



# **CITY OF CONWAY, ARKANSAS PLANNING COMMISSION**

November 18, 2024 • 5:30pm • 1111 Main Street

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

November 18, 2024

### PLANNING COMMISSION

Rebekah Fincher, Chair  
Drew Spurgers, Vice-Chair  
Ethan Reed, Secretary  
Lori Quinn  
Mark Ferguson  
Alexander Baney  
Jensen Thielke  
Jay Winbourne  
Brooks Davis  
Teneicia Roundtree

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 **11 26, 2024.**

Items not approved by the Planning Commission/Board of Zoning Adjustment may be appealed to the City Council within 30 days of the date of denial.

**Call to Order [Planning Commission] and Roll Call.**

**Finding of a Quorum.**

**Approval of Minutes.** October 21, 2024

#### I. Public Hearings\*\*

- A. Request to annex 43.05 acres +/- located at 226 Sturgis Rd to be zoned R-1 (ANN-1024-0135).
- B. Request to rezone property from A-1 to S-1 from properties located at 333 S East German Ln (REZ-1024-0133).
- C. Request to rezone property from R-2A to C-3 for a property located at 805 4th St (REZ-1024-0134).
- D. Request for conditional use permit to allow MF-2 density in a C-3 zoning district for a property located at 470 Harkrider St (CUP-1024-0132).
- E. Request for conditional use permit modification to allow Retail-General use in a O-1 zoning district for property located at 2555 Prince St (CUP-1024-0131).

#### II. Announcements/Additional Business

- A. Adoption of 2025 Calendar
- B. Election of Officers for 2025 term
- C. Additional Items as Decided by the Commission

**Adjourn.**

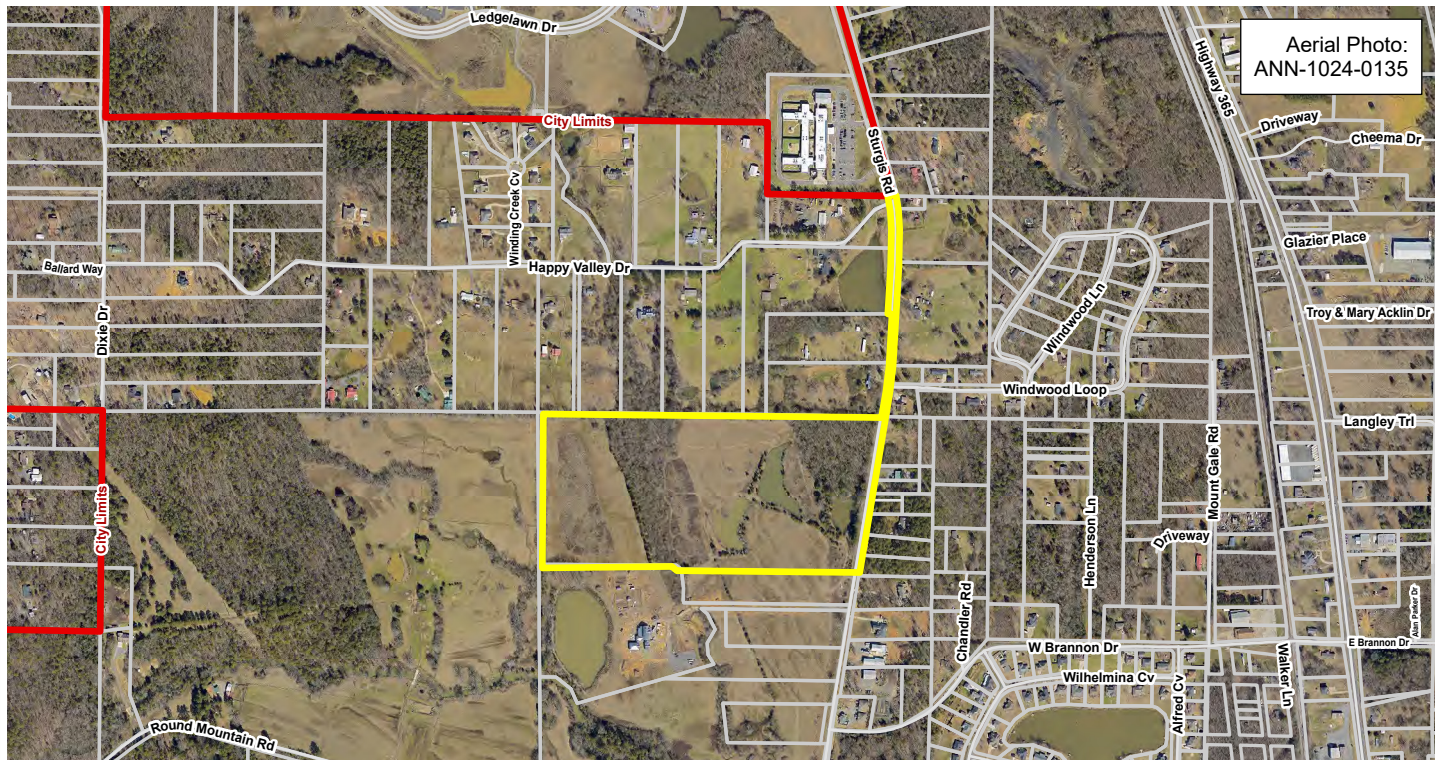
Approx. 1,310ft south of city limits

**APPLICANT/AUTHORIZED AGENT**

Matt Bell, Mitchell Hart  
Hartland Development Company  
575 Harkrider St  
Conway, AR 72032

**OWNER**

Mitchell Hart  
3545 Bay Berry Rd  
Conway, AR 72034

**SITE DATA**

**Location.** The property is located adjacent south of the county property addressed 226 Sturgis Rd.

**Site Area.** 43.05 acres +/-.

**Current Zoning.** N/A (Outside City).

**Requested Zoning.** R-1 (One-Family Residential); Requested zoning is consistent with the Comprehensive Plan.

**Adjacent Zoning.** None. All adjacent parcels are outside of city limits.

**Existing Structures.** None.

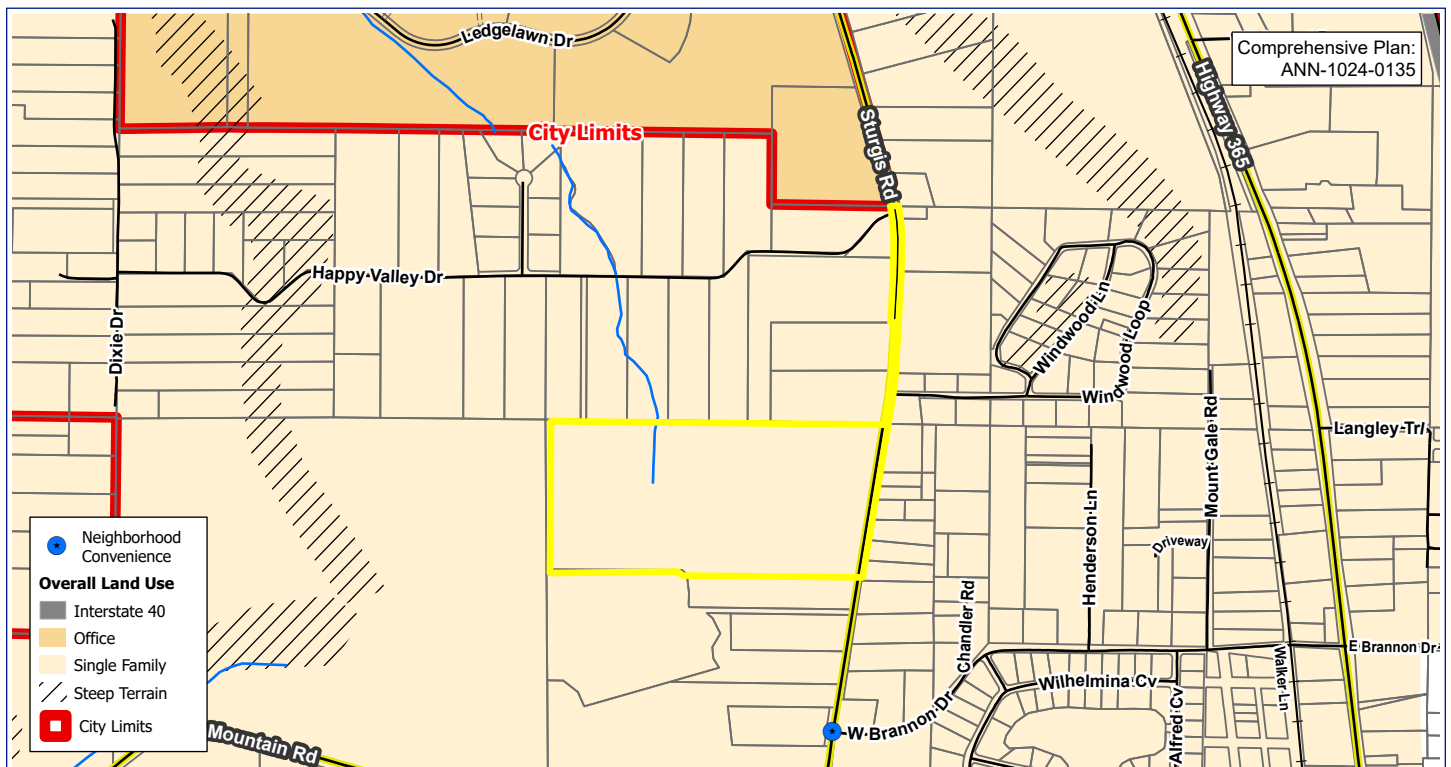
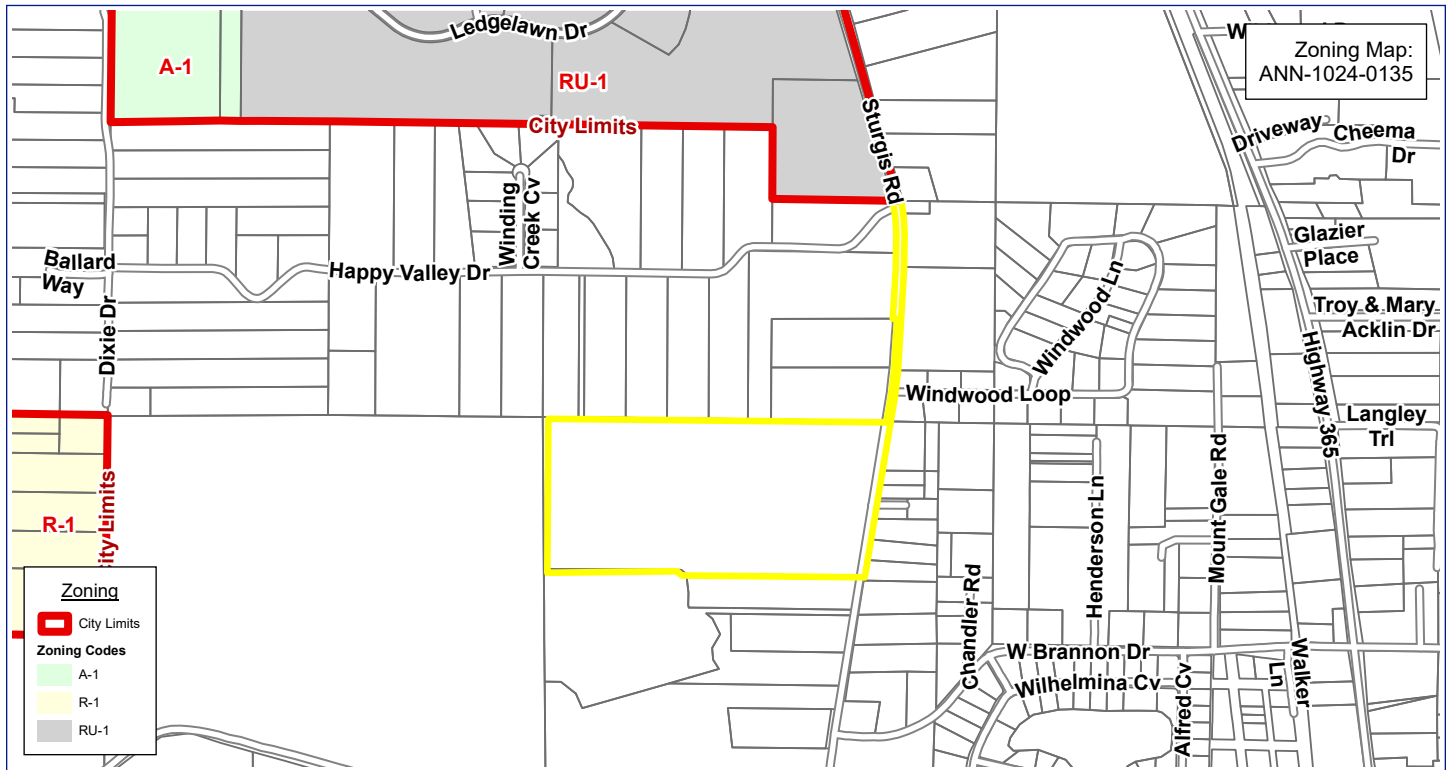
**Overlay.** None.

