



City of Conway, Arkansas
CITY COUNCIL
Agenda • April 23, 2024
www.conwayarkansas.gov

Elected Officials

Mayor Bart Castleberry
City Clerk Michael O. Garrett
City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Woodrow Cummins
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Cindy Webb
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

5:30pm:

No Committee Meeting

6:00pm:

City Council Meeting • Conway Municipal Building • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

April 9th, 2024

Monthly Financial Report:

Month Ending March 31, 2024

A. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, & Transportation, Planning & Development)

1. Update from Mercy Dental Clinic.
2. Consideration to approve waiving all three readings for the ordinances on the April 23, 2024, City Council agenda.
3. Ordinance to appropriate funds for a mural project for the Conway Public Art Advisory Committee.
4. Resolution approving the submittal of the program year 2024 annual action plan & budget for the Community Development Department.
5. Resolution to approve the lowest bid for the College Avenue Shared Use Path project for the Transportation Department.
6. Consideration to approve a conditional use permit to allow a laundromat in the O-2 zoning for property located at 3955 College Avenue.
7. Consideration to approve a conditional use permit to allow a Transmission Tower in the C-3 zoning for property located at 1845 Old Morrilton Highway.
8. Ordinance to rezone property located at 6 Southerland Road from A-1 to R-1.
9. Ordinance to rezone property located at 1695 S German Lane from A-1 to S-1.

B. Public Safety Committee (District Court, Department of Information Systems & Technology, Animal Welfare, CEOC (Communication Emergency Operations Center), Police, Fire, & Office of the City Attorney)

1. Ordinance appropriating funds for repairs to Rescue 1 unit for the Conway Fire Department.

Adjournment



City of Conway, Arkansas
Monthly Financial Reports
March 31, 2024

City of Conway
 Monthly Financial Report - General Fund
 For the month ended March 31, 2024



Revenues	Budget	Month	Year to Date	Encumbered	(Over)/Under	%
		Activity			Budget	Expend/Collect
Ad Valorem Tax	4,300,000	223,162	581,197		3,718,803	14%
Payments in Lieu of Tax	30,000	-	-		30,000	0%
State Tax Turnback	1,000,000	65,721	261,113		738,887	26%
Insurance Tax Turnback - LOPFI	1,400,000	-	-		1,400,000	0%
Sales Tax	29,600,000	2,284,682	7,947,185		21,652,815	27%
Beverage Tax	650,000	-	-		650,000	0%
Franchise Fees	3,880,400	393,440	723,583		3,156,817	19%
Office Space Leases	67,400	-	11,233		56,167	17%
Permits	667,000	85,688	177,825		489,175	27%
Public Safety	2,285,997	96,238	445,219		1,840,778	19%
Parks	640,000	107,118	253,308		386,692	40%
Insurance Proceeds	19,198	24,834	292,743		(273,545)	1525%
Interest Income	123,000	1,220	229,623		(106,623)	187%
Proceeds from Sale of Assets	-	266	1,002		(1,002)	-
Donations	1,750	310	2,850		(1,100)	163%
Miscellaneous Revenues	160,750	15,457	32,680		128,070	20%
Transfers from Other Funds	820,000	-	477,716		342,284	58%
Total Revenues	45,645,495	3,298,136	11,437,277		34,208,218	25%
Expenditures						
Admin (Mayor, HR)	1,210,030	105,496	215,352	3,879	990,799	18%
Finance	536,762	53,458	93,351	-	443,411	17%
City Clerk/Treasurer	174,666	18,594	37,888	89	136,689	22%
City Council	111,166	6,458	12,754	-	98,412	11%
Planning	732,226	71,170	161,554	1,782	568,890	22%
Physical Plant	991,977	93,990	187,086	5,410	799,482	19%
Information Technology	1,885,241	171,728	356,200	6,456	1,522,585	19%
Permits and Inspections	594,007	54,344	108,422	23,201	462,383	18%
Nondepartmental	1,098,304	42,838	511,535	14,279	572,490	47%
Police	17,749,917	1,771,583	3,968,973	327,432	13,453,512	22%
CEOC	1,432,540	151,014	309,884	21,183	1,101,473	22%
Animal Welfare	592,456	57,167	117,204	4,149	471,103	20%
Municipal District Court	1,015,814	105,345	252,042	159	763,612	25%
City Attorney	672,143	62,694	131,573	784	539,786	20%
Fire	14,452,639	1,441,749	3,091,253	268,294	11,093,093	21%
Parks	4,958,247	457,498	919,836	28,367	4,010,044	19%
Total Expenditures	48,208,134	4,665,125	10,474,907	705,463	37,027,764	22%
Net Revenue/(Expense)	(2,562,639)		962,370			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
General Fund
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-24-17	2/27/24	Portable radios for IT department	29,085
O-24-21	3/12/24	Software for the Emergency Operations Center	11,245
			<u>\$ 40,330</u>

