

April 21, 2025

The regular meeting of the Conway Planning Commission was held, in person, Monday, April 21<sup>st</sup> at the Conway City Hall. The following members, being a quorum, were present and acting: Lori Quinn, Ethan Reed, Mark Ferguson, Alexander Baney, Jensen Thielke, Jay Winbourne, Brooks Davis, Teneicia Roundtree, Cassidy Cook and Kevin Gambrell.

Minutes from the March 17<sup>th</sup> meeting were approved on a motion made by Jay Winbourne and seconded by Alexander Baney. Passed 9-0, without the chairman voting.

## **I. Public Hearings**

### **A. Annex approx. 39.05 acres near Lollie Rd (ANN-0325-0046)**

Ryan Robeson, Assistant Director, explained the applicant is requesting to annex 39.05 acres located approximately 1,320 ft east of Lollie Rd and 947 ft south of Cooper Ln with the requested zoning of I-3. A petition has been provided by the County Court of Faulkner County releasing the land for annexation into the City of Conway. Documentation has been received from the Department of Transformation and Shared Services showing the applicant has coordinated with that office. Per the City of Conway Annexation Guidelines and Procedures, as established through state statute A.C.A § 14-38-101—108 and 14-38-114—116 and City of Conway Ordinance #O-22-77, all areas to be annexed must be contiguous to and adjoin lands which are included with the City of Conway, Arkansas. This condition is met with this annexation request. The City of Conway's Comprehensive Plan states, in Section 8 – Annexation Strategies, annexation should be encouraged to square off municipal boundaries and to avoid islands within the County that are surrounded by municipal boundaries. This condition is met with this annexation request. I-3 zoning appears appropriate for the area. There is a portion of land zoned I-3 to the immediate southwest of this property. This is for annexation only. Any future development may require further rezoning or a conditional use permit which would require future Planning Commission and City Council meetings. The applicant is requesting police protection, fire protection, street maintenance, sanitation, and the ability to connect to Conway Corp Utilities.

Jamie Gates (900 Oak St, Conway, AR) spoke in favor of the annex.

Jeremy Rice (1350 Lollie Rd, Conway, AR) spoke in opposition of the annex.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request. A motion to approve made by Alexander Baney and seconded by Ethan Reed passed 9-0, without the chairman voting.

### **B. Annex approx. 294.74 acres near Lollie Rd (ANN-0325-0047)**

Ryan Robeson, Assistant Director, explained the applicant is requesting to annex 294.74 acres located approximately 1,320 ft east of Lollie Rd and 947 ft south of Cooper Ln with the requested zoning of I-3. A petition has been provided by the County Court of Faulkner County releasing the land for annexation into the City of Conway. Documentation has been received from the Department of Transformation and Shared Services showing the applicant has coordinated with that office. Per the City of Conway Annexation Guidelines and Procedures, as established through state statute A.C.A § 14-38-101—108 and 14-38-114—116 and City of Conway Ordinance #O-22-77, all areas to be annexed must be contiguous to and adjoin lands which are included with the City of Conway, Arkansas. This condition is met with this annexation request. The City of Conway's Comprehensive Plan states, in Section 8 – Annexation Strategies, annexation should be encouraged to square off municipal boundaries and to avoid islands within the County that are surrounded by municipal boundaries. This condition is met with this annexation request. I-3 zoning appears appropriate for the area. There is a portion of land zoned I-3 to the immediate southwest of this property. This is for annexation only. Any future development may require further rezoning or a conditional use permit which would require future Planning Commission and City Council meetings. The applicant is requesting police protection, fire protection, street maintenance, sanitation, and the ability to connect to Conway Corp Utilities.

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Jamie Gates (900 Oak St, Conway, AR) spoke in favor of the annex.

Jeremy Rice (1350 Lollie Rd, Conway, AR) spoke in opposition to the annex.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request. A motion to approve made by Alexander Baney and seconded by Ethan Reed passed 9-0, without the chairman voting.

**C. Rezone property on Lollie Rd from A-1 to I-3 (REZ-0425-0052)**

Ryan Robeson, Assistant Director, explained the applicant is requesting to rezone 160 acres at the northeast intersection of Lollie Rd and Donnell Ridge Rd from A-1 to I-3. Rezoning to I-3 is consistent with the zoning in the area and consistent with the adjacent annexations (ANN-0325-0046, ANN-0325-0047). The Comprehensive Plan designates this area as a light industrial. The applicant is applying for an intensive industrial use which is consistent with uses in the area. Given this area has minimal development, it is reasonable to increase the intensity of use from light to intensive. This rezone is appropriate for the area and will not likely harm adjacent property. Traffic impact for this development will likely be minimal.

