

April 15, 2024

The regular meeting of the Conway Planning Commission was held, in person, Monday, April 15<sup>th</sup> at the Conway City Hall. The following members, being a quorum, were present and acting: Lori Quinn, Mark Ferguson, Alexander Baney, Drew Spurgers, Jay Winbourne, Brooks Davis, Teneicia Roundtree, Ethan Reed, and Rebekah Fincher. Jensen Thielke was absent.

Minutes from the March 25<sup>th</sup> meeting were approved on a motion made by Drew Spurgers and seconded by Lori Quinn. Passed 9-0, with the chairman voting.

## I. Public Hearings

### A. Request to annex 17.22 acres +/- located at 367 Old Military Rd, to be rezoned R-1 (ANN-0224-0028)

Tara Jackson, Planner, explained the applicant is requesting annex 17.22 acres located at 367 Old Military Rd with the requested zoning of R-1. The property is adjacent to R-1 zoning and the Comprehensive Plan lists the property as single family. It is currently in the platting process as an extension of the Orchard Hill Subdivision as a six large lot subdivision. The application is consistent with the Comprehensive Plan. The applicant is requesting police protection, fire protection, street maintenance, sanitation, and the ability to connect to Conway Corp utilities. The annexation request complies with the requirements of ordinance #O-22-77 specifying procedures for annexations. The fire department, Conway Corporation, Planning and Development Department, and the Transportation Department recommends annexation.

Megan Weckworth (240 Skyline Dr, Suite 3000, Conway, AR) spoke in favor of the annex.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the annex request. A motion to approve was made by Alexander Baney and seconded by Lori Quinn passed 9-0, with the chairman voting.

### B. Request to annex 5.0 acres +/- located at 3040 Orchard Crest Dr, to be rezoned R-1 (ANN-0224-0029)

Tara Jackson, Planner, explained the applicant is requesting annex 5.0 acres located at 3040 Orchard Crest Dr with the requested zoning of R-1. The property is adjacent to R-1 zoning and the Comprehensive Plan lists the property as single family. It is currently in the platting process as an extension of the Orchard Hill Subdivision as a six large lot subdivision. The application is consistent with the Comprehensive Plan. The applicant is requesting police protection, fire protection, street maintenance, sanitation, and the ability to connect to Conway Corp utilities. The annexation request complies with the requirements of ordinance #O-22-77 specifying procedures for annexations. The fire department, Conway Corporation, Planning and Development Department, and the Transportation Department recommends annexation.

Megan Weckworth (240 Skyline Dr, Suite 3000, Conway, AR) spoke in favor of the annex.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the annex request. A motion to approve was made by Jay Winbourne and seconded by Alexander Baney passed 9-0, with the chairman voting.

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**C. Request for a conditional use permit to allow the use of Laundromat in O-2 zoning district for the property located at 3955 College Ave (CUP-0324-0039)**

Tara Jackson, Planner, explained that the applicant is seeking a conditional use permit to allow laundromat in the O-2 zoning district at 3955 College Avenue. The comprehensive plan lists the property as office. The applicant is seeking to develop a multi-tenant building with one of the business uses being laundromat services. The traffic impact would be minimal. Staff recommends approval.

Tommy Bond (2601 TP White Dr, Jacksonville, AR) spoke in favor of the conditional use permit.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the conditional use permit request with the following conditions:

1. Operating hours are limited to 7:00am-9:30pm.
2. The development shall be subject to site development review in accordance with Article 10 of the Zoning Code, prior to the issuance of any building permits.
3. Driveways shall be aligned with the shared property line to the west (between Lots 1 and 2 of the Hogan Professional Park) and will be required to provide shared access with the undeveloped Lot 3 of the Hogan Professional Park platted lot to the east.
4. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent properties and shall comply with Article 10 of the Zoning Code.
5. Any new fencing shall comply with Article 10 of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
6. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
7. All signage shall be permitted and installed in accordance with the Conway Sign Code.
8. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
9. The conditional use approval shall become null and void if the use is not commenced within 18 months from the date of approval of this permit.
10. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.

A motion to approve was made by Lori Quinn and seconded by Jay Winbourne passed 9-0, with the chairman voting.

