

June 17, 2024

The regular meeting of the Conway Board of Zoning Adjustment was held, in person, Monday, June 17th at the Conway City Hall. The following members, being a quorum, were present and acting: Alexander Baney, Lori Quinn, Jensen Thielke, Jay Winbourne, Teneicia Roundtree, Ethan Reed, and Rebekah Fincher. Brooks Davis, Mark Ferguson, and Drew Spurgers were absent.

I. Variance Review

A. Request for a variance to allow reduced setbacks and lot dimension (VAR-0524-0067)

Lauren Hoffman, Planner, explained the applicant is proposing to construct a 2,295-sf addition to the existing church on the property. Due to topographical constraints from grade, further development to the north is not feasible and the church's expansion necessitates the request for the following variances:

1. Reduced minimum lot depth to varied dimensions due to lot configuration.
2. Reduced front setback (6-foot).
3. Reduced rear setback (10-foot).
4. Reduced landscaped setback parallel to street (5 foot-25 foot).

Brandon Foles (1000 Ledgeawn Dr, Conway, AR) and Barry Macon (1920 Hallous Street, Conway, AR) spoke in favor of the variance.

There was no opposition to the request.

The public hearing was closed and presented to the Board of Zoning Adjustment for discussion to which they concluded to approve the variance request with the following conditions:

1. Variance Permit No. VAR2010DEC01 will be voided and will be replaced by this variance permit.
2. Variances only apply to the existing church structure and addition, as proposed, and will not be applied to any future structures on site.
3. Building setbacks will be established as follows.
4. The 25' landscape setback requirement as required by the Zoning Code will not be required on the section of property south of the intersection of S German Lane and Bill Bell Lane. The 25' landscaping buffer is required along the S German Ln frontage north of the intersection.
5. A fully opaque fence of a height no less than six (6) feet shall be constructed/maintained along the western property line where any building abuts R-1 property.
6. Any existing vegetation along the western property line shall be left in an undisturbed state.
7. The parking lot along S German Ln shall not be expanded further into right of way and may eventually be required for removal should public improvements occur in the right of way.
8. The applicant shall be required to obtain site development review approval and plat the property prior to the issuance of building permits.
9. The variance shall lapse and void if the construction for the addition has not commenced within eighteen (18) months.

A motion to approve was made by Jay Winbourne and seconded by Teneicia Roundtree passed 7-0, with the chairman voting.



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The meeting of the Conway Board of Zoning Adjustment was adjourned with a motion from Jay Winbourne and seconded by Lori Quinn.

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The regular meeting of the Conway Planning Commission was held, in person, Monday, June 17th at the Conway City Hall. The following members, being a quorum, were present and acting: Alexander Baney, Lori Quinn, Jensen Thielke, Jay Winbourne, Teneicia Roundtree, Ethan Reed, and Rebekah Fincher. Brooks Davis, Mark Ferguson, and Drew Spurgers were absent.

Minutes from the May 17th meeting were approved on a motion made by Alexander Baney and seconded by Lori Quinn. Passed 7-0, with the chairman voting.

The Chairman proposed and Agenda order change. The proposal was that "Request to Rezone property at 2510 Tyler St from R-1 to PUD" be heard first as Item I-A and "Request for preliminary plat approval of Encore Subdivision" be heard second as Item II-A. A motion to accept the proposed Agenda order change was made by Jay Winbourne and seconded by Jensen Thielke passed 7-0 with the chairman voting.

I. Public Hearings

A. Request to rezone property at 2510 Tyler St from R-1 to PUD (PUD-0424-0053)

Ryan Robeson, Assistant Director, explained the applicant is requesting to rezone property located at 2510 Tyler St from R-1 to PUD. The applicant is proposing eleven (11) townhomes. These homes will be accessed with a single private drive off of Tyler Street. No individual townhome will be accessed directly off of Tyler Street. The street will be private and will be privately maintained. A PUD is being requested due to the fact there is only 109.99' of frontage along Tyler Street. This would limit the 1-acre lot to one single family home if left zoned R-1. This also cannot be rezoned MF-1 due to a decrease in the required landscape buffer to the west.