City of Conway
 Balance Sheet - General Fund
 As of March 31, 2024



Cash - Operating	17,954,243
Cash - Reserve	2,028,090
Petty Cash	715
Taxes Receivable	5,662,504
Accounts Receivable	5,254,875
Lease Receivable	290,132
Due from Other Funds	138,653
Due from Street	157,607
Due from Component Unit	233,169
Due from Municipal Court	69,589
Fuel Inventory	9,093
General Inventory	585
<i>Assets</i>	<u>31,799,256</u>
Accounts Payable	207,132
Insurance and Benefits Payable	(22,191)
Event Deposits	5,300
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Due to Other Funds	134,681
Deferred Revenue	4,657,576
Unearned Revenue	1,230,132
<i>Liabilities</i>	<u>6,222,826</u>
<i>Fund Balance</i>	<u>25,576,430</u>
<i>Total Liabilities & Fund Balance</i>	<u>31,799,256</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended March 31, 2024



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Ad Valorem Tax	1,600,000	82,072	214,000		1,386,000	13%
Payments in Lieu of Tax	10,000	-	-		10,000	0%
State Tax Turnback	3,000,000	354,254	1,172,010		1,827,990	39%
State Tax Turnback - Other	1,800,000	9,467	25,938		1,774,062	1%
Severance Tax	200,000	7,770	24,804		175,196	12%
State Tax Turnback - Wholesale	400,000	32,340	102,673		297,327	26%
Sales Tax	400,000	32,013	111,354		288,646	28%
Engineering Fees	10,000	100	3,125		6,875	31%
Fees for Street Cuts	-	11,555	15,050		(15,050)	-
Interest Income	100,000	-	48,265		51,735	48%
Miscellaneous Revenues	-	23	23		(23)	-
Total Revenues	7,520,000	529,593	1,717,243	-	5,802,757	23%
Expenditures						
Personnel Costs	3,499,631	308,580	660,378	-	2,839,253	19%
Other Operating Costs	4,225,679	698,728	918,165	111,967	3,195,546	22%
Total Operating Costs	7,725,310	1,007,308	1,578,543	111,967	6,034,799	20%
Capital Outlay	553,233	-	47,640	115,593	390,000	9%
Total Expenditures	8,278,543	1,007,308	1,626,183	227,560	6,424,799	20%
Net Revenue/(Expense)	(758,543)		91,060			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
Street Fund
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
------------------	-------------	--------------------	---------------

			<u>\$ -</u>
--	--	--	-------------

City of Conway
Balance Sheet - Street Fund
As of March 31, 2024



Cash - Operating	4,623,024
Taxes Receivable	79,342
Accounts Receivable	2,290,497
Due from Other Funds	20,481
<i>Assets</i>	<u>7,013,343</u>
Insurance and Benefits Payable	739
Due to Other Funds	15,880
Due to General	157,607
Deferred Revenue	1,713,799
<i>Liabilities</i>	<u>1,888,024</u>
<i>Fund Balance</i>	5,125,318
<i>Total Liabilities & Fund Balance</i>	<u>7,013,343</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended March 31, 2024



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Sanitation Fee Rev-Residential	9,900,000	768,419	2,578,415		7,321,585	26%
Proceeds - Recycled Materials	375,000	35,620	153,003		221,997	41%
Landfill Fees - General	275,000	14,917	64,481		210,519	23%
Interest Income	300,000	-	204,210		95,790	68%
Proceeds from Sale of Assets	-	100	600		(600)	-
Total Revenues	10,850,000	819,056	3,000,709	-	7,849,291	28%
Expenditures						
Personnel Costs	6,095,938	675,075	1,421,087	-	4,674,851	23%
Other Operating Costs	<u>3,480,000</u>	<u>139,233</u>	<u>268,981</u>	<u>175,649</u>	<u>3,035,370</u>	<u>8%</u>
Total Operating Costs	9,575,938	814,308	1,690,068	175,649	7,710,221	18%
Capital Outlay	<u>1,247,000</u>	<u>71,512</u>	<u>71,512</u>	<u>181,540</u>	<u>993,948</u>	<u>6%</u>
Total Expenditures	10,822,938	885,819	1,761,580	357,189	8,704,169	16%
Net Revenue/(Expense)	27,062		<u>1,239,129</u>			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway
Sanitation Fund
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
------------------	-------------	--------------------	---------------

			<u>\$ -</u>
--	--	--	-------------

City of Conway
 Balance Sheet - Sanitation
 As of March 31, 2024



Cash - Operating	15,499,005
Petty Cash	200
Post Closure Cash Account	6,717,126
Due from Other Funds	44,387
Due from Component Unit	908,053
General Inventory	2,122
Land & Buildings	2,245,592
Infrastructure	717,115
Machinery, Equipment & Vehicles	3,560,789
Deferred Outflows of Resources	1,311,646
Deferred Outflows of Resources-OPEB	221,321
<i>Assets</i>	<u>31,227,357</u>
Accounts Payable	3,194
Insurance and Benefits Payable	(790)
Compensated Absences	254,949
Net Pension Obligation	12,729,112
Deferred Inflows of Resources	2,971,317
Deferred Inflows of Resources-OPEB	337,672
Net OPEB Liability	855,277
Due to Other Funds	8,778
Landfill Close/Post Close	8,962,183
<i>Liabilities</i>	<u>26,121,692</u>
<i>Net Position</i>	<u>5,105,666</u>
<i>Total Liabilities and Net Position</i>	<u>31,227,357</u>