Jamie Gates (900 Oak St, Conway, AR) spoke in favor of the rezone.

Jeremy Rice (1350 Lollie Rd, Conway, AR) spoke in opposition of the rezone.

The public hearing was closed and presented to the Commission for discussion to which they concluded to approve the request. A motion to approve made by Jay Winbourne and seconded by Alexander Baney passed 9-0, without the chairman voting.

**D. Rezone property SE of the intersection of Donnell Ridge Rd & Old Military Rd from R-1 to R-2 (REZ-0325-0037)**

Lauren Hoffman, Planner, explained the applicant is requesting to rezone 6.96 acres approx. 120 ft south of the intersection of Donnell Ridge Rd and Old Military Rd from R-1 to R-2. It is the intent of the applicant to rezone this parcel of land from R-1 to R-2 for duplex development. Later phases of the subdivision are intended for single-family development. Platting will be required and shall align with the City of Conway Subdivision Regulations and Conway Zoning Code. The current rezoning request, which was included as a part of a larger annexation, was annexed into the city limits of Conway as R-1, at the February 25, 2025, City Council meeting. The Comprehensive Plan indicates the western portion of this property as Transition Zone and the eastern portion as Single-Family. The requested zoning aligns with proposed land use both east and west of the property. Abutting land uses are predominantly rural, agricultural, and single-family residential. Higher density zoning is prevalent on the west side of Old Military Rd.

Hal Crafton (4980 Tyler St, Conway, AR) spoke in favor of the rezone.

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 request. A motion to approve made by Ethan Reed and seconded by Teneicia Roundtree passed 9-0, without the chairman voting.

**E. Rezone property at 1 Laura Ln from R-1 to R-2 (REZ-0325-0038)**

Lauren Hoffman, Planner, explained the applicant is requesting to rezone 1 Laura Ln from R-1 to R-2 for higher density development. Any dividing, reconfiguration, or merging of lots, will require the property be formally replatted and align with the Conway Subdivision Regulations and Conway Zoning Code. The Comprehensive Plan indicates this property and all properties in the vicinity as Single-Family. Duplex

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development is prevalent in the area. The site itself, as well as Laura Dr (Countrywood Addn Subdivision), was historically zoned and platted as R-2, but rezoned to R-1 in 1984. The R-2 district encourages the same basic restrictions as the R-2A (Two-Family Residential District) and permits a slightly higher population density area for family living protected from all commercial and industrial activity. Abutting land uses are Single-Family residential to the west and immediate south. Further south hosts a duplex subdivision along Floyd Dr. There are also 2 duplex developments to the southeast across Hubbard Dr, and north of the site along Hubbard Dr. There is a MF-2 apartment development directly across Hubbard Dr from this property.

The applicant was not present to speak in favor of the request, so this item was tabled until next month. A motion to table made by Cassidy Cook and seconded by Ethan Reed passed 9-0, without the chairman voting.

**F. Rezone property at 2011 Meadowlake Rd from R-1 & C-2 to R-2 (REZ-0325-0041)**

Lauren Hoffman, Planner, explained the applicant is requesting to rezone 1.35 acres at 2011 Meadowlake Rd from R-1 & C-1 to R-2 for duplex development. It is the intent of the applicant to rezone this portion of land from R-1 to R-2 for duplex development. Platting will be required and shall align with the City of Conway Subdivision Regulations and Conway Zoning Code. The Comprehensive Plan indicates all property south of Meadowlake Rd as Single-Family. North is a mixture of Multi-Family, Commercial, and Mixed-Use areas. The R-2 district encourages the same basic restrictions as the R-2A (Two-Family Residential District) and permits a slightly higher population density area for family living protected from all commercial and industrial activity. Abutting land uses to the south and east are Single-Family, a PUD/vacant bank to the north, and the Church at Meadowlake and Pleasant Valley subdivision to the west. There is currently a conditional use permit (No. 1320) tied to the northern portion of 2011 Meadowlake and the property adjacent to the east for an Automotive Fueling Station in the C-2 zone that was approved in December of 2012. As that permit is not being observed and will be affected by this rezone, Planning Staff have been coordinating with the owners of this property and the adjacent property to get that permit revoked.

Jason Jones (2435 Peabody Dr, Conway, AR) spoke in favor of the rezone.

