



CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

March 21, 2022 • 6:00pm • 1111 Main Street

Meeting time has been adjusted to 1 hour earlier than typical for this meeting only

**Decisions made by the Planning Commission acting as the Board of Zoning Adjustment are final. Decisions may not be appealed to City Council.*

Planning Commission meeting procedures (per by-laws adopted July 19, 1993; amended September 20, 2021)

**Subdivision Review items are included for consideration as administrative reviews to determine compliance with the Conway Subdivision Ordinance, Zoning Code, and applicable plans. Such items are not conducted as public hearings.*

***Order and conduct for public hearings: Following the announcement of the item by the Chair, Planning Staff will present the report findings. Following Staff presentation the Applicant is granted up to 10 minutes for additional presentation with subsequent favorable public comments limited to 3 minutes per person. If opposed parties are present the initial speaker is then granted up to 10 minutes with each subsequent public comment limited to 3 minutes per person. No person shall address the Planning Commission without first being recognized by the Chair and stating his/her name and address for the public record. All questions/remarks shall be made from the podium and addressed through the Chair to the Commission as a whole. Any group with common interest shall select a speaker to address the Commission on behalf of the group; repetitive comments will be limited.*



City of Conway PLANNING COMMISSION

March 21, 2022

*Items I.A through III.C and III.G are carried over from the February 23rd meeting
which was canceled due to inclement weather*

PLANNING COMMISSION

Rhea Williams, Chair
Rebekah Fincher, Vice-Chair
Laura King, Secretary
Alexander Baney
Adam Bell
Latisha Sanders-Jones
Ethan Reed
Drew Spurgers
Larry Webb
Greg West

The Conway Planning Commission makes recommendations to the City Council on public hearing items. Items reviewed on this agenda will be considered by the City Council as early as **April 12, 2022.**

Items not approved by the Planning Commission may be appealed to the City Council within 30 days of the date of Planning Commission denial, with exception of decisions made by the Planning Commission acting as the Board of Zoning Adjustment.

Call to Order and Roll Call.

Finding of a Quorum.

Approval of Minutes. January 18, 2022

I. Subdivision Review*

- A. Request for extension of preliminary plat approval for Miller's Creek Phase 1 (SUB2020NOV05) & Miller's Creek Phase 2 (SUB2021JAN03)
- B. Request for preliminary plat approval of Cardinal Valley Subdivision, Phase 2 (SUB-0122-0190)

II. Variance Review †**

- A. Request for zoning variance to allow reduced exterior setback for property located at 519 Mitchell Street (VAR-0122-0179)
- B. Request for zoning variance to allow reduced exterior setback for property located at 812 Merriman Street (VAR-0122-0180)
- C. Request for zoning variance to allow reduced minimum lot area, reduced minimum lot width, reduced interior side setback, reduced exterior side setback, and reduced front setback for property located at 1217 Watkins Street (VAR-0122-0191)

Public Hearings**

- A. Request to modify Lot 12A (3200 Prince Street) of the Club Villas PUD Final Development Plan to allow residential development (REZ-1221-0166)
- B. Request to rezone property at 1 & 3 Azalea Lane and 65 Azalea Loop from A-1 to R-2A (REZ-0122-0173)
- C. Request to modify Conditional Use Permit No. 1042 to allow a childcare facility in the O-1 zoning district for property located at 700 Salem Road (CUP-0122-0182)
- D. Request to modify Conditional Use Permit No.1277REV to allow General and Restricted Retail and Restaurant with drive-through for property located 2525 Prince Street (CUP-0122-0192)
- E. Consideration for permit to allow the operation of an accessory use in conjunction with a nonconforming primary use for property located at 725 2nd Street (CUP-0122-0194)
- F. Request to rezone property located at 3055 Stermer Road from RU-1 to A-1 (REZ-0122-0196)
- G. Request to rezone 3.70 acres± located at 2522 and 2600 College Avenue from O-2 to PUD (REZ-0122-0189)

IV. Announcements/Additional Business

- A. Proposed amendment to the Master Street and Trail Plan
- B. Proposed amendment to the Conway Zoning Code

Adjournment

Request for Preliminary Plat Approval Extension: Miller's Creek Phases 1 and 2

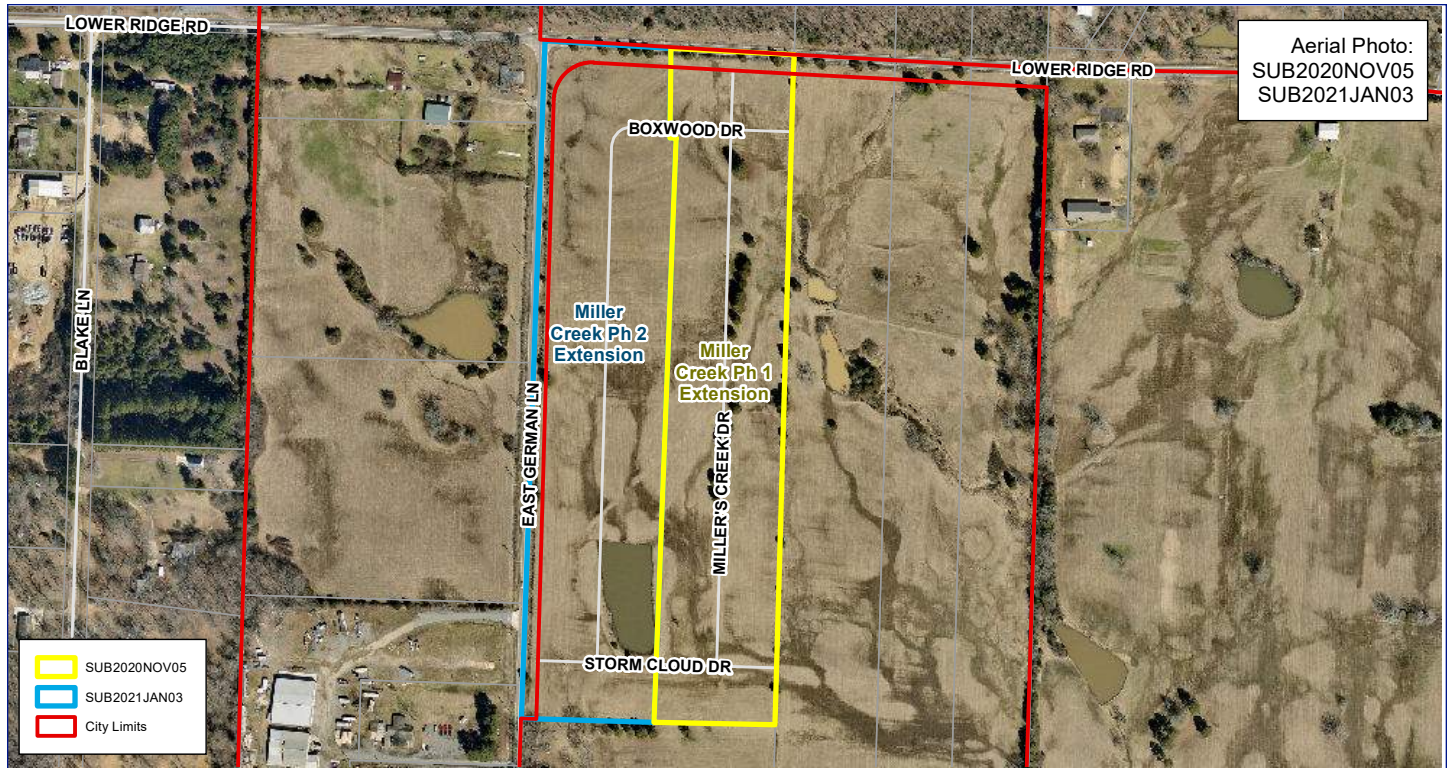
26.93 acres± east of East German Lane, south of Lower Ridge Road

AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

APPLICANT/OWNER

Crafton Lee Fowler Irrevocable Trust
Harold Crafton, Trustee



SITE DATA

Location. 2100 East German Ln, property at the southeast corner of the intersection of Lower Ridge Rd and East German Ln.

Site Area. 13.17 acres± (Ph 1); 13.76 acres± (Ph 2).

Overlay. Lower Ridge Road Corridor Study.

Current Zoning. R-1(Ph 1); R-2 (Ph 2).

Comprehensive Plan. Commercial and Traditional Neighborhood.

Master Street Plan. East German Ln (Minor Arterial), Lower Ridge Rd (Major Arterial).

Existing Structures. None.

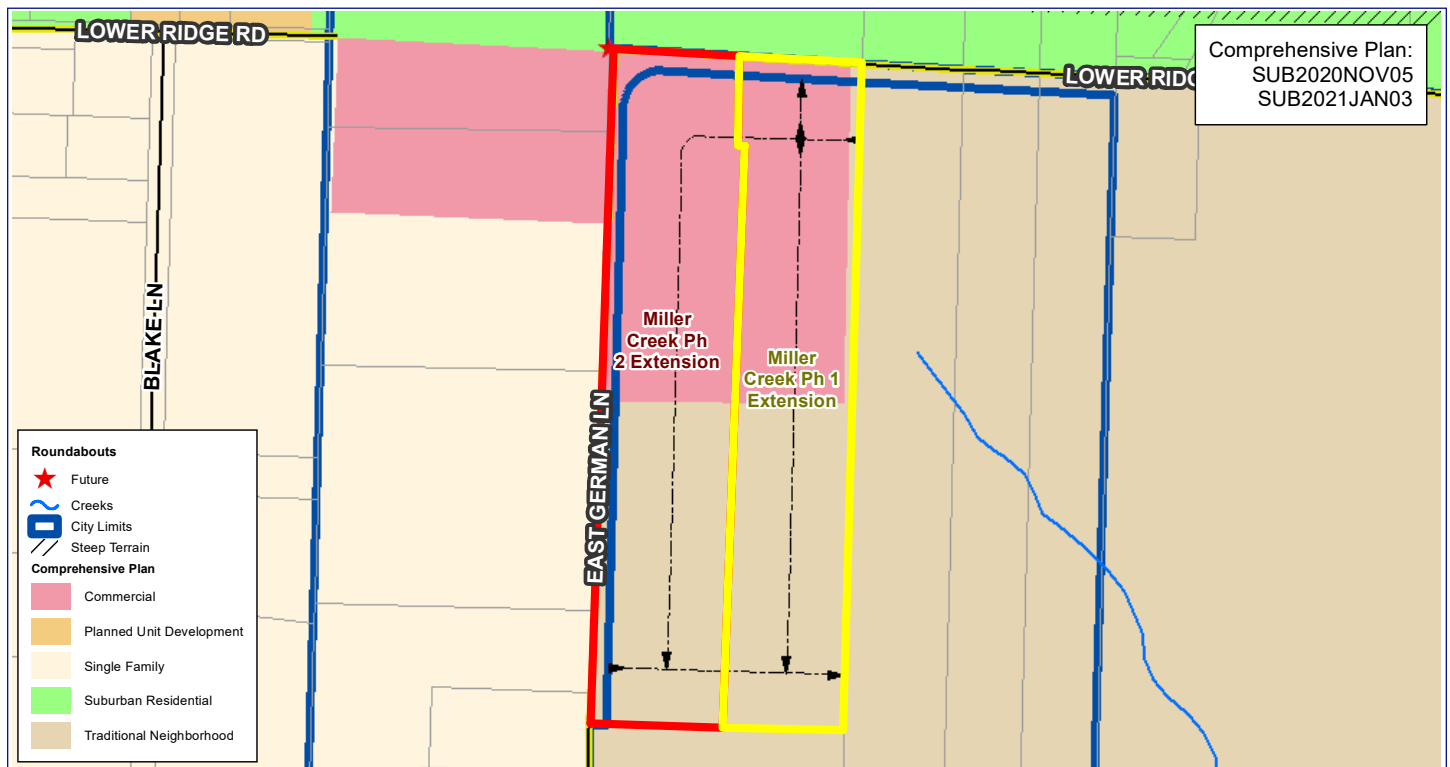
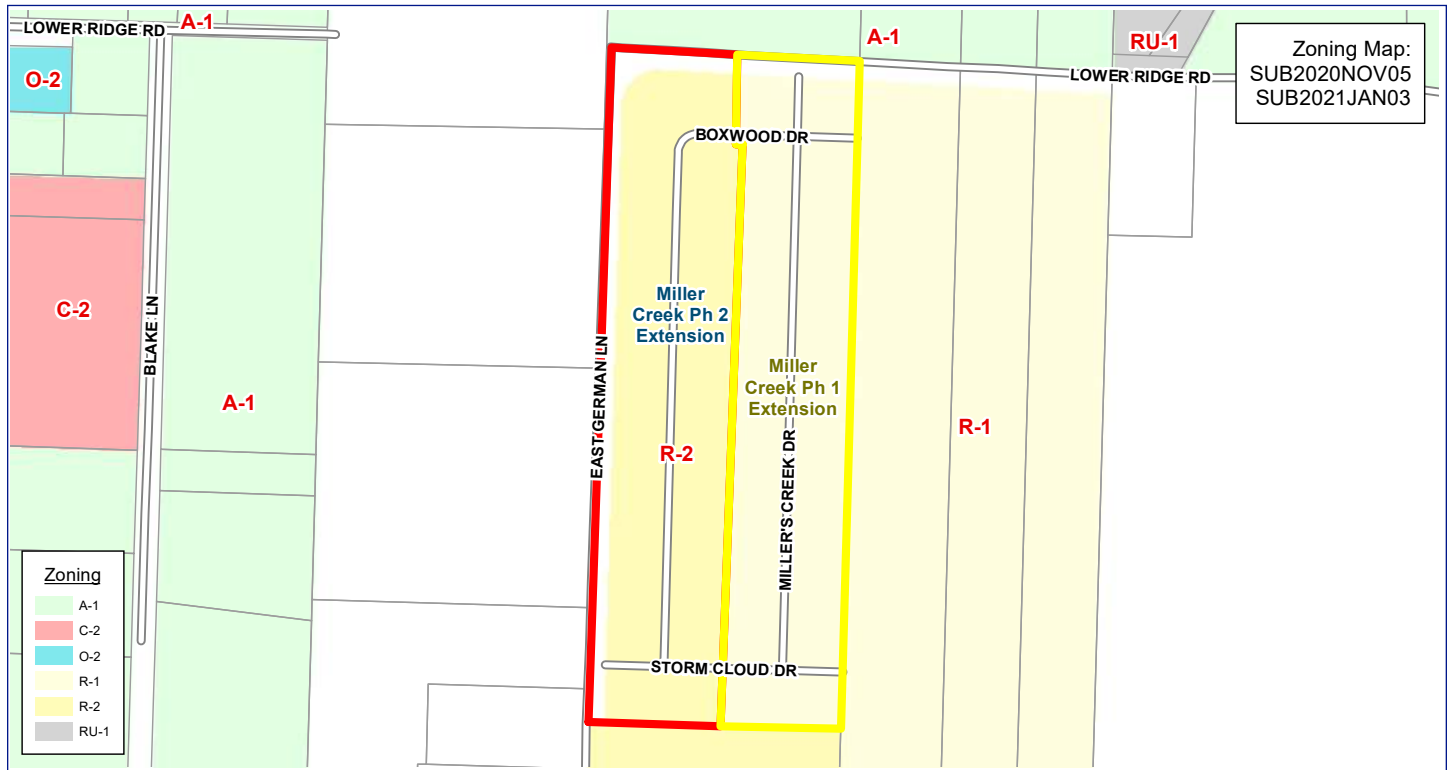
REQUEST

The applicant is requesting a one-year extension to the previously approved preliminary plats for Miller's Creek Phases 1 and 2.

Request for Preliminary Plat Approval Extension: Miller's Creek Phases 1 and 2

I.A

26.93 acres± east of East German Lane, south of Lower Ridge Road



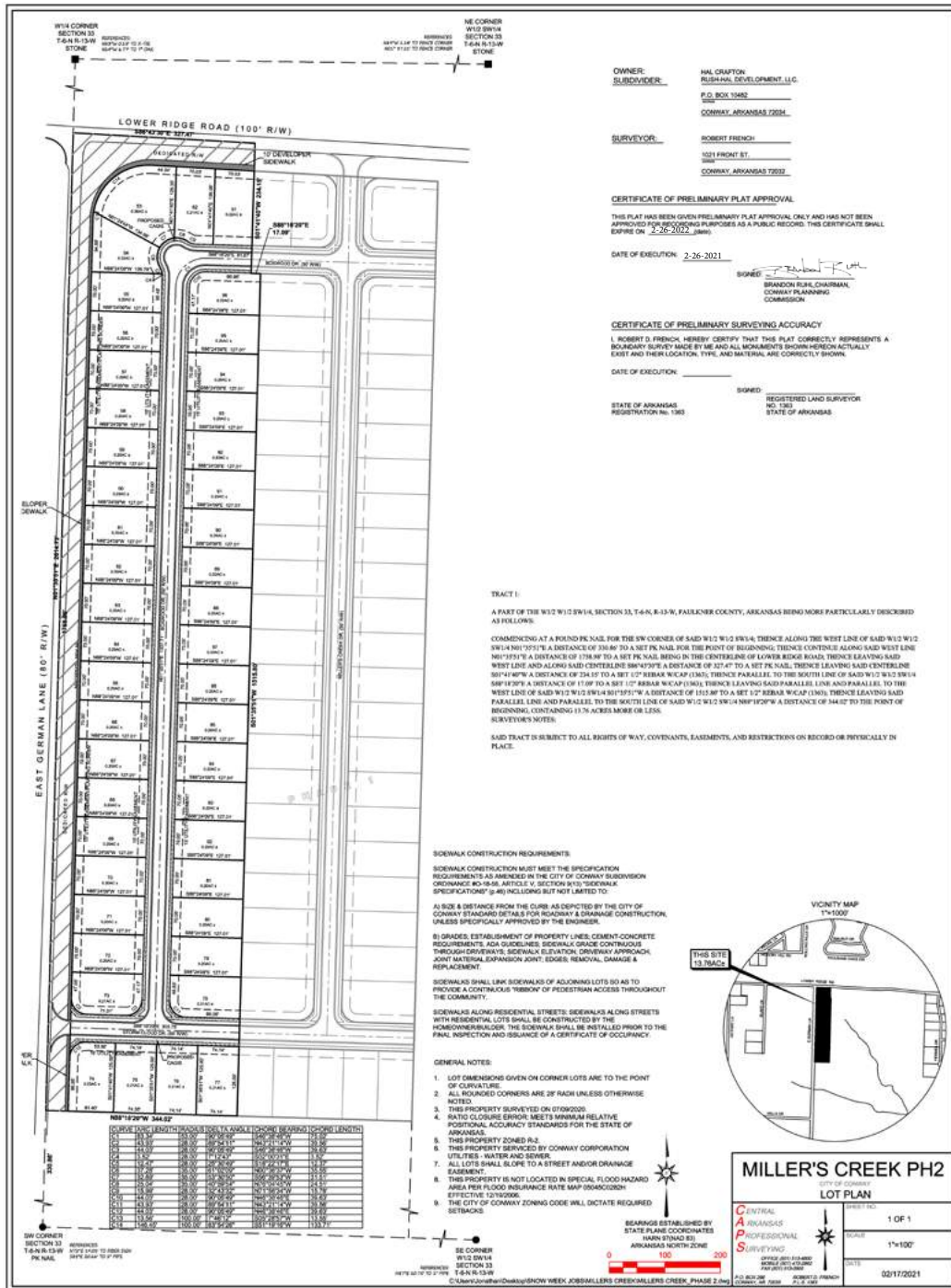
Request for Preliminary Plat Approval Extension: Miller's Creek Phases 1 and 2

26.93 acres± east of East German Lane, south of Lower Ridge Road

I.A

STAFF COMMENTS

- The original preliminary plats were granted authorization to proceed on February 26, 2021.
- Construction of improvements has not started; the applicant is coordinating additional utility details.
- An alternate access to Boxwood Dr, from East German Ln, has been discussed. If a modification to the preliminary plat, as approved, is requested, the plat will require additional review.
- Preliminary plat approval is valid for 1 year. The Planning Commission may grant one extension of this approval for an additional 12 months. (*Subdivision Ordinance #O-00-03 Article I, Section 5.D*)
- If installation of improvements is not complete within 1 year the preliminary plat approval and authorization to proceed will expire; new review and preliminary approval will be required.



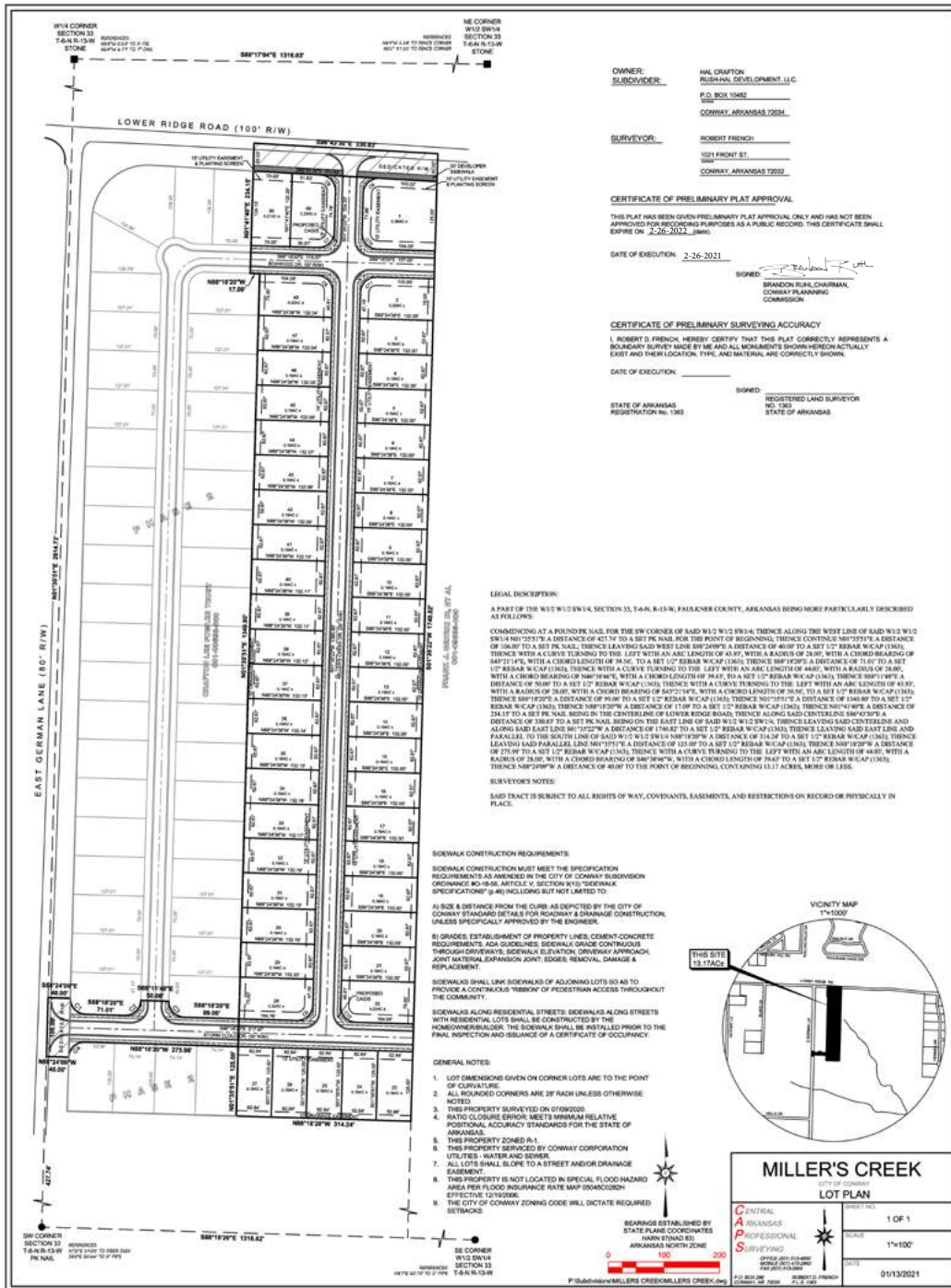
Request for Preliminary Plat Approval Extension: Miller's Creek Phases 1 and 2

26.93 acres± east of East German Lane, south of Lower Ridge Road

I.A

STAFF RECOMMENDATIONS

Planning staff recommends approval of the 1-year extension for both preliminary plats.