**D. Request to rezone property located at 6 Southerland Rd from A-1 to R-1 (REZ-0324-0041)**

Tara Jackson, Planner, explained the applicant is requesting to rezone +/- 1.66 acres at 6 Southerland Dr. The Comprehensive Plan lists this property as single family. With the rezoning to R-1 the property could support an estimated nine dwelling units assuming the site is developed to maxim density. However, the site is not served by Conway Corp sewer, so it is unlikely that nine units would be feasible if utilizing septic systems. The traffic impact would be minimal. Staff recommends approval of the rezone request.

Megan Weckworth (240 Skyline Dr, Suite 3000, Conway, AR) spoke in favor of the rezone.

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There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the rezone request. A motion to approve was made by Drew Spurgers and seconded by Ethan Reed passed 9-0, with the chairman voting.

**E. Request to rezone property located at 1695 S German Lane from A-1 to S-1 (REZ-0324-0042)**

Tara Jackson, Planner, explained the applicant is requesting to rezone +/- 2.16 acres at 1695 S German Lane from A-1 to S-1. There is an existing church on the property that has been operating under a conditional use permit. The applicant is seeking the rezoning to have their zoning match their use so that it is allowed by right rather than a conditional use permit. Additional development is limited by size and topography of the site. Staff recommends approval.

Brandon Foiles (1000 Ledgelawn Dr) spoke in favor of the rezon.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the rezone request. A motion to approve was made by Alexander Baney and seconded by Mark Ferguson passed 9-0, with the chairman voting.

**F. Request for conditional use to allow a Transmission Tower use in C-3 zoning district for the property located at 1845 Old Morrilton Highway (CUP-0324-0049)**

Mark Ferguson notified the Commission that he would be recusing himself from this item.

Tara Jackson, Planner, explained the applicant is requesting a conditional use permit to allow a Transmission tower in the C-3 zoning at 1845 Old Morrilton Highway. The request is for a 147 foot tall monopole cell tower. The infrastructure that would be placed on this tower is currently located on the water tower located on the property. The applicant is seeking to have the transmission equipment removed from the water tower and placed on the monopole. The tower would be enclosed by a 60 foot by 60 foot chain-link fence. The applicant is requesting to allow external antennas and cabling due to the type of monopole being installed and it being out of the view of the public right of way. Staff recommends approval.

Mark Ferguson and Brett McDaniel (800 South Harkrider, Conway, AR) spoke in favor of the conditional use permit. They explained that the current transmission equipment on the water tower poses a safety risk for personnel that has to service the water tower.

There was no opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the conditional use request with the following conditions:

1. Applicant to provide stamped, designed drawings prior to building permitting.
2. Adherence to Section 528 of the Conway Zoning Code is required, along with the exceptions listed above.
3. No zoning variances, in conjunction with the conditional use, shall be allowed.

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4. If the approved use is not commenced within 18 months from the date of approval, or if the use ceases for a consecutive period greater than 18 months, the conditional use permit shall expire.
5. If the tower is not used for a continuous period of 24 months it must be dismantled and removed by the telecommunications service provider.
6. Any expansion of the use or site, including but not limited to substantial increase in use intensity, new buildings, substantial changes in character, etc shall require approval of a new conditional use permit.

A motion to approve was made by Alexander Baney and seconded by Brooks Davis passed 8-0, with the chairman voting.

### III. ANNOUNCEMENTS/ADDITIONAL BUSINESS

#### A. Meeting Time Adjustment

The Commission discussed moving future meetings to 5:30 PM start time.

A motion was made by Ethan Reed to move Planning Commission Meetings to a 5:30 PM start time beginning with the May 2024 meeting and seconded by Jay Winbourne passed 9-0, with the chairman voting.

#### B. Next Meeting

The next Planning Commission meeting will be at 5:30 PM on May 20th at Conway City Hall.

### ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

#### A. Development Review Approvals

1. Covington Warehouses, 1320 & 1330 Covington Park Dr (SDR-1223-0203)
2. Westrock Temporary Mobile Offices, 1430 William J Clark Dr Ste 400 (SDR-0224-0024)
3. BMB Creations Bakery, 802 Front St (SDR-0324-0034)

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

1. Orchard Hill PH3 Replat (P2024-00017)
2. Replat of Lots 44 & 45, Ivy Place Subdivision (P2024-00019)

#### Adjournment

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

Approved:



2024 Chairman, Rebekah Fincher