to operate a Shelter for the Homeless, which is not allowed in the current zoning (C-3) but is allowed as a conditional use. The center will operate 24 hours a day, seven days a week due to the care needed by some residents. The Case Management/Administration office will be open 9:00am – 5:00pm, Monday – Friday. The current office area will be used as the residence of the property manager and the 22 room motel will house those in need. Planning staff recommended approval of the conditional use with the following conditions:

1. Operating hours for the Case Management/Administration office are limited to Monday – Friday, 9:00 am – 5:00 pm.
2. The facility may not house any registered sex offenders, individuals with a recent violent criminal history, or anyone with a no contact order or restraining order with someone currently in the facility. Violent crimes include battery, domestic battery, assault, aggravated assault, non-negligent manslaughter, or murder. Anyone with a misdemeanor conviction of the above listed crimes within the past 2 years may not be housed at the facility. Anyone with a felony conviction of the above listed crimes within the past 5 years may not be housed at the facility.
3. The facility is limited to 22 units. Any expansions or additions to the structures, as well as any changes to the use shall require an amended or new conditional use permit.
4. Fencing with coded entry is required and must meet Fire Department standards and standards outlined in Article 10. Barbed wire and razor wire are prohibited.
5. 24 hour surveillance of site is required.
6. Exterior speakers and/or public address system is prohibited.
7. Any playground or community garden must be screened from view from the public right-of-way.
8. Manufactured home in rear of property must be removed prior to Certificate of Completion. Certificate of Completion can be issued prior to construction of manager/caregiver home. However, manager/caregiver home must go through Site Development Review if not included in initial Site Development Review process.
9. Site Development Review required and shall be subject to development standards as outlined in Article 10 of the Conway Zoning Code, unless otherwise noted in permit conditions.
10. Parking area must be striped and ADA accessible parking requirements for parking must be met.
11. All signage shall be permitted and installed in accordance with Article 12 of the Conway Zoning Code.
12. The conditional use shall automatically expire if the approved use is not commenced within 18 months or if it ceases for more than 18 consecutive months.
13. No variance related to the approved conditional use shall be granted.

Spring Hunter with the Conway Ministry Center (225 E Robins St) spoke in favor of the conditional use request as the authorized agent. She relayed there currently is no family or children's shelter in Conway and gave statistics for homelessness in the city. Anita Grote (Bigelow, AR) addressed how helpful this will be to give people safe spaces prior to establishing their own housing. Junior Parker spoke in favor of the use as well.

Opposition to the request was present from Varsha Patel (130 Harkrider St) who relayed her and her family's concerns for this use abutting their property, safety concerns for the operation of the use, and their decreased

property value.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Drew Spurgers and seconded by Alexander Baney; passed 10-0.

F. Request to rezone property located at 523 Polk Street from R2-A to R-2

Ryan explained the applicant intends to rezone the property from R-2A to R-2 and to remove the existing structure and construct a duplex on the lot. This rezoning to R-2 will conform with lot width standards as minimum lot width for a duplex in R-2A is 100', but in R-2 is 50'. The current lot width of this parcel is roughly 67'. The property is adjacent to R-2 property to the east and given the surrounding structures are R-2 zonings, Planning staff recommended approval of the rezoning.

Jeremy Shaver (1625 Prince St) spoke in favor of the rezoning as the authorized agent. No opposition was present.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Lori Quinn and seconded by Alexander Baney; passed 10-0.

G. Request to rezone property located at 505 Polk Street from R2-A to R-2

Ryan explained the applicant intends to rezone the property from R-2A to R-2 and to construct a duplex on the lot. This rezoning to R-2 will conform with lot width standards as minimum lot width for a duplex in R-2A is 100', but in R-2 is 50'. The current lot width of this parcel is roughly 64'. The property is adjacent to R-2 property to the west and given the surrounding structures are R-2 zonings, Planning staff recommended approval of the rezoning.

Jeremy Shaver spoke in favor of the rezoning as the authorized agent. No opposition was present.

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 Drew Spurgers; passed 10-0.

H. Request to rezone property located at 2730 Allyson Lane from O-2 to O-1

Ryan described the applicant intends to rezone the property from O-2 to O-1 for the construction of a parking lot to provide additional parking for Pediatrics Plus. A parking lot as a principal use is not allowed in O-2 but is allowed by right in O-1. There is a need for additional parking in this area as cars currently park on-street, causing safety issues for individuals and vehicles. Planning staff recommended approval of the rezoning as it is an appropriate use for the area and the Comprehensive Plan defines this area as Office.

David Tapp (2740 Collins Dr) spoke in favor of the rezoning as the authorized agent. No opposition was present.

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 10-0.

I. Request for major modification to the Central Landing PUD to remove all single-family uses and increase the number of multi-family uses allowed

Kris relayed this proposal would remove single-family uses and expand the multi-family uses while adjusting the location and expanding allowed areas of multi-family and institutional uses. The total multi-family units allowed would expand from 700 to 1,440 which would be similar in density to an MF-3 zoning district while allowing mixed uses where allowed. Units already constructed within the PUD shall count toward the 1,440 total units. Planning staff recommended approval of the PUD modification, with the following conditions:

1. The following shall be further amended from the original conditions of the PUD or previously approved amendments thereof:

- a. Amendments shall be reflected on the amended Overall Masterplan in Exhibit C of the approval.
- b. Single-Family Residential shall be removed as an allowed use.
- c. Total Multi-Family units within the full PUD as seen in Exhibit A of the approval shall change from 700 units to 1,440 units.
- d. All development shall meet all applicable development standards and site development review as defined in the City of Conway Zoning Code at the time of development.
- e. Alterations of locations of institutional and multi-family uses throughout the PUD as identified on Exhibit C of the approval are approved.
- f. Any additional major modifications to the PUD shall require approval of the Planning Commission.

Corey Parks (900 Oak St) spoke in favor of this use request as the applicant expressing the modification is to serve the variety of housing needed and relayed proposed densities.

There was opposition present to this request from Junior Parker who stated the increased number of units allowed was excessive and would promote misconduct in the area. He expressed a R-2A or R-2 zoning would be a more compatible land use.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the major modification was made by Drew Spurgers and seconded by Jensen Thielke; passed 10-0.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Life Storage, 425 6th St (SDR-0323-0035)
2. Conway Self Storage (aka Dave Eard Drive Storage), 950 Dave Ward Dr (SDR-0423-0071)
3. Chick-Fil-A Site Modifications, 2510 Prince St (SDR-0523-0079)
4. Lewis Ranch Lot 4 Patio + Parking, 975 S Amity Rd (SDR-0623-0085)
5. Westrock Coffee Distribution Center Addition, 1430 William J Clark Dr (SDR-0623-0095)

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

1. Central Landing Addition, Phase 1 (P2023-00036)
2. AMP Lot 53 Replat (P2023-00037)
3. The Bird's Nest, Phase 1 (P2023-00039)
4. Andrew's Subdivision (P2023-00040)
5. Emergency Shelter PUD (P2023-00043)
6. Douglas Park Subdivision (aka Dave Ward Drive Storage) (P2023-00044)

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 Alexander Baney.

Approved:



2023 Chairman, Rebekah Fincher