**Comprehensive Plan.** Single Family (which calls for “quiet, low-density areas for single family living and related recreational, religious, and educational facilities protected from all commercial and industrial activity.”)

**Projected Traffic Impact.** Based on the proposed zoning, the traffic impact of the development will be significant. This property could have a maximum of 250 single family lots. This would generate an estimated 2,358 vehicle trips per typical weekday.



Approx. 1,310ft south of city limits



Approx. 1,310ft south of city limits

**Flood/Drainage.** No portions lie within the 100-year floodplain.

**Utilities.** Applicant will need to coordinate with Conway Corporation for extension of utilities if they are able to service this site.

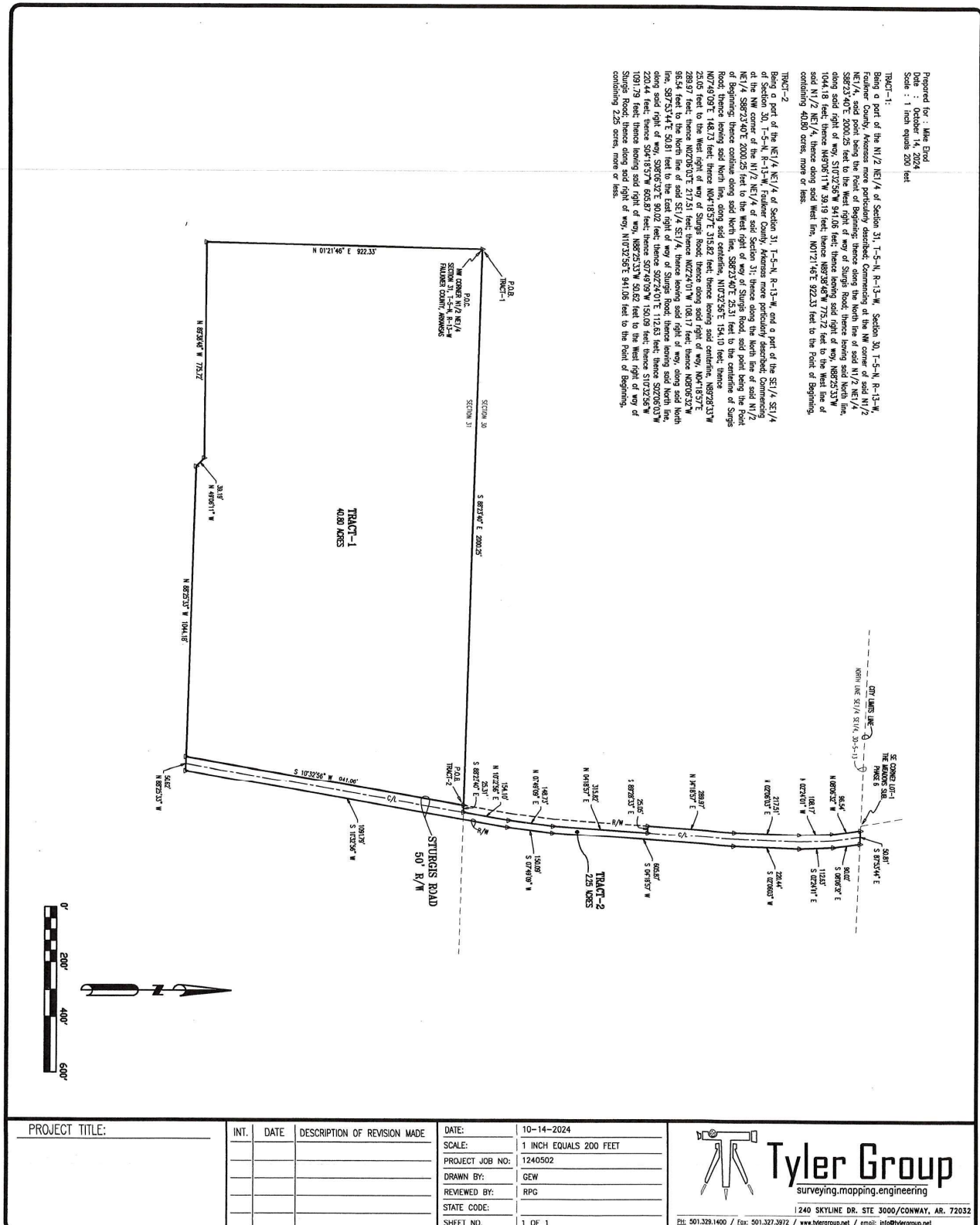
**Street Conditions.** Streets and drainage to be installed by developer if further subdivided.

#### **STAFF COMMENTS**

- 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.
- The City of Conway's Comprehensive Plan states, in Section 8 – Annexation Strategies, annexation should be encouraged to square off municipal boundaries within the County that are surrounded by municipal boundaries.
- Tract-2 is not owned by the applicant.
- The Arkansas Department of Transformation and Shared Services has provided a letter stating there are concerns over utilizing a 25' strip of land for connectivity.
- R-1 zoning is appropriate for the area and consistent with other properties in the area.
- The applicant is requesting police protection, fire protection, street maintenance, sanitation, and the ability to connect to Conway Corp Utilities.

#### **STAFF REVIEW**

Staff will continue review when additional documentation is provided by the applicant.





Approx. 1,310ft south of city limits



View of subject property from Sturgis Rd looking W



View of subject property from Sturgis Rd looking W



View of subject property from Sturgis Rd looking W



Property adjacent to the S



Property adjacent to the E



View of Sturgis Rd adjacent to property looking NW



N of the intersection of E Dave Ward Dr and SE German Ln, Conway Christian Campus,& along SE German Ln to the W

## APPLICANT/AUTHORIZED AGENT

James Lacy/Conway Christian School  
400 S East German Ln  
Conway, AR 72032

## OWNER

Evelyn Hoelzeman  
140 Highway 286 E  
Conway, AR 72032

## OWNER

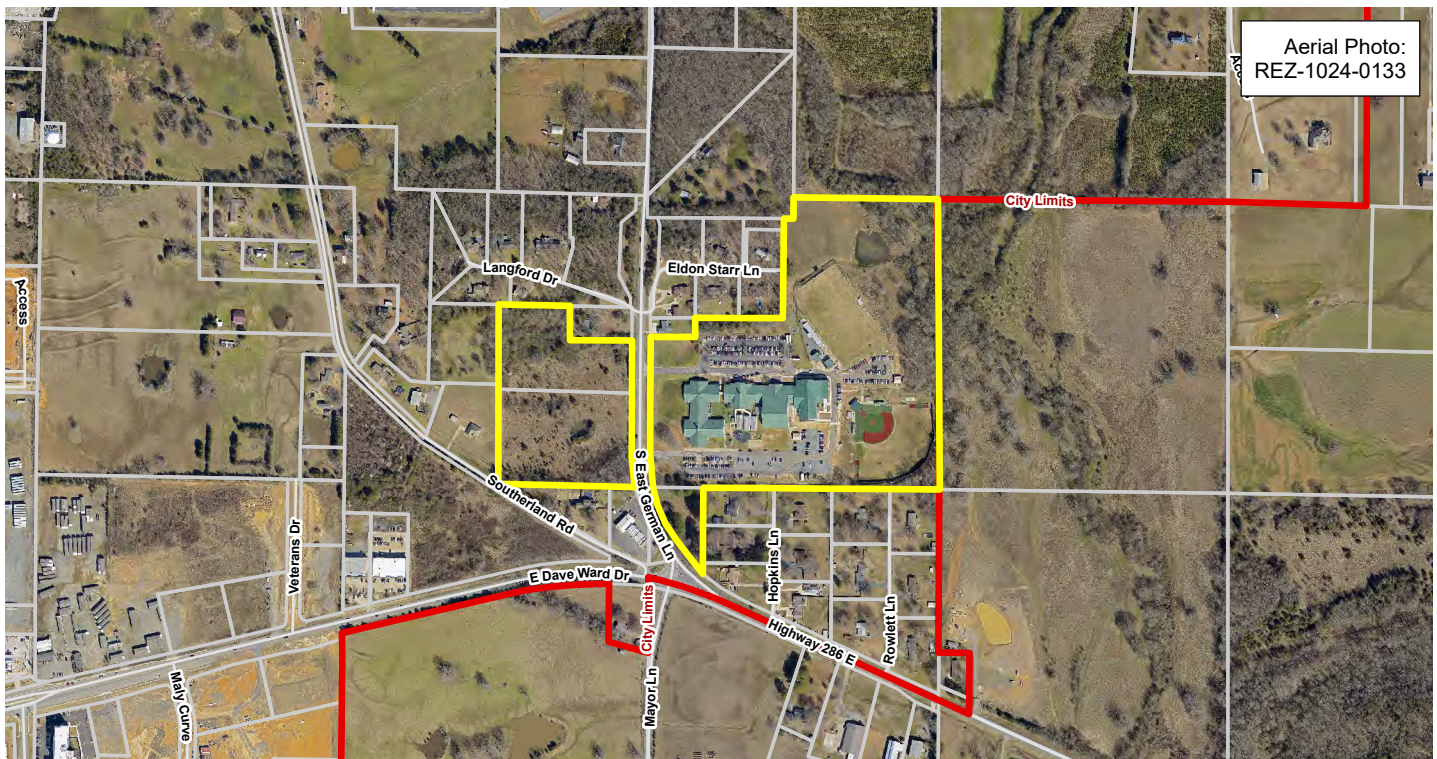
Southwest Realty Investments, LLC  
12721 Saticoy St S  
North Hollywood, CA 91605

## OWNER

Conway Christian School  
400 S East German Ln  
Conway, AR 72032

## OWNER

Raymond Keathley  
1611 E Oak St, Ste. 3  
Conway, AR 72032



Aerial Photo:  
REZ-1024-0133

## SITE DATA

**Location.** 400 and 333 S East German Ln, the lot abutting to the south of 333 S East German Ln, and the lot abutting to the south of 400 S East German Ln. The property north of the intersection of E Dave Ward Dr and S East German Ln, the Conway Christian School campus, along with the 2 vacant lots adjacent across S East German Ln to the west.