Request for Preliminary Plat Approval: Cardinal Valley Phase 2

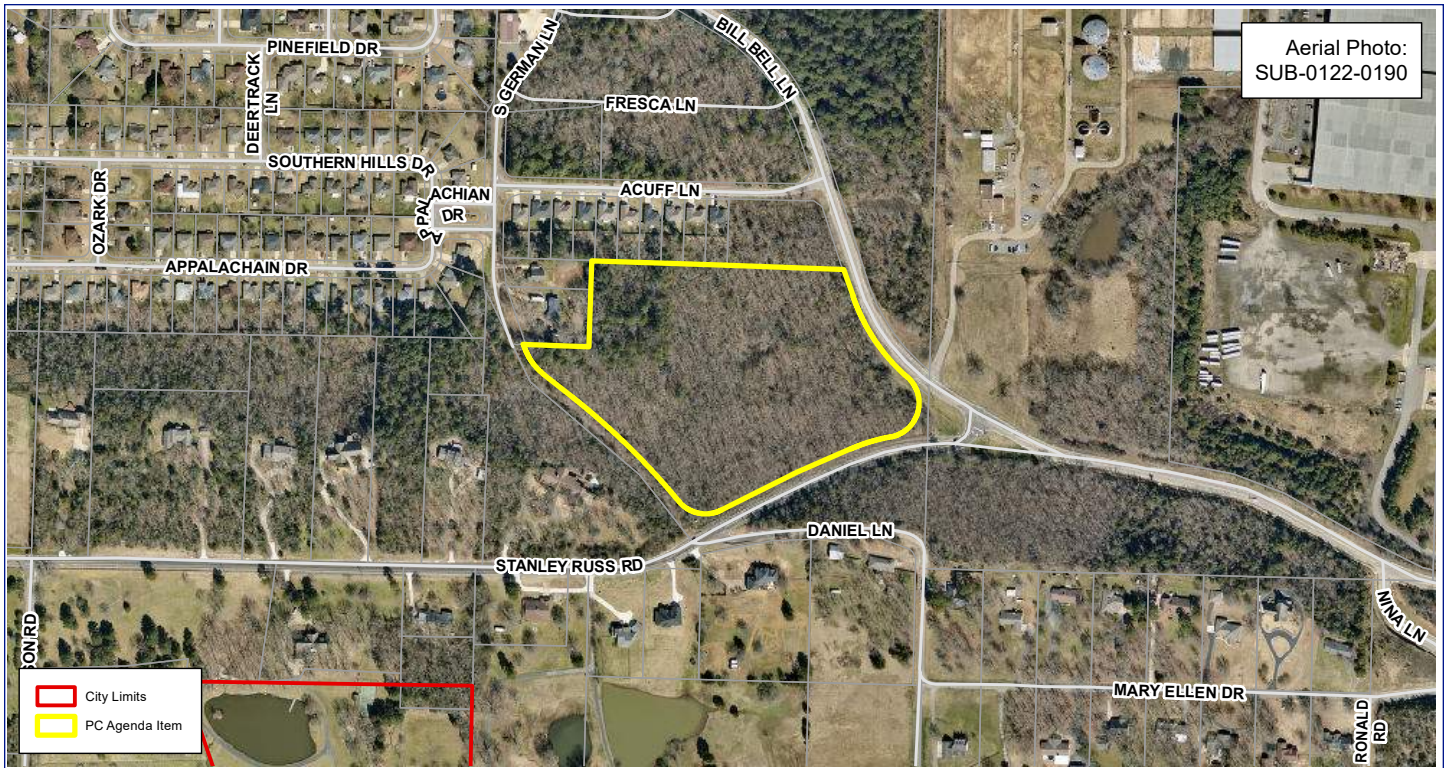
12.27 acres± west of Bill Bell Lane, north of Stanley Russ Road

APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying
1021 Front St
Conway, AR 72032

OWNER

Frank Shaw Properties, LLC
1315 Main St
Conway, AR 72034



SITE

Location. Intersection of Bill Bell Ln and Stanley Russ Rd.

Site Area. 12.27 acres±.

Current Zoning. R-1 (One-family residential).

Comprehensive Plan. Single-family.

Master Street Plan. Bill Bell Ln (Collector 60' ROW), Stanley Russ Rd (Minor Arterial 80' ROW), S German Ln (Collector 60' ROW).

Existing Structures. None.

Overlay. None.

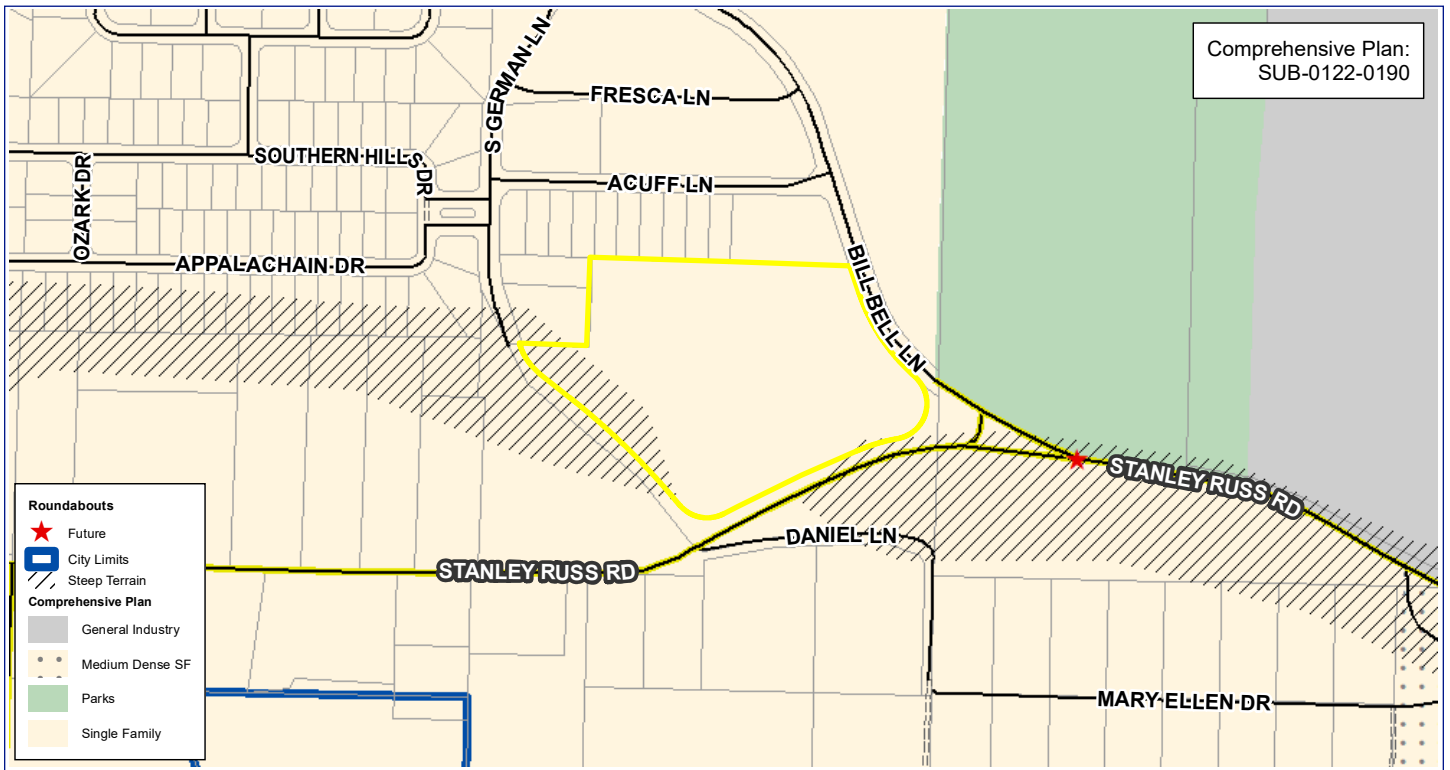
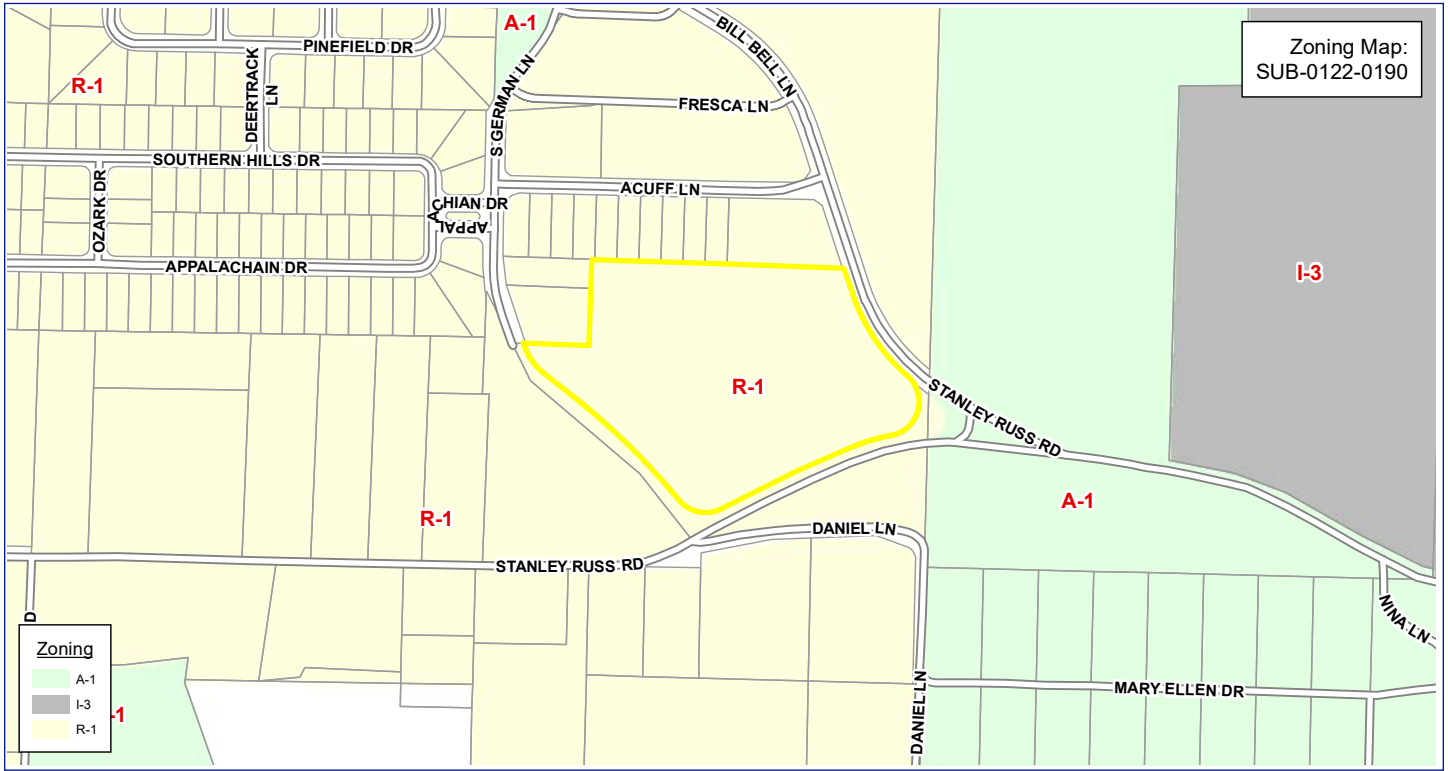
REQUEST

The applicant is requesting preliminary approval of a 44-lot subdivision located at the intersection of Stanley Russ Rd and Bill Bell Ln. The development represents the second phase of Cardinal Valley Subdivision, with the first phase going to the north. The proposed buildable lots range from 0.14 acres to 0.62 acres, consistent with the requirements for R-1 zoning. The subdivision proposes access via Bill Bell Ln. Lots will front on an internal loop street. All proposed streets will require 5-foot sidewalks with a 6.5 foot green space.

Request for Preliminary Plat Approval: Cardinal Valley Phase 2

12.27 acres± west of Bill Bell Lane, north of Stanley Russ Road

I.B



STAFF COMMENTS

- Indicate dedication of 30' of ROW for the future extension of S German Ln.
- The spacing of the intersection between the proposed Yellowhead St and Stanley Russ Rd presents a danger that will create a hazardous driving condition.
- The spacing of the proposed Diamond Dove St and Yellowhead St does not appear to meet the requirement that fire apparatus roads be placed apart a distance of not less than ½ the length of the diagonal dimension of the property served by the roads.
- The applicant is requesting the approval of waivers for double frontage lots on the unbuilt S German Ln and Stanley Russ Rd as well as allowance to pay fees-in-lieu for sidewalks along Stanley Russ Rd.
- The developer shall be responsible for the construction of sidewalks along Bill Bell Ln and installation of all handicap ramps.
- Given that no street improvements exist along the future extension of S German Ln, it is determined that sidewalk construction is not required by the developer along this frontage.
- The development is consistent with the Comprehensive Plan, including the following goals:
 - “Provide opportunities for a variety of housing choices both suitable and affordable situated throughout the City in desirable surroundings which reflect the needs for all citizens.”
 - “Protect established residential areas from encroachment of incompatible uses and provide a high standard for development and redevelopment of residential areas.”
 - “Provide a logical pattern of land uses throughout the community incorporating an efficient relationship between transportation, public services, residential, commercial, industrial, and business areas.”

STAFF RECOMMENDATIONS

Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval.

CORRECTIONS NEEDED ON THE PLAT

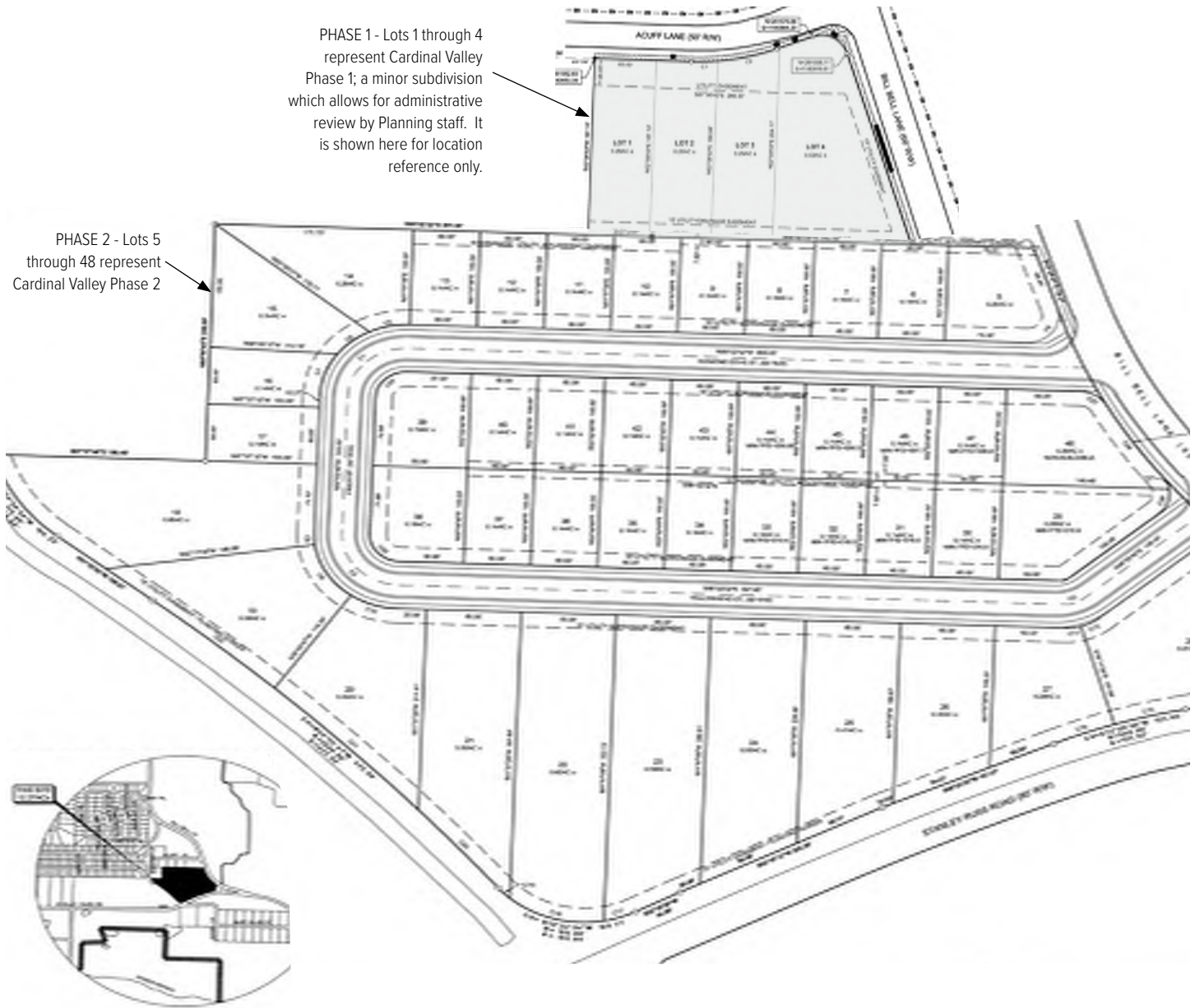
1. Indicate proposed locations of CAGIS monuments.
2. Provide all easements as indicated by the City Engineer and Conway Corporation.
3. Other corrections as required by the City Engineer, Planning Director, Fire Marshal, and Conway Corporation on the Preliminary Plat/Street and Drainage Plans.

CONDITIONS

4. The street layout shall be modified to meet the requirements of the Subdivision Code in Article IV, Section 6, (1) and Article IV, Section 5, A., (10), a.
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. A draft Bill of Assurance/Covenants and Restrictions proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat.
8. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is not more than 600 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.
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.
11. Any of the above conditions not met, as determined by the concurrence of the Planning Director and City Engineer, shall require re-review and approval by the Planning Commission.
12. Waivers for the creation of double frontage lots along S German Ln and Stanley Russ Rd as well as acceptance of fees-in-lieu of sidewalk construction along Stanley Russ Rd are approved. Fees in-lieu are the responsibility of the subdivider and shall be paid prior to filing the final plat.
13. Sidewalk construction along the Bill Bell Ln frontage of any new lots created is the responsibility of the subdivider. Installation is required prior to filing the final plat.

Request for Preliminary Plat Approval: Cardinal Valley Phase 2

12.27 acres± west of Bill Bell Lane, north of Stanley Russ Road



PHASE 1 - Lots 1 through 4 represent Cardinal Valley Phase 1; a minor subdivision which allows for administrative review by Planning staff. It is shown here for location reference only.

PHASE 2 - Lots 5 through 48 represent Cardinal Valley Phase 2

Request for Zoning Variance: Reduced Setback

519 Mitchell Street

APPLICANT/AUTHORIZED AGENT

The Tyler Group, Inc.
240 Skyline Dr, Ste 3000
Conway, AR 72032

OWNER

CSW Properties, LLC
940 Faulkner St
Conway, AR 72034



SITE

Location. 519 Mitchell St.

Site Area. 0.25 acres±.

Current Zoning. HR – Historical Residential District.

Existing Structures. 1,288 sf Single-Family Home, Concrete Driveway, 400 sf Detached Structure (to be removed).

Overlay. Old Conway Design Overlay District - Suburban Zone.

Requested Zoning Variances. Allow reduced exterior setback from 25' to 1'3". This is a variance of 23'9".

General Overview. The applicant is proposing to replat this property into two lots. The replat has been submitted which has prompted this variance request. The existing home to the north does not meet setback requirements. A variance would need to be granted before a replat of this lot would be allowed.

Zoning Ordinance Regulations. HR zoning district requires:

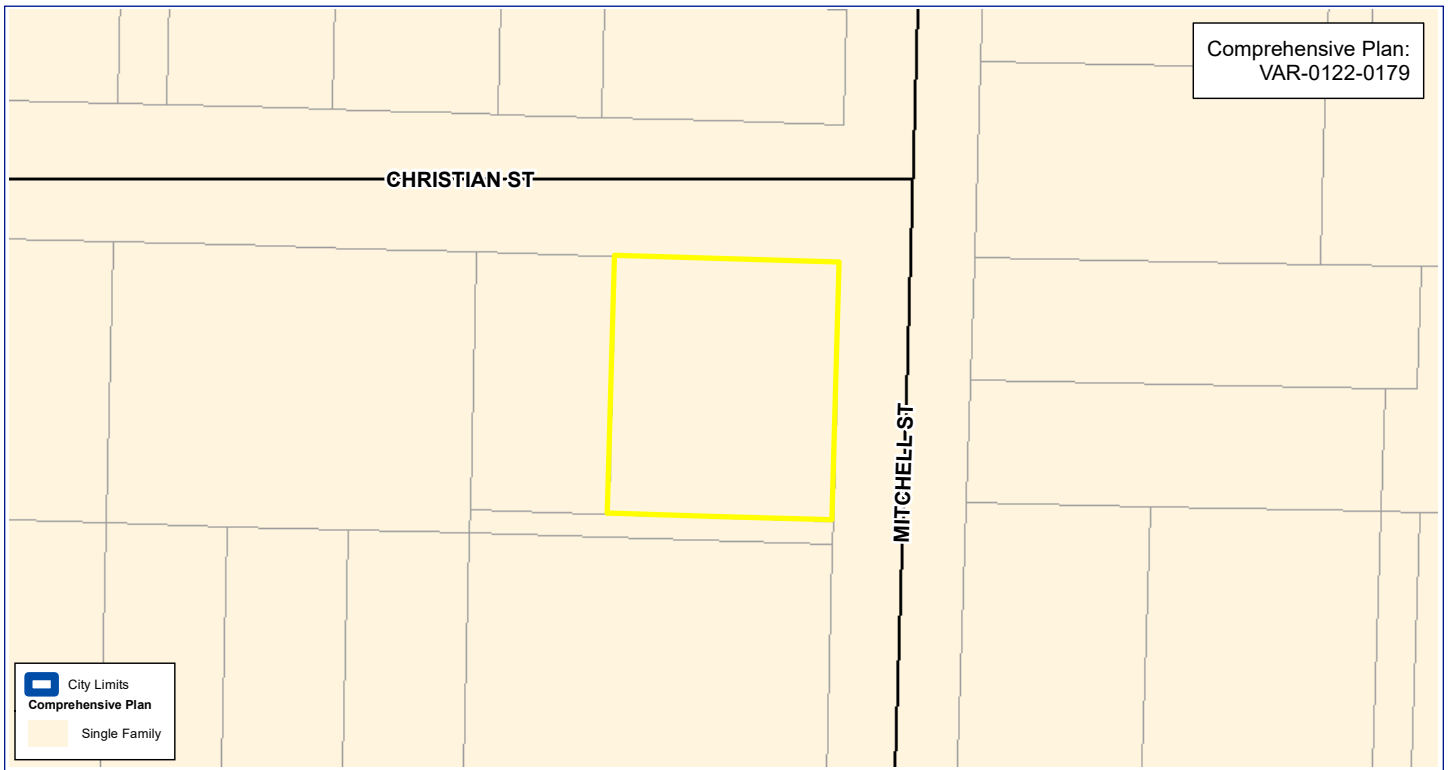
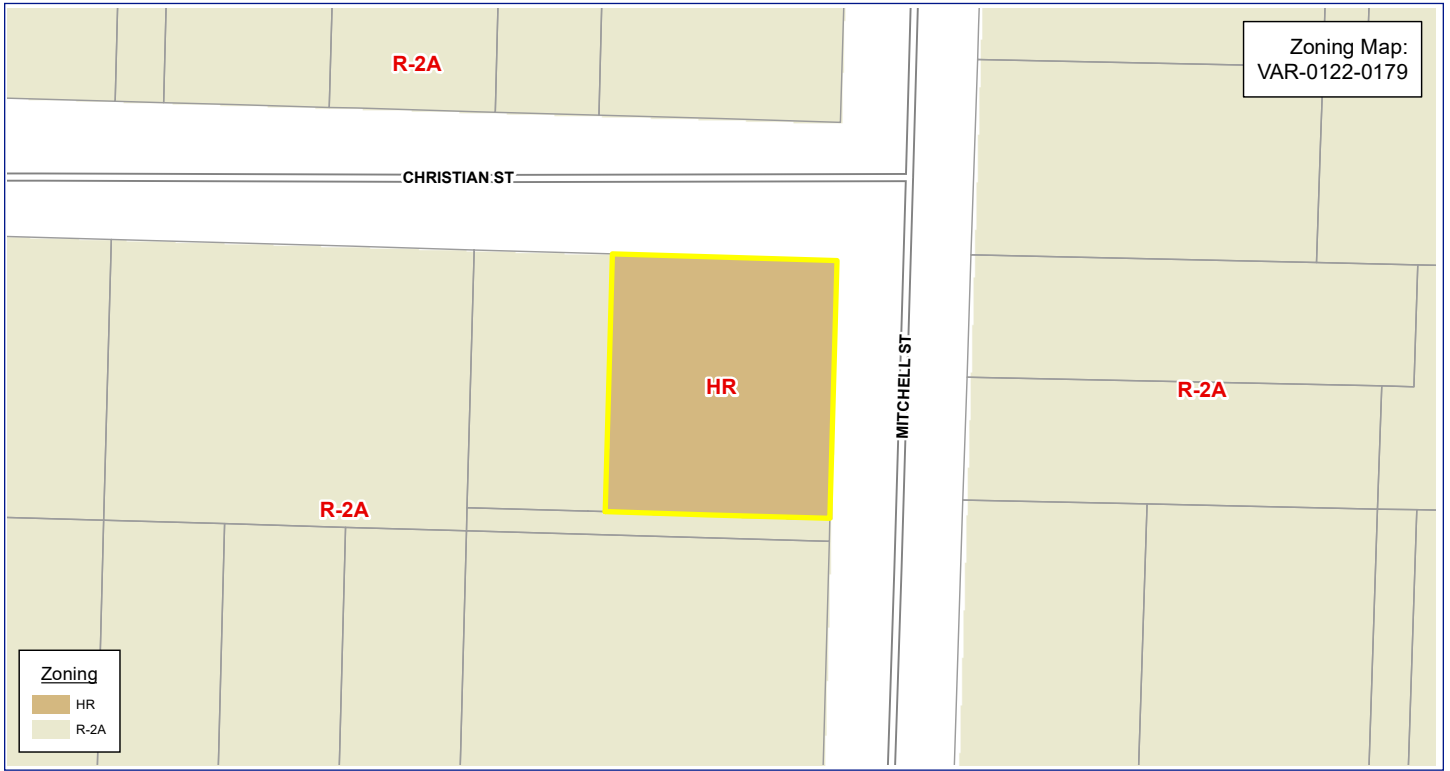
Minimum Lot Area. Single-Family – Detached, 5,000 sf; Two-Family – Duplex, 10,000 sf.

