



August 19, 2024

The regular meeting of the Conway Planning Commission was held, in person, Monday, August 19th at the Conway City Hall. The following members, being a quorum, were present and acting: Lori Quinn, Mark Ferguson, Alexander Baney, Jensen Thielke, Jay Winbourne, Ethan Reed, Drew Spurgers, and Rebekah Fincher. Brooks Davis and Teneicia Roundtree were absent.

Minutes from the May 17th meeting were approved on a motion made by Drew Spurgers and seconded by Ethan Reed. Passed 8-0, with the chairman voting.

I. Subdivision Review

A. Request for approval of an exception to street curb and gutter requirements, Orchard Hills Subdivision Phase 4 (SUB-0823-0132)

Ryan Robeson, Assistant Director, explained the applicant is requesting an exception to the Subdivision Regulations, Article 5, Section 2(G) which requires the construction of curb and gutter on all lots with less than 150' of street frontage. The lot lines of Lot 2 and Lot 3 are in place due to an existing residence on Lot 3. Due to the placement of the lot lines, these two lots cannot meet the 150' minimum requirement. All other lots in this phase meet the street frontage requirement. There is no curb and gutter in any other phases of Orchard Hills. Construction of curb and gutter on only two lots of a subdivision creates consistency issues and does not meet the intended purpose of curbing and guttering streets.

Patrick Hayden (240 Skyline, Conway, AR) represented the applicant.

There was no opposition to the request.

A motion to approve was made by Lori Quinn and seconded by Jay Winbourne passed 8-0, with the chairman voting.

II. Public Hearings

A. Request to rezone property at 1300 Padget Rd from A-1 to R-1 (REZ-0724-0096)

Ryan Robeson, Assistant Director, explained that the applicant is requesting to rezone 11.60+/- acres at 1300 Padget Rd from A-1 to R-1. With the rezoning, it is estimated that 67 single family homes could potentially be constructed resulting in an estimated 632 vehicle trips per typical weekday. This property is adjacent to A-1 and R-1 properties with an elementary school located to the north. This type of development is consistent with the area.

Preston Sanders (306 Salem Rd, Suite 106, Conway, AR) spoke in favor of the rezone request.

Mary Allen York (5390 Pewter Dr, Conway, AR) spoke in opposition to the rezone request.

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

B. Request to rezone property at 333 S. East German Ln from A-1 to C-2 (REZ-0724-0097)

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Lauren Hoffman, Planner, explained the applicant is seeking to rezone 4.37+/- acres at 333 S. East German Ln from A-1 to C-2 with a concurrent Conditional Use Permit that is Item C on the meeting agenda to allow mini-storage at the property. The applicant intends to subdivide the property to retain the single-family home, and A-1 zoning designation, on the northeast corner of the tract and develop the rest of the site for mini-storage use. Mini Storage use is not allowed by right in the A-1 zone but allowed in the C-2 zone with a conditional use permit. The Comprehensive Plan designates the area as Single-Family. Abutting area uses are agricultural, residential, or institutional. They consists of a rural, 6 lot, A-1 zoned subdivision to the north, vacant lots to the west and south, and single-family homes and Conway Christian Schools to the east across S East German Ln. C-2 districts are generally located at arterial or collect street intersections and should be within walking distance of area neighborhoods. This site is currently unplatted and will have to undergo both site development and subdivision review prior to the issuance of building permits. Staff recommends denial of the rezoning request as it would allow inappropriate use of the property in context to the surrounding area, could negatively impact adjacent properties, and does not align with the Comprehensive plan.

Cody Ferris (27 Blue Bird Ln, Conway, AR) represented the applicant and requested to table the request until the next meeting.

Jake Erbach (9 Langford Dr) and Karen Wright (4 Langford Dr, Conway, AR) spoke in opposition to the request.

A motion to table the request to the September 2024 meeting was made by Alexander Baney and seconded by Jay Winbourne passed 8-0, with the chairman voting.

C. Request for conditional use permit to allow mini storage in a C-2 zoning district for property located at 333 S. East German Ln (CUP-0724-0099)

Lauren Hoffman, Planner, explained that since the concurrent rezone has been tabled to the September 2024 meeting this item is unable to be heard.

A motion to table the request to the September 2024 meeting was made by Alexander Baney and seconded by Jensen Thielke passed 8-0, with the chairman voting.

D. Request to rezone property at 800 S Donaghey Ave from S-1 to C-3 (REZ-0724-0098)

Lauren Hoffman, Planner, explained the applicant is requesting to rezone 4.10+/- acres at 800 S. Donaghey from S-1 to C-3 to subdivide the lot for commercial use. The Comprehensive Plan designates the area as multi-family. Much of the area to the south of Dave Ward Dr is reserved for multi-family use by the Comprehensive Plan, however the plan does not reflect the extent of commercial development which has occurred along this portion of Dave Ward Dr in recent years. Given this and the site's location along two major arterials, multi-family is not the only appropriate use. The site is additionally suitable for higher capacity commercial uses. Adjacent uses consist of a fueling station granted via conditional use permit in the C-2 zone to the north, religious activities in the S-1 zone to the east, duplex development in the R-2 zone to the south, and banking/commercial uses in the C-3 zone to the west. The existing church located on the site is to remain, and the remainder of the site will be subdivided additionally for commercial uses. All development will be subject to the Dave Ward Access Management Plan. Staff recommends approval of the rezoning to the requested C-3 zoning district, as it would align with existing commercial zoning to the north and west and closer aligns with the designation of the Comprehensive Plan.