**Site Area.** ±42.77 acres (across 4 tracts).

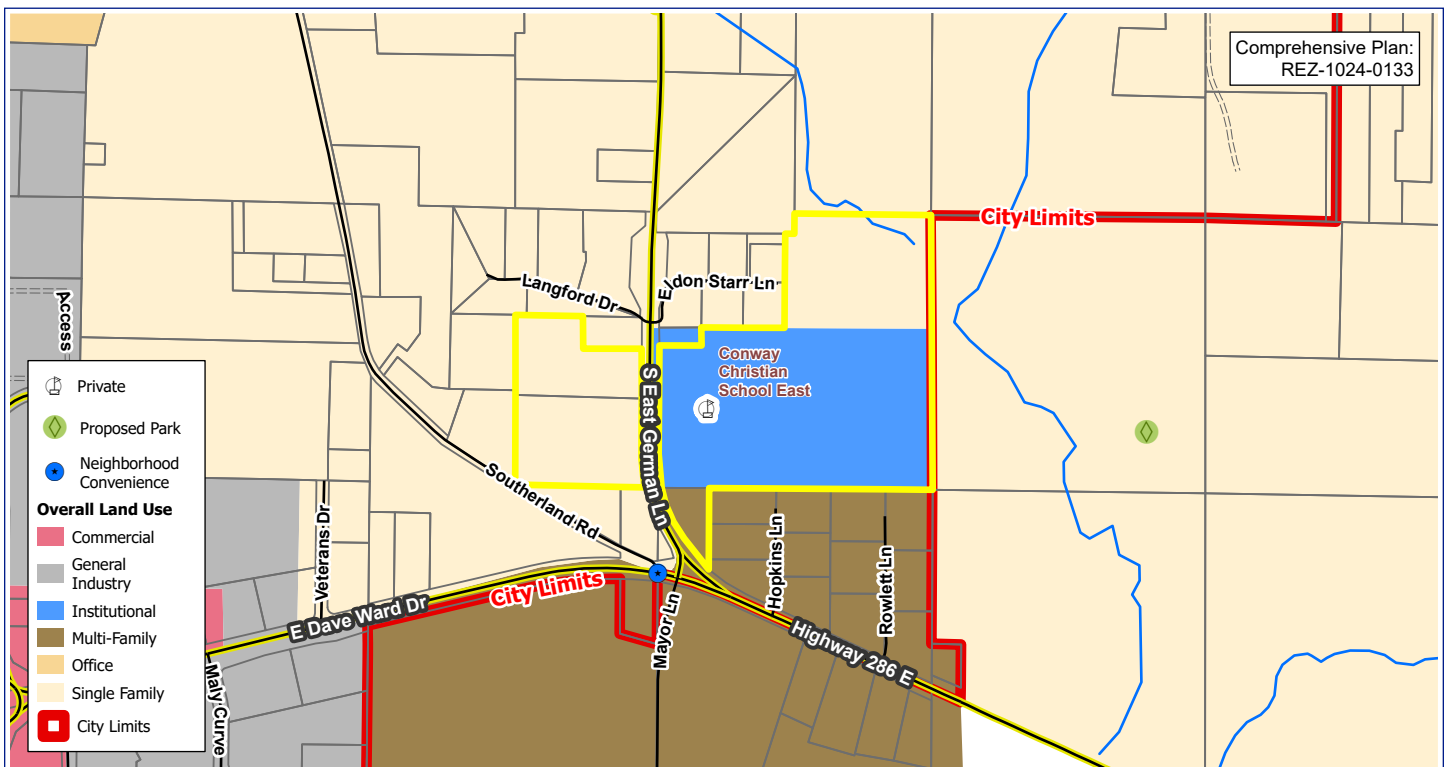
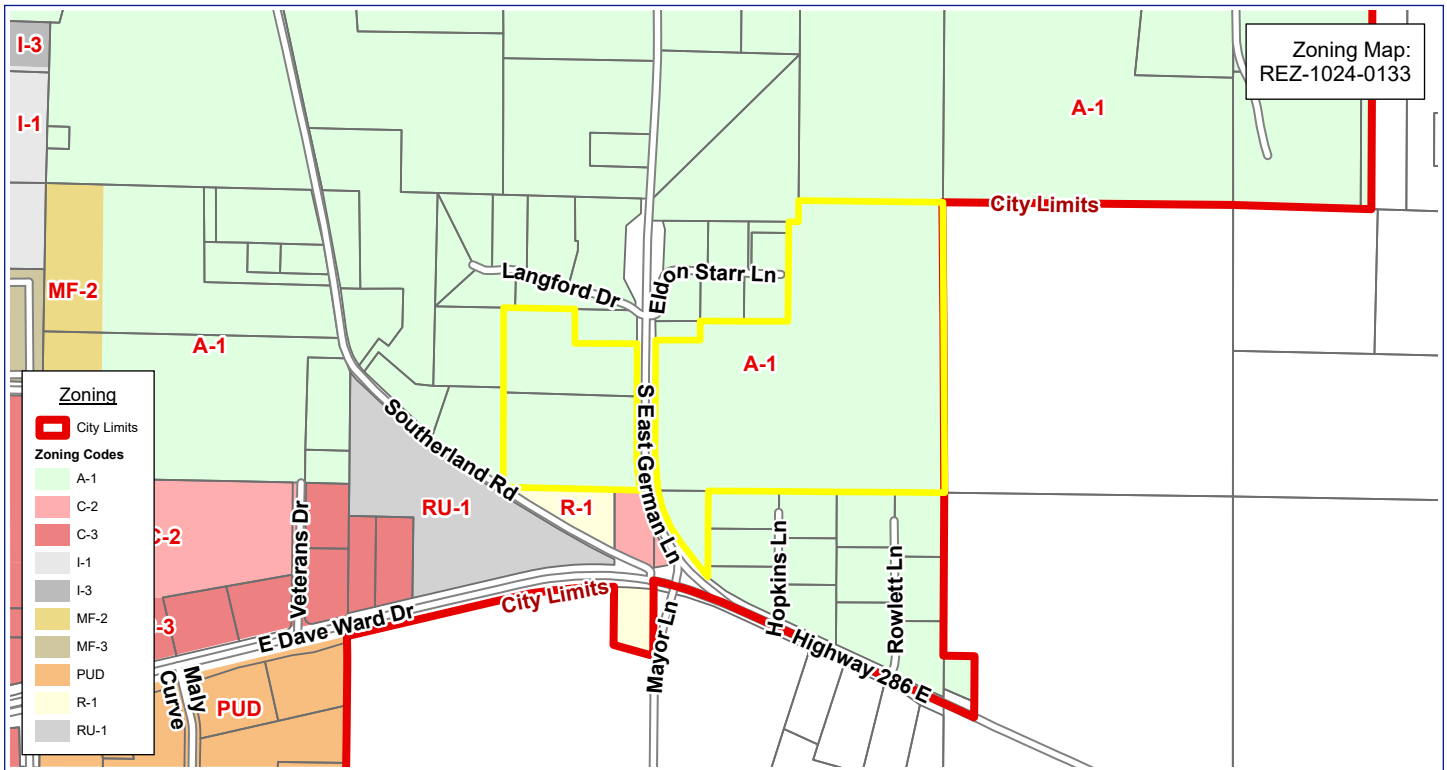
**Current Zoning.** A-1 (Agricultural District).

**Requested Rezoning.** S-1 (Institutional District).

**Adjacent Zoning.** North, West: A-1; South: A-1, R-1 (Single-Family District), and C-2 (Neighborhood Commercial); East: out of City Limits.



N of the intersection of E Dave Ward Dr and SE German Ln, Conway Christian Campus, & along SE German Ln to the W



N of the intersection of E Dave Ward Dr and SE German Ln, Conway Christian Campus,& along SE German Ln to the W

**Existing Structures.** 1,760-sf single family residence and 1 outbuilding on 333 S East German Ln, both unaddressed lots are vacant, and the Conway Christian site contains multiple school facility buildings and sport venues.

**Overlay.** None.

**Comprehensive Plan.** Institutional, Single Family, and Multi-Family.

**Projected Traffic Impact.** With a rezoning of all sites from A-1 to S-1, the traffic impact could be significant, as 3 of the tracts are currently undeveloped, with the exception of the single-family home. The highest traffic generating use allowed in S-1 is a hospital which based upon bed count could yield more than 2,678 to 4,018 vehicle trips per typical weekday. Trips would be directly distributed onto S East German Ln. The applicant is proposing a rezone to expand the Conway Christian School campus and parking. The current school site generates around 1,600 trips per typical weekday. With the school expanding its property, school size, student population, and venues to the south and west, it is anticipated that number will additionally increase.

**Current Traffic Counts.** 8,600 ADT just north of the intersection of S East German Ln, Langford Dr, and Eldon Star Ln.

**Flood/Drainage.** The eastern portion and northeastern corner of the Conway Christian School site at 400 E S German is located within the FEMA Special Flood Hazard AE and floodway zones.

**Utilities.** Electricity, water, and sewer are available at the Conway Christian School site. The extension of any new or existing services will need to be met to the other 3 tracts.

**Master Street Plan.** S East German Ln – Minor Arterial (80' ROW). There is a shared use path for the Little Creek Trail system proposed bisecting the northeastern corner of the Conway Christian School property.

**Street Improvement.** Future widening and intersection modifications proposed at E Dave Ward Dr and S East German Ln.

#### **STAFF COMMENTS**

- There is an existing conditional use permit (No.1138), issued 9/12/2000, granting School use in the A-1 zoning district, that will be repealed with rezoning approval.
- It is the intent of the applicant is to rezone all 4 lots to S-1 for future development related to Conway Christian School. The property at 333 S E German Ln is to retain the single-family home, and A-1 zoning designation.
- The Comprehensive Plan designates the area as Institution, Single-Family, and Multi-Family.
- Abutting area uses are agricultural, commercial, residential, and institutional and consist of a rural, 6 lot, A-1 zoned subdivision to the north, large lot single-family uses to the west and south, a fueling station at the intersection of E Dave Ward Dr and S East German Ln, and single-family homes and Conway Christian Schools to the east across S East German Ln.
- The Conway Zoning Code Section 310.1 describes the S-1 District as follows, *"The regulations for the institutional zoning districts are designed to provide for unified and orderly development of major cultural, educational, medical, and governmental facilities. Such developments should meet proper requirements for integration with surrounding neighborhoods. This type of development could be in an undeveloped area or facilitate expansion of a present facility. Limited retail and service uses are permitted as accessories to the principal use."*
- *"The S-1 Institutional District is designed to provide a use area for large developments involving schools other than regionally accredited colleges, churches, and other institutional uses and for limited retail and service uses that are accessories to the principal use."*
- All 4 sites are currently unplatted and will have to undergo both site development and subdivision review prior to the issuance of building permits at the time of new development. New addresses will be assigned at the time of site development and subdivision review.

# Conway Christian School

**Contact Information**  
500 S East German Ln  
Conway, AR 72032  
501 336-9067

Dear Planning Commission,

Conway Christian intends to purchase three plots of land, totaling approximately 11 acres, directly to our west and south for future development. With this purchase, we will also look to rezone the school property to S1. We currently have no timeline for this development but would like to work with the city for future considerations, for example road infrastructure, traffic patterns etc. As our school continues to grow, we have two primary possibilities for this land for long-term use. The first being the construction of a Preschool to allow for future growth in the areas of two through four years olds in our educational community. We would relocate the current Preschool from our elementary building (which currently serves 100 students) and add new classrooms for a larger total Preschool program (approximately double in size). The second would be some type of athletic fields for practice use or games, for example a soccer or softball field. We have no plans to relocate any other grade levels, football or baseball fields.

Sincerely,  
Jason L. Carson  
President of Conway Christian School



N of the intersection of E Dave Ward Dr and SE German Ln, Conway Christian Campus,& along SE German Ln to the W



View of subject property facing Dave Ward and SE German Ln intersection



Site looking NE



Site looking SE



Site at 333 SE German Ln facing W



Property adjacent to the W



Vacant site S of Conway Christian



Approx. 200ft east of the intersection of 4th St and Harkrider St

## APPLICANT/AUTHORIZED AGENT

Jason Bouwknecht  
Davidson Engineering, PLLC  
210 W Arch Ave., Ste D  
Searcy, AR 72143

## OWNER

James Gray  
NewCo Land Dev, LLC  
309 W Cadron Ridge Rd  
Wooster, AR 72181



## SITE DATA

**Location.** 805 4th St.

**Site Area.** 0.32 acres±.

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

**Adjacent Zoning.** North, West: C-3 (Highway Service and Open Display District); South: C-3 and R-2 (Low Density Residential District); East: R-2.