Setbacks. Front-25', Interior-6', Exterior-25', Rear-20'

Request for Zoning Variance: Reduced Setback

519 Mitchell Street

II.A



Request for Zoning Variance: Reduced Setback

519 Mitchell Street

Basis of Variance Review. The Planning Commission acting as the Board of Zoning Adjustments, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to ensure compliance and to protect adjacent property.

STAFF COMMENTS

- This is an existing structure that must be granted a variance in order to be in compliance with zoning codes and ordinances.
- Staff expects impacts from the request to be minimal as the structure is existing.
- No setback reduction has been requested where property abuts any adjacent property.
- Existing accessory structure will be removed to facilitate a lot split.
- This variance is only valid for the existing structure. Allowing the variance would not preclude the applicant from meeting all other requirements of the zone and overlay zoning. Any future redevelopment will be required to meet all applicable codes and ordinances.

STAFF RECOMMENDATIONS

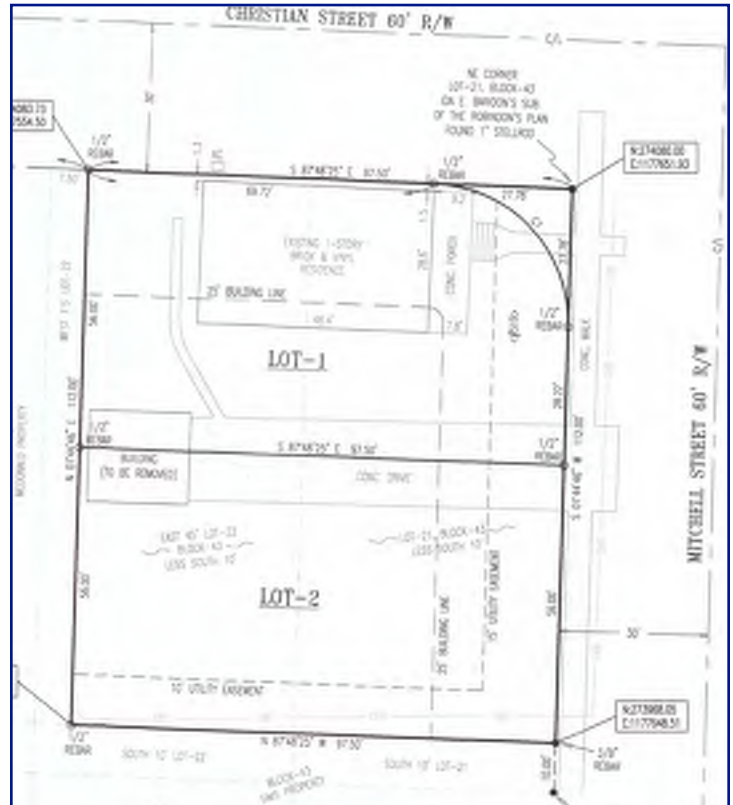
Staff recommends approval of the variance on the following basis:

Granting the variance would allow appropriate development of the site without harming adjacent property. This is an existing structure with no proposed expansion at this time. If this property redevelops in the future, the new structure will be required to meet all applicable codes and ordinances. Planning recommends approval of this variance request with the following conditions:

1. Variance shall only apply to the existing structures and shall become void if the structure is voluntarily destroyed by the owner. The structure may be rebuilt if destroyed by natural disaster or fire in accordance with Article 701 of the Conway Zoning Code.
2. Existing accessory structure shall be removed prior to filing of the replat.



View of subject property from Mitchell St looking W



Proposed replat

Request for Zoning Variance: Reduced Setback

812 Merriman Street

APPLICANT/AUTHORIZED AGENT

The Tyler Group, Inc.
240 Skyline Dr, Ste 3000
Conway, AR 72032

OWNER

Croft Buildings, LLC
2550 Adamsbrooke
Conway, AR 72034



SITE

Location. 812 Merriman St.

Site Area. 0.81 acres±.

Current Zoning. T4 (Northeast Old Conway Area Specific Plan - Transition Zone).

Existing Structures. 353 sf Retail, 344 sf Office, 406 sf Warehouse.

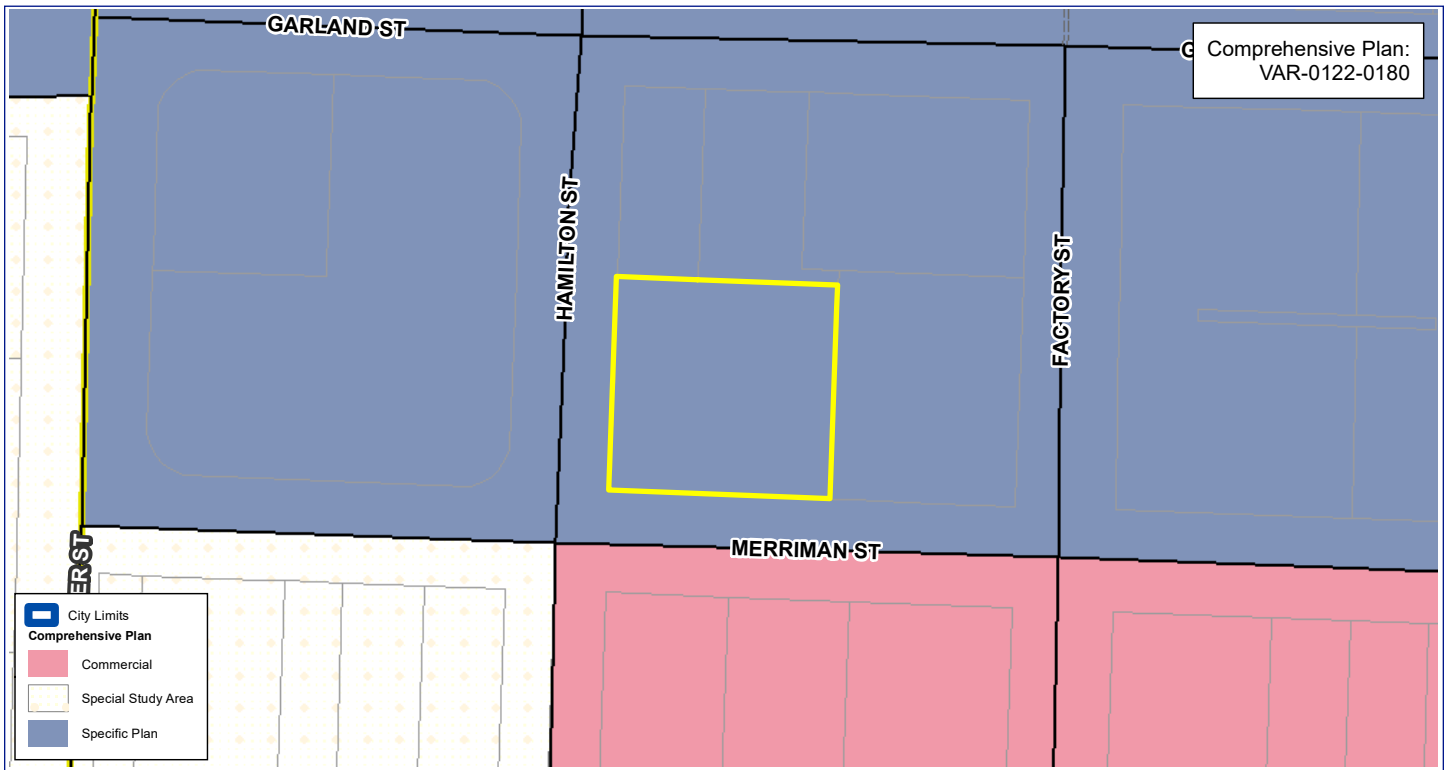
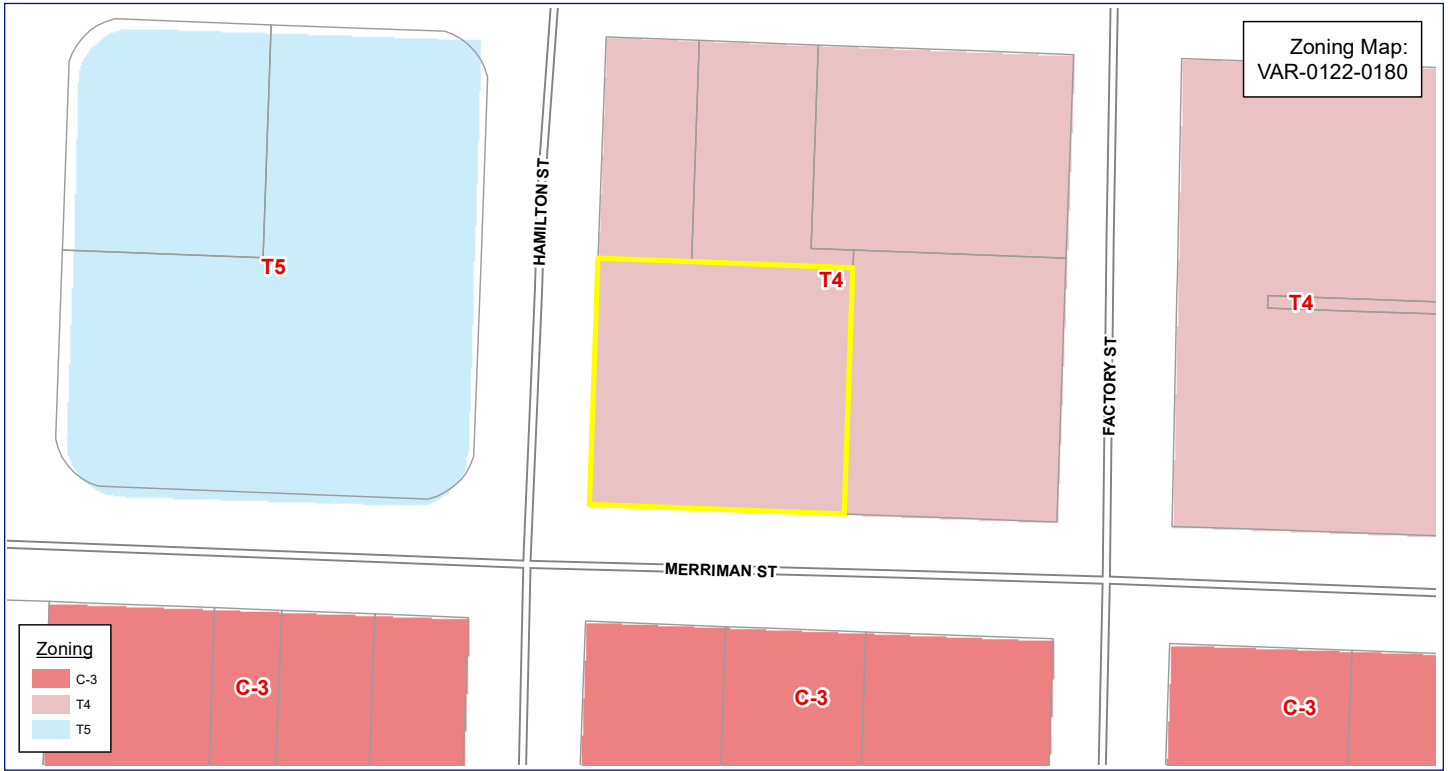
Overlay. Old Conway Design Overlay District – Transition Zone.

Requested Zoning Variances. Allow reduced secondary front setback from 8' to 1'2". This is a variance of 6'10 " that will apply to the metal building located on the southwest corner of proposed "Lot 1".

General Overview. The applicant is proposing to replat this property into two lots. The current existing metal building does not meet setback requirements. A variance would need to be granted before a replat of this lot would be allowed.

Request for Zoning Variance: Reduced Setback

812 Merriman Street



Zoning Ordinance Regulations. T4 zoning district requires:

Minimum Lot Area. Not applicable

Setbacks. Secondary front setbacks for this zone are 8'. Rear setbacks shall be no less than 5' from the rear property line. In cases where alleys are present, rear setbacks must remain a minimum of 15' from the centerline of the alley. There is no requirement for side setbacks. However, developers are encouraged to take advantage of lesser distances in order to foster a more urbanized, higher-density environment.

Basis of Variance Review. The Planning Commission acting as the Board of Zoning Adjustments, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to ensure compliance and to protect adjacent property.

STAFF COMMENTS

- This is an existing structure that must be granted a variance in order to comply with zoning codes and ordinances.
- Staff expects impacts from the request to be minimal as the structure is already existing.
- This variance permit will only apply to the existing building. Any new structure built on this property, or any expansion or redevelopment, would be required to meet all setback, ordinances, and codes.
- Allowing the variance would not preclude the applicant from meeting all other requirements of the zone and overlay zoning.

STAFF RECOMMENDATIONS

Staff recommends approval of the variance on the following basis:

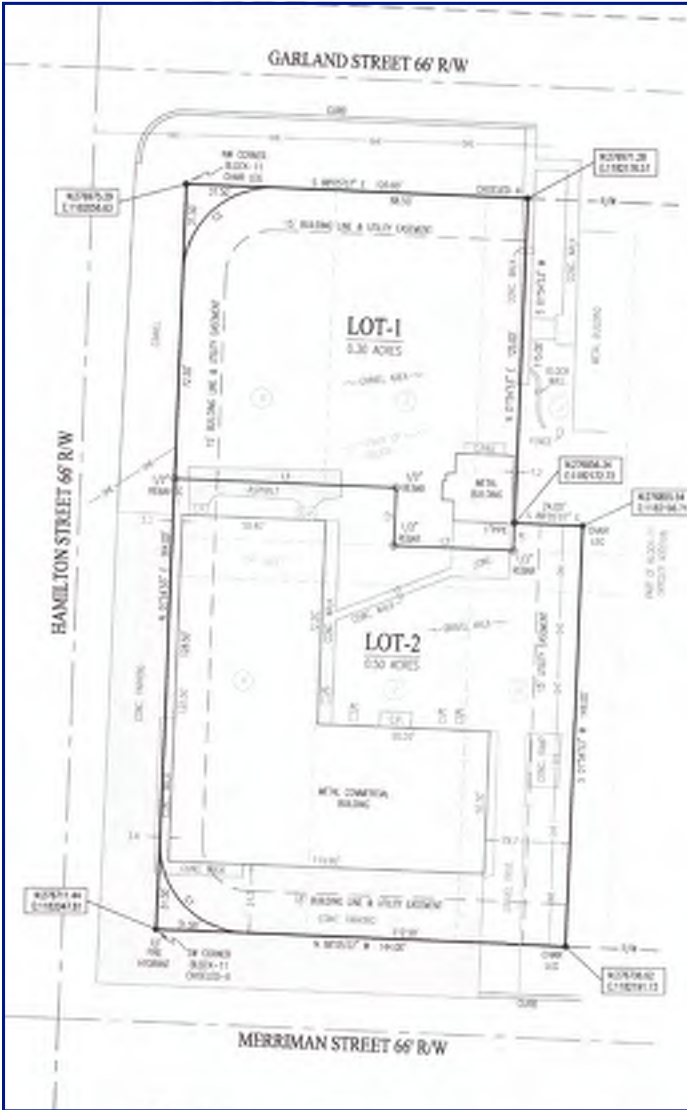
Granting the variance would allow appropriate development of the site without harming adjacent property. This is an existing structure with no proposed expansion at this time. If this property redevelops in the future, the new structure will be required to meet all applicable codes and ordinances. Planning recommends approval of this variance request with the following condition:

1. Variances shall apply to the existing structures and shall become void if the structure is voluntarily destroyed by the owner. The structure may be rebuilt if destroyed by natural disaster or fire in accordance with Article 701 of the Conway Zoning Code.

Request for Zoning Variance: Reduced Setback

812 Merriman Street

II.B



View of subject property from Merriman St looking N



View of subject property from Merriman St looking N



Properties adjacent to the S



Properties adjacent to the W

Request for Zoning Variance: Reduced Lot Area, Width, & Setbacks

1211 - 1217 Watkins Street

APPLICANT/OWNER

Mickey Prince
MELB Properties, LLC
3820 Friendship Rd
Conway, AR 72032



SITE

Location. 1211, 1213, 1215, 1217 Watkins St.

Site Area. 0.46 acres±.

Current Zoning. R-2A (Two Family Residential District).

Existing Structures. Two duplexes, 1,705 sf each.

Overlay. Old Conway Design Overlay District – Suburban Zone.

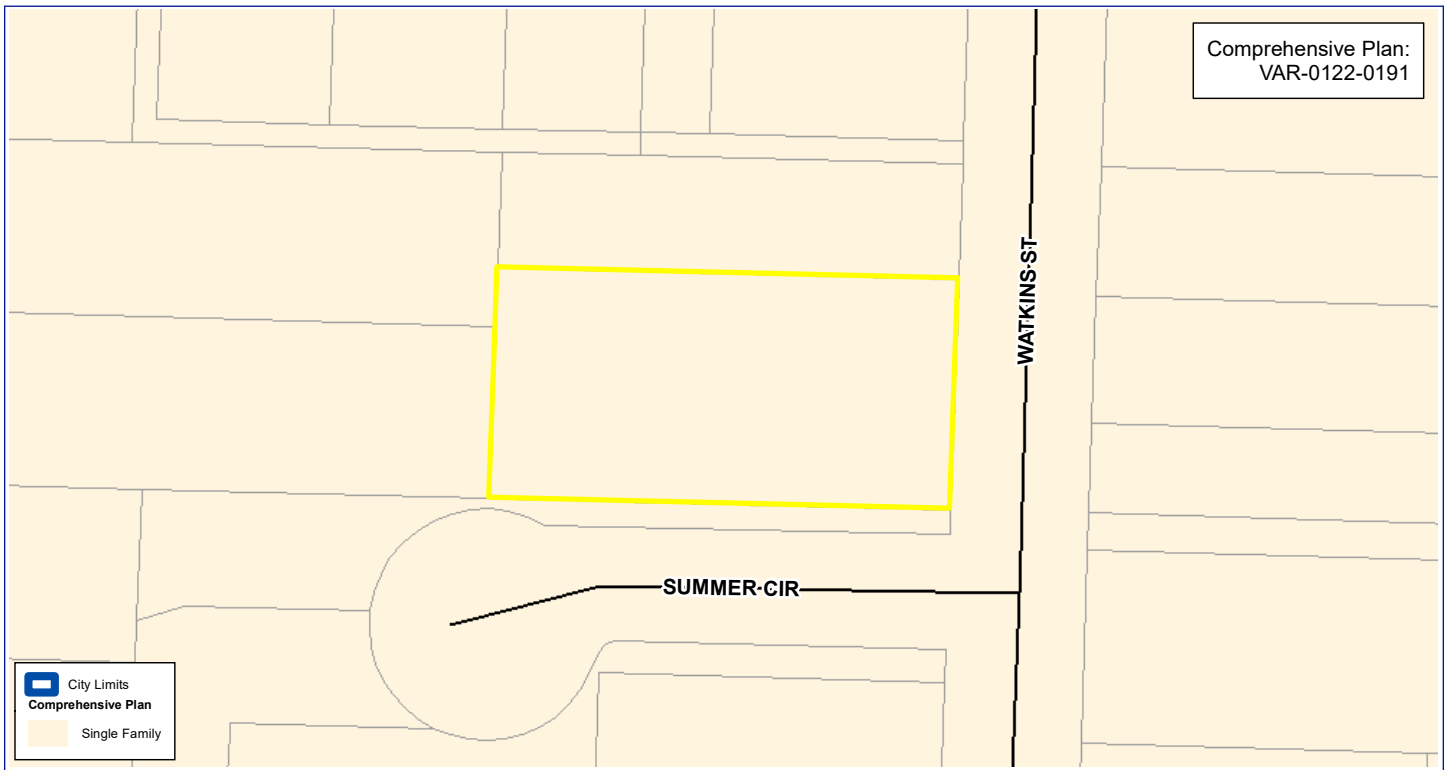
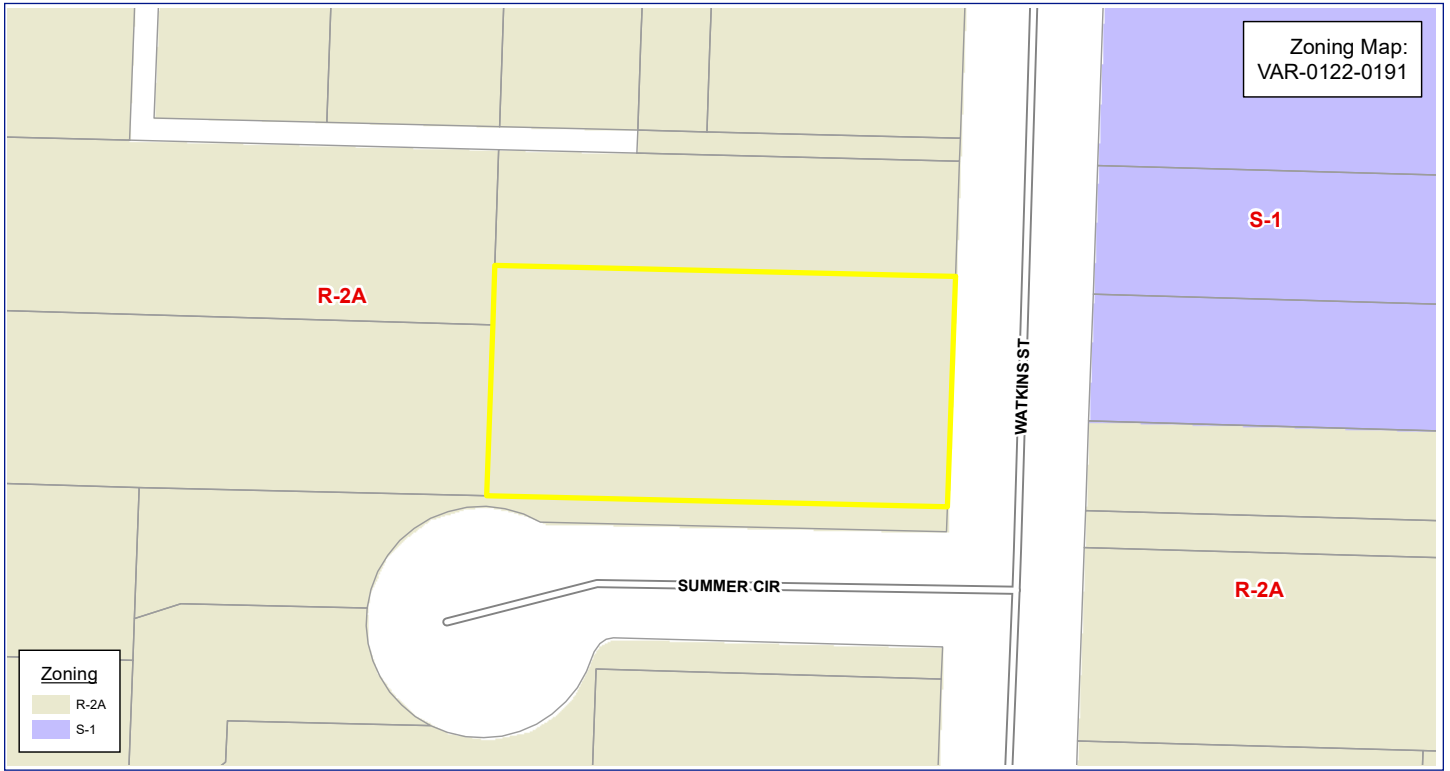
Requested Zoning Variances.