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Bobby French (1021 Front St, Conway, AR) spoke in favor of the request.

There was no opposition to the request.

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

E. Request for conditional use permit to allow mobile food vendor in an O-1 zoning district for property located at 2138 Old Morrilton Hwy (CUP-0724-0103)

Lauren Hoffman, Planner, explained that the applicant is requesting a conditional use permit for 1.87+/- acres at 2138 Old Morrilton Hwy to allow mobile food vendor in an O-1 zoning district. The applicant intends to develop the site with 5 concrete pads, a commercial dumpster, restroom, and improved parking and access to operate a mobile food vendor park. Mobile Food Vendor as a primary use is not permitted by right in the O-1 zoning district but is allowed via conditional use permit. The Comprehensive Plan indicates this property as Planned Unit Development use. Adjacent properties are vacant lots to the west and north and a single-family home to the immediate east, under the same ownership. Due to topographical constraints and the availability of sewer to the site, a more intense development at the site would be difficult to achieve. Staff recommends approval of the request with the conditions listed in the staff report.

Patrick Heigman (240 Skyline, Conway, AR) spoke in favor of the request.

There was no opposition to the request.

A motion to approve the Conditional Use permit with the below conditions was made by Ethan Reed and seconded by Jay Winbourne passed 8-0, with the chairman voting.

1. Operating hours are limited to daily, 10:00am—10:00pm.
2. The development of the site will be generally constructed as shown on the submitted site plan. No more than 5 mobile food vendors may be on the site at any time.
3. 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.
4. The Planning Director may impose reasonable conditions of approval of the development review plans. Such conditions may be appealed to the Planning Commission if not agreed to by the applicant.
5. All exterior seating, eating, and drinking must conform to Article 10 standards of the Zoning Code.
6. Mobile food vendors must conform to all regulations specific to mobile food vendors in the Conway Zoning Code.
7. 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.
8. 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.
9. One monument style sign shall be permitted and installed in accordance with the Conway Sign Code for the entire development. Any additional signage specific to food trucks must be

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attached flat to the exterior of the mobile vending structure of equipment. Signage printed on umbrellas or similar may be utilized. "A" frame signs as defined in the Conway Sign Code may also be utilized.

10. Each mobile vendor must obtain, and upkeep, a mobile vendor site permit and A&P permit prior to moving the mobile structure onto the site. The mobile vendor must renew these permits annually.
11. All mobile vendors must comply with the current International Building Code, Arkansas Fire and Prevention Code, and Conway Corporation regulations.
12. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
13. The site is strictly for use as a mobile food vendor park. Any changes to or expansion of the approved use shall require and amended or new conditional use permit.
14. 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.
15. The conditional use permit shall expire is if the use ceases for a consecutive period of greater than 18 months.

III. ANNOUNCEMENTS/ADDITIONAL BUSINESS

A. Next Meeting

The next Planning Commission meeting will be at 5:30 PM on September 16th at Conway City Hall.

ITEMS NOT REQUIRING PLANNING COMMISSION ACTION

A. Development Review Approvals

1. (SDR-0124-0004) Webb Office Building, 1150 Markham St
2. (SDR-0224-0031) Paladino Duplexes, 2345 Matthews Meadows
3. (SDR-0424-0058) Don Pepe's post approval, 2525 Prince St
4. (SDR-0424-0060) Central Cold Storage, 1300 Mayor Ln
5. (SDR-0424-0062) Chipotle, 2885 Prince St

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

1. (P2024-00032) Wills Subdivision
2. (P2024-00033) 4555 Prince St. LLC Replat of Lot 2 Replat
3. (P2024-00034) B.C. Starkey Subdivision
4. (P2024-00035) Lewis Ranch Phase II Lot 4G Replat
5. (P2024-00036) Azalea Subdivision
6. (P2024-00038) Prince St Palace Correction Plat
7. (P2024-00039) 4555 Prince St. LLC Replat of Lot 2 Replat Correction Plat
8. (P2024-00040) Hugo's Subdivision
9. (P2024-00041) Hendrix College Addition Block 15 Replat
10. (P2024-00042) Final Plat Kordsmeier's Center Street Replat
11. (P2024-00043) Keathley Estates Amendment

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Adjournment

There being no further business to conduct, Drew Spurgers made a motion to adjourn with a second by Ethan Reed.

Approved:



2024 Chairman, Rebekah Fincher