**Existing Structures.** 1904sf single family home with a 1146sf attached carport.

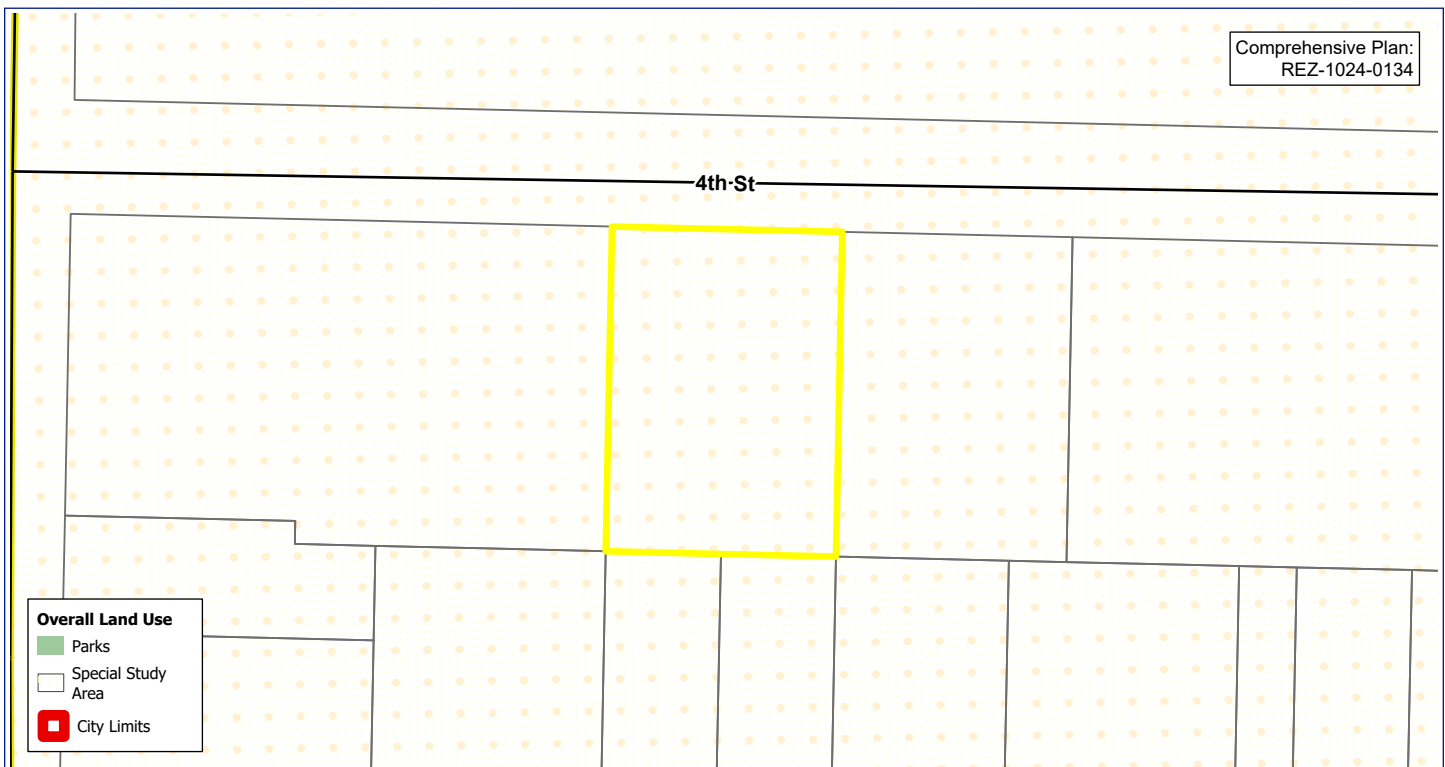
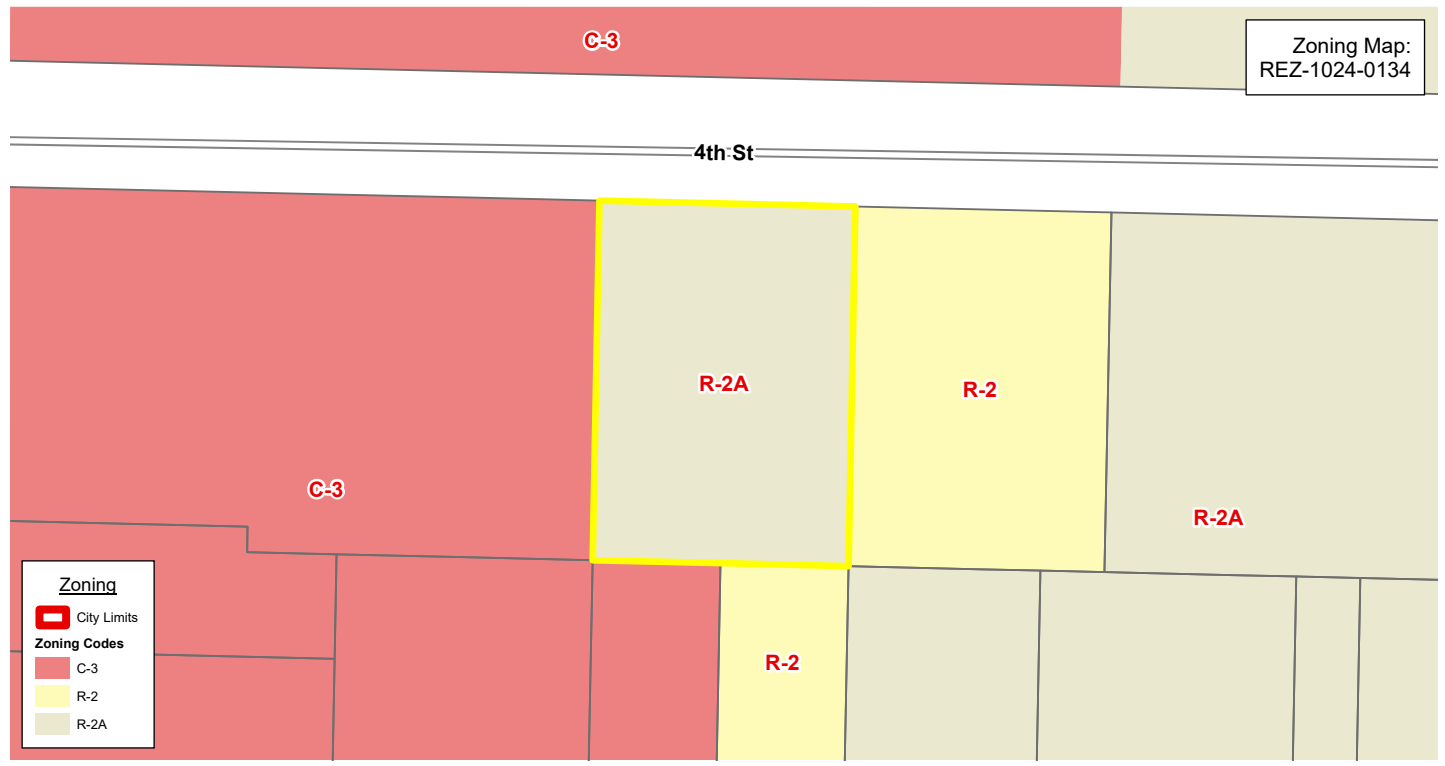
**Overlay.** Old Conway Design Overlay District – Transition Zone.

**Requested Rezoning.** C-3 (Highway Service and Open Display District).

**Comprehensive Plan.** Special Study Area.



Approx. 200ft east of the intersection of 4th St and Harkrider St



Approx. 200ft east of the intersection of 4th St and Harkrider St

**Projected Traffic Impact.** With a rezone to C-3, the highest traffic generating use allowed is an Eating Place with Drive-thru which could yield more than 1,169 vehicle trips per typical weekday.

The purpose of this rezone, per the applicant, is to have consistent zoning to allow for the development of Lots 7-19, Blk 14 Harkrider Addition. The applicant is requesting a concurrent Conditional Use Permit with this rezone (CUP-1024-0132). This request is for a 4-story building with retail on the first floor and apartments on the remaining three floors. If this CUP is approved and developed as planned (7,416 sf retail, 21 apartment units), this could yield roughly 369 vehicle trips per typical weekday. This portion of the potential site development if the CUP appears to be parking/greenspace.

**Current Traffic Counts.** Across from St. Joseph's Elementary at the College Ave and Harkrider St intersection: 18,000 ADT. Two blocks south on 6th St: 6,300 ADT.

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

**Utilities.** The site will be served by Conway Corp for all utilities.

**Master Street Plan.** 4th Street – Local Residential (50' ROW); Harkrider St – Major Arterial (100' ROW).

**Street Improvement.** Street widening at 4th St and Harkrider St. This will not affect ROW for 805 4th St.

#### **STAFF COMMENTS**

- A rezoning to C-3 allows for cohesive zoning and development at the corner of Harkrider St and 4th St.
- The comprehensive plan designates this area as a special study area. With the expansion of Harkrider St, it is within reason to expect commercial and mixed-use growth along this corridor.
- The rezoning will not likely harm adjacent property.

Approx. 200ft east of the intersection of 4th St and Harkrider St



*210 West Arch Avenue, Suite D  
Searcy, Arkansas 72143  
(501) 388 - 2178*

October 18, 2024

Anne Tucker  
Planning & Development Director  
1111 Main Street  
Conway, Arkansas 72032

**RE:   Rezoning  
      Newco Land Dev. LLC  
      Lots 7-14, Blk 14 Harkrider Addition  
      Conway, Arkansas**

Mrs. Tucker,

On behalf of Newco Land Dev, LLC we would like to submit a Rezoning Application for the November 18, 2024 Planning Commission meeting.

We would like to request that the property be zoned C-3 from R2-A to allow for the development of Lots 7-19, Blk 14 Harkrider to have a consistent Zone for the entire development.

If you have any questions, comments, or concerns, please contact me via email at [bear@davidsonengineers.com](mailto:bear@ davidsonengineers.com) or [jason@davidsonengineers.com](mailto:jason@davidsonengineers.com) . We appreciate any feedback you or your staff might have on this important project.

Thank you,  
Davidson Engineering, PLLC

A handwritten signature in blue ink, appearing to read 'BD' followed by a stylized flourish.

Bear Davidson, PE

Attached:



Approx. 200ft east of the intersection of 4th St and Harkrider St



View of subject property from 4th St looking S



View of subject property line with C-3 zoned property to the W



Adjacent property to the W



Adjacent property to the E



Adjacent property to the N



Adjacent property to the NW



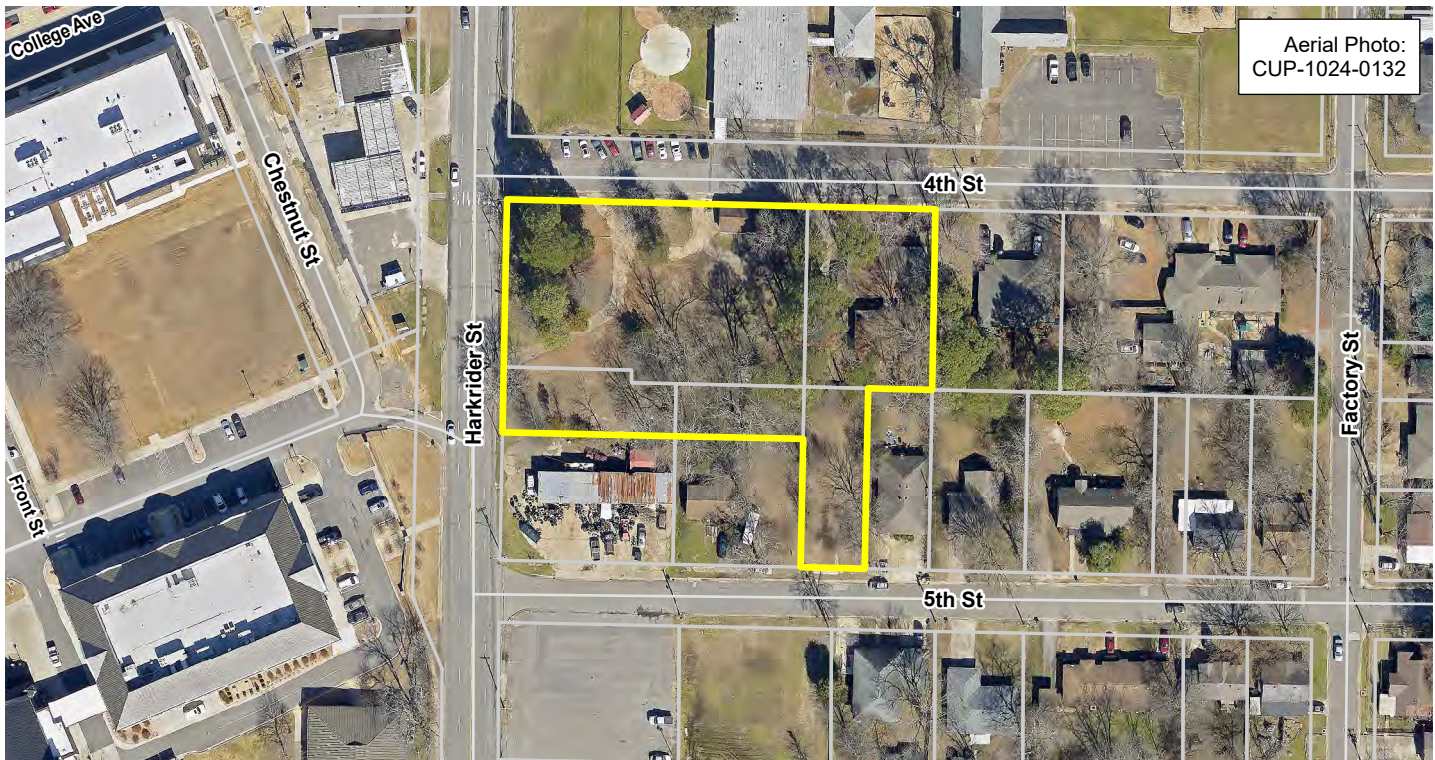
## Intersection of 4th St and Harkrider St

**APPLICANT/AUTHORIZED AGENT**

Jason Bouwknecht  
Davidson Engineering, PLLC  
210 W Arch Ave., Ste D  
Searcy, AR 72143

**OWNER**

James Gray  
NewCo Land Dev, LLC  
309 W Cadron Ridge Rd  
Wooster, AR 72181

**SITE DATA**

**Location.** Lots 7-14, 19 and parts of lots 17 and 18, Harkrider Addition Block 14.

**Site Area.** 1.39 acres±.

**Current Zoning.** C-3 (Highway Service and Open Display District). Lot 7 and 8 of Block of 14 Harkrider Addition is R-2A unless rezoned under REZ-1024-0134.

**Adjacent Zoning.** North and South: C-3; West: C-1 (Central Business District); East R-2 (Two-Family Residential District).

**Existing Structures.** 1904sf single family home with a 1146sf attached carport. There are additional smaller buildings on these parcels that will be removed for this development.

**Overlay.** Old Conway Design Overlay District – Transition Zone.

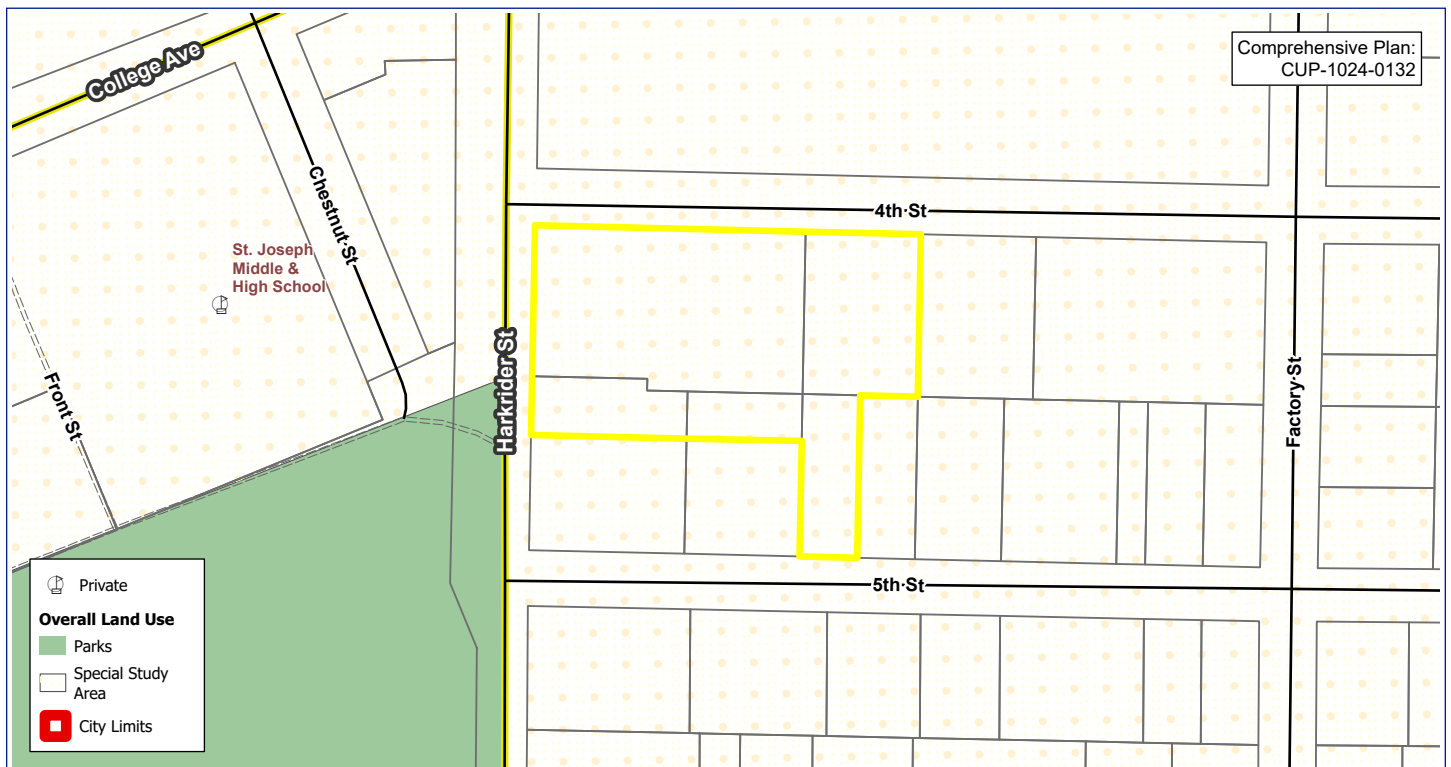
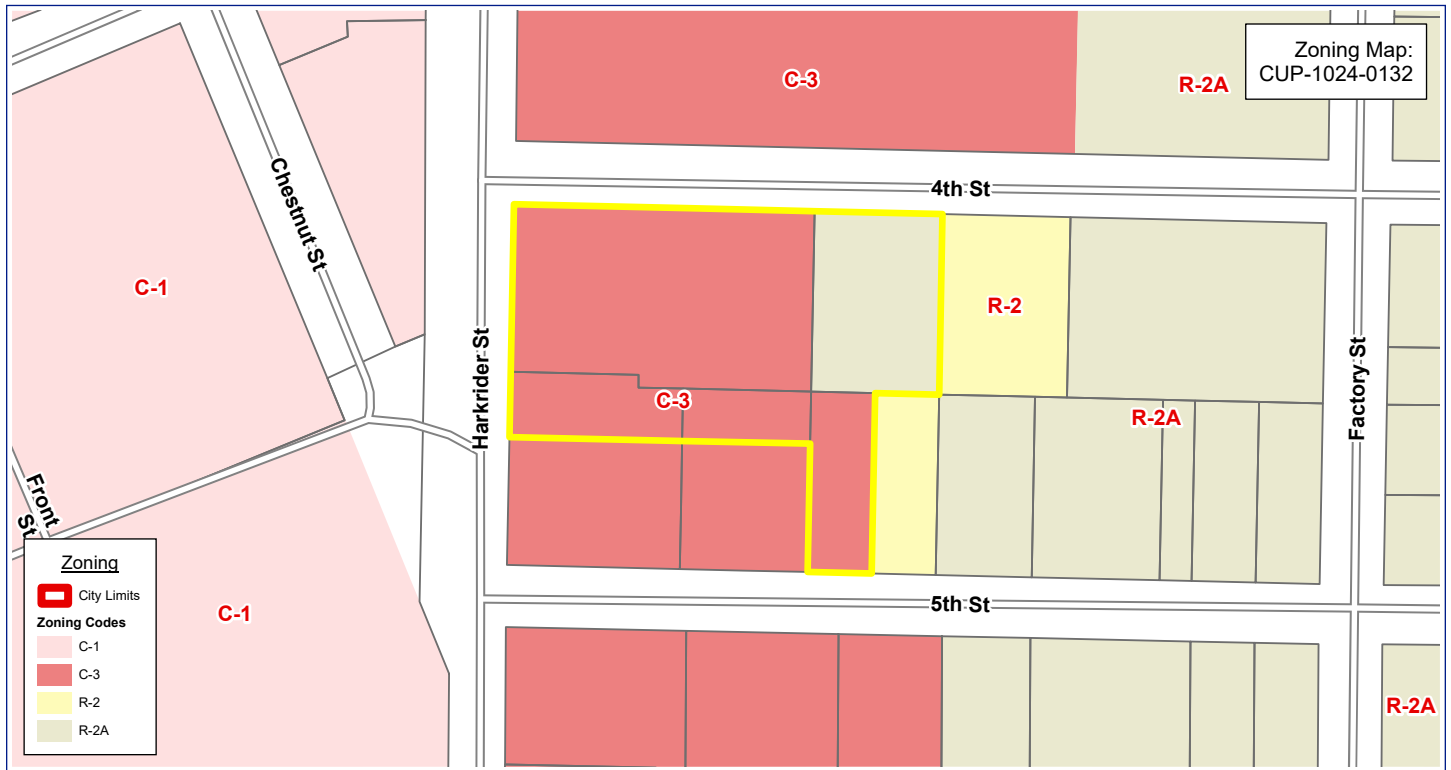
**Requested Conditional Use Permit.** To allow for MF-2 density in the C-3 zoning district.

**Comprehensive Plan.** Special Study Area.

**Projected Traffic Impact.** This applicant is requesting conditional use approval for a 4-story building with retail on the first floor and apartments on the remaining three floors. If this CUP is approved and developed as planned (7,416 sf retail, 21 apartment units), this could yield roughly 369 vehicle trips per typical weekday.



Intersection of 4th St and Harkrider St



## Intersection of 4th St and Harkrider St

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

**Utilities.** The site will be served by Conway Corp for all utilities.

**Street Improvement.** Street widening at 4th St/5th St and Harkrider St. This will affect ROW and will require additional dedication. This dedication is roughly shown in the submitted documents.

**DESCRIPTION OF PROJECT**

This applicant is requesting mixed use/multifamily use in a C-3 zoning district. The applicant is proposing a 4-story building with retail on the first floor and a total of 21 apartments spanning the three remaining floors. This request runs concurrently with the rezoning case, REZ-1024-0134.

**STAFF COMMENTS**

- The applicant is proposing a mixed-use development with general retail on the first floor and apartments on floors two through four.
- Given that Harkrider St is a major arterial, the applicability of mixed-use commercial with residential appears appropriate.
- The future widening of Harkrider St should aid with any additional traffic caused by this development. Accessing the site off 4th St and 5th should also assist in improving traffic flow.
- The proposed four-story building is allowed by right in C-3 zoning with a maximum height of 45'.
- As conditioned, the Conditional Use Permit would likely not negatively impact adjacent properties and will allow for appropriate redevelopment of the property.