- Reduced minimum lot area to 9,850 sf per lot (Min 10,000 sf per lot for duplex)
- Reduced minimum lot width to 49.6' (100' min for duplex)
- Reduced side setback to be 7' (Min interior: 10'; Min exterior: 25')
- Reduced front setback to 25' (Min 40')

General Overview. The applicant is proposing to replat this property into two lots. The existing structures do not meet setback requirements. A variance would need to be granted before a replat of this lot would be allowed.

Request for Zoning Variance: Reduced Lot Area, Width, & Setbacks

1211 - 1217 Watkins Street



Request for Zoning Variance: Reduced Lot Area, Width, & Setbacks

1211 - 1217 Watkins Street

Zoning Ordinance Regulations. R-2A zoning district requires:
Minimum Lot Area. Two-Family – Duplex, 10,000 sf.
Setbacks. Front – 40', Interior – 10', Exterior – 25', Rear – 20'.

Basis of Variance Review.

The Planning Commission acting as the Board of Zoning Adjustments, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to ensure compliance and to protect adjacent property.

STAFF COMMENTS

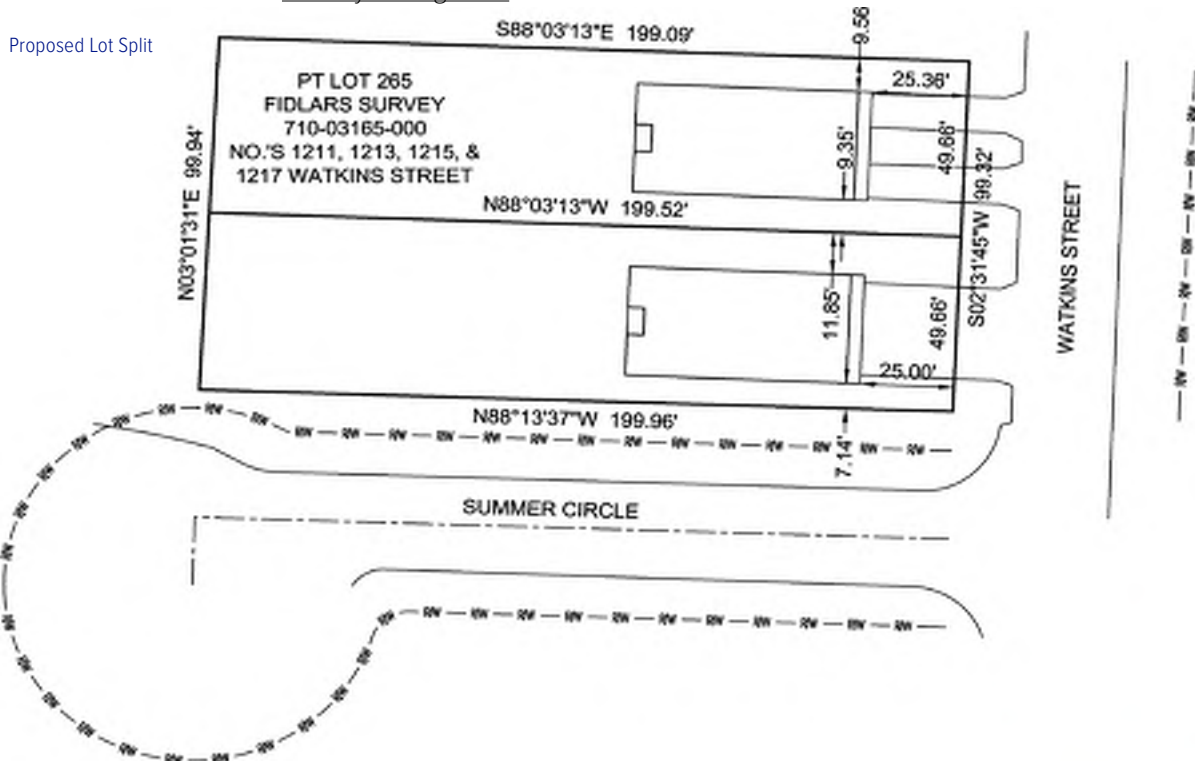
- These are existing structures that must be granted a variance in order to be in compliance with zoning codes and ordinances.
- Staff expects impacts from the request to be minimal as the structures are already existing.
- This variance permit will only apply to the existing buildings. Any new structure(s) built on this property, or any expansion or redevelopment, would be required to meet all setbacks, ordinances, and codes.
- All design guidelines of the Old Conway Design Overlay District – Suburban Zone would also need to be followed if/when this property redevelops. This includes adhering to the setbacks of the overlay district.
- Allowing the variance would not preclude the applicant from meeting all other requirements of the zone and overlay zoning.

STAFF RECOMMENDATIONS

Staff recommends approval of the variance on the following basis:

Granting the variance would allow appropriate development of the site without harming adjacent property. Currently, there are two existing duplexes with no proposed expansion at this time. If this property redevelops in the future, any new structure will be required to meet all applicable setbacks, overlay design standards, ordinances, and codes, excluding the reduced minimum lot width and minimum lot area. Planning recommends this variance request with the following condition:

1. Variances shall apply to the existing structures and shall become void (excluding minimum lot width and minimum lot area) if the structures are voluntarily destroyed by the owner. The structures may be rebuilt if destroyed by natural disaster or fire in accordance with Article 701 of the Conway Zoning Code.



Request for Zoning Variance: Reduced Lot Area, Width, & Setbacks

1211 - 1217 Watkins Street

II.C



Property adjacent to the S/W



View of subject property from Watkins St looking W



Property adjacent to the S



Property adjacent to the N



Properties adjacent to the E/NE



Properties adjacent to the SE

Request to Modify Club Villas Planned Unit Development

III.A

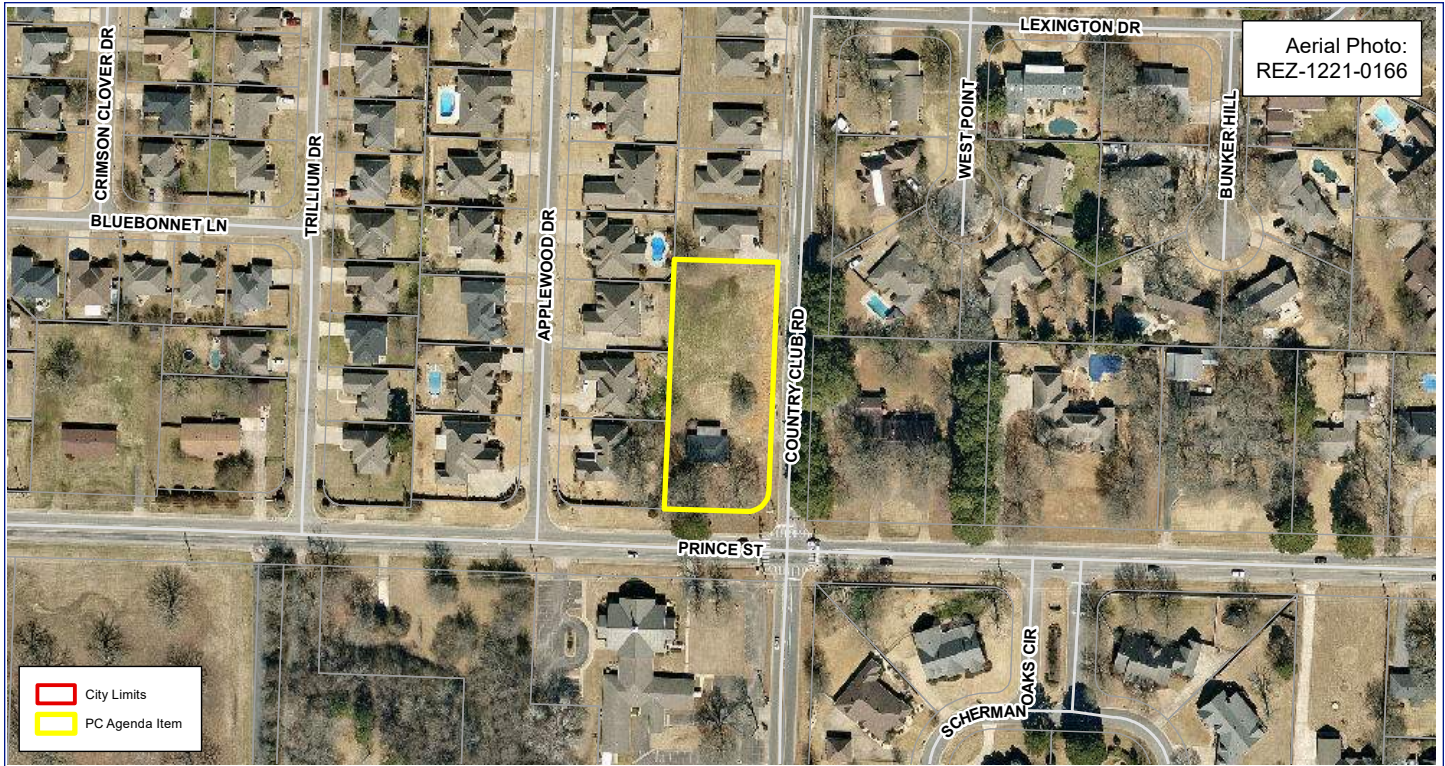
3200 Prince Street

APPLICANT/AUTHORIZED AGENT

The Tyler Group, Inc.
240 Skyline Dr, Ste 3000
Conway, AR 72032

OWNER

Hervey Insurance Agency, Inc.



SITE

Location. 3200 Prince St.

Site Area. 0.89 acres±.

Overlay. None.

Current Zoning. PUD (Planned Unit Development).

Comprehensive Plan. Single-family.

Master Street Plan. Country Club Rd (Minor Arterial), Prince St (Major Arterial).

Projected Traffic Impact. The creation of 3 new lots to accommodate 3 new single-family residential units would likely have minimal impact on traffic. The projected traffic increase is estimated to be 41 vehicle trips per typical weekday.

Current Traffic Counts. Country Club Rd - 5,500 ADT (average daily traffic).

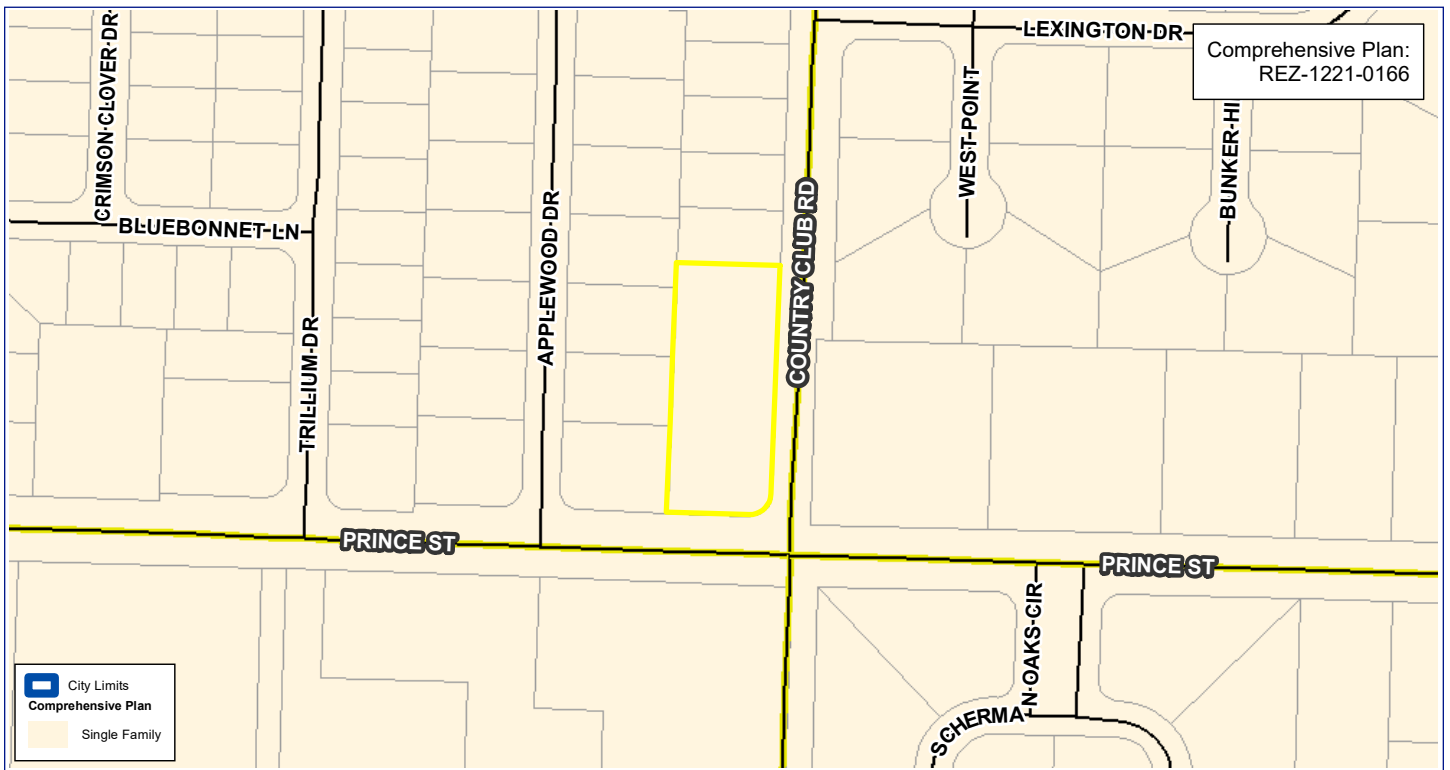
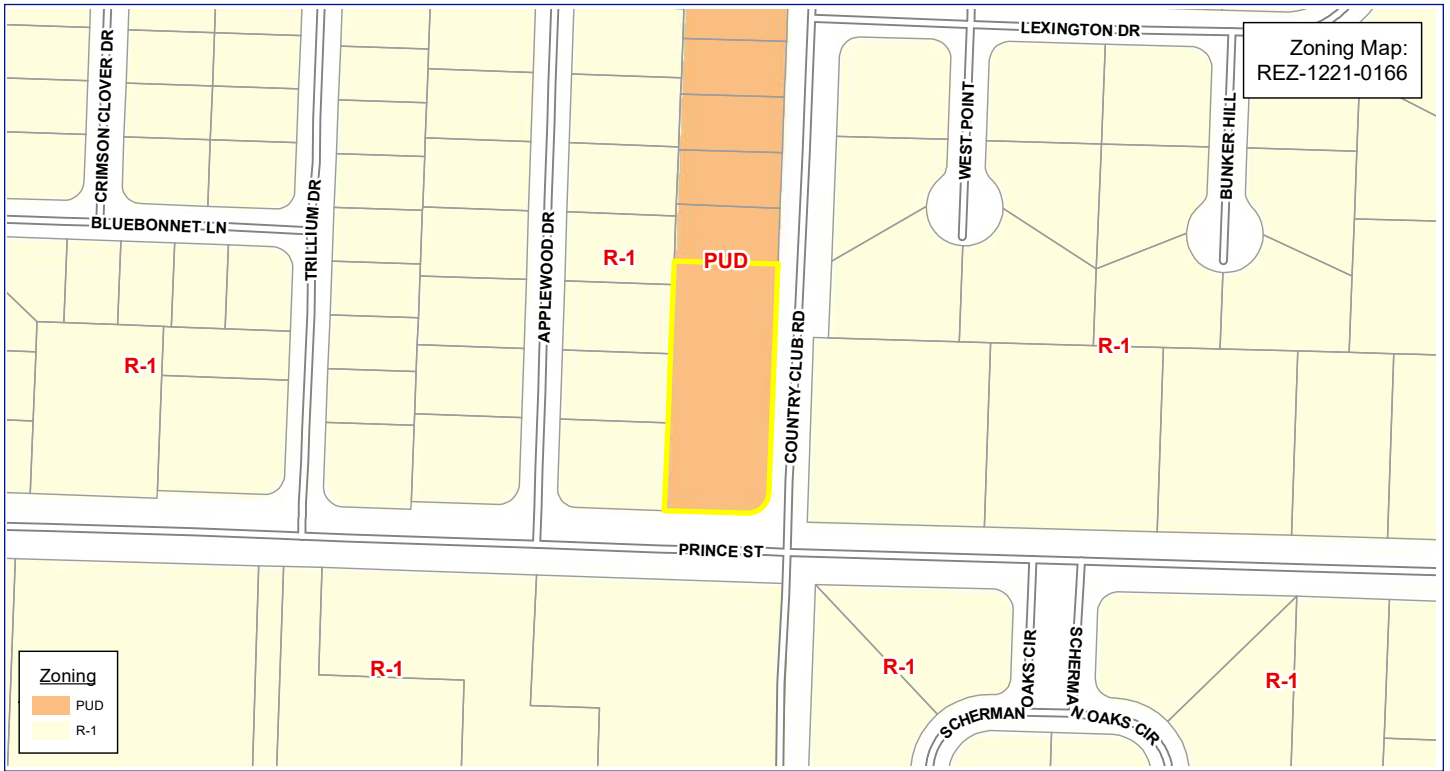
Flood/Drainage. No portion of the site is within any regulatory floodplain or floodway.

Utilities. The site is currently developed and served by Conway Corporation. Applicant will need to coordinate the extension of utilities with Conway Corporation for additional development.

Request to Modify Club Villas Planned Unit Development

3200 Prince Street

III.A



Street Improvement. Country Club Rd is an improved 2-lane roadway approximately 30' wide; Prince St is an improved 2-lane roadway with turning lane approximately 33' wide.

REQUESTED MODIFICATION

The applicant is requesting to modify the Club Villas PUD Final Development Plan to allow the creation of 3 new single-family residential lots from a portion of Lot 12A which is designated for office use.

STAFF COMMENTS

- The applicant is seeking to modify the allowed use of Lot 12A of the Club Villas PUD Final Development Plan to allow the creation of 3 additional lots.
- Applicant has submitted a replat application for review.
- Lot 12A currently allows only uses permitted in the O-3 (Restricted Office) zoning district. The applicant is requesting a division of property to the north to allow single-family residential development.
- The request is consistent with the single-family Comprehensive Plan designation for the site.
- The proposed lot sizes are consistent with existing single-family residential development adjacent to the north.
- There is some concern about the creation of 3 new accesses from Country Club Rd in proximity to the traffic signal at the intersection with Prince St. Staff recommends shared drives for the proposed new lots to minimize traffic conflict points. This same condition was required for the original single-family residential lots adjacent to the north.
- The request will allow for appropriate use of the property and will not likely negatively impact adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the PUD modification request as it is consistent with the Comprehensive Plan and will not likely negatively impact adjacent property. All existing conditions applicable to Lot 12A for the office use shall remain in effect. Staff recommends the following suggested conditions, applicable to proposed Lots 12B through 12D:

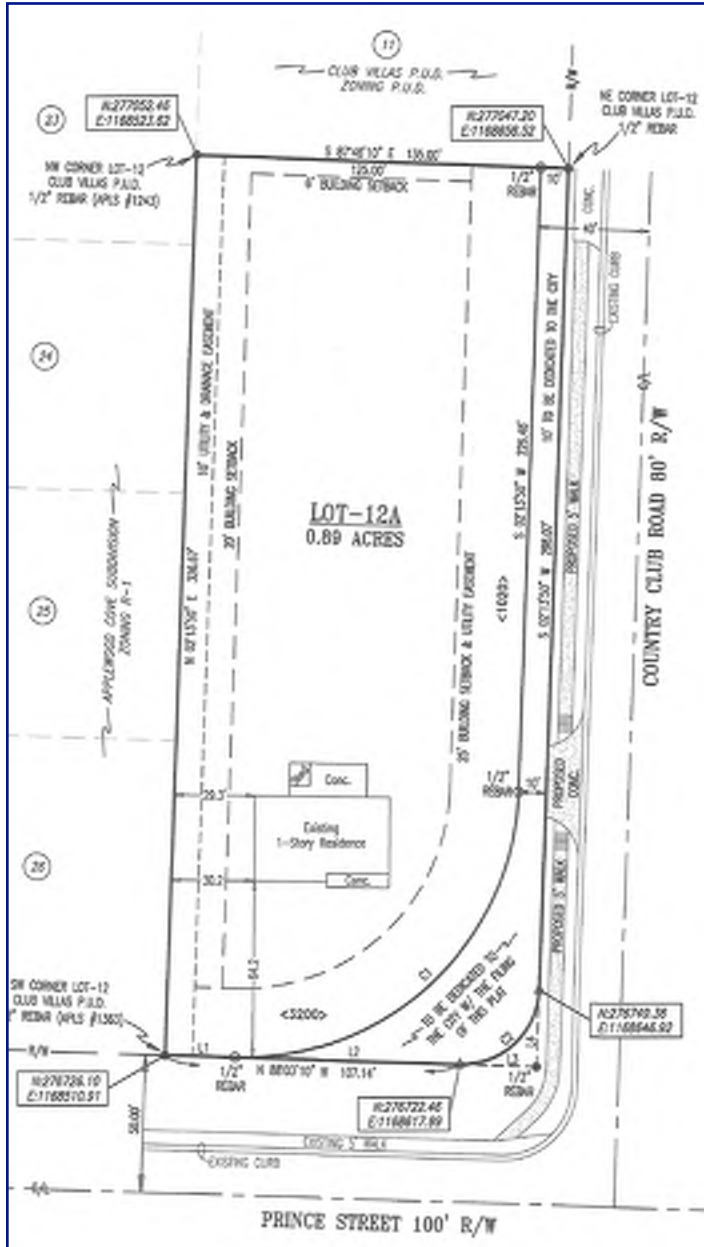
1. A replat shall be required for the legal creation of 3 new lots.
2. Permitted uses shall be limited to single-family residential.
3. Setbacks shall be 25' front and rear and 6' on the sides.
4. No accessory structures shall be allowed.
5. Individual driveways shall not be allowed. Lots 12B and 12C shall share a common drive; Lot 12D shall share a common drive with Lot 11.
6. For all other provisions not specifically addressed by the PUD Final Development Plan, the rules of the R-1 zoning district shall apply.

Request to Modify Club Villas Planned Unit Development

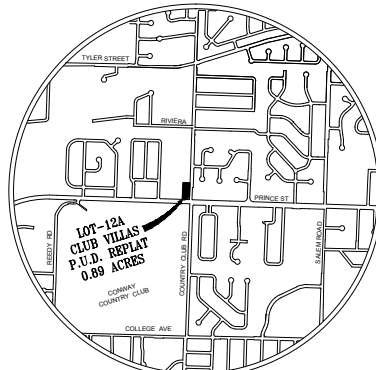
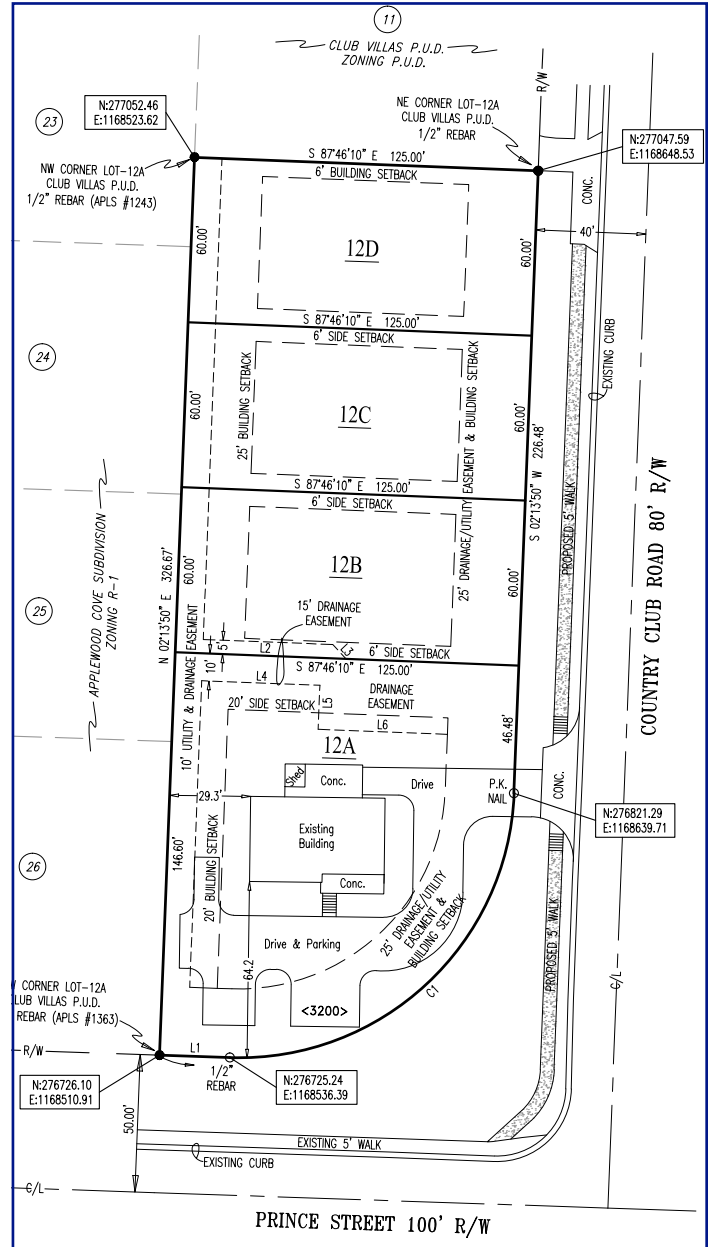
3200 Prince Street

III.A

Plat of Record • Lot 12A, Club Villas PUD



Proposed Replat • Lots 12A-12D, Club Villas PUD



VICINITY MAP
NOT TO SCALE

Request to Modify Club Villas Planned Unit Development

3200 Prince Street

III.A



View of subject property from Country Club Rd looking SW



View of subject property from Country Club Rd looking NW



View of subject property from Prince St looking N



Adjacent properties to the north

Request to Rezone: A-1 to R-2A

1 & 3 Azalea Lane and 65 Azalea Loop

III.B

APPLICANT/AUTHORIZED AGENT

The Tyler Group, Inc.
240 Skyline Dr, Ste 3000
Conway, AR 72032

OWNER

AMP Properties, LLC
10 Blake Ln
Conway, AR 72034



SITE

Location. 1 and 3 Azalea Ln, 65 Azalea Lp.