*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway
 Monthly Financial Report - Airport
 For the month ended March 31, 2024



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Revenues						
Sales Tax	25,000	1,734	6,533		18,467	26%
Airport Fuel Sales	2,066,198	164,075	328,908		1,737,290	16%
T-Hangar Rent	183,780	7,580	98,053		85,727	53%
Community Hangar Rent	48,000	3,000	11,000		37,000	23%
Ground Leases	25,000	-	-		25,000	0%
Misc Revenue - Non air	10,000	120	7,920		2,080	79%
Miscellaneous Revenues	22,000	2,021	6,291		15,709	29%
Total Revenues	2,379,978	178,530	458,704	-	1,921,274	19%
Expenditures						
Personnel Costs	388,650	46,469	94,593	-	294,057	24%
Fuel for Resale	1,784,881	160,657	295,692	-	1,489,189	17%
Other Operating Costs	177,550	10,695	25,229	2,609	149,712	14%
Total Operating Costs	2,351,081	217,821	415,514	2,609	1,932,958	18%
Capital Outlay	28,897	13,897	13,897	-	15,000	48%
Total Expenditures	2,379,978	231,718	429,411	2,609	1,947,958	18%
Net Revenue/(Expense)	-		29,293			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway
Airport Fund
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
------------------	-------------	--------------------	---------------

			<u>\$ -</u>
--	--	--	-------------

City of Conway
 Balance Sheet - Airport
 As of March 31, 2024



Cash - Operating	361,383
Taxes Receivable	4,799
Accounts Receivable - Fuel Vendor	82,129
Due from Other Funds	10,682
Fuel Inventory	42,704
Land	1,254,473
Buildings	4,848,123
Machinery & Equipment	112,970
Infrastructure	21,055,056
Deferred Outflows of Resources-OPEB	9,059
<i>Assets</i>	<u>27,781,378</u>
Compensated Absences	37,133
Net OPEB Liability	35,008
Deferred Inflows of Resources-OPEB	13,822
Due to General	2,279
Unearned Revenue	288,144
Note Payable	600,000
<i>Liabilities</i>	<u>976,386</u>
<i>Net Position</i>	<u>26,804,993</u>
<i>Total Liabilities & Net Position</i>	<u>27,781,378</u>

*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway
Monthly Financial Report - Major Project Funds
As of March 31, 2024



Parks and Rec A&P Tax

Balance, 2/29/24	2,747,780
Receipts	383,685
Payments	(783,924)
Balance, 3/31/24	\$ 2,347,540

Pay as you go Sales Tax

Balance, 2/29/24	12,257,215
Receipts	276,456
Payments	(395,736)
Balance, 3/31/24	\$ 12,137,935

Street Impact Fees

Balance, 2/29/24	1,881,986
Receipts	32,353
Payments	-
Balance, 3/31/24	\$ 1,914,339

Parks Impact Fees

Balance, 2/29/24	659,134
Receipts	15,401
Payments	(275,888)
Balance, 3/31/24	\$ 398,646

Street Sales Tax

Balance, 2/29/24	23,327,592
Receipts	148,520
Payments	(1,283)
Balance, 3/31/24	\$ 23,474,829

American Rescue Plan Act

Balance, 2/29/24	4,742,998
Receipts	20,409
Payments	(675,431)
Balance, 3/31/24	\$ 4,087,977

City of Conway, Arkansas
Office of the Mayor

Memo:

To: Mayor Bart Castleberry
CC: City Council Members
From: Felicia Rogers
Date: April 17, 2024
Re: April 23, 2024 City Council Agenda

The following ordinances are included on the April 17, 2024, for consideration of waiving the three readings of each ordinance:

1. A-3 Ordinance to appropriate funds for a mural project for the Conway Public Art Advisory Committee.
2. A-8 Ordinance to rezone property located at 6 Southerland Road from A-1 to R-1.
3. A-9 Ordinance to rezone property located at 1695 S German Lane from A-1 to S-1.
4. B-1 Ordinance appropriating funds for repairs to Rescue 1 unit for the Conway Fire Department.