**RECOMMENDED CONDITIONS**

Planning Staff recommends the following conditions if this proposal is approved by Planning Commission:

1. The development is limited to retail on the first floor and a maximum of 21 total apartment units in floors 2-4. No retail shall expand beyond the first floor and no apartment units shall be placed below the second floor.
2. Access shall be limited via a driveway from 4th St.
3. The building's primary exterior shall be composed of brick, rock, or a cement fiber board product.
4. Vinyl siding as a primary cladding material shall be prohibited; vinyl siding/shingles may only be used on gables and dormers.
5. All structures are subject to historic design review.
6. The development shall be subject to site development review in accordance with Article 10 of the Zoning Code.
7. The property shall be platted in accordance with the Subdivision Ordinance
8. Enhanced landscaping shall be provided along all parking areas with additional shrubs, installed in the form of a hedgerow, required to screen parking, mechanical equipment, and/or dumpster/trash enclosure.
9. The conditional use approval shall become null and void if construction for the use is not commenced within 18 months from the date of approval of this permit.
10. All signage shall be permitted and installed in accordance with the Conway Sign Code.
11. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
12. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
13. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.



210 West Arch Avenue, Suite D  
Searcy, Arkansas 72143  
(501) 388 - 2178

October 21, 2024

Anne Tucker  
Planning & Development Director  
1111 Main Street  
Conway, Arkansas 72032

**RE: Condition Use Application- MF-2 (18 dua)  
Newco Land Dev. LLC  
Lots 7-14, Blk 14 Harkrider Addition  
Conway, Arkansas**

Mrs. Tucker,

On behalf of Newco Land Dev, LLC we would like to submit a Conditional Use Application for the November 18, 2024 Planning Commission meeting.

We would like to request that the Residential Apartments (MF-2 (18 dua)) be allowed under a conditional use for a C-3 zoned property. To allow for a 4-story building with retail on the first floor & apartments on the second, third and fourth floors.

If you have any questions, comments, or concerns, please contact me via email at [bear@davidsonengineers.com](mailto:bear@davidsonengineers.com) or [jason@davidsonengineers.com](mailto:jason@davidsonengineers.com) . We appreciate any feedback you or your staff might have on this important project.

Thank you,  
Davidson Engineering, PLLC

A handwritten signature in blue ink, appearing to read 'BD' followed by a stylized flourish.

Bear Davidson, PE

Attached:

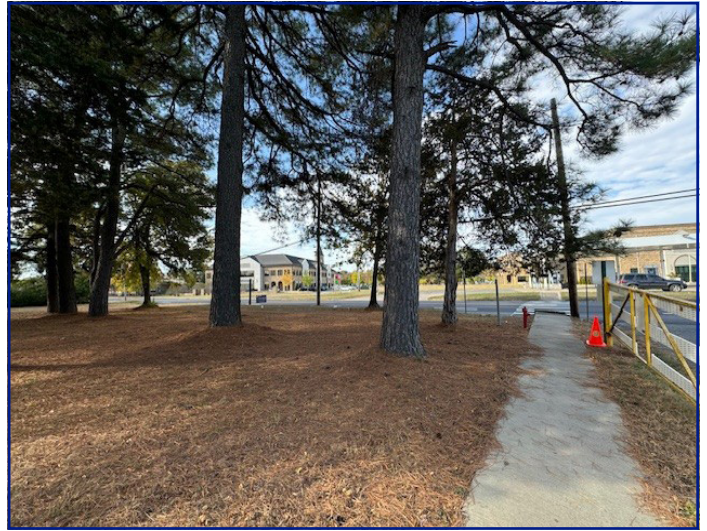




Intersection of 4th St and Harkrider St



View of subject property from 4th St looking S



View from subject property looking W



Interior of site looking E



Property adjacent to the N across 4th St



Property adjacent to the S



Property adjacent to the E



Approx. 300' east of the Prince St and Morningside Dr roudabout

**APPLICANT/AUTHORIZED AGENT**

Eddie Bailey, Blue Whale Development  
1400 W Markham #204  
Little Rock, AR 72207

**OWNER**

Dennis & Patricia White  
400 Quitman Rd  
Quitman, AR 72131

**SITE DATA**

**Location.** 2555 Prince Street.

**Site Area.** 2.18 acres  $\pm$ .

**Current Zoning.** O-1 (General Office District) with a Conditional Use Permit allowing Retail-Restricted use; issued 5/13/2008.

**Adjacent Zoning.** North (Pompe Park) and South: R-1 (One-Family Residential District); East: O-1 (with conditional use permit allowing Retail-General uses, issued 5/24/2022); West: Tucker Creek Trail and O-2 (Quiet Office District with conditional use permit allowing Toy Store in O-2 zone, issued 1/13/1998).

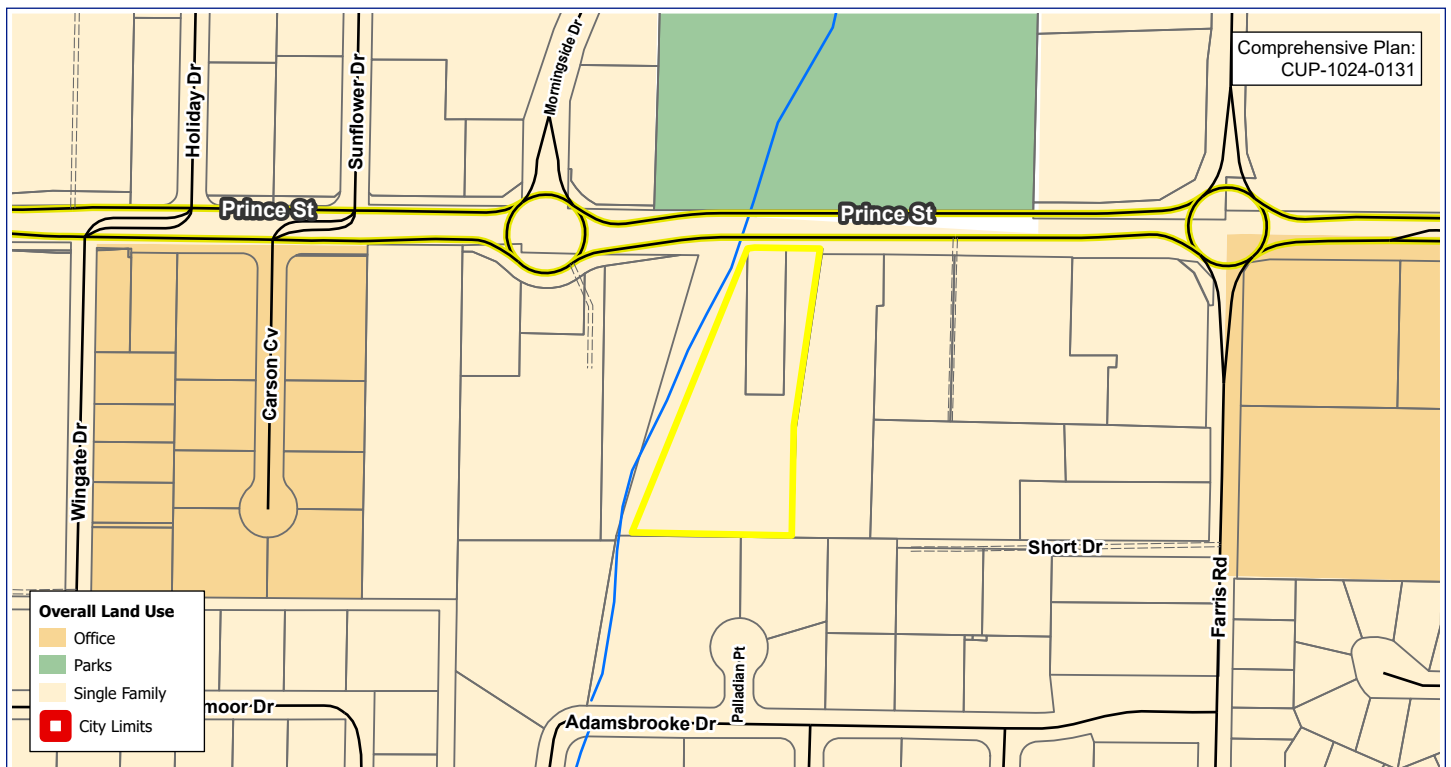
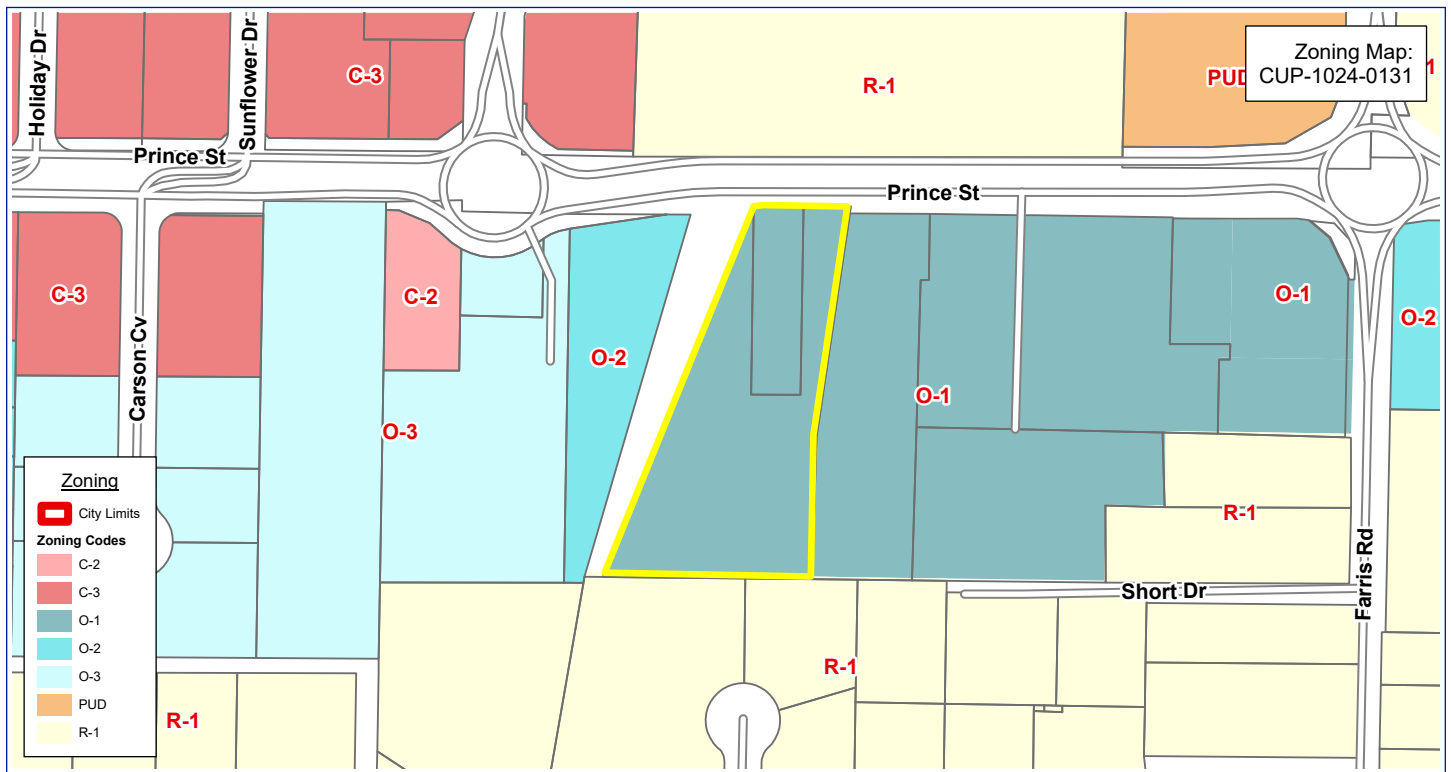
**Requested Conditional Use.** To void and replace the existing Conditional Use Permit (No.1277REV) which allows Retail-Restricted uses and adopt a new permit allowing Retail-General uses. Specifically, the applicant intends to develop the site for a restaurant.

**Existing Structures.** None.

**Overlay.** None.

**Comprehensive Plan.** Single Family. Development along this corridor has been trending away from the Single-Family designation on the Comprehensive Plan. The development pattern indicates a developing commercial corridor from Salem Rd to Farris Rd along Prince St.