Site Area. 0.88 acres±.

Current Zoning. A-1 (Agricultural District).

Existing Structures. 3+ manufactured homes.

Overlay. Lower Ridge Road Corridor Study.

Requested Rezoning. R-2A (Two-Family Residential District).

Comprehensive Plan. Single-Family.

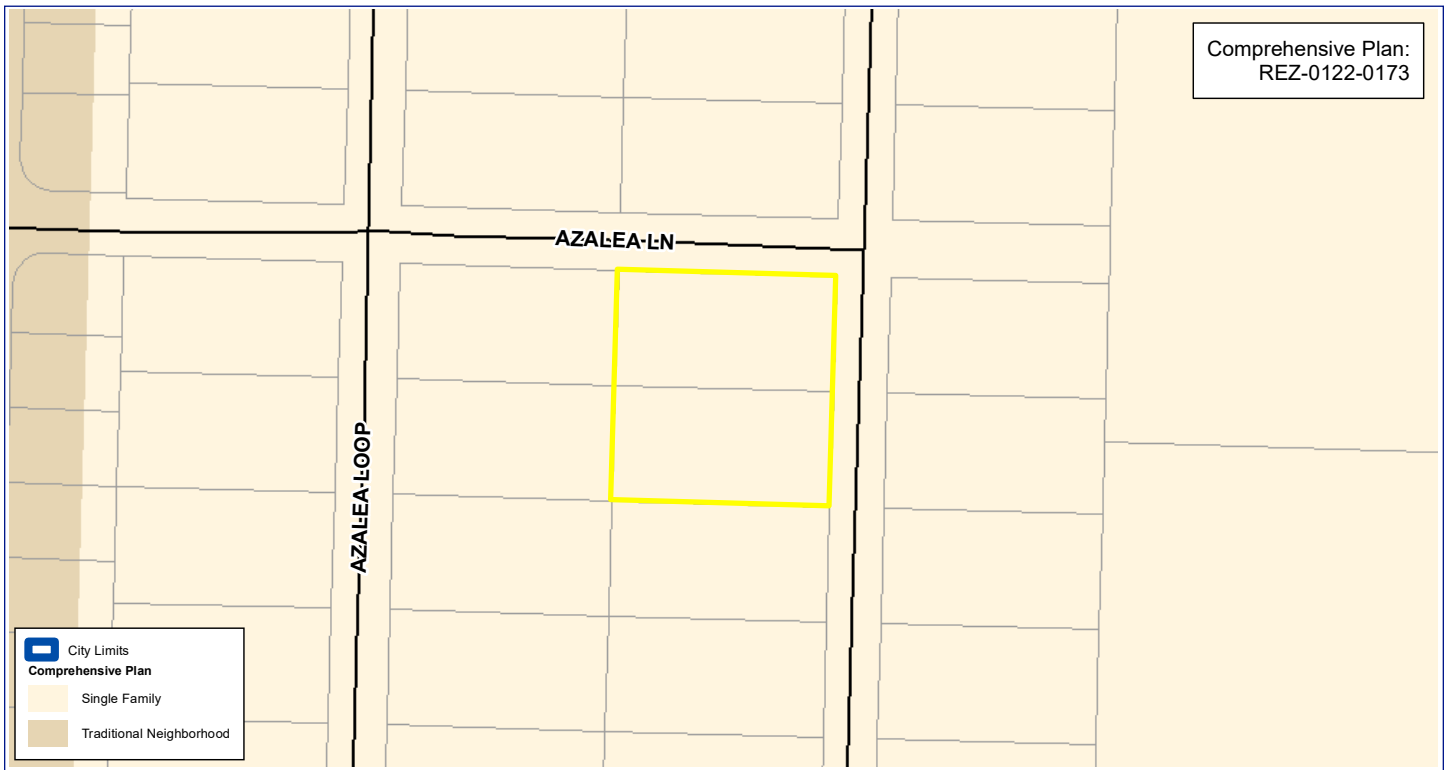
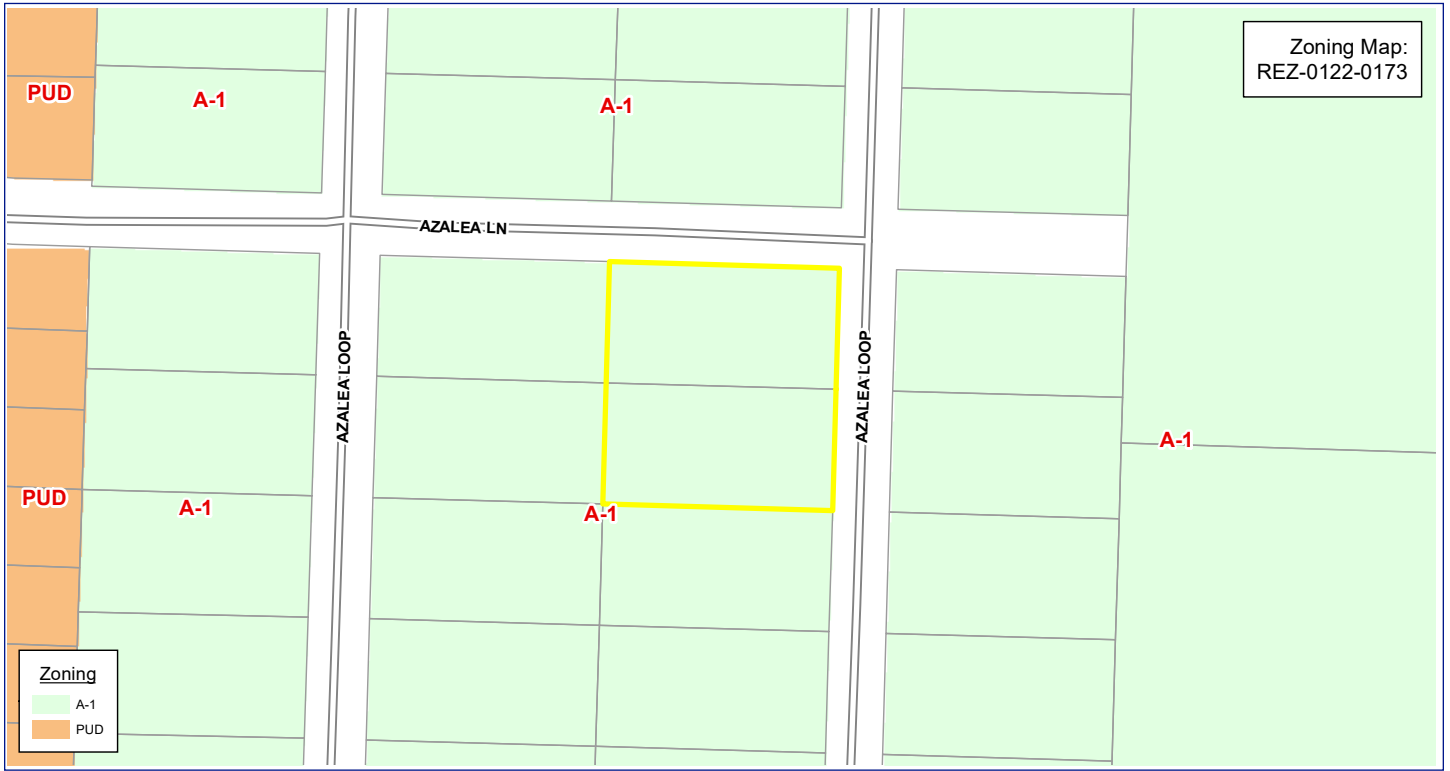
Projected Traffic Impact. With a rezoning to R-2A, the traffic impact would likely be minimal. This development is anticipated to yield approximately 40 vehicle trips per typical weekday. Trips would be distributed onto Azalea Ln and Azalea Lp.

Current Traffic Counts. Reliable average daily traffic count information is not available for this area. Lower Ridge Rd, which connects to Azalea Lp to the north, has a daily average traffic count of 6,700 as it approaches Skyline Dr.

Flood/Drainage. The site is not within any regulated floodplains or floodways.

Request to Rezone: A-1 to R-2A

1 & 3 Azalea Lane and 65 Azalea Loop



Utilities. At time of development, the site will be served by Conway Corporation for all utilities.

Master Street Plan. Azalea Ln (Local Residential-unpaved), Azalea Lp (Local Residential).

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The R-2A zoning district is designed for a slightly higher population density while maintaining the basic restrictions as R-1 districts. Duplexes in this area are consistent with this type of zoning. The maximum density allowed with this rezoning is one duplex per parcel. This would total two duplexes (4 units) if redeveloped.
- The proposed rezoning is somewhat consistent with the Comprehensive Plan, which calls for medium density residential in the area. Azalea Ln sits within the Lower Ridge Corridor Study boundaries. The long-range aspect of this plan encourages the creation of pedestrian-oriented traditional neighborhoods, where mixed land uses, mixed housing types and prices, and open space create a sense of community.
- Developments to the west and south have been rezoned in the past to allow for single-family dwellings. This, along with the R-2A zoning, is consistent with the projected growth in the area.
- This rezoning will facilitate a transition from existing manufactured and mobile home uses to single-family and duplexes.
- As the property south of Lower Ridge Rd develops, it is likely there will be less and less A-1 zoning in this area. The long-range goal is to transition to one and two family residential in order to accommodate the growth of the city.
- The rezoning will not likely harm adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning. The proposed zoning is somewhat consistent with the Comprehensive Plan and will not likely harm adjacent property.

Request to Rezone: A-1 to R-2A

1 & 3 Azalea Lane and 65 Azalea Loop

II.B



View of subject property from Azalea Ln looking SE



View of subject property from Azalea Lp looking SW



Property adjacent to the N



View of subject property from Azalea Lp looking SW



Property adjacent to the NE



Property adjacent to the SE

Request to modify Conditional Use Permit No. 1042

700 Salem Road

APPLICANT/AUTHORIZED AGENT

Bryan Gibbs
Conway Regional Health System
2302 College Ave
Conway, AR 2034

OWNER

Conway Regional Hospital, Inc.
2302 College Ave
Conway, AR 72034



SITE

Location. 700 Salem Rd; intersection of Club Ln and Salem Rd.

Site Area. 3.42 acres±.

Current Zoning. O-1 (General Office District).

Existing Structures. 44,913 sf health and fitness center.

Overlay. None.

Requested Conditional Use. Childcare Facility/Daycare Center.

Comprehensive Plan. Single-family with adjacent Commercial.

Projected Traffic Impact. This site has offered childcare services for members while using the facility. More recently, the mayor's executive order allowed the facility to operate as a childcare facility due to the Covid-19 pandemic. Traffic impact should be minimal as there will be no change of use for this site.

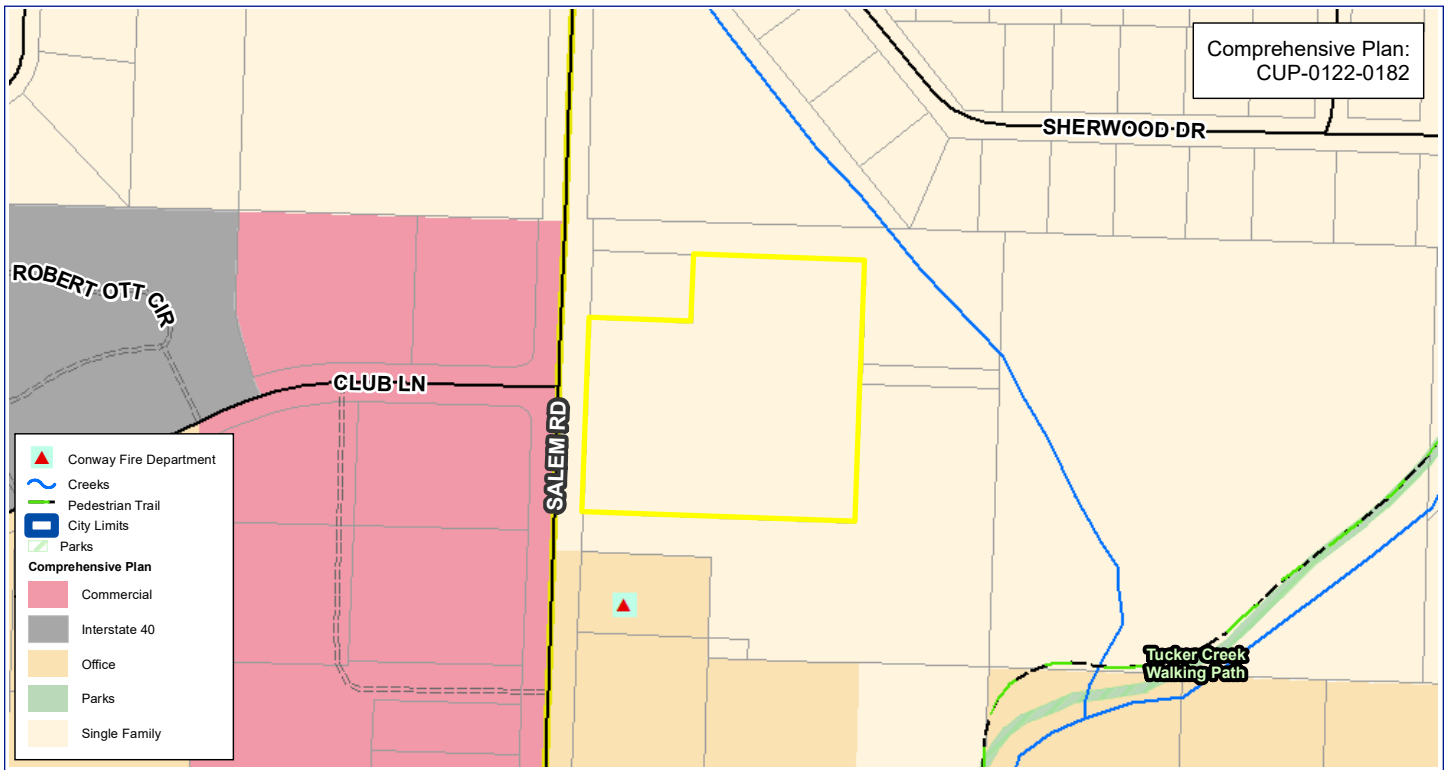
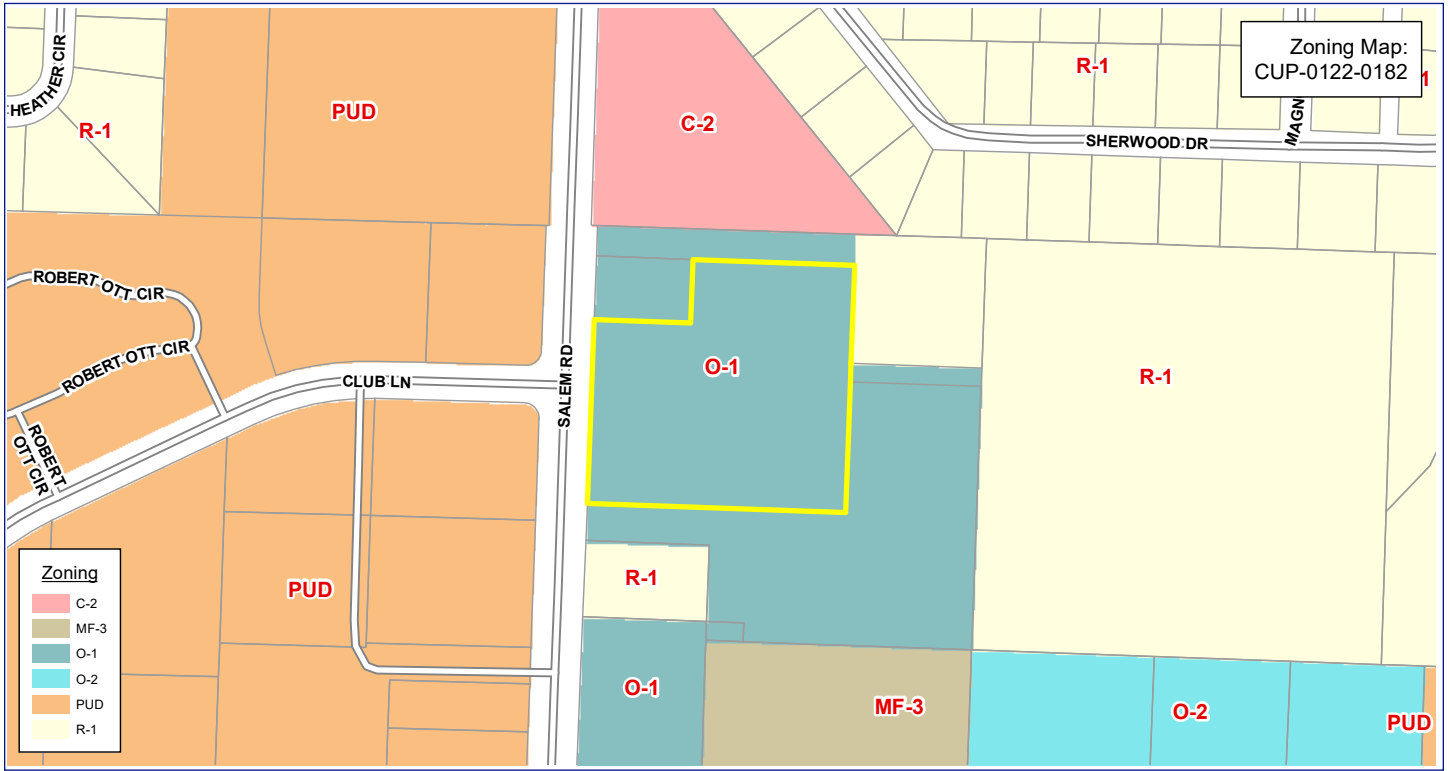
Current Traffic Counts. Salem Rd (just north of site): 14,000 ADT (average daily traffic).

Flood/Drainage. The northwest portion of this site lies within the FEMA 500 year floodplain.

Request to modify Conditional Use Permit No. 1042

700 Salem Road

III.C



Utilities. Site is developed and serviced by Conway Corporation.

Master Street Plan. Salem Rd (Major Arterial), Club Ln (Local: Non-Residential).

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The applicant desires to operate a childcare facility in the O-1 zoning district. This use is not permitted by right in the current zoning district but is allowed as a conditional use.
- The Conway Zoning Code defines a Child Care Facility as, *“Any place, home or institution which receives six or more children from more than one (1) family at the same time. The allowed number of children shall include the caregiver’s own preschool children and children in the home who are not accompanied by a parent, whether pay is received for care or not. However, this definition shall not include public or private schools organized, operated or approved under the laws of this state, custody of children fixed by a court of competent jurisdiction, or to churches or other religious or public institutions caring for children within the institutional building while their parents or legal guardians are attending services or meetings or classes, or engaged in church activities. These uses include but are not limited to: Day care center, nursery school, and day nursery.”*
- The Comprehensive Plan designates the area as Single Family. However, this appears to be outdated for this location. There is Commercial zoning directly to the west which is consistent with this type of use. This facility has been in use since 1997 and is consistent with the character of the area.
- Any future redevelopment of this parcel will be required to comply with all applicable zoning ordinances and codes.
- This site is surrounded by parking on three sides and a trail to the east. There should be no on-street traffic issues associated with the drop off/pick up of children.
- The conditional use would not likely negatively impact adjacent property.

STAFF RECOMMENDATIONS

Approval of this conditional use permit will repeal the previous conditional use permit approved for this property, Permit No. 1042.

Staff recommends approval of the conditional use permit with the following conditions:

1. The facility will not be open any later than 10:00 p.m.
2. Approved uses are limited to: Health club, spa, childcare facility, daycare center, nursery school, and day nursery.
3. Any expansions or additions to the structure or site as well as any changes in the use shall require an amended or new conditional use permit.
4. All state and local guidelines related to operating a day care must be followed by applicant.
5. All licenses must be obtained and kept current.

Request to modify Conditional Use Permit No. 1042

700 Salem Road

III.C



Property adjacent to the W



View of subject property from Salem Rd looking E



Property adjacent to the N



Property adjacent to the S

Request to modify Conditional Use Permit No. 1277REV

2525 Prince Street

III.D

AUTHORIZED AGENT/DESIGN PROFESSIONAL

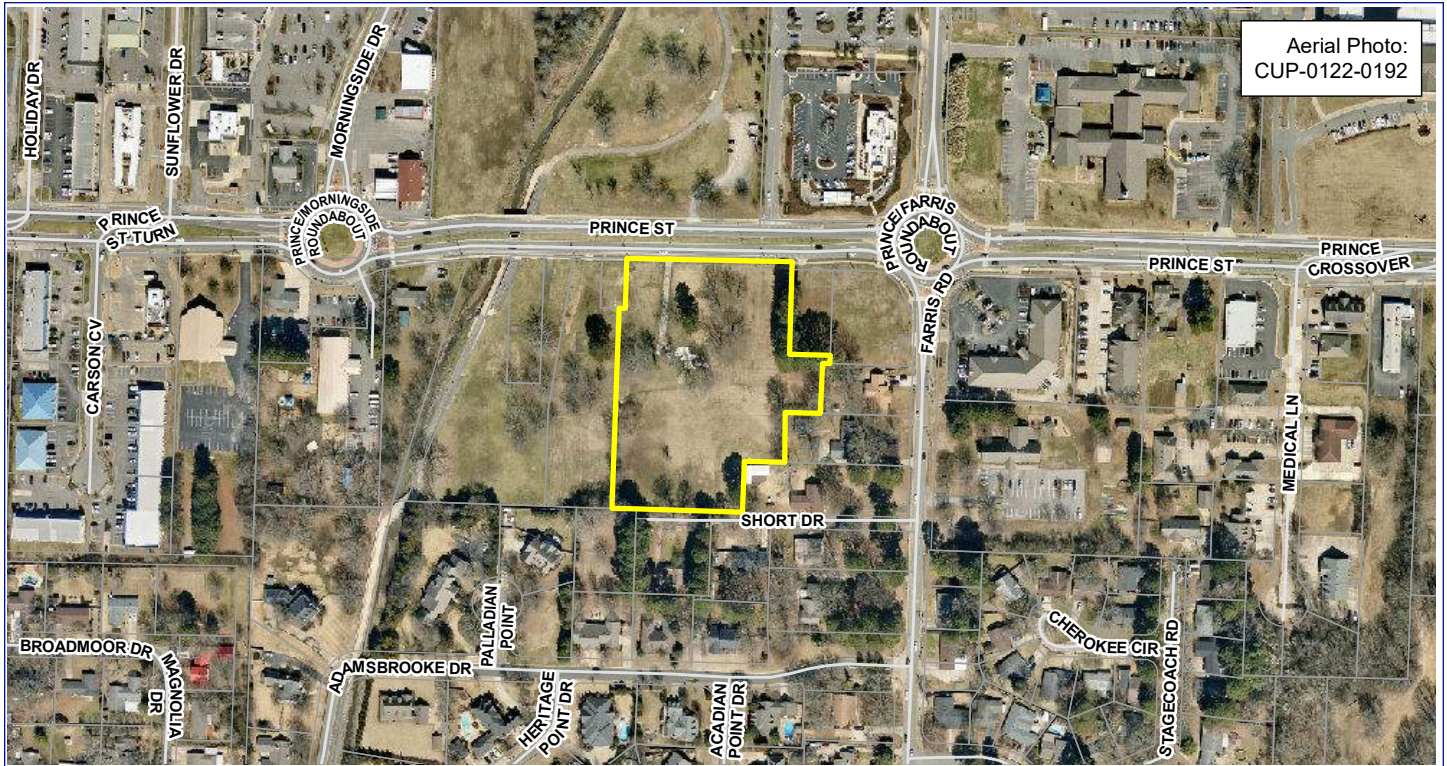
Sowell Architects
1315 North St, Ste 100
Conway, AR 72034

APPLICANT

Esmeralda Castro

OWNER

John & Barbara Coffey Joint Revocable Trust
John & Barbara Coffey, Trustees



SITE

Location. 2525 Prince St.