**City of Conway, Arkansas
Ordinance No. O-24-_____**

AN ORDINANCE APPROPRIATING FUNDS FOR THE WHEELS OF OPPORTUNITY MURAL FOR THE CONWAY PUBLIC ART ADVISORY COMMITTEE; AND FOR OTHER PURPOSES:

Whereas, the Conway Public Art Advisory Committee has determined that it would be beneficial to support art endeavors throughout the City and feel these projects will beautify the community; and

Whereas, the Conway Public Art Advisory Committee would like to collaborate with the Bicycle and Pedestrian Committee and Conway Cycling (CAB) for a mural project at property located at 1820 Old Morrilton Highway; and

Whereas, the Committee has approved the submitted design and recommends its' approval for funding of \$5,000 by the Conway City Council.

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

Section 1: The City of Conway shall appropriate \$5,000 for the Wheels of Opportunity Mural project from the Parks & Recreation Voluntary Property Fund Balance appropriation account (221.140.4900) to the Parks & Recreation - CIP Misc. (221-140-5990).

PASSED this 23rd day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-24-___

**A RESOLUTION APPROVING THE YEAR 2024 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AND BUDGET,
AUTHORIZING THE SUBMISSION OF THE PROGRAM YEAR 2024 ACTION PLAN, AND FOR OTHER PURPOSES**

Whereas, It is the intention of the City Council of the City of Conway to allocate Community Development Block Grant (CDBG) funds in such a manner that the maximum feasible priority is given to activities which will benefit low to moderate-income families and eliminate slum and blight.

Whereas, there is an estimated total of \$476,652.00 for Program Year 2024 (July 1, 2024 – June 30, 2025) funds allocated to the CDBG Program for budgetary purposes, when entitlement funding is approved by HUD.

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

Section 1: The Program Year 2024 CDBG estimated budget totaling four hundred seventy-six thousand six hundred and fifty-two dollars (\$476,652) for budgeting purposes is hereby adopted by reference to the attached budget sheet and will be adjusted by the Mayor once HUD releases the final allocation funding for the City of Conway.

Section 2: The in-house Affirmative Action Policy which prescribes equal opportunity policies for the recruitment, hiring, training, promoting, demotions, and termination of employees, with personnel goals revised annually.

Section 3: The Program Year 2024 CDBG Affirmative Action Plan is adopted to provide contractual procedures with regard to equal opportunity personnel policies on the part of CDBG project contractors.

Section 4: The Fair Housing Program/Policy of the City of Conway to affirmatively further Fair Housing practices in the sale, lease, or rental of housing and to prevent discrimination on the basis of race, color, religion, national origin, sex, disability, or familial status and to provide a procedure and Fair Housing Officer to assist and educate the public on their rights and procedures available to have complaints reviewed, investigated and resolved.

Section 5: The Director of Community Development is authorized to prepare and submit the 2024 Action Plan to carry out the activities/projects identified in the 5-Year Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD) for review and approval. Once the approval by HUD has occurred, the City Council approval, Mayor is authorized to execute contracts and to adjust numbers to actual allocation numbers, his signature being attested by the City Clerk, with the agencies identified in the Community Development Department Budget, as to undertake the activities/projects in the Action Plan.

Section 6: All approved agencies of CDBG funds will use the city's procurement procedures for any services or contracts.

Passed this 23rd, day of April, 2024.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY, ARKANSAS

Community Development

To: City Council Members
Mayor Castleberry

From: Shawanna Rodgers, Director

Date: April 17th, 2024

Re: Action Plan Approval and Program Year 2024 Budget

The Program Year 2024 Annual Action Plan is underway for submission to HUD. The Action Plan (Draft) will be located on our website for 30 days for public comment. All award amounts listed in the summary below are tentative until funding allocation are received and approved by HUD.



CITY OF CONWAY, ARKANSAS
Community Development

Program Year 2024 Annual Action Plan Budget

(July 1, 2024 – June 30, 2025)

Estimated Budget:

CDBG PY 2024 Grant		\$476,652
Administration (20%)	\$95,330.40	
Project (65%)	\$309,823.80	
Services (15%)	\$71,497.80	

- Administration: \$95,330
 - Administration covers all costs associated with the overall CDBG program, including but not limited to salary, benefits, training, office supplies, travel, equipment, and software.

- Services: \$71,497

- FC Council on Aging \$15,000
- Independent Living Services \$15,000
- Boys and Girls Club \$15,000
- CAPCA \$15,000
- Bethlehem House \$6,497
- Milestones \$5,000

- Project: \$309,952
 - Central Conway Revitalization \$209,952
 - Housing Rehabilitation Program \$100,000

****All amounts are estimated and will be changed when actual funding allocation are received from HUD.***



CITY OF CONWAY, ARKANSAS

Community Development

CDBG 2021-2025 Consolidated Plan

Five Year objectives:

Objectives with strategies in brief:

1. Repair and maintain streets and sidewalks.
 - a. Assess the city's streets and sidewalks and fund according to need.
2. Enhance the capacity of the City's drainage and stormwater runoff systems.
 - a. Assess drainage, storm, water, and sewer systems and allow funding for public improvements and a combination of loans and grants for private improvements.
3. Increase the supply of affordable, suitable housing.
 - a. Work with area non-profit partners to create, rehab, and replace affordable housing.
 - b. Create a housing strategy that focuses on the homeless
 - c. Create incentives for infill housing.
 - d. Create a program for clearing vacant and boarded housing.
 - e. Continue partnerships with affordable housing agencies that work with homeless persons or at-risk homeless persons that are considered presumed low-to-moderate income.
 - a. Continue to leverage relationships with developers focused on low-to-moderate-income housing.
4. Provision of additional community facilities and public services
 - a. Emphasis on transportation for public services.
 - b. Focus on fair housing activities such as credit counseling when transportation allows extra funds.
 - c. Emphasis on homeless facilities for community facilities.
 - d. Emphasis on neighborhood community facilities.
5. Economic Development
 - a. Establish a microenterprise development program.
 - b. Grants/Loans to for profit-businesses, particularly businesses that focus on broadband/internet access and technology (see 24 CFR 570.203 (b)).



**City of Conway, Arkansas
Resolution No. R-24-___**

A RESOLUTION ACCEPTING THE LOWEST BID FOR CONSTRUCTION OF THE COLLEGE AVENUE SHARED USE PATH: AND FOR OTHER PURPOSES

Whereas, the City of Conway Council allowed the City to utilize Federal-Aid Transportation Alternatives Program Funds through R-21-32; and

Whereas, the City solicited bids for this project and received four responses; Hessling Construction, Inc. - \$599,984.52, H.W. Tucker Company - \$610,052.50, Township Builders, Inc. - \$647,163.50 and Wagner General Contractors, Inc. - \$574,105.20; and

Whereas, the City request Council approve the lowest bid from Wagner General Contractors, Inc.

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

Section 1. The City of Conway shall enter into an agreement for the construction of the College Avenue Shared Use Path project with Wagner General Contractors, Inc. for the amount of \$574,105.20.

Section 2. That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 23rd day of April, 2024.

Approved:

Attest:

Mayor Bart Castleberry

**Michael O. Garrett
City Clerk/Treasurer**



1111 MAIN STREET • CONWAY, AR 72032
 (501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
 cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairman
 Date: April 23, 2024

Re: Conditional Use request to allow a *Laundromat* in the O-2 zone for property located at 3955 College Avenue

Mark Ferguson with Conway Corporation has requested to allow a *Laundromat* in the O-2 zone for property located at 3955 College Avenue, with the following legal description:

LOT 2 HOGAN PROFESSIONAL PARK

The applicant intends to develop the site with 3 multi-use tenant spaces with the primary use as a laundromat, and 2 additional rental tenant spaces for quiet office uses on either side. The primary use of the site as a laundromat is not permitted by right in the O-2 zoning district but is allowed via a conditional use permit. The Comprehensive Plan indicates this property as Office use with adjacent properties being a bank, food store, and vacant lot. Both developed lots have conditional use permits granting those uses as they are not allowed by right in the O-2 zone alone.

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

1. Operating hours are limited to 7:00am—9:30pm.
2. The development shall be subject to site development review in accordance with Article 10 of the Zoning Code, prior to the issuance of any building permits.
3. Driveways shall be aligned with the shared property line to the west (between Lots 1 and 2 of the Hogan Professional Park) and will be required to provide shared access with the undeveloped Lot 3 of the Hogan Professional Park platted lot to the east.
4. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent properties and shall comply with Article 10 of the Zoning Code.
5. Any new fencing shall comply with Article 10 of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
6. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
7. All signage shall be permitted and installed in accordance with the Conway Sign Code.
8. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
9. 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.
10. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.

The Planning Commission reviewed the request at its regular meeting on April 15, 2024 and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval. Please advise if you have any questions.