Approx. 300' east of the Prince St and Morningside Dr roudabout



Approx. 300' east of the Prince St and Morningside Dr roundabout

**Projected Traffic Impact.** With a conditional use permit allowing Retail-General uses, the likely effect on traffic would be moderately elevated as the site is currently vacant. The highest intensity use in Retail-General is an eating place with drive thru. The proposed development (sit-down restaurant) is projected to yield approximately 482 vehicle trips per typical weekday. Trips will be distributed directly onto Prince Street via a proposed shared driveway with the property to the east, allowing both ingress and egress. Pedestrian/bicycle traffic should also be expected from the Tucker Creek Trail.

**Current Traffic Counts.** Along Prince St at site: 21,000 – Average Daily Traffic (ADT).

**Flood/Drainage.** A large portion of the property lies within the 100-year FEMA flood plain.

**Utilities.** The applicant will need to coordinate the extension of utilities with Conway Corporation.

**Master Street Plan.** Prince Street – Major Arterial (100' ROW).

**Street Improvement.** No improvements planned at this time.

#### **STAFF COMMENTS**

- The applicant is requesting to repeal CUP No.1227REV granting Retail—Restricted uses at this site. This conditional use permit, and this site, are the last property and permit holder of the original approved conditional use permit that was intended to develop this site all the way to Farris Rd as a mixed-use development with joint parking and access drives.
- Although Retail-Restricted allows Restaurant as an approved use, the applicant finds the original CUP conditions not applicable to this development as the founding CUP permit is no longer linking this site and the 3 adjacent sites to the east all under one developable CUP.
- The applicant is asking for a reduced floodway buffer from the original permit from 30' to 20' and to not have to install the masonry wall as proposed on the founding CUP to restore uniformity amongst all properties.
- The construction of a 4,500-sf restaurant with exterior patio and rear green space and trail buffering is being proposed.
- Retail-General or Restaurant are not allowed by-right uses in the O-1 zone but are allowed via a conditional use permit.
- The property will have to be platted in accordance with the subdivision regulations, and this development will be subject to site development review.
- As conditioned, the conditional use permit would not likely negatively impact adjacent properties and will allow for appropriate development of the property.

#### **RECOMMENDED CONDITIONS**

Planning Staff recommends the following conditions if this proposal is approved by Planning Commission:

1. Retail-General use shall be allowed.
2. Operating hours are limited to daily, 11:00am—10:00pm.
3. Access to the site from Prince St shall be shared with the property owner to the east at 2545 Prince St as indicated on the site plan. Both parties shall enter into a joint-access agreement.
4. The development of the site will be generally constructed as shown on the submitted site plan.
5. The development shall be subject to platting review in accordance with the Subdivision Regulations and site development review in accordance with Article 10 of the Conway Zoning Code, prior to the issuance of any building permits.
6. A 20' vegetative buffer from the floodway of Tucker Creek shall be provided with no parking, structures, or drives. The buffer shall be shown on the landscape plan with species specified to ensure they are appropriate for the flood plain/riparian area. The existing trail and easement shall not be disturbed.
7. All exterior seating, eating, and drinking must conform to Article 10 standards of the Conway Zoning Code.
8. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent properties and shall comply with Article 10 of the Conway Zoning Code. Extra caution shall be taken for lighting around boundaries adjacent to residential uses.
9. A 30' undisturbed green space buffer (no parking structures) shall be required along the southern property line and shall be maintained by the property owner. Landscaping abutting residential areas should consist of trees of evergreen species to provide additional buffering/screening to the neighboring residences. An installation diagram and list of proposed species shall be submitted for approval by Planning Staff prior to installation. The Planning & Development Director may require additional screening along adjacent residential areas to reduce the impact of the proposed use.

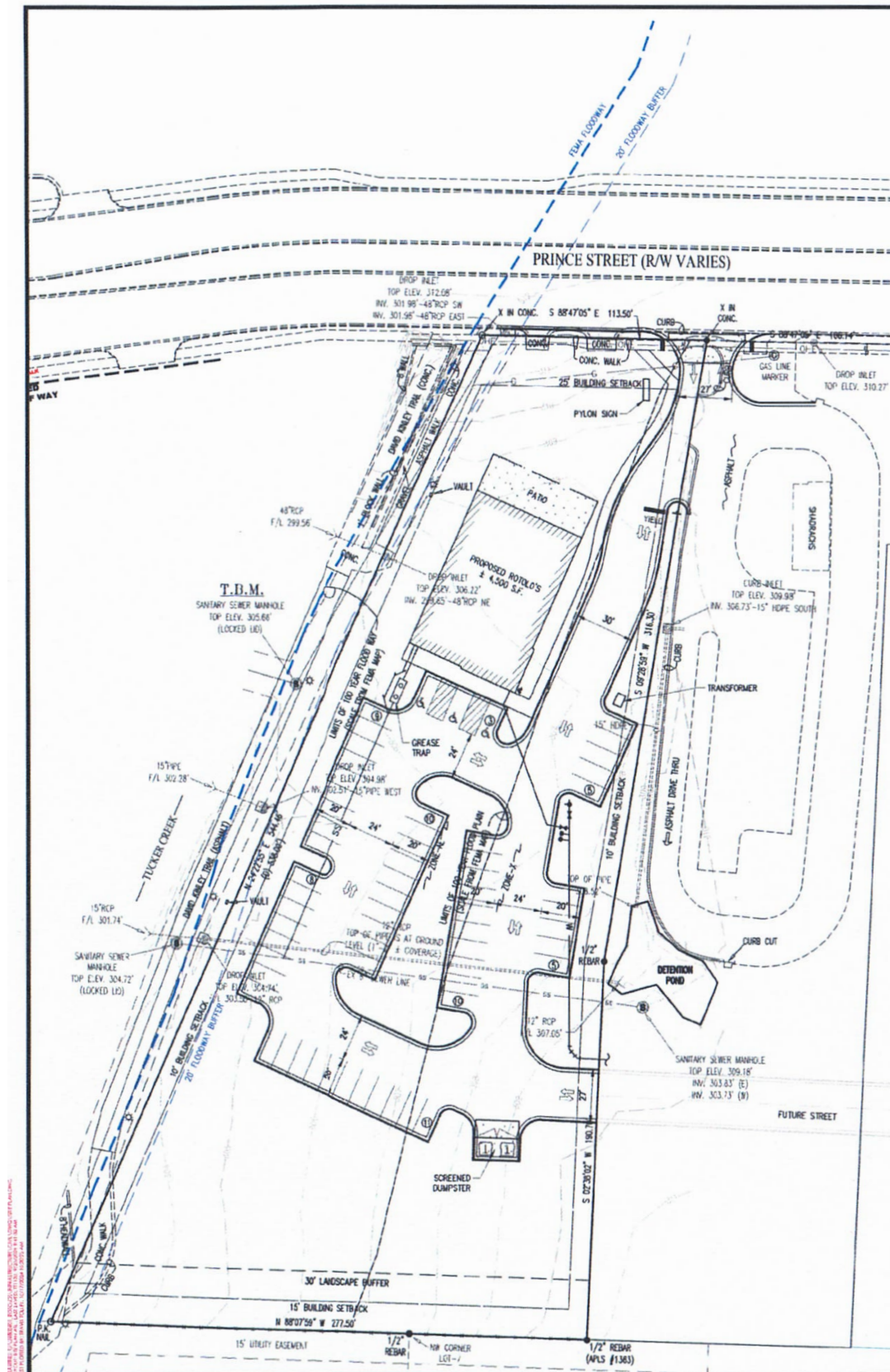


Approx. 300' east of the Prince St and Morningside Dr roudabout

10. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
11. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
12. 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.
13. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.
14. With the approval of this Conditional Use request, conditional use permit (No. 1277REV) shall be revoked for 2555 Prince Street and replaced by this new permit.

**Note:** Applicant is requesting **Condition 12** to be extended to 24 months and from the date of building permit issuance, not use commencement. If Planning Commission is in favor of this revision, they will need to amend **Condition 12** verbally when making the motion of approval.

Approx. 300' east of the Prince St and Morningside Dr roudabout



Approx. 300' east of the Prince St and Morningside Dr roundabout

October 17, 2024

Ms. Lauren Hoffman  
**City of Conway Planning**  
1111 Main Street  
Conway, AR 72032

Re: **Conditional Use Request**  
**Future Coffee Shop with Drive Thru**  
**2555 Prince Street**  
**CTA Job No. 24800400**

Dear Ms. Hoffman:

Please accept this letter to serve as our application for the above referenced submittal.

This site is in an existing CUP (CUP #1277) that has been amended previously. Our understanding of the existing CUP is that it has the following 7 conditions based on the CUP document obtained from City's website:

1. ~~No more than 60% of the development 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 St. shall have no more than 51.6% of the developable area used for restricted retail. The West parcels: 710-08413-000 2555 Prince St. and 710-08414-000 2555 Prince St. 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 the/ access management dash curb cuts are to have 300 feet of 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 provide screening for residences. Wall must be a minimum of 6 feet tall.



Our request is to remove Parcels 710-08413-000 2555 Prince St. and 710-08414-000 2555 Prince St Proposed from CUP 1277 and establish a new CUP with the following conditions:

1. Retail – General shall be allowed.
2. Driveway curb cut on Prince Street as shown on the submitted site plan.
3. A 30 foot green space buffer [no parking structures] is required along the southern property line to be properly maintained by the property owner. This buffer shall be vegetated and left in an undisturbed state.
4. This conditional use permit expires 2 years from the date of issuance if no building permit has been issued.
5. A 20 foot buffer from the floodway of Tucker Creek shall be provided with no parking, structures, or drives. The existing trail shall remain as constructed.

Projected Store Hours:

Sunday – Wednesday 11AM – 9PM; Thursday – Saturday 11:00 AM – 10:00 PM

Should you have any questions, or require any additional information, please contact us at your convenience.

Sincerely,

Approx. 300' east of the Prince St and Morningside Dr roudabout

November 6, 2024

Ms. Lauren Hoffman  
**City of Conway Planning**  
1111 Main Street  
Conway, AR 72032

Re: **Conditional Use Request**  
**Future Coffee Shop with Drive Thru**  
**2555 Prince Street**  
**CTA Job No. 24800400**

Dear Ms. Hoffman:

**STAFF COMMENTS**

- The applicant is requesting to repeal CUP No.1227REV granting Retail—Restricted uses at this site. This conditional use permit, and this site, are the last property and permit holder of the original approved conditional use permit that was intended to develop this site all the way to Farris Rd as a mixed-use development with joint parking and access drives.
- Although Retail-Restricted allows Restaurant as an approved use, the applicant finds the original CUP conditions not applicable to this development as the founding CUP permit is no longer linking this site and the 3 adjacent sites to the east all under one developable CUP.
- The applicant is asking for a reduced floodway buffer from the original permit from 30' to 20' and to not have to install the masonry wall as proposed on the founding CUP to restore uniformity amongst all properties.
- The construction of a 4,500-sf restaurant with exterior patio and rear green space and trail buffering is being proposed.
- Retail-General or Restaurant are not allowed by-right uses in the O-1 zone but are allowed via a conditional use permit.
- The property will have to be platted in accordance with the subdivision regulations, and this development will be subject to site development review.
- As conditioned, the conditional use permit would not likely negatively impact adjacent properties and will allow for appropriate development of the property.