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 request. A motion to approve made by Jay Winbourne and seconded by Ethan Reed passed 9-0, without the chairman voting.

**G. Planned Unit Development major modification denial appeal at the SE corner of Prince St and Reedy Rd (PUD-0325-0032)**

Ryan Robeson, Assistant Director, explained the applicant is proposing a live/work concept to the north parcel and a continuation of the established development pattern of townhomes for the south parcel. This Planned Unit Development was originally given approval in August 1985 and allowed for an MF-1 density. Due to the age of the PUD, all additional supporting documentation no longer exists. The proposal would allow for a mixed-use development to the north parcel and townhouse development to the south. The original PUD allowed for MF-1 density. MF-1 density allows for no more than twelve (12) units per gross acre in density. This density was followed in the initial phase of this development. The request was initially sent to the Planning Director who denied the request. The request was denied due to the age of the original PUD and lack of documentation. It is believed this PUD needs to go back to Planning Commission for a decision and clarification of what is permitted. Ingress/Egress will be taken from Prince St for the northern development and from Reedy Rd for the southern development as shown on the site plan. This development will face multiple challenges in site development review. Nine parking spaces have been established in addition to the garages on the north side of Essex Dr (live/work units). This is roughly two additional spots per unit. An operational plan with expected parking need will be required for each live/workspace. Any variance requests from Article 10 will be addressed in Site Development Review. If denied, these will come to Planning

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Commission for review.

John Pennington (306 Salem Suite 104, Conway, AR) and Rene Rains (526 3<sup>rd</sup> Ave) spoke in favor of the rezone.

John Rhoades (3 Essex Dr, Conway, AR) spoke in opposition to the rezone and offered additional documentation regarding the original PUD.

The public hearing was closed and presented to the Commission for discussion to which they concluded to table the item for all parties to review the newly presented PUD documentation. A motion to table made by Mark Ferguson and seconded by Kevin Gambrell passed 9-0, without the chairman voting.

#### **H. Conditional Use Permit for a home occupation at 9 Water Oak Dr (CUP-0325-0034)**

Lauren Hoffman, Planner, explained the applicant intends to provide hair salon services with the approval of a Home Occupation within the enclosed carport area of the residence. The applicant is aware the carport must be enclosed to validate the Home Occupation. The requested use would adhere to the Zoning Code definition of a beauty shop, *"A facility licensed by the state where hair cutting, hair dressing, shaving, trimming beards, facials, manicures or related services are performed."* A beauty shop having facilities to serve no more than one person or to be used by not more than one operator shall be considered a permitted home occupation. Home occupation is any occupation or profession carried on by a member of the immediate family residing on the premises, in connection with which there is used no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; there is no advertising. The resident at the site will be the only staff member and the operation will take up no more than 25% of the gross floor area of the residence. The use of the site for home occupation (beauty shop) is not permitted by right in the R-1 zoning district but is allowed via a conditional use permit. The Comprehensive Plan indicates this property as Single-Family. The primary use of the property is still single-family residential while also allowing the resident to operate a hair salon from her enclosed carport.

Dana Hamilton (9 Water Oak Dr, Conway, AR) spoke in favor of the 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 request with the below conditions. A motion to approve made by Ethan Reed and seconded by Teneicia Roundtree passed 9-0, without the chairman voting.

##### **CONDITIONS**

1. Operating hours are limited to 9:00am—6:00pm, Monday through Fri.
2. Treatments are limited to that of a hair salon.
3. The carport shall be enclosed for the operation of the hair salon.
4. The home occupation shall not occupy more than twenty- five percent (25%) of the gross floor area of one floor of said dwelling.
5. There shall not be displayed or created outside the building or displayed by means of windows or openings in the structure any external evidence of the operation of the occupation, except for one inanimate, non-illuminated accessory identification sign not more than two (2) square feet in area may be placed flat against a wall or door or displayed in a window. All signage shall be permitted and installed in accordance with the Conway Sign Code.
6. No person is employed other than a member of the immediate family residing on the premises.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses beyond the property line.
8. Client parking shall be limited to the driveway and curb in front of the property.
9. No zoning variance, which could result from the commencement of the conditional use, may be considered.
10. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.

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11. 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.
12. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.