Site Area. 3.98 acres±.

Current Zoning. O-1 (General Office District).

Adjacent Zoning. North: R-1, East: R-1/O-1, West: O-1, South: R-1.

Existing Structures. None.

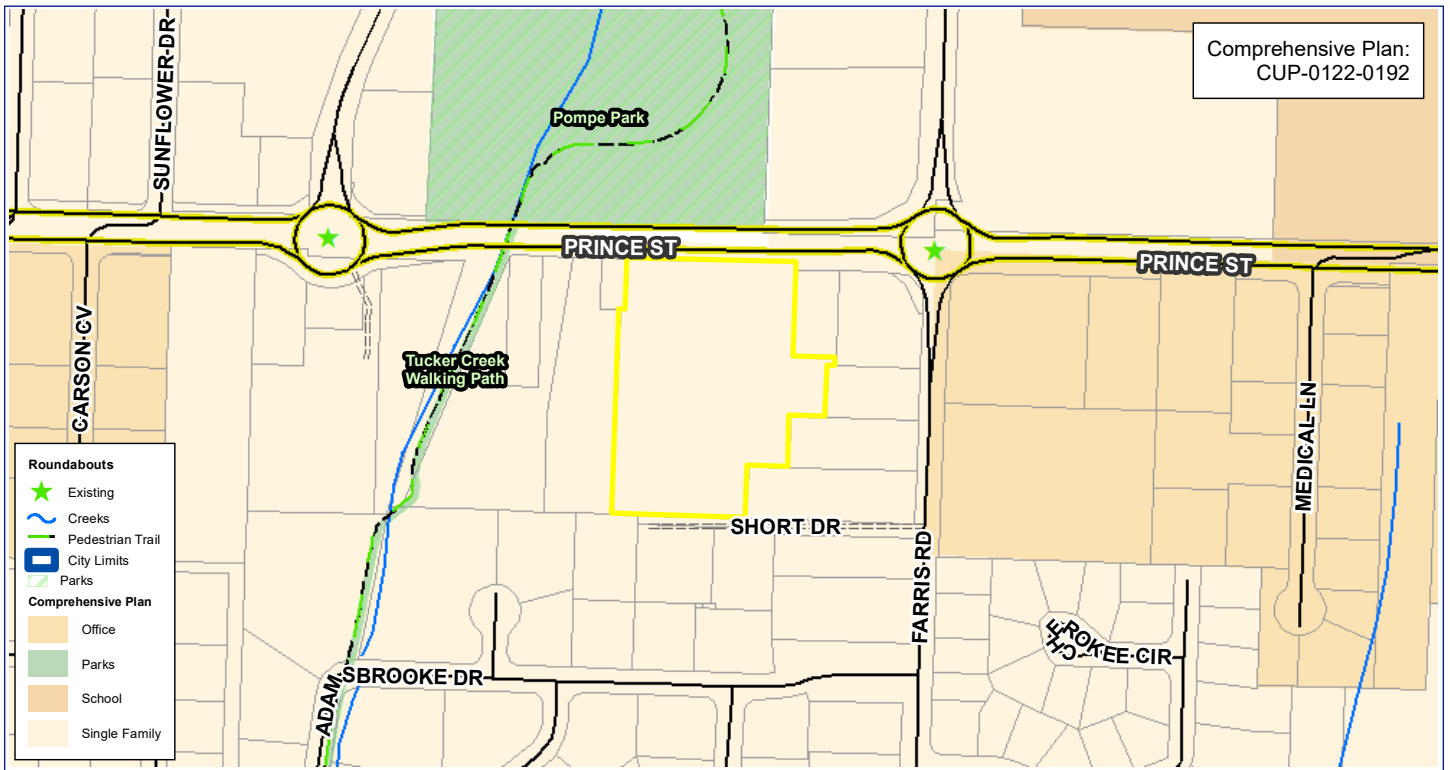
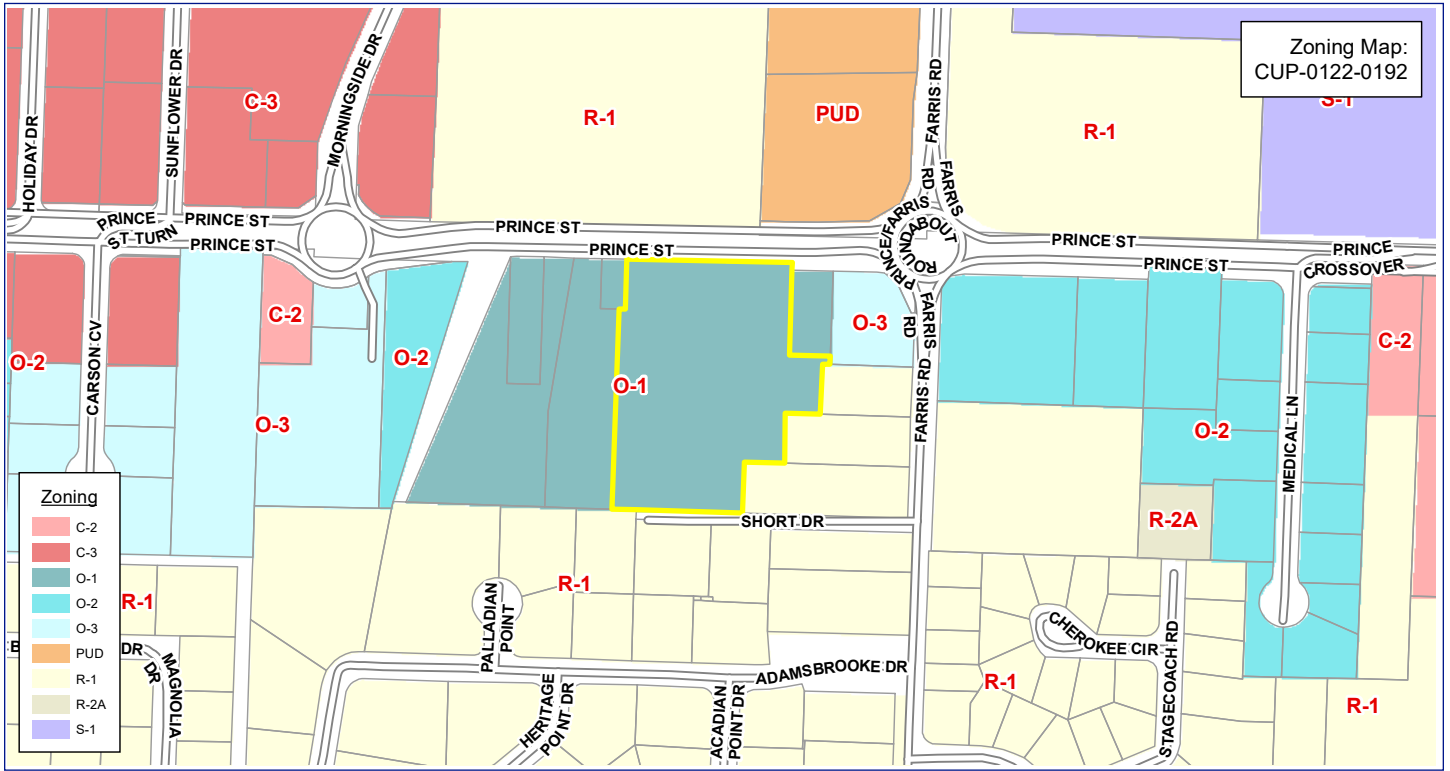
Overlay. None.

Comprehensive Plan. Single Family.

Projected Traffic Impact. With the proposed conditional use permit, the most intense use would likely be a drive-through restaurant. The site could support 3 Drive-through restaurants. As such, the likely increase in traffic impact could be significant. With an assumption of the site devoted to the most intense possible use as a Drive-through restaurant, it is anticipated the site could generate up to 8,200 vehicle trips per typical weekday. The applicant has indicated that a portion of the site is to be devoted to retail/office use so the traffic impact will likely be less than this estimate.

Current Traffic Counts. Prince St, at the subject property - 22,000 ADT (average daily traffic).

2525 Prince Street



Flood/Drainage. The site is not within any regulatory floodway or floodplain areas.

Utilities. The site was previously developed as single-family residential so utilities are available. Applicant will need to coordinate with Conway Corporation regarding expansion to support new, higher-intensity development.

Master Street Plan. Prince St (Major Arterial).

Street Improvement. This portion of Prince St saw significant improvements in 2013-14. No additional improvements are planned at this time.

Requested Conditional Uses. General Retail; Restricted Retail [currently permitted by CUP No. 1277REV]; Drive-through Restaurant.

General Overview. The site previously housed one single-family residence, but is now vacant. The applicant is proposing to develop a portion of the property as retail and Drive-through restaurant. The development will be accessed by a singular drive from Prince St with the option of a future connection to Farris Rd to the east in conjunction with future development of the property on the southwest corner of Farris Rd and Prince St.

STAFF COMMENTS

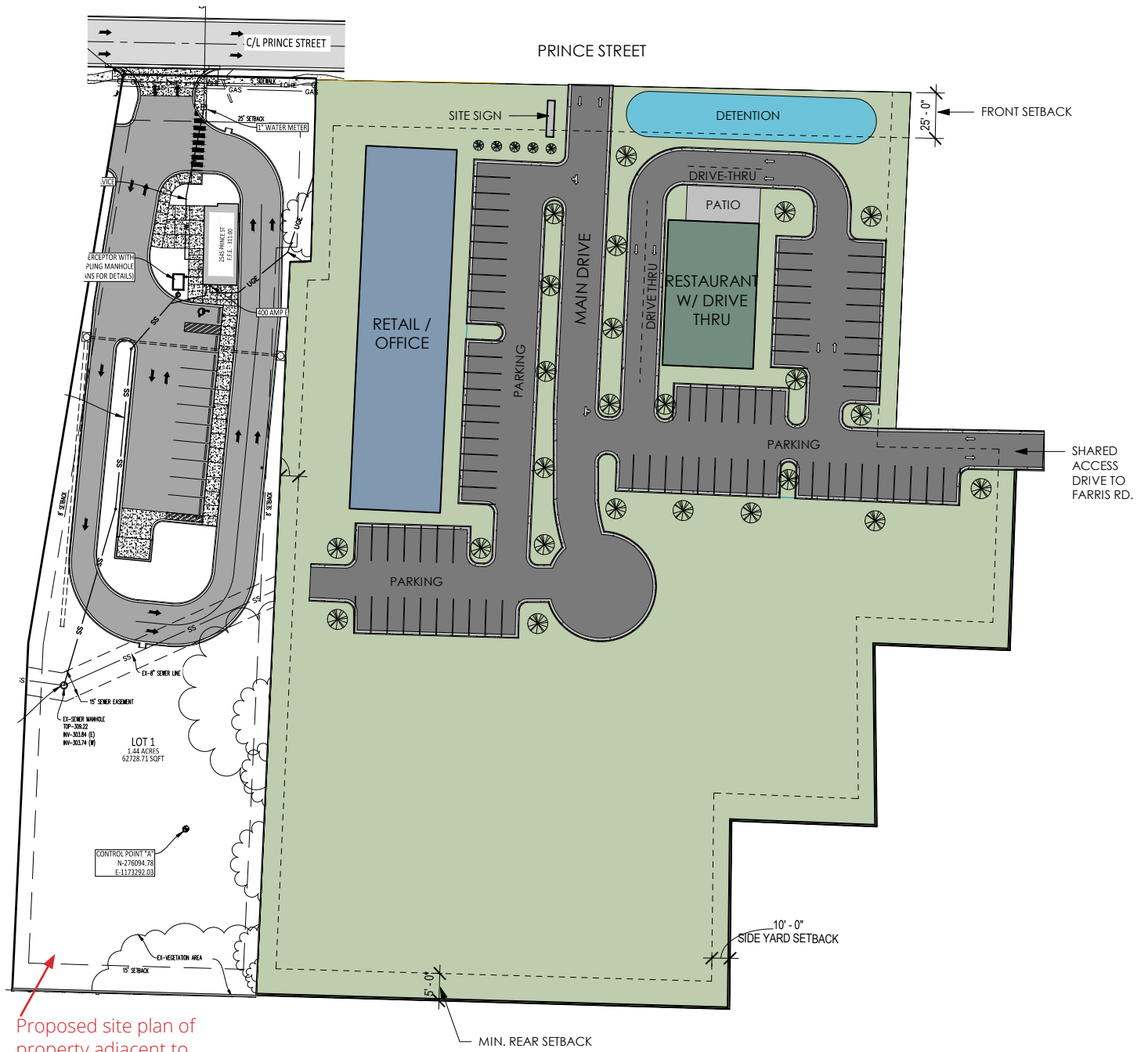
The request has been reviewed in accordance with §901.2.J of the Conway Zoning Code. Following are Planning Staff's findings:

- The Comprehensive Plan designates the property as appropriate for Single-Family, however the plan does not reflect the extent of commercial development which has occurred along this portion of Prince St in recent years. Given this and the site's location along a major arterial, single-family residential is no longer the most appropriate use. The site is more suitable for the requested office and commercial uses. The request appears to be appropriate.
- Staff recommends detaching the subject property from the existing CUP No. 1277REV and issuing a new conditional use permit specific to the subject property.
- General Retail would allow uses including, but not limited to a Department store, Drive-through restaurant/Eating place with drive-through service, Gunsmith shop, Household appliance store, Office equipment: sales and service, Pet shop.
- Given the site's proximity to the Tucker Creek pedestrian and bicycle trail and Conway High School, retail and dining amenities would likely be a valuable addition to the area.
- Extension of the shared access drive, depicted to connect to Farris Rd, will require agreement with property adjacent to the east.
- Current conditions of CUP No. 1277REV which apply to 2525 and 2555 Prince St include:
 1. The allowed 60% restricted retail area of the approved conditional use permit is prorated according to parcel size. The east parcel: 710-08411-000 or 2525 Prince Street shall have no more than 51.6% of the developable area used for restricted retail. The west parcels: 710-08413-000 2565 Prince Street and 710-08413-000 2555 Prince Street shall have no more than 29.5% of the developable area used for restricted retail.
 2. The 2008 conceptual site plan is abandoned with the exception of encouragement of creek oriented structures, plazas, and trail access points.
 3. A 30 foot green space buffer strip with no parking or structures on the south to buffer residences.
 4. Dedication of a riparian buffer area 30 feet in width, measured east of and parallel to the eastern Tucker Creek floodway boundary, also to be used for pedestrian/bike trail easement purposes.
 5. Driveway separation/access management-curb cuts are to have a 300 feet separation and a minimum of 150 feet from side lot lines unless outstanding conditions warrant other locations.
 6. Office uses only are allowed on the east and south sides of the development.
 7. A brick wall must be constructed along the south property line to provided screening for residences. (Wall must be a minimum of 6 feet tall).
- As conditioned, the use would not likely negatively impact adjacent property and complies with §901.2.J of the Conway Zoning Code accordingly.

STAFF RECOMMENDATIONS

Staff recommends approval of a new conditional use permit, specific to the subject property, with the following conditions.

1. Allowed uses are limited to those permitted by right in the O-1 zoning district and those defined as Retail - General, excluding Gunsmith shop and Hay, grain, or feed store; and Retail - Restricted.
2. The subject property shall be removed/detached from conditional use permit no. 1277REV.
3. The development shall be built in a manner that's consistent with the conceptual site plan, included in this application. The location and/or orientation of the proposed Retail/Office structure will require revision given the location and orientation of proposed development on property adjacent to the west which is currently going through the site development review process.
4. All proposed site improvements shall be subject to development standards as outlined in Article 1101 of the Conway Zoning Code, unless otherwise noted in permit conditions.
5. All signage shall comply with standards for the O-1 zoning district as outlined in Article 1301 of the Conway Zoning Code (Sign Ordinance).
6. The property shall be platted in accordance with the Conway Subdivision Ordinance prior to the issuance of building permits. *The development shall require a shared parking agreement to be recorded and referenced on the final plat.*
7. Driveway separation/access management-curb cuts are to have a 300 feet separation and a minimum of 150 feet from side lot lines unless outstanding conditions warrant other locations.
8. A 30-foot green space buffer [no parking or structures] is required along the southern and eastern property lines, where they abut residential zoning and uses, to be properly maintained by the property owner. *30-foot buffer to include the required increased landscaping when abutting residential uses per Article 1101 of the Conway Zoning Code.*
9. All lighting shall not exceed twenty (20) feet in height and be full cut-off, shielded lighting as defined by the IESNA. Such lighting shall be directed to prevent the trespass of light onto the adjacent properties.
10. Any additional structures, expansion of uses not permitted by right, or additions to those structures indicated on the conceptual site plan shall be subject to review through an amended or new conditional use permit.
11. This conditional use permit expires 2 years from the date of issuance if no building permit has been issued.
12. If the site or any structure on an individual lot become vacant for a period of more than 18 consecutive months, the conditional use permit shall become void for the site or portion of the site as appropriate to the extent of the vacancy.



Proposed site plan of property adjacent to the west. Included for reference only.

1 SCHEMATIC SITE PLAN



2525 Prince Street



View of subject property from Prince St looking S



View of subject property from Prince St looking S



Property adjacent to the E



Property adjacent to the W



Property adjacent (across Prince St) to the N



Property adjacent (across Prince St) to the NE

PERMIT No. 1277REV

USE2008APR01
51411NW

CONDITIONAL USE PERMIT

CITY OF CONWAY, ARKANSAS

PROPERTY DESCRIPTION / ADDRESS / LOCATION:

This conditional use is for property located at 2545, 2525, 2545, and 2555 Prince Street with the following legal description:

Part of the NE1/4 of Section 11, T-5-N, R-14-W, City of Conway, Faulkner County, Arkansas being the intersection of Prince Street and Farris Road, west to Tucker Creek, and has the legal description:

Commencing at the NE corner of the NE1/4 NW1/4 of said Section 11; thence South, a distance of 25.00 feet to the south right-of-way line of Prince Street; thence west along said south right-of-way line, a distance of 186.00 feet to the point of beginning; thence south, a distance of 202.00 feet; then west a distance of 14.00 feet; thence south, a distance of 100.00 feet; thence west, a distance of 70.00 feet; thence south, a distance of 100.00 feet; thence west a distance of 80.00 feet; thence south, a distance of 102.00 feet; thence west 672.00 feet to the east bank of a creek; thence N21°04'33"E along said east bank, a distance of 540.13 feet to said south right-of-way line; a distance of 641.77 feet to the point of beginning, containing 7.94 acres (345,869 sf) more or less.

Less and except: (per Conditional Use Permit No. 1364)

Being a part of the NE1/4 NW1/4 of section 11, T-05-N, R-14.W, Faulkner County, Arkansas more particularly described as commencing at the NE corner of the NE1/4 NW1/4, at a set 5/8" rebar; thence along the East line of said NE1/4 NW1/4 to a point S02°06'28"W, 74.60 feet; thence leaving said East line S88°30'38"W, 20.04 feet to a point on the old western right of way of Farris Road; thence along said right of way S02°06'28"W, 45.89 feet to a set 1/2" rebar on the existing right of way of Farris Road being the point of beginning; thence along said right of way S02°06'28"W, 112.49 feet to a point; thence leaving said right of way N87°54'29"W, 167.72 feet to a set 1/2" rebar; thence N02°29'09"E, 21.06 feet to a found 1/2" rebar; thence N88°59'06"W, 81.58 feet to a found 1/2" rebar; thence N05°55'54"E, 177.45 feet to a found 1/2" rebar on the South right of way of Prince Street; thence along said right of way S83°47'56"E, 71.03 feet to a found AHTD right of way monument; thence S88°58'08"E, 86.70 feet to a found AHTD right of way monument; thence S81°01'02"E, 16.65 feet to a set 1/2" rebar; thence S49°25'16"E, 35.84 feet to a set 1/2" rebar; thence S24°17'21"E, 62.78 feet to a set chiseled-x in a concrete sidewalk; thence S87°26'49"E, 7.28 feet to a point of beginning, containing 0.99 acres, more or less.

Less and except: (per Conditional Use Permit No. 1379)

Part of the NE 1/4, NW 1/4, Section 11, T-5-N, R-14-W, Faulkner County, Arkansas described as beginning the NW corner of said NE 1/4, NW 1/4 and run south 26.5 feet; thence, N89-32-30E along the south right of way of Prince Street 628.5 feet to the point of beginning; thence, N89-32-30E along said right of way, 106 feet; thence, S0-20-40E, 100 feet; thence, S89-32-30W, 12 feet to a found 1 inch pipe; thence, south 404.08 feet to an existing property line; thence, west along said property line, 134 feet; thence, north 190.87 feet; thence, N7-17-40E, 315 feet to the point of beginning containing 1.43 acres +/-

ZONING: O-1 (General Office)

CONDITIONAL USE PERMITTED: Retail - Restricted in O-1 zoning

PERMIT No. 1277REV

USE2008APR01
51411NW

DATE OF COUNCIL MEETING ALLOWING PERMITTED USE: May 13, 2008, amendment 1 January 26, 2016,
amendment 2 September 26, 2017

CONDITIONS ATTACHED TO THE PERMIT:

1. ~~No more than 60% of the development's floor area may be used for retail.~~ The allowed 60% restricted retail area of the approved conditional use permit is prorated according to parcel size. The east parcel: 710-08411-000 or 2525 Prince Street shall have no more than 51.6% of the developable area used for restricted retail. The west parcels: 710-08413-000 2565 Prince Street and 710-08413-000 2555 Prince Street shall have no more than 29.5% of the developable area used for restricted retail.
2. ~~The development must generally follow the conceptual site plan presented at the April 2008 Planning Commission meeting (see attachment). Key elements are interior parking, structure orientation to creek and trail, and the encouragement of plaza space and trail access points.~~ The 2008 conceptual site plan is abandoned with the exception of encouragement of creek oriented structures, plazas, and trail access points.
3. A 30 foot green space buffer strip with no parking or structures on the south to buffer residences.
4. Dedication of a riparian buffer area 30 feet in width, measured east of and parallel to the eastern Tucker Creek floodway boundary, also to be used for pedestrian/bike trail easement purposes.
5. Driveway separation/access management-curb cuts are to have a 300 feet separation and a minimum of 150 feet from side lot lines unless outstanding conditions warrant other locations.
6. Office uses only are allowed on the east and south sides of the development.
7. A brick wall must be constructed along the south property line to provided screening for residences. (Wall must be a minimum of 6 feet tall).

APPROVED:


 Bart Castleberry, Mayor

10/3/2017

 Date

Consideration for Permit: Accessory Use to Nonconforming Primary Use

III.E

725 2nd Street

APPLICANT/AUTHORIZED AGENT

Melissa Branscum
725 2nd St
Conway, AR 72032

OWNER

Sue Collins
717 2nd St
Conway, AR 72032



SITE

Location. 725 2nd St; between Harkrider St and Factory St.

Site Area. 0.34 acres +/-

Legal Description. Lot 27 through 32, Block 8, R.L. Hayes Addition.

Current Zoning. C-3 (Highway Service and Open Display District).

Existing Structures. 1680 sf single family home.

Overlay. Old Conway Design Overlay District – Transition Zone.

Requested Permit. Operation of a sign/graphic design business from a legal, nonconforming home.