Approx. 300' east of the Prince St and Morningside Dr roudabout

### **STAFF RECOMMENDATION**

Planning Staff recommends the following conditions:

1. Only Restaurant use shall be allowed.
  - Applicant is requesting Retail-General.
2. Operating hours are limited to daily, 11:00am—10:00pm.
  - Applicant requests Operating hours are limited to daily, 7:00am – 10:00pm in the event tenant chooses to serve breakfast.
3. ~~Access to the site from Prince St shall be shared with the property owner to the east at 2545 Prince St as indicated on the site plan. Both parties shall enter into a joint access agreement.~~
  - Applicant already has a cross access easement per Doc Num P20220029 1 Page recorded 05-09-2022 at 03:09 PM that provides access to Prince St.
  - Applicant and owner to East 2545 Prince St have verbally agreed to shift existing curb cut serving 2545 Prince St. to the west. Both parties will work towards a shared drive agreement and relocation of Shadrachs existing curb cut off of Prince Street.
4. The development of the site will be generally constructed as shown on the submitted site plan.
  - Will Comply
5. The development shall be subject to platting review in accordance with the Subdivision Regulations and site development review in accordance with Article 10 of the Conway Zoning Code, prior to the issuance of any building permits.
  - Will Comply
6. A 20' vegetative buffer from the floodway of Tucker Creek shall be provided with no parking, structures, or drives. The buffer shall be shown on the landscape plan with species specified to ensure they are appropriate for the flood plain/riparian area. The existing trail and easement shall not be disturbed.
  - Will Comply
7. All exterior seating, eating, and drinking must conform to Article 10 standards of the Conway Zoning Code.
  - Will Comply



Approx. 300' east of the Prince St and Morningside Dr roundabout

8. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent properties and shall comply with Article 10 of the Conway Zoning Code. Extra caution shall be taken for lighting around boundaries adjacent to residential uses.
  - Will Comply
9. A 30' undisturbed green space buffer (no parking structures) shall be required along the southern property line and shall be maintained by the property owner. ~~Landscaping abutting residential areas should consist of trees of evergreen species to provide additional buffering/screening to the neighboring residences. An installation diagram and list of proposed species shall be submitted for approval by Planning Staff prior to installation.~~ The Planning & Development Director may require additional screening along adjacent residential areas to reduce the impact of the proposed use.
  - Will Comply; existing landscape screening in place
10. All signage shall be permitted and installed in accordance with the Conway Sign Code.
  - Will Comply
11. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
  - Will Comply
12. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
  - Will Comply
13. 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.
- ~~14. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.~~
15. With the approval of this Conditional Use request, conditional use permit (No. 1277REV) shall be revoked for 2555 Prince Street and replaced by this new permit.

**NOTE:** Applicant is requesting **Condition 13** to be extended to 24 months and from the date of building permit issuance, not use commencement. If Planning Commission is in favor of this revision, they will need to amend **Condition 13** verbally when making the motion of approval.

Approx. 300' east of the Prince St and Morningside Dr roudabout

Should you have any questions, or require any additional information, please contact us at your convenience.

Sincerely,



Eddie Bailey

Blue Whale Development

1400 W Markham St. #204

Little Rock, AR 72201

Approx. 300' east of the Prince St and Morningside Dr roudabout

PERMIT No 1277

USE2008APR01  
51411NW**CONDITIONAL USE PERMIT  
CITY OF CONWAY, ARKANSAS**

## PROPERTY DESCRIPTION / ADDRESS / LOCATION:

This property is located at 2515, 2525, 2545, and 2555 Prince Street, beginning approximately 186 feet west of the intersection of Prince Street and Farris Road, west to Tucker Creek, and has the legal description:

Part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, T-5-N, R-14-W, City of Conway, Faulkner County, Arkansas being more particularly described as follows:

Commencing at the NE corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 11; thence South, a distance of 25.00 feet to the south right-of-way line of Arkansas Highway No. 60; 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; thence 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; thence East along said south right-of-way line, a distance of 641.77 feet to the POINT OF BEGINNING, containing 7.94 Acres (345,869 sq. ft.) more or less.

ZONING: O-1CONDITIONAL USE PERMITTED FOR: Retail – Restricted in O-1 zoningDATE OF COUNCIL MEETING ALLOWING PERMITTED USE: May 13, 2008

## CONDITIONS ATTACHED TO PERMIT:

1. No more than 60% of the development's floor area may be used for 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.
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 300 feet of 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 provide screening for residences. (Wall must be a minimum of 6 feet tall.)

APPROVED:



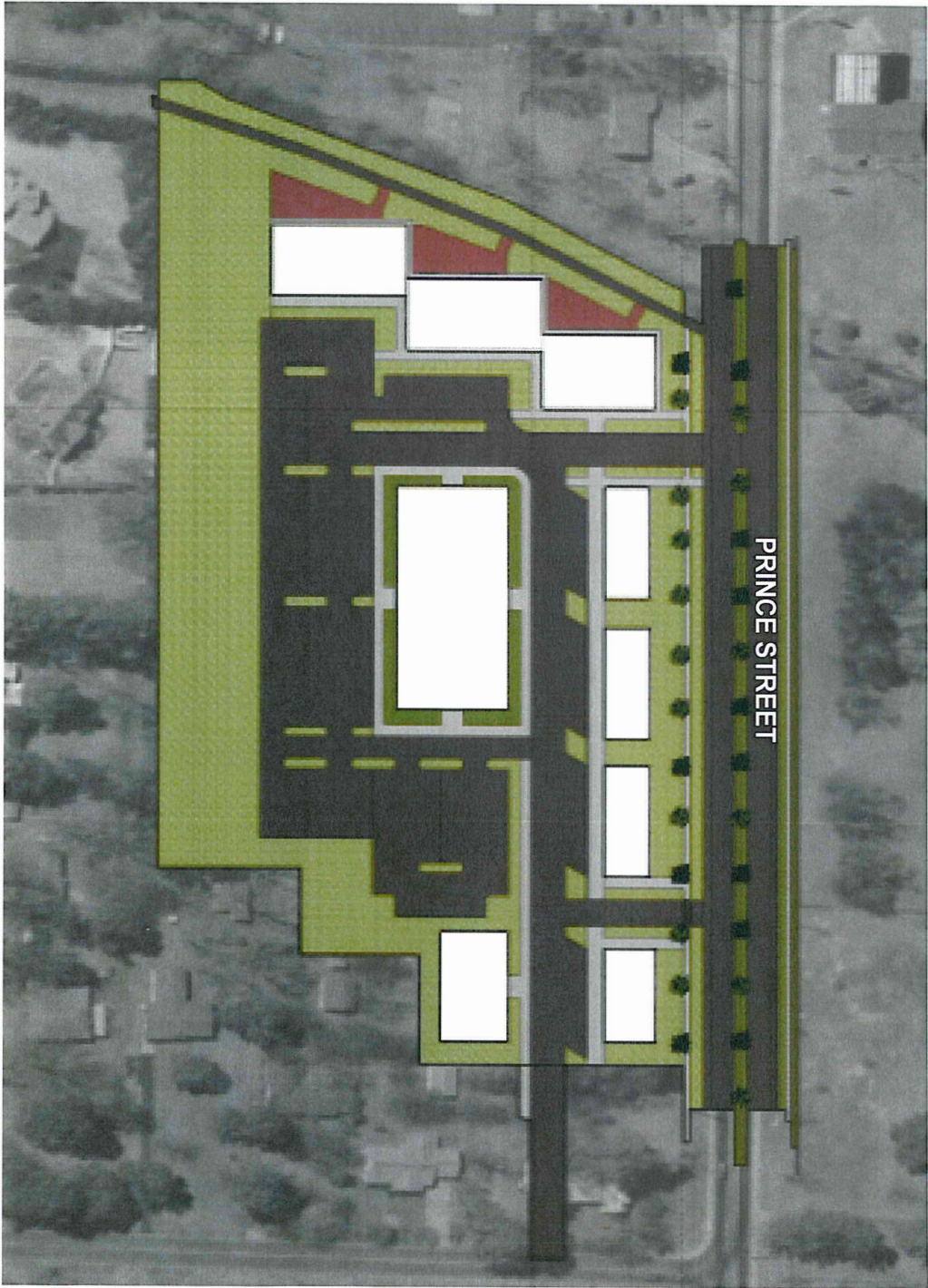
Tab Townsell, Mayor

  
Date



Approx. 300' east of the Prince St and Morningside Dr roudabout

CONCEPTUAL SITE PLAN FOR  
OFFICE AND RETAIL MIXED USE DEVELOPMENT





Approx. 300' east of the Prince St and Morningside Dr roudabout



View of subject property from Prince St looking S



View of subject property from Prince St looking S



View of subject property facing W



View of subject and adjacent properties facing N



Property adjacent to the E



View of cross access area with property to the E



1111 Main Street • Conway, AR 72032  
T 501.450.6105 • [www.conwayarkansas.gov](http://www.conwayarkansas.gov)

### 2025 Conway Planning Commission Schedule

Application Deadline	Review Comments Available to Applicant	Revisions Deadline	Staff Report Published	Planning Commission Meeting
December 19, 2024 <sup>1</sup>	January 2, 2025	January 9, 2025	January 16, 2025	January 21, 2025 <sup>2</sup>
January 17, 2025	January 29, 2025	February 6, 2025	February 13, 2025	February 18, 2025 <sup>3</sup>
February 14, 2025	February 26, 2025	March 6, 2025	March 13, 2025	March 17, 2025
March 21, 2025	April 2, 2025	April 10, 2025	April 17, 2025	April 21, 2025
April 17, 2025	April 30, 2025	May 8, 2025	May 15, 2025	May 19, 2025
May 16, 2025	May 28, 2025	June 5, 2025	June 12, 2025	June 16, 2025
June 20, 2025	July 2, 2025	July 10, 2025	July 17, 2025	July 21, 2025
July 18, 2025	July 30, 2025	August 7, 2025	August 14, 2025	August 18, 2025
August 15, 2025	August 27, 2025	September 4, 2025	September 11, 2025	September 15, 2025
September 19, 2025	October 1, 2025	October 9, 2025	October 16, 2025	October 20, 2025
October 17, 2025	October 29, 2025	November 6, 2025	November 13, 2025	November 17, 2025
November 14, 2025	November 26, 2025	December 4, 2025	December 11, 2025	December 15, 2025

- Conway Planning Commission meetings are held the 3<sup>rd</sup> Monday of each month at 5:30pm.
- All meetings are held in the City Council Chambers of Conway City Hall, 1111 Main Street.
- All applications/submissions are due by 3:00pm on the submission deadline date. The Planning & Development Department receives submissions for planning and subdivision review via the Civic Access Portal at the following link. [APPLY ONLINE](#).
- Incomplete applications will be deferred to another month's agenda. (*refer to applications checklists*)
- The Planning Commission Meeting date associated with the Application Deadline is the earliest an item can be considered by the Planning Commission if Staff determines that all comments have been addressed.
- All comments on public hearing items, received by 4:30pm on the day of the meeting, will be forwarded to the Planning Commission via email. To submit a comment or if you have questions please contact Planning Staff by email at [planning@conwayarkansas.gov](mailto:planning@conwayarkansas.gov) or by phone at (501) 450-6105.

<sup>1</sup> Submission deadline moved due to City Employee Appreciation Event

<sup>2</sup> Meeting moved due to Martin Luther King Jr. Day observance

<sup>3</sup> Meeting moved due to Presidents' Day observance



In accordance with Conway Planning Commission By-Laws, Article II, Section B, *"The Commission shall elect each November, from its membership, a Chair, a Vice-Chair, and a Secretary for terms of one (1) calendar year. Officer terms shall run from January to December."*

**Chair:** \_\_\_\_\_

The Chair shall preside at all meetings and hearings of the Commission, shall sign all approved minutes and other appropriate documents on behalf of the Commission, and, in coordination with Planning staff, be responsible for the orientation and training of new members.

**Vice-Chair:** \_\_\_\_\_

The Vice-Chair assumes all duties of the Chair in the Chair's absence.

**Secretary:** \_\_\_\_\_

The Secretary, in coordination with staff, is responsible for monitoring the minutes of each meeting, maintaining a copy of the by-laws for the Commission, maintaining a record of the current membership including terms of office, maintaining a record of the organization of the Commission, and the distribution of conflict of interest forms at the appropriate time.

## APPENDIX

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*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.*

### **Development Review Approvals**

- (SDR-0924-0120) Conway Regional Wound Clinic-2125 Robinson Ave-

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

- (P2024-00052) The Ministry Center Replat-134 Harkrider St-
- (P2000-00053) Final Plat of First Service Bank North-1485 Old Morrilton Hwy-