## **II. Subdivision Review**

### **A. Subdivision waiver request for Lot-3 Mayor's Place Replat at 1550 Dave Ward Drive (SUB-0425-0053)**

Lauren Hoffman, Planner, explained the applicant is requesting a waiver to the Subdivision Regulations to allow the creation of 2 double frontage lots (3B and 3C) as part of a 3-lot minor subdivision and to waive the requirement for a planting screen easement. Minor subdivisions, containing 4 or fewer lots and not requiring any new street or drainage construction, are reviewed administratively by Planning Staff. This request is presented to the Planning Commission because it represents a deviation from the regulations of Subdivision Ordinance, as amended (#O-00-03) which requires Commission approval. The site is an irregular triangular shape and is bound to the north, south, and east by higher classification existing public streets. There are future plans to reconfigure the intersection of East Dave Ward Dr, South E German Ln, and Southerland Rd which makes this waiver request crucial to allow flexibility for development design and access of both proposed lots. The Comprehensive Plan designates the site as Single-Family. Given its proximity to the significant intersection of E Dave Ward Dr (major arterial, 100' ROW), South E German Ln (minor arterial, 80' ROW), and Southerland Rd (collector, 60' ROW), as well as a proposed future widening of E Dave Ward Dr, it is likely that the Southerland Rd frontage will provide a secondary means of egress for any future development of these lots. Without knowing the future roundabout and street widening plans, reconfiguration, or design for this intersection, there is a desire to not hinder the future development of these lots, and for this reason, the planting screen easement requirement should also be waived. The secondary frontage, Southerland Rd, is an open ditch collector street that provides additional access to the north to Middle Rd without having to navigate heavier traffic prone areas like E Dave Ward Dr and S Amity Rd. Property along this street consists of rural and agricultural zonings and land uses.

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

A motion to approve made by Alexander Baney and seconded by Cassidy Cook passed 8-1, with Ethan Reed voting in opposition, without the chairman voting.

A motion to adjourn the Planning Commission meeting made by Jay Winbourne and seconded by Cassidy Cook passed 9-0, without the chairman voting.

The regular meeting of the Conway Board of Zoning Adjustment was held, in person, Monday, April 21<sup>st</sup> at the Conway City Hall. The following members, being a quorum, were present and acting: Lori Quinn, Ethan Reed, Mark Ferguson, Alexander Baney, Jensen Thielke, Jay Winbourne, Brooks Davis, Teneicia Roundtree, Cassidy Cook and Kevin Gambrill.

## **III. Variance Review**

### **A. Reduce the lot width requirement for property located at 1614 Independence St & 1403/1405 Clifton St (VAR-0225-0024)**

Lauren Hoffman, Planner, explained the applicant has submitted a minor subdivision application to replat the property (SUB-1224-0153). As there is a legally non-conforming existing single-family home and duplex currently on 1 lot, the uses do not align with the allowances of the Zoning Code. The subdivision of the property makes both structures conform again (as all required setbacks and uses) can conform to those of the Zoning Code and Old Conway Design Overlay standards. Due to the proposed Lot 2 being required to have a 75' lot width, the variance is not able to be granted administratively by Planning staff, based upon the allowance that would be required. The request for a variance to reduce the minimum lot width is specifically for Lot 2 (the duplex corner lot) of the

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proposed Frazier Replat from 75' to 63'. The single-family home was constructed in 1942. No construction information could be found on the duplex, but judging by design and style, was most likely constructed sometime in the late 1970s to mid-1980s. Single-family homes and duplexes are both allowed by right uses in the MF-3 zone, however, not on the same lot. Due to the fact the existing owner wants to split the parcel for each lot to operate independently, a replat would be required. A replat will also allow the legally non-conforming uses to conform again. Planning staff can administratively grant numeric waivers up to 10%, however with the right-of-way dedication required long Clifton St with the replat, the request (16%) is greater than staff could grant. Both lots, once replatted, can still conform to the required building setbacks established by the Old Conway Design Overlay District regulations.

Aaron Brister (60 Haley Circle, Conway, AR) spoke in favor of the 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 request with the below conditions. A motion to approve made by Jay Winbourne and seconded by Teneicia Roundtree passed 9-0, without the chairman voting.

**CONDITIONS**

1. The variance granted is specifically for Lot 2 of the proposed Frazier Replat.
2. The variance permit shall become effective with the filing of the plat.
3. In the event the duplex is removed, any new development shall conform to Old Conway Design Overlay District Standards.

**B. Reduce the front yard setback at 2090 Old Morrilton Hwy (VAR-0225-0030)**

Ryan Robeson, Assistant Director, explained the applicant is replatting 2090 Old Morrilton Hwy into three lots. The existing home was constructed in 1951, prior to the increase in required right-of-way along Old Morrilton Hwy. The requested zoning variance will reduce the front setback from 25' to 5.6' for the existing structure. The necessity for a variance is to bring the lot into conformance and allow for the lot to be replatted into three separate lots. The need for a variance is the result of an increase in right-of-way along Old Morrilton Hwy. The home has existed in this location and is not being removed.