Zoning Map:
CUP-0324-0039

A-1

O-3

R-1

R-1

College Ave

Cherub Dr

Scha

Hogan Ln

O-2

O-2

O-2

A-1

Zoning

 City Limits

Zoning Codes

 A-1

 O-2

 O-3

 R-1

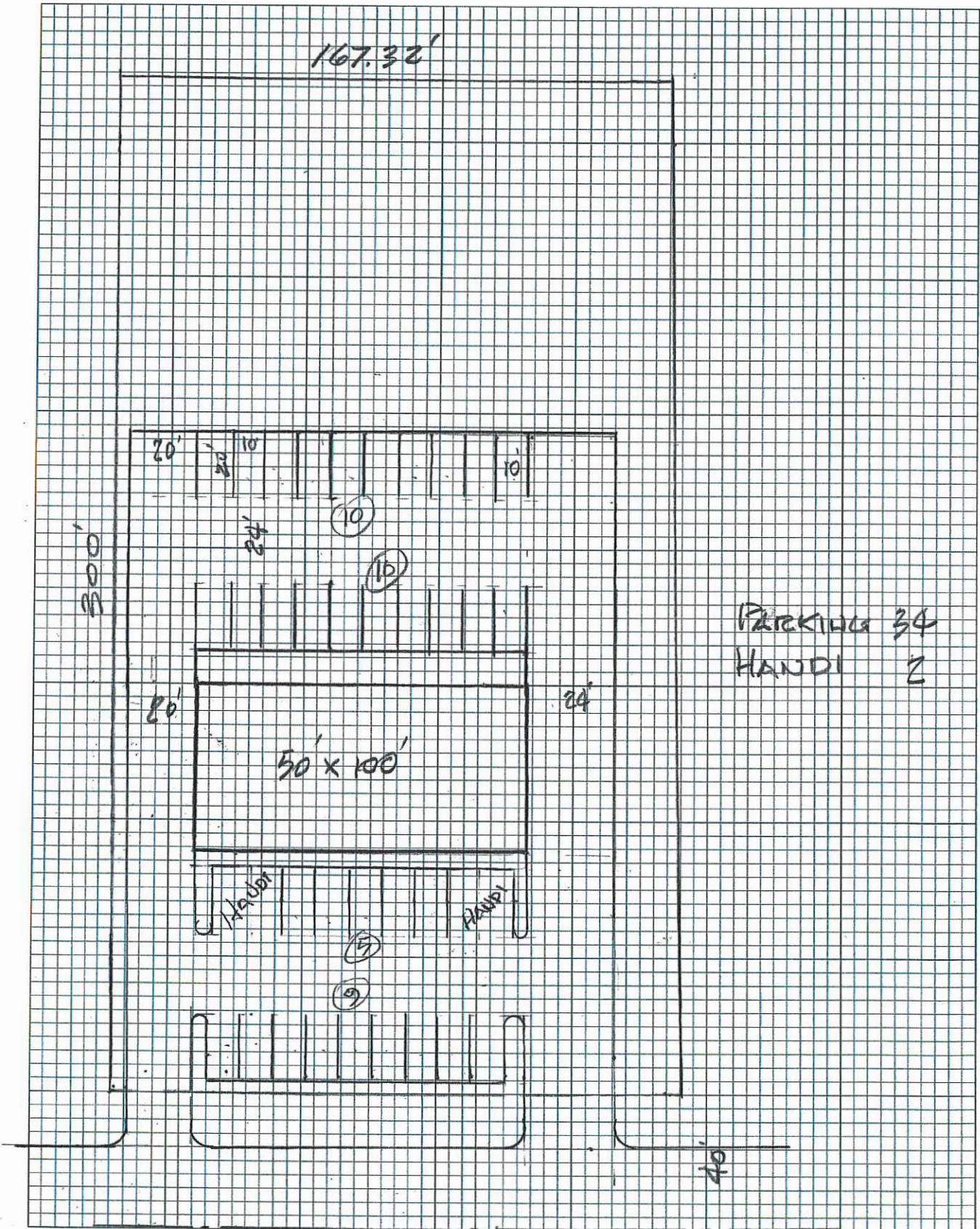
 L/E Area



BOND CONSULTING ENGINEERS, INC.
2601 T.P. WHITE DRIVE
JACKSONVILLE, ARKANSAS 72076

JOB NO. 10255
DATE FEB 29, 2024

PROJECT LOT 2 HOWAU PROF.



COLLEGE AVE



1111 MAIN STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairman
Date: April 23, 2024

Re: Conditional Use request to allow a *Transmission Tower* in the C-3 zone for property located at 1845 Old Morrilton Highway

Mark Ferguson with Conway Corporation has requested to allow a *Transmission Tower* in the C-3 zone for property located at 1845 Old Morrilton Highway, with the legal description:

LOT 1 HILLTOP SUBDIVISION










The applicant is seeking to relocate equipment currently installed on adjacent water tower on site. Transmission towers are allowed in all zones except A-1 with a conditional use permit. §528 of the Zoning Code outlines regulations specific to transmission towers. The applicant has requested some exceptions to the regulations and has provided justifications for each.