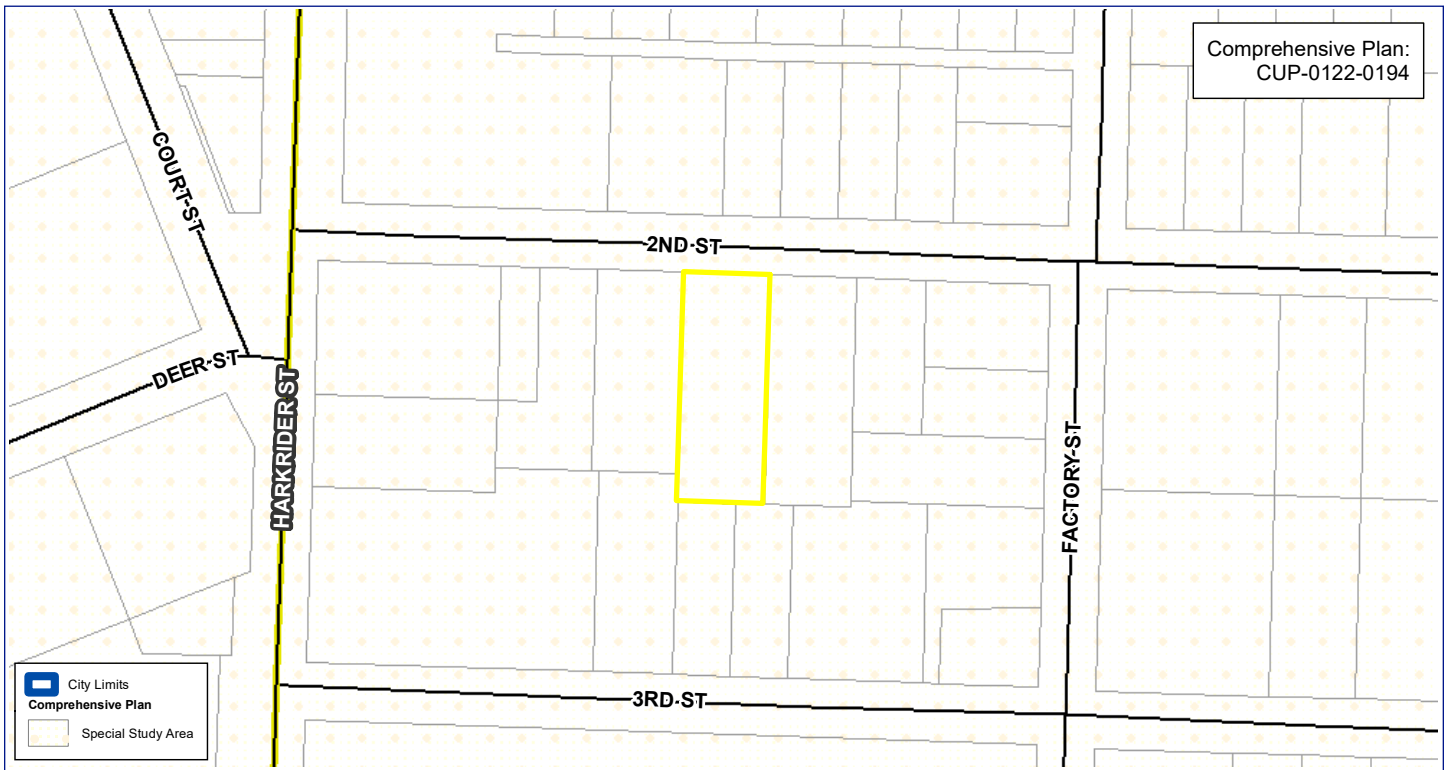
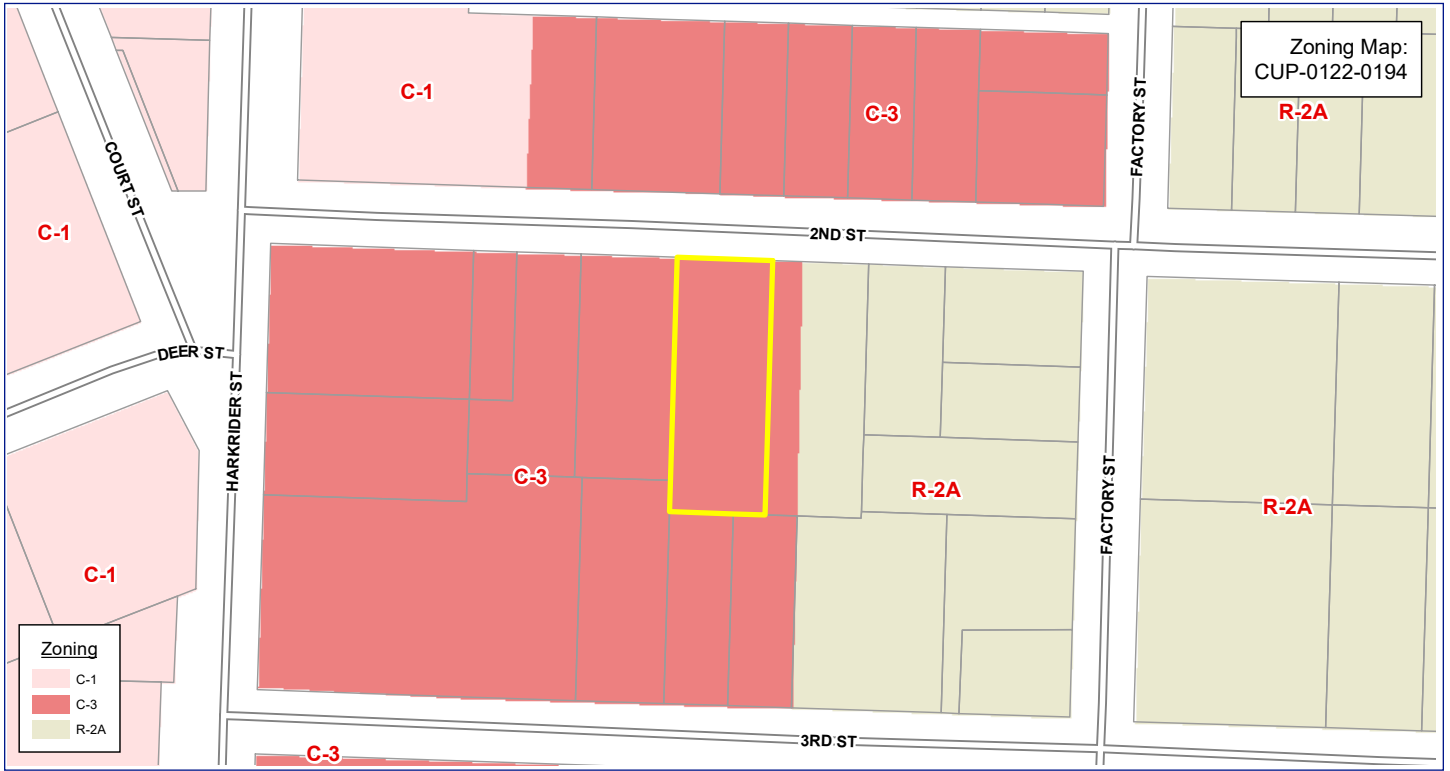
Comprehensive Plan. Medium Density Single Family.

Projected Traffic Impact. The proposed conditional use is anticipated to generate approximately 5 vehicle trips per typical weekday beyond the trips typically associated with a single-family residence at this location.

Current Traffic Counts. 1st St and Ingram St average 2500 ADT. Traffic at this site is likely comparable.

Consideration for Permit: Accessory Use to Nonconforming Primary Use

725 2nd Street



Flood/Drainage. The site is not within any regulated floodplains or floodways.

Utilities. Site is developed and utilities are provided by Conway Corp.

Master Street Plan. 2nd St (Local: Residential).

Street Improvement. No current improvement plans.

STAFF COMMENTS

- The applicant desires to operate a sign/graphic design business in the C-3 zoning district. This use is not permitted in a nonconforming residence.
- The Comprehensive Plan designates the area as Commercial. Any building operating as a business would need to meet commercial building standards.
- The home may continue as a legal nonconforming residence until vacant for one year.
- This lot may be developed commercially in the future. However, it will need to meet all commercial development standards as well as standards found in the Old Conway Overlay District. In its current use, this home is compatible for use as a residence only.
- The operation of a commercial accessory use in conjunction with the nonconforming primary use is likely to negatively impact adjacent property.
- This application is a result of code enforcement action.
- Commercial properties which abut residential require additional measures to be taken in order to minimize harm to the adjacent properties. This includes greater setbacks, fencing, screening, landscaping, etc. Given the status of this structure, this cannot be achieved and would negatively impact neighbors in the area.

STAFF RECOMMENDATIONS

Staff recommends denial of the application for operation of an accessory use associated with a nonconforming primary use on the following basis:

1. This single-family dwelling is currently allowed under a legal, nonconforming status. No uses other than that of a residence are appropriate based on design of the structure and the residential uses in the immediate vicinity.
2. Allowing the operation of a business from this property as an accessory will likely negatively impact adjacent properties, specifically residentially zoned properties to the east.
3. Commercial developments that abut residential zoning must meet certain requirements. These requirements are not in place and cannot be enforced given the current status of the residence. Given that the site cannot meet these standards, commercial use is not compatible with the location or surrounding area.

Consideration for Permit: Accessory Use to Nonconforming Primary Use

725 2nd Street

III.E



Property adjacent to the E



View of subject property from 2nd St looking S



Property adjacent (across 2nd St) to the N



Property adjacent to the W



View of 2nd St looking W



View of 2nd St looking E

Request to Rezone: RU-1 to A-1

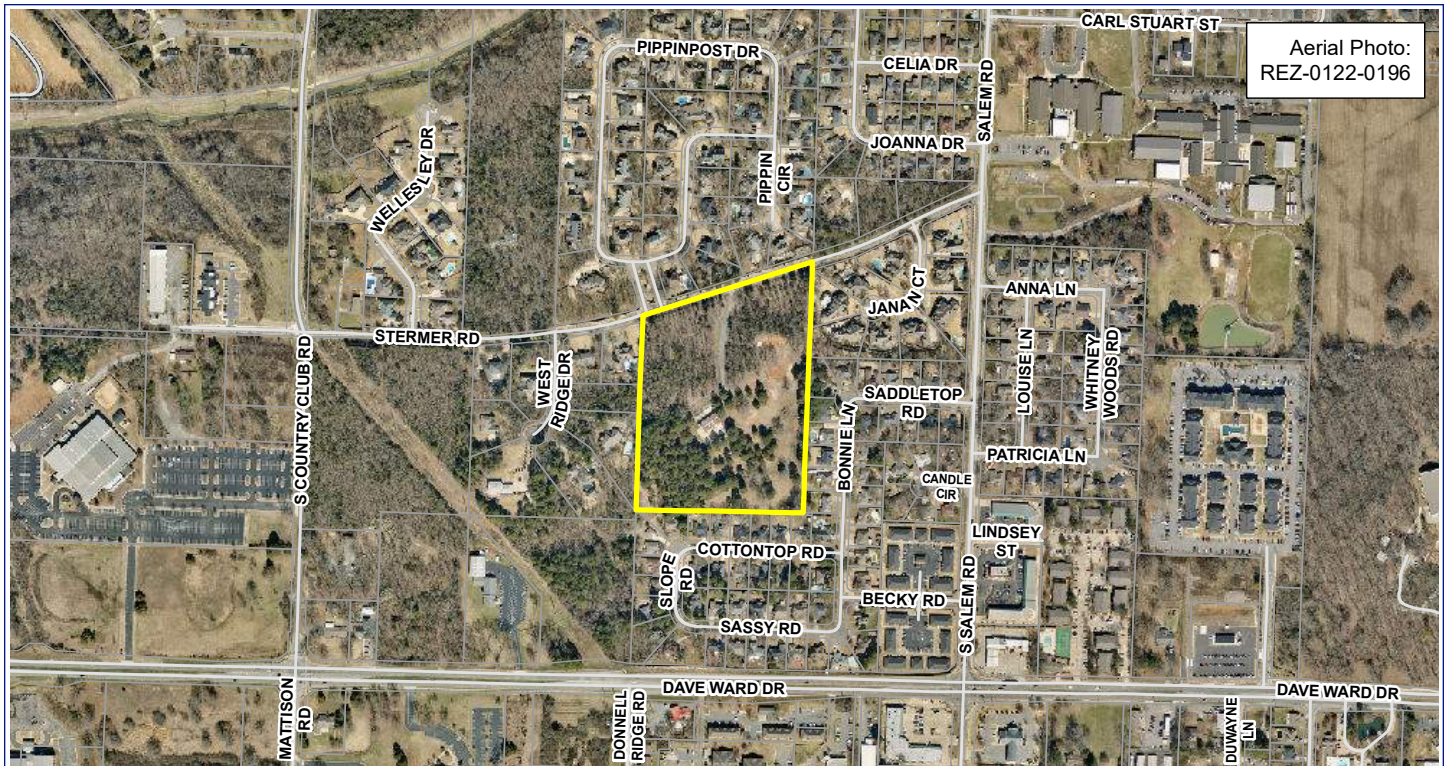
3055 Stermer Road

APPLICANT/AUTHORIZED AGENT

Shane Henry
Shane Henry Associates, PLLC
335 Hogan Ln
Conway, AR 72034

OWNER

James and Kay Hinkle
3055 Hogan Ln
Conway, AR 72034



SITE DATA

Location. 3055 Stermer Rd.

Site Area. 13.32 acres±.

Current Zoning. RU-1 (Restricted Use District).

Existing Structures. Barn/storage structure on property. No other structures present.

Overlay. None.

Requested Rezoning. A-1 (Agricultural District).

Comprehensive Plan. Single Family.

Projected Traffic Impact. With a rezoning to A-1, the traffic impact would likely be minimal. This development is anticipated to yield approximately 15 vehicle trips per typical weekday. Trips would be on Stermer Rd.

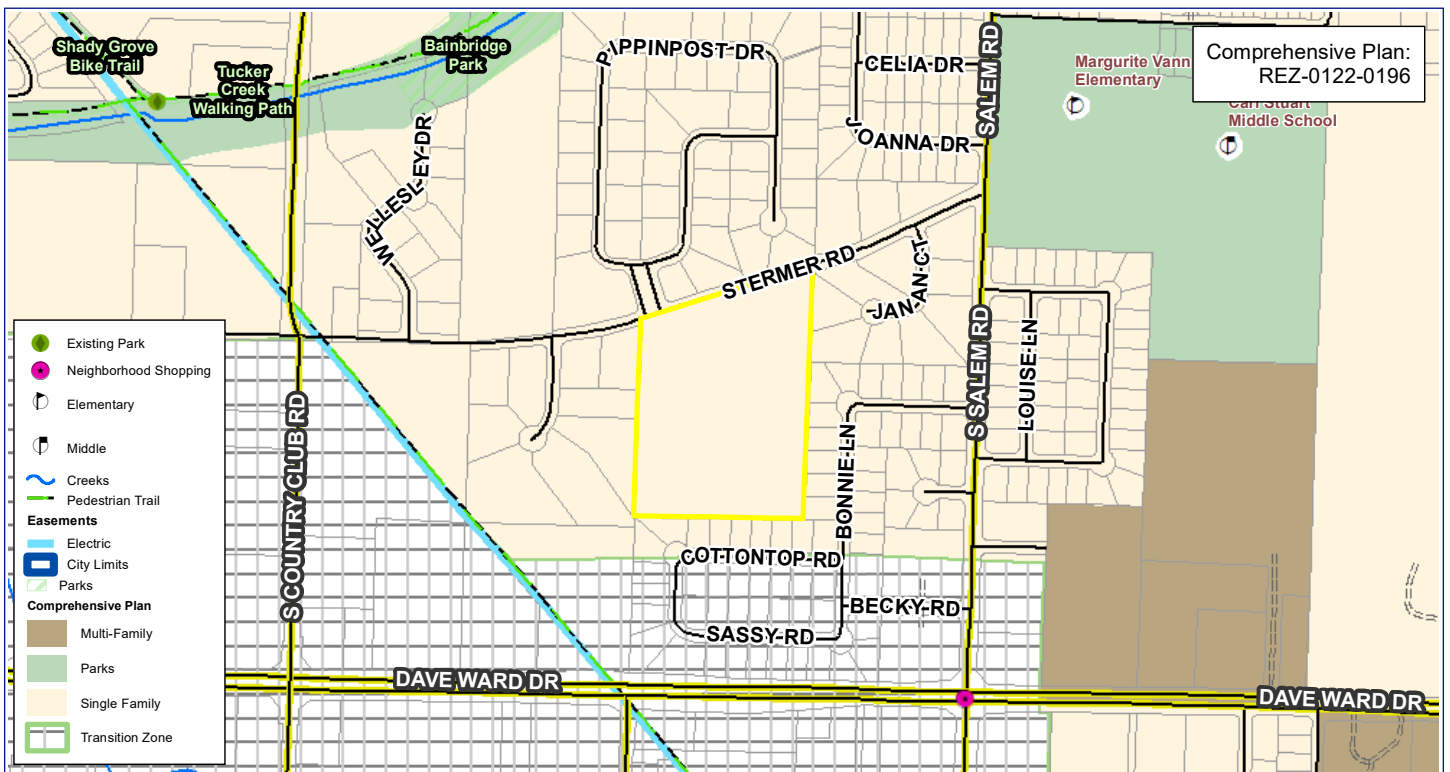
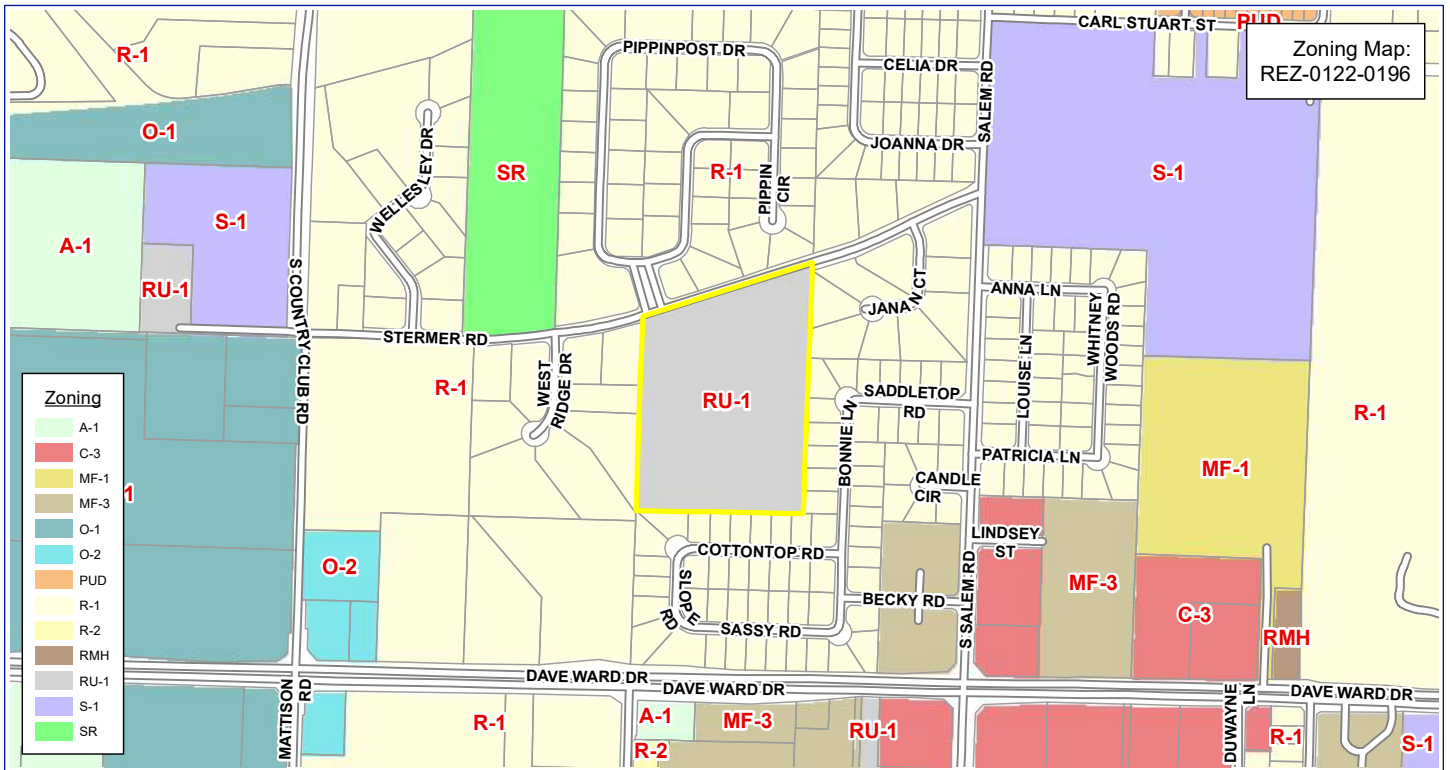
Current Traffic Counts. 920 daily average traffic trips on Stermer Rd near the proposed rezoning site.

Flood/Drainage. The site is not within any regulated floodplains or floodways.

Request to Rezone: RU-1 to A-1

3055 Stermer Road

III.F



Utilities. The site is served by Conway Corp for all utilities.

Master Street Plan. Stermer Rd (Local: Residential).

Street Improvement. No current improvement plans.

STAFF COMMENTS

- Outside of agricultural use, the only permitted use without a conditional use permit granted is a single-family type of structure. This includes a single-family residence, manufactured home, or a residence for a manager/caretaker.
- The placement of a single-family home in this area is consistent with development in the area. R-1 (One-Family Residential), single family homes surround this lot on all sides.
- A-1 (Agricultural District) is a more restrictive zoning than R-1 and other residential zonings. A-1 requires greater minimum lot size (1 acre) and greater setbacks for residential structures.
- The proposed rezoning is largely consistent with the Comprehensive Plan, which calls for single family residential in the area.
- The rezoning will not likely harm adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning. The proposed zoning is consistent with the Comprehensive Plan and will not likely harm adjacent property.

Request to Rezone: RU-1 to A-1

3055 Stermer Road

III.F



View from subject property looking SE



View of subject property from Stermer Rd looking S



View from subject property looking SW



View from subject property looking W



View from subject property looking SE



View from subject property looking SE

Request to Rezone: O-2 to PUD

2522 & 2600 College Avenue

AUTHORIZED AGENT

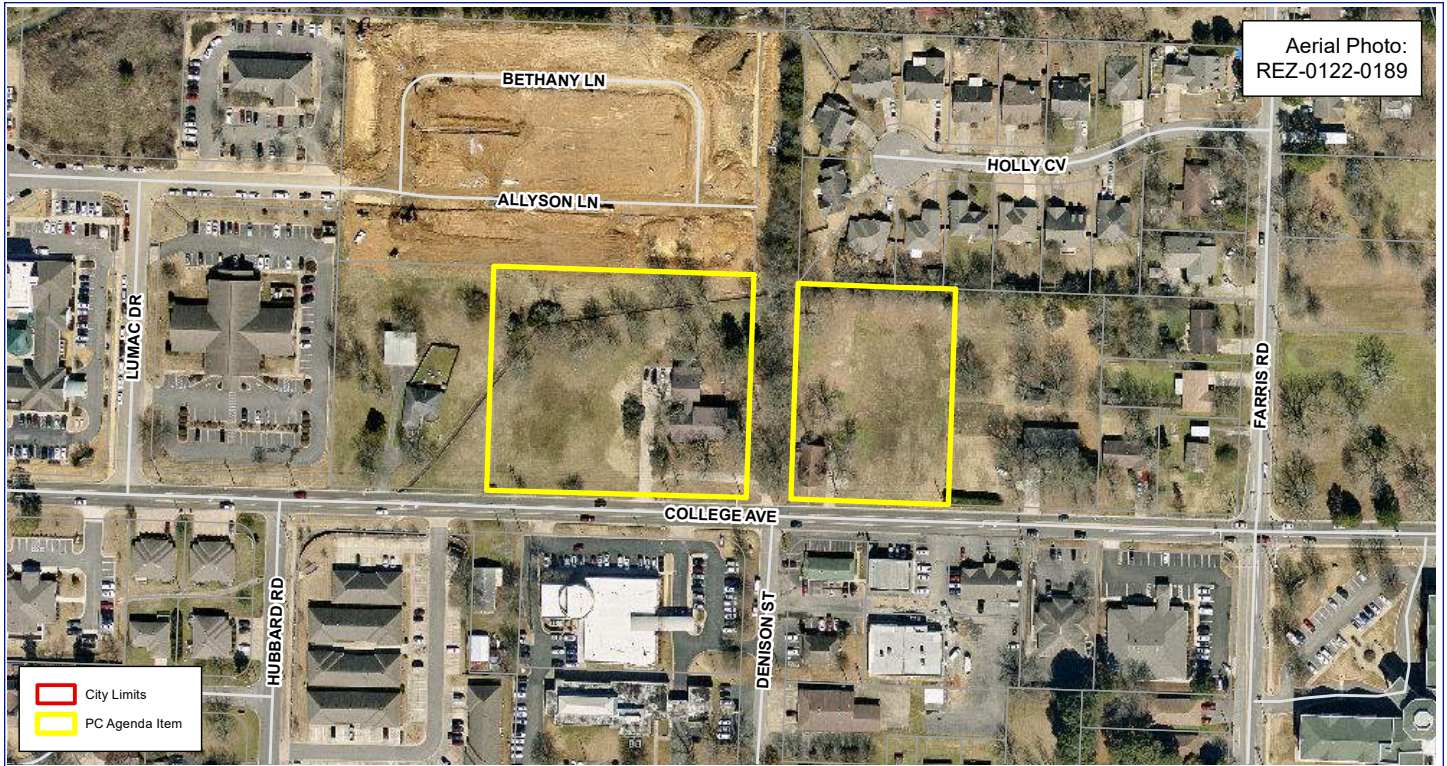
Gary Harpole
Halsey Thrasher Harpole Real Estate Group
301 West Washington Ave
Jonesboro, AR 72401

APPLICANT

Andrew Berner
Two Land Company, LLC
215 Union, Ste 400
Jonesboro, AR 72401

OWNERS

Goode Family Properties, LLC
Detogni Properties, LLC



SITE

Location. 2600 College Ave.