Patrick Hageman (240 Skyline Dr, Conway, AR) spoke in favor of the 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 request with the below conditions. A motion to approve made by Teneicia Roundtree and seconded by Ethan Reed passed 9-0, without the chairman voting.

**CONDITIONS**

1. The variance granted is specifically for the home located at 2090 Old Morrilton Hwy.
2. The variance allowed is 19.6'. This will place the home 5.6' from the front setback.
3. The variance permit shall become effective with the filing of the plat.
4. In the event the home is removed, any new development shall conform to all City of Conway codes and ordinances.

**C. Reduce the side yard setback for an outbuilding located at 515 Center St (VAR-0325-0043)**

Ryan Robeson, Assistant Director, explained the applicant is replatting 515 and 511 Center Street. The shed has been located in this configuration for approximately 100 years per the applicant. A variance is required to bring the lot into conformance. The requested zoning variance will allow a reduced outbuilding setback from 5' to 1.6'. The necessity for a variance is to bring the lot into conformance and allow for the lot to be replatted. Staff expects granting this variance will result in little to no harm for adjacent property. Setbacks in the Old Conway Design Overlay



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District vary slightly from the traditional R-2A setbacks. The side setback in the overlay district is 5'. This would be a variance of 3.6'.

Dawn Jackson (515 Center St, Conway, AR) spoke in favor of the 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 request with the below conditions. A motion to approve made by Cassidy Cook and seconded by Jensen Thielke passed 9-0, without the chairman voting.

**CONDITIONS**

1. The variance granted is specifically for the outbuilding located at 515 Center St.
2. The variance allowed is 3.6'. This will allow conformance with the OCDOD – Suburban Zone side setback standards.
3. The variance permit shall become effective with the filing of the plat.
4. In the event the outbuilding is removed, any new development shall conform to Old Conway Design Overlay District Standards.

**D. Reduce the side yard setback for an outbuilding located at 511 Center St (VAR-0325-0044)**

Ryan Robeson, Assistant Director, explained the applicant is replatting 515 and 511 Center Street. The shed has been located in this configuration for approximately 100 years per the applicant. A variance is required to bring the lot into conformance. The requested zoning variance will allow a reduced outbuilding setback from 5' to 1.6'. The necessity for a variance is to bring the lot into conformance and allow for the lot to be replatted. Staff expects granting this variance will result in little to no harm for adjacent property. Setbacks in the Old Conway Design Overlay District vary slightly from the traditional R-2A setbacks. The side setback in the overlay district is 5'. This would be a variance of 3.6'.

Brian Jackson (515 Center St, Conway, AR) spoke in favor of the 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 request with the below conditions. A motion to approve made by Jay Winbourne and seconded by Cassidy Cook passed 9-0, without the chairman voting.

**CONDITIONS**

1. The variance granted is specifically for the outbuilding located at 511 Center St.
2. The variance allowed is 3.6'. This will allow conformance with the OCDOD – Suburban Zone side setback standards.
3. The variance permit shall become effective with the filing of the plat.
4. In the event the outbuilding is removed, any new development shall conform to Old Conway Design Overlay District Standards.

**IV. ANNOUNCEMENTS/ADDITIONAL BUSINESS****A. Next Meeting**

The next Planning Commission meeting will be at 5:30 PM on May 19<sup>th</sup> at Conway City Hall.

**B. Next Meeting**

Ryan will provide an update on new State Legislation at the next meeting.

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**ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

**A. Development Review Approvals**

1. (SDR-1124-0142) Anchor Retail Center at 1190 S Amity Rd
2. (SDR-1224-0148) Tilk Hanger at 3250 JW and Pat Brown Blvd
3. (SDR-1224-0149) Clayton Homes at 901 McNutt Rd
4. (SDR-0125-0006) The Estates of Conway at 1810 Rich Smith Ln

**B. Plats filed for record (Lot Splits, Lot Mergers, and Final Plats)**

1. (P2025-00018) Red Oak Replat
2. (P2020-00021) Clayton Homes Replat
3. (P2000-00022) Replat of Lot 10 Replat Lewis Crossing Addition

**Adjournment**

There being no further business to conduct, Brooks Davis made a motion to adjourn with a second by Jay Winbourne.

Approved:



*2025 Chairman, Lori Quinn*