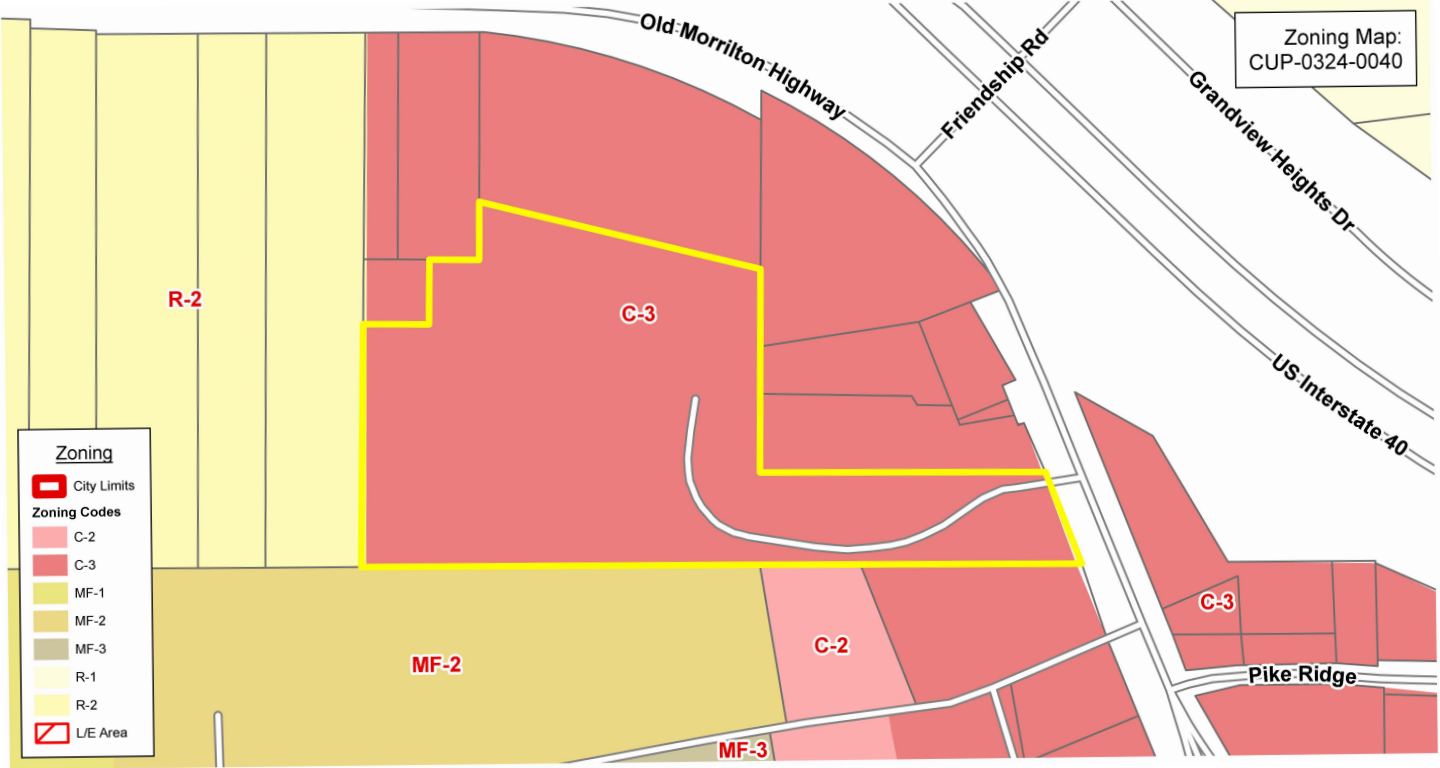
Staff recommendation: Staff recommends approval of the conditional use permit, with the following conditions:

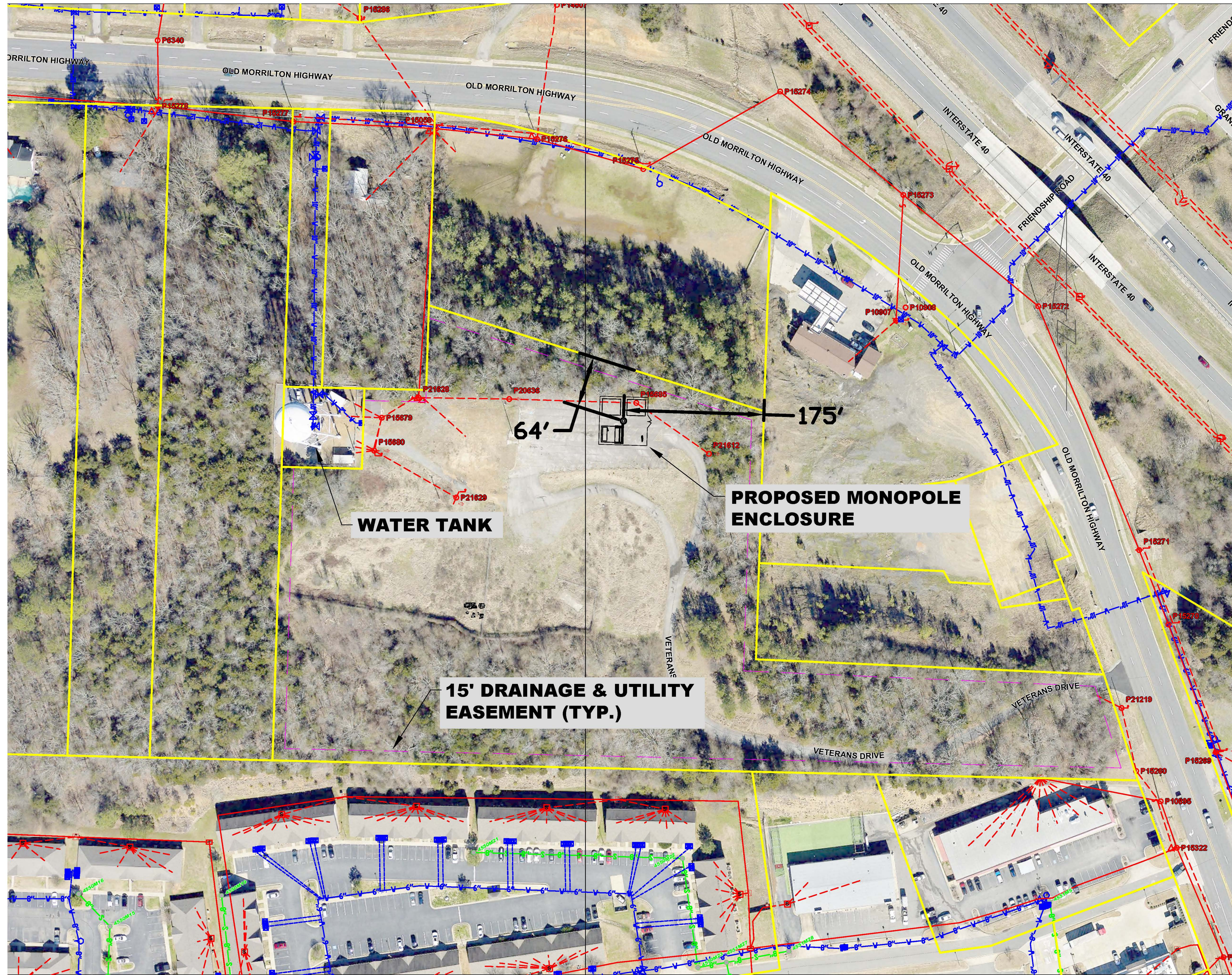
1. Applicant to provide stamped, designed drawings prior to building permitting.
2. All regulations of Section 528 of the Conway Zoning Code must be along with the exceptions listed above.
3. No zoning variances, in conjunction with the conditional use, shall be allowed.
4. If the approved use is not commenced within 18 months from the date of approval, or if the use ceases for a consecutive period greater than 18 months, the conditional use permit shall expire.
5. If the tower is not used for a continuous period of 24 months, it must be dismantled and removed by the telecommunications service provider.
6. Any expansion of the use or site, including but not limited to substantial increase in use intensity, new buildings, substantial changes in character, etc. shall require approval of a new conditional use permit.

The Planning Commission reviewed the request at its regular meeting on April 15, 2024 and voted 8-0 that the request be forwarded to the City Council with a recommendation for approval. Please advise if you have any questions.

Zoning

-  City Limits
- Zoning Codes**
-  C-2
-  C-3
-  MF-1
-  MF-2
-  MF-3
-  R-1
-  R-2
-  L/E Area





- CONSTRUCTION NOTES:**
- 1. ENSURE POSITIVE DRAINAGE FROM SITE AT ALL TIMES.**
 - 2. REMOVE FROM SITE/OWNER'S PROPERTY ALL WASTE MATERIALS UNUSED EXCAVATED MATERIAL CLASSIFIED UNSATISFACTORY, CONTAMINATED OR DANGEROUS TRASH AND DEBRIS AND DISPOSE OF IN A LEGAL MANNER.**
 - 3. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE LOCAL AND CURRENT GUIDELINES.**

1845 OLD MORRILTON HWY - MONOPOLE SITE PLAN		
SCALE:	JOB #:	DWG. DATE:
HORZ.: 1"=60'	24-047	3-12-24
VERT.: 1"=60'	DRAWN BY:	REVISED DATE:
REF.: RASTER	PAGE: 1 of 1	00-00-00



City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 6 SOUTHERLAND ROAD, FROM A-1 TO R-1:

Whereas, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **April 15th, 2024**, and adopted the amendments.

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

SECTION 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

BEING A PART OF THE NE 1/4 SE 1/4 OF SECTION 17, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NE CORNER OF SAID NE 1/4 SE 1/4; THENCE ALONG THE NORTH LINE OF SAID NE 1/4 SE 1/4, N87°54'55"W. 182.00 FEET TO A FOUND 1" PIPE, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE, S02°10'07"W 278.43 FEET TO A POINT IN SOUTHERLAND ROAD; THENCE ALONG SAID ROAD, N59°43'48"W 589.49 FEET (DEEDED 589.85 FEET) TO THE NORTH LINE OF SAID NE 1/4 SE 1/4; THENCE LEAVING SAID ROAD, ALONG SAID NORTH LINE, S87°54'55"E 520.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.66 ACRES, MORE OR LESS.

to those of **R-2**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

SECTION 2: All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 23rd day April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 Main Street • Conway, AR 72032
(501) 450-6105 • planning@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairwoman
Date: April 23, 2024

Re: Request to rezone property located at 6 Southerland Road from A-1 to R-1

Tyler Group/Tremayne Harris, has requested to rezone property located at 6 Southerland Road from A-1 to R-1, with the legal description:






BEING A PART OF THE NE 1/4 SE 1/4 OF SECTION 17, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