Tim Lemons (204 Cherry St, Cabot, AR) spoke in favor of the rezone request.

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 with the following conditions:

1. The site shall be limited to townhomes as proposed.
2. All standards and uses other than those defined shall be governed by restrictions of the MF-1 zoning district.
3. The development shall meet all applicable standards for Article 10 of the Zoning Code.
4. New buildings shall be of the following materials:
 - a. Brick/stone
 - b. Cement fiber board (Hardie board)
 - c. Wood
 - d. Other materials as approved by the Planning Director
5. Vinyl siding shall be prohibited.
6. 8' privacy fence along adjacent single-family homes required. Proposed fencing shall be approved by the Planning staff prior to installation.
7. An evergreen screen shall be provided along the western property line abutting the residential property. This shall consist of canopy and understory evergreen trees that will screen the property from existing single family homes.
8. All other landscaping must meet guidelines found in Article 10 of the Conway Zoning Code, including perimeter landscaping.

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9. The front unit facing Tyler Street shall have a false front that appears as a single-family home to traffic along Tyler Street. Planning Staff will work with the developer to ensure the unit meets this requirement.
10. Setbacks shall be as follows: Front – 15', Interior Side – 20', Rear 50'.
11. Applicant shall plat the property in accordance with the Subdivision Regulations.
12. Applicant shall return a signed copy of the final development plan prior to the issuance of building permits.
13. All street and roadway improvements shall be privately maintained. A Property Owners' Association or Improvement District shall be required to be formed and operate in perpetuity prior to filing of the final plat, to maintain all common areas and improvements such as streets, sidewalks, and drainage.

A motion to approve was made by Alexander Baney and seconded by Lori Quinn passed 7-0, with the chairman voting.

II. Subdivision Review

A. Request for preliminary plat approval of Encore Subdivision (SUB-0524-0077)

Ryan Robeson, Assistant Director, explained that the applicant is requesting preliminary plat approval of a one lot subdivision. The lot is roughly 5.40 acres and is consistent with the requirements for MF-2 zoning. The subdivision proposes access via Lewis Ranch Road. All proposed streets will require 5-foot sidewalks with a 6.5 greenspace. Site development review plans have been submitted. The applicant is proposing five new three-story buildings with 92 units total.

Jim Rankin (1307 Main St, Conway, AR) spoke in favor of the preliminary plat approval.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat approval with the following corrections and conditions:

1. Include vicinity map with acreage.
2. Correct signature line.
3. Provide all easements as indicated by the City Engineer and Conway Corporation
4. Other corrections as required by the City Engineer, Planning Direct, and Conway Corporation on the Preliminary Plat/Street and Drainage Plans.
5. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
6. The Street and Drainage Plans/Drainage Report shall be modified to meet the requirements necessary for approval by the City Engineer.
7. Address all drainage concerns of the City Engineer related to the impacts of this project and its relationship with neighboring development.
8. Fire hydrants must be placed so that the furthest point of a lot in a commercial subdivision is not more than 400 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
9. All other applicable provisions of the City of Conway Subdivision Ordinance (O-00-03) shall be satisfied and accounted for prior to Preliminary Plat approval.

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10. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat.

A motion to approve was made by Alexander Baney and seconded by Jensen Thielke passed 7-0, with the chairman voting.

III. ANNOUNCEMENTS/ADDITIONAL BUSINESS

A. Next Meeting

The next Planning Commission meeting will be at 5:30 PM on July 15th at Conway City Hall. At this time, no items had been filed for the July 2024 meeting.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. Chuy's, 500 S Amity Rd (SDR-0124-0007)
2. Life Storage post approval review, 425 6th St (SDR-0524-0078)

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

1. Prince Street Palace (P2024-00027)
2. Lot 3R of Westhaven Subdivision (P2024-00030)
3. Bell Valley Subdivision Phase 5, PUD (P2024-00031)

Adjournment

There being no further business to conduct, Jay Windbourn made a motion to adjourn with a second by Teneicia Roundtree.

Approved:



2024 Chairman, Rebekah Fincher