Site Area. 3.7 acres±.

Current Zoning. O-2 (Quiet Office District).

Adjacent Zoning. North: PUD/R-1, East: R-1, West: R-1, South: O-2/R-2.

Existing Structures. A 3,612 sf home on the west parcel and 1,224 sf home on the east parcel.

Overlay. None.

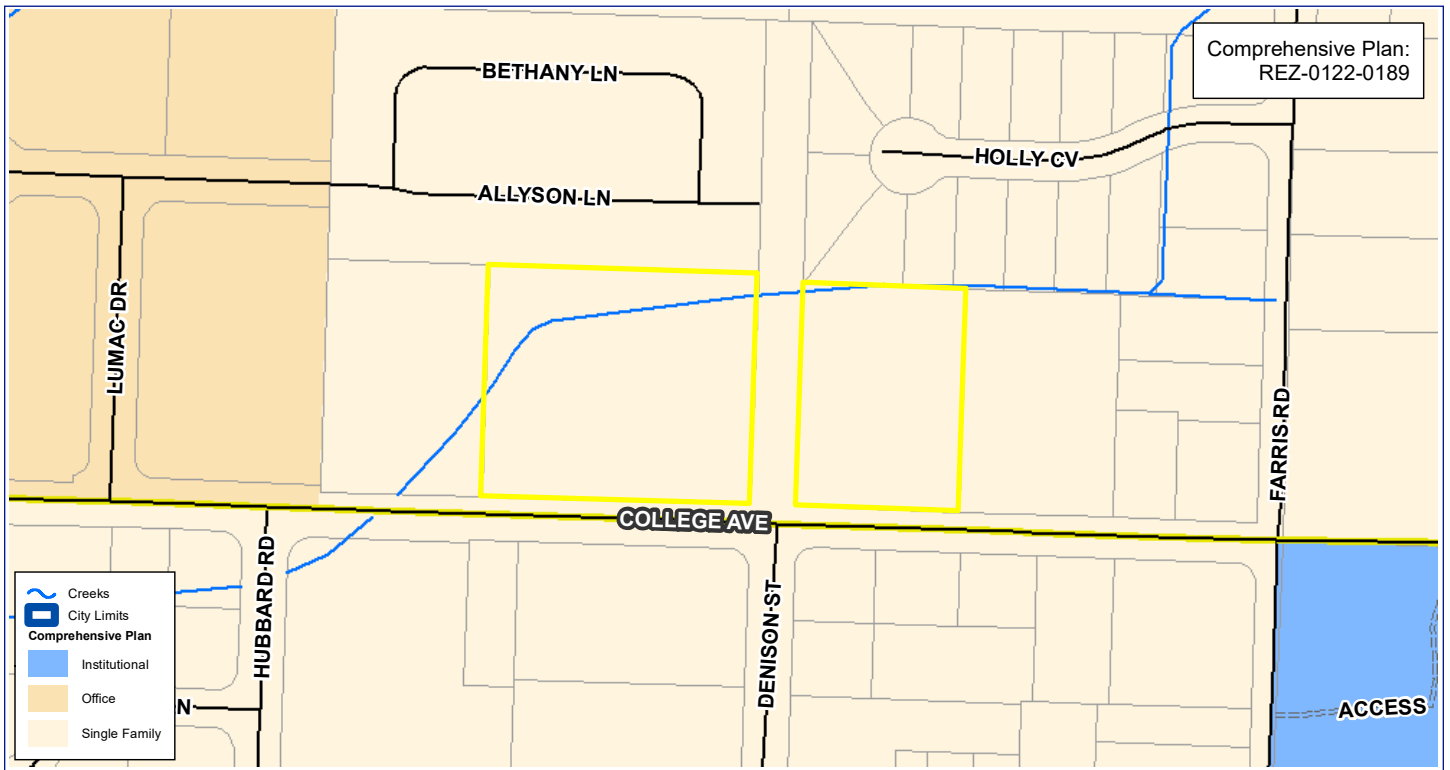
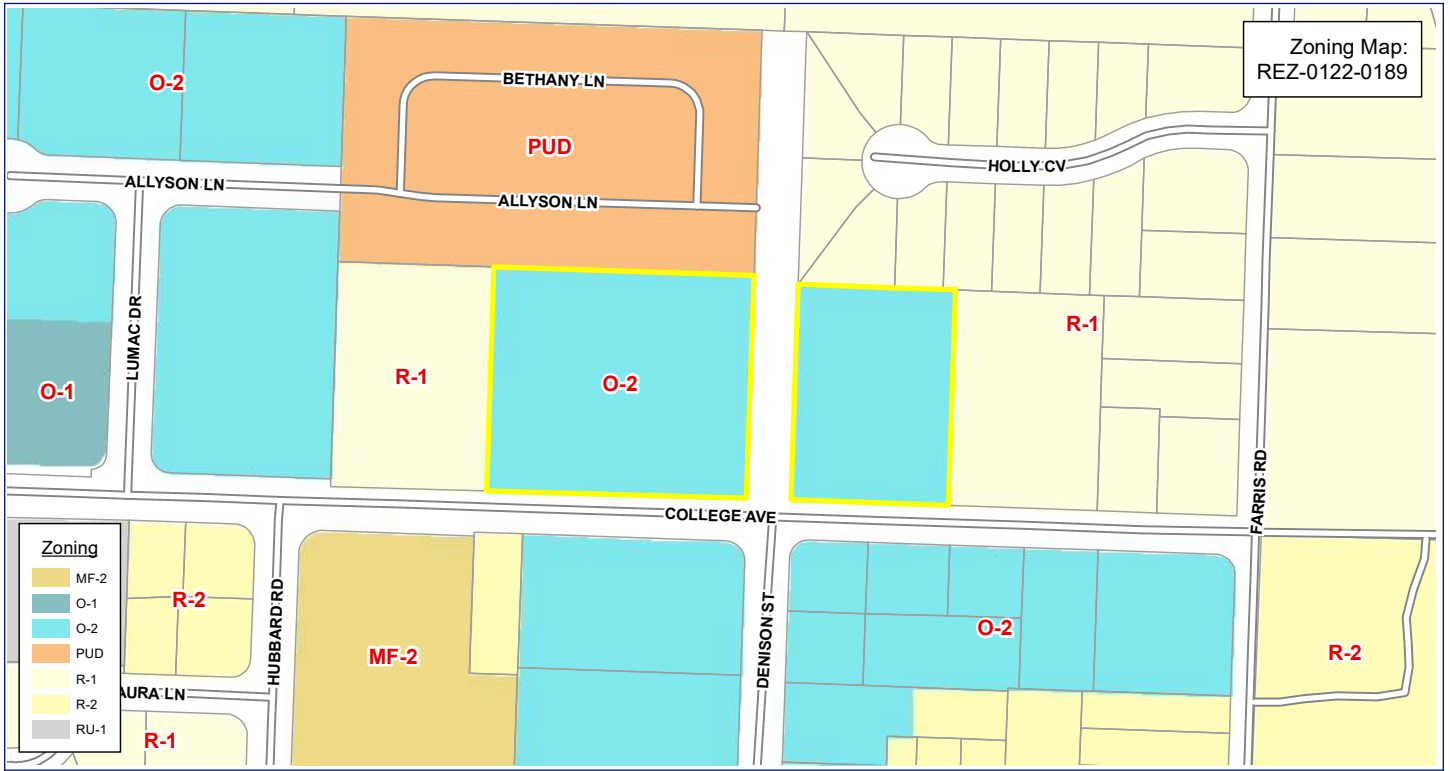
Requested Rezoning. PUD (Planned Unit Development).

Comprehensive Plan. Single-Family.

Projected Traffic Impact. The proposed PUD will feature multiple uses, making estimating traffic generation somewhat difficult. It is likely the following projection will overestimate the amount of traffic generated by the site, as some trips generated at the site may occur on foot within the development due to the complementary nature of the proposed uses. Numbers reported as Average Daily Traffic are for a typical weekday. •Multi-Family: 653 ADT •Retail: 332 ADT

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The projected impact is modest. Additional traffic from the development can easily be handled by the existing improvements on College Ave with less than 100 additional trips generated during peak AM and PM hours.

Current Traffic Counts. 14,000 ADT - College Ave (Conway Regional), 10,000 ADT College Ave (Pickwicket Dr).

Flood/Drainage. The site rests within zone X FEMA flood hazard area with a .2% annual chance of flooding.

Utilities. Utilities are available on site and will be provided by Conway Corporation.

Master Street Plan. College Ave (Minor Arterial).

Street Improvement. AR-DOT and Metroplan have awarded grants for construction of a 12' sidepath on the north side of College Ave, including this site. The College Ave/Farris Rd intersection is planned for improvement as a roundabout to ease congestion at this intersection. The traffic signal at the College Ave/Donaghey Ave intersection has been recently replaced with a roundabout.

Project Description. The applicant is proposing a 3-story mixed-use building with an approximately 22,000 sf footprint. The structure is proposed to contain 120 multi-family units targeted towards students and medical professionals. The units will primarily be 1-bedroom micro-lofts that are fully furnished. The structure will additionally contain a 5,000 sf commercial lease space intended for retail.

STAFF COMMENTS

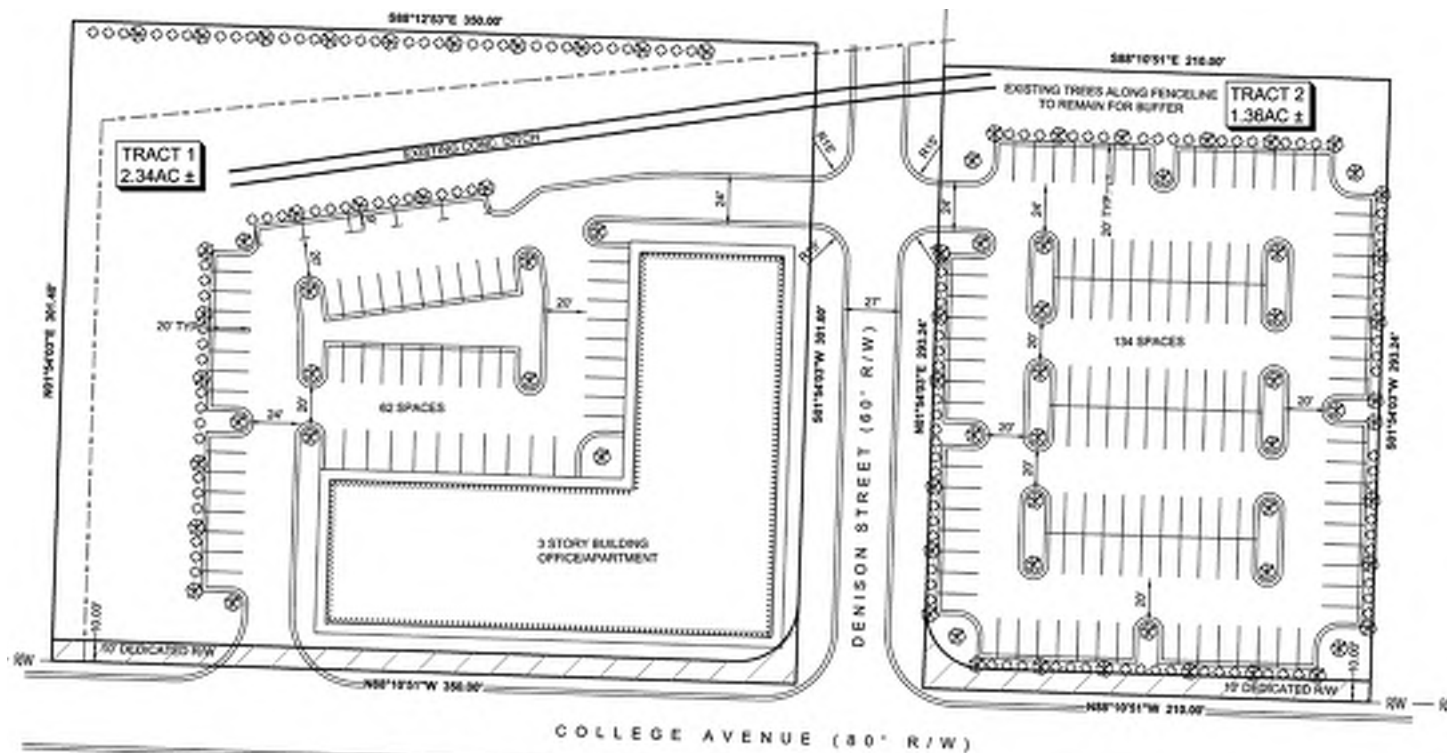
- Given existing development in the area, it is clear the corridor is in a state of transition from single-family development to a variety of lower intensity office, retail, and multi-family uses.
- Present zoning, in place since 2010/2016 for the sites, permits structures up to 35' and 2.5 stories in height.
- Present zoning also allows uses of similar intensity to those proposed with schools, office, and medical clinic being permitted by right.
- While the intended uses for the site do not conform to the comprehensive plan designation for the site, the general area has office, medical, retail, and multi-family uses in close proximity. As such, the proposed uses are appropriate to the site.
- The site is separated by a platted ROW that will require the construction of an extension of Denison St to the north. This will mean parking for the use will exist on separate properties. A deed restriction requiring that the parking lot east of Denison be permanently tied to the development west of Denison St be required.
- The proposed structure will be approximately 100' from the northern property line. Steps to mitigate the visual and lighting impacts of the development will need to be put in place to protect adjacent property.

STAFF RECOMMENDATIONS

Staff recommends approval of the PUD application. While not consistent with the comprehensive plan, the proposed uses are appropriate to the area and will not significantly increase the intensity of allowed use from the present zoning.

The following conditions of approval are recommended for the development:

1. The development shall be constructed in a manner consistent with the proposed sketch plan in regards to the general location of building. It will be constructed with minimal setback addressing the corner of the intersection of College Ave /Denison St.
2. The site shall be limited to the following uses: multi-family development with a maximum of 120 units, office, retail-restricted, and eating place/restaurant [without drive-through].
3. The height of the proposed structure to the top of the parapet shall not exceed 40 feet or 3 stories.
4. The development shall meet all applicable standards for Article 1101 of the Zoning Code.
5. The first two stories of the building shall be limited to stone, brick, and glass with precast concrete used as architectural accents.
6. The development shall meet all applicable signage standards for the O-2 district.
7. All proposed site improvements shall be subject to Development Review as handled within Article 1101 of the Zoning Code.
8. Prior to issuance of Development Review approval for the site, the applicant shall plat the property and file a deed restriction or similar document that ties the parking lot improvements and maintenance to the use of the building and building owner in perpetuity.



9. All other zoning requirements not addressed via this approval shall be governed by the provisions of O-2 zoning.
10. For the property east of Denison St, a 20' undisturbed vegetative buffer shall be maintained which shall include the addition of planting evergreen trees capable of forming a continuous row of vegetation to a height of at least 30' in addition to meeting the landscaping standards of Article 1101 of the Zoning Code.
11. For the property west of Denison St, all property north of the existing concrete ditch (as of February 17, 2022) shall be left as an undisturbed vegetative buffer. Within 10' of the north property line, additional evergreen trees capable of forming a continuous row of vegetation to a height of at least 30' shall also be required in addition to meeting the landscaping standards of Article 1101 of the Zoning Code.
12. Denison St shall be constructed to city standards as a local residential street, and may include parallel parking. Any parking provided as parallel parking may be counted to reduce the off-street parking requirements.

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Request to Rezone: O-2 to PUD

2522 & 2600 College Avenue



View of subject property from College Ave looking NW



View of subject property from College Ave looking NE



Property adjacent to the W



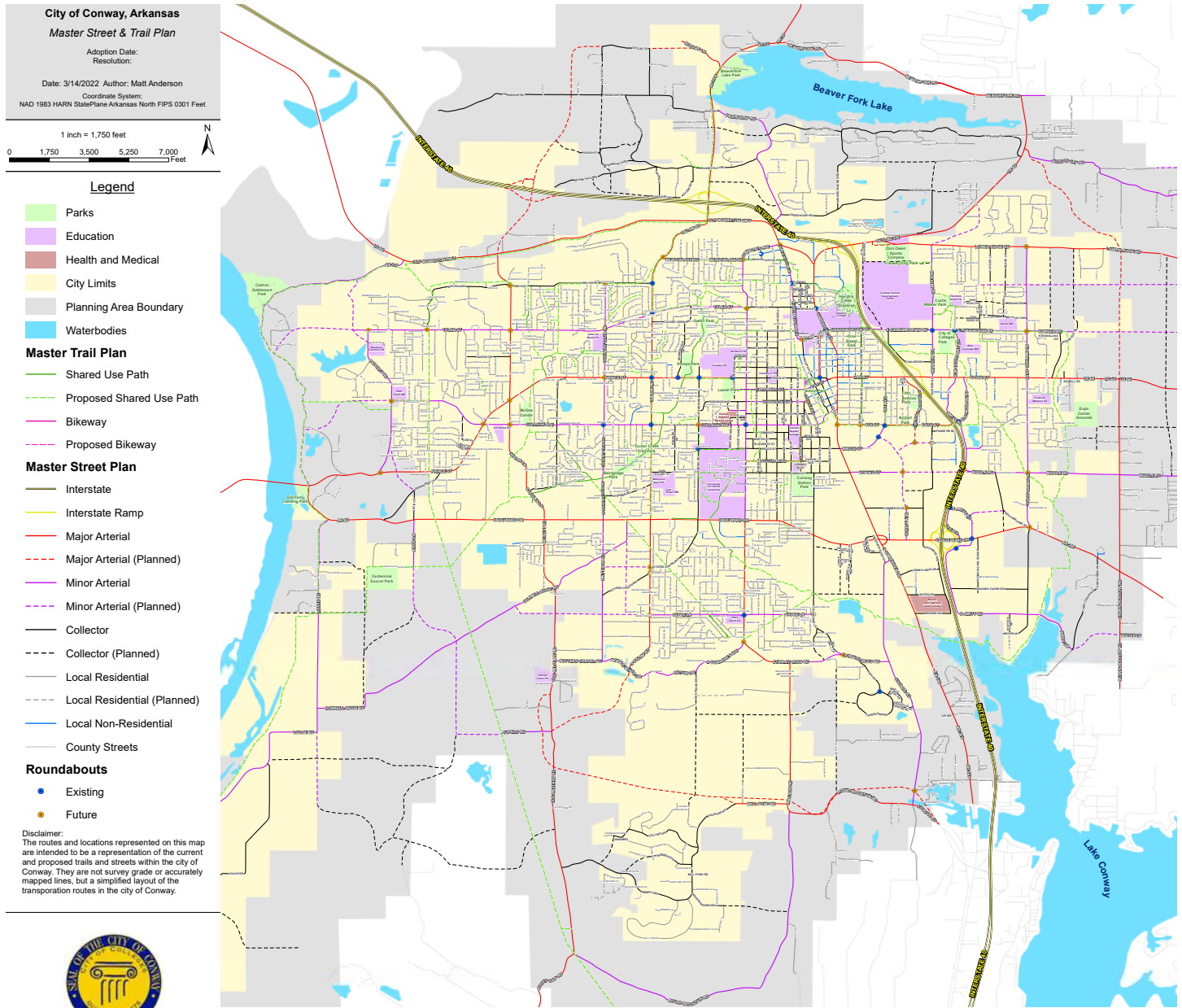
Property adjacent to the E



Property adjacent to the S



Property adjacent to the S



[CLICK HERE](#) to view the above map online.



**City of Conway, Arkansas
Ordinance No. O-22-___**

AN ORDINANCE AMENDING THE CONWAY ZONING CODE REVISING DEFINITIONS AND USE TABLE FOR OFFICE, BANKS, AND FINANCIAL INSTITUTIONS:

WHEREAS, current distinctions between office uses, banks, and financial institutions do not adequately serve the general welfare of the community and introduce unnecessary burdens to the operation of financial management firms and mortgage companies;

WHEREAS, Arkansas Code Annotated § 14-56-416 provides authority through to regulate such issues;

WHEREAS, The Conway Planning Commission has prepared amendments to the Conway Zoning Code, gave proper public notice in accordance with Arkansas Code Annotated § 14-56-422, held a duly authorized public hearing on March 21st, 2022, and adopted the prepared amendments;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

SECTION 1. The Conway Zoning Code be amended as follows:

Section 301.2 DEFINITIONS OF TERMS AND USES.

The following terms shall be redefined:

Bank or Savings and Loan: A completely enclosed facility, with or without a drive-through, the primary use of which is the custody, loan, exchange or issue of money, the extension of credit, and the transmission of funds.

Office: A business without a drive-through providing administrative, executive, financial management/services, professional services, or medical clinic. Examples include architect, accountant, engineer, attorney, doctor, dentist, financial advisory or similar profession.

Retail – Restricted: An enclosed facility or group of facilities providing for the sale of retail products or personal service enterprises. These facilities are typically designed to serve surrounding residential neighborhoods. Uses include but are not limited to:

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| Antique store | Hardware store |
| Apparel and accessory store | Health studio or spa |
| Bakery or confectionary shop | Hobby shop |
| Bank or savings and loan | Ice vending machine establishment |
| Barber or beauty shop | Jewelry: sales and repair |
| Bicycle store | Laundry, self-service and pickup station, laundry services, laundromat_ |
| Billiard or pool parlor | Music, musical instruments or phonograph |
| Blueprinting, photocopying and similar | |

- | | |
|--|--|
| reproductive services | record store |
| Bookstore | Locksmith, key shop |
| Camera and photographic supply store | Newsstand |
| Catering service | Nursery (plants) sales |
| Cigar, tobacco and candy store | Optical laboratory |
| Clothing, custom dress making or altering
for retail, including tailoring and millinery | Optical shop |
| Diaper service | Photo finishing service |
| Drafting service | Picture framing |
| Drugstore or pharmacy | Radio, phonograph, television or other
household electronics equipment store |
| Drycleaning, pickup or self-service | Religious goods store |
| Dry goods store | Shoe sales and repair |
| Eating Place | Sporting goods store |
| Florist shop | Stationery store |
| Food store including bakery (retail only) | Store selling architect's, artist's, engineer's
supplies & equipment or dental, medical, or
office supplies or equipment |
| Furniture, home furnishings, and
equipment store: sales and repair | Studio – photographic |
| Garden supply store | Tailor |
| General store; general merchandise store | Toy store |
| Gift, novelty, or souvenir shop | Transportation ticket service |
| Handcraft, ceramic sculpture or similar
artwork– sales | Travel arranging service |
| | Variety store |

The following term shall be removed:

Financial Institution (Drive-Through): A facility which utilizes a drive-through window to conduct the transmission of funds. (Ordinance O-95-78)

Addendum A: Uses Allowed in the Various Districts

Allowed Uses	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR	C-1	C-2	C-3	G-4	O-1	O-2	O-3	I-1	RU-1	I-3	A-1	S-1	S-2	T/J
Bank or savings and loan										X	X	X		C	C	C	X	C	C		C		C
Financial institution (drive through)										X	X	X	X	C	C	C	X	C	C		C	X	C
Office										X	X	X		X	X	X	X	X	X		X		C
Retail - Restricted										X	X	X		C	C	C	X	C	C		C		C

SECTION 2. That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

PASSED this 12th day of April, 2022.

APPROVED:

Mayor Bart Castleberry

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

The following items, which do not require public hearings or Planning Commission action, have been reviewed and approved by the Director of Planning & Development and are being reported to the Planning Commission as required by the Zoning Code and Subdivision Ordinance.

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

- Waffle House (SDR-0122-0198)
- Covington Restaurants (SDR-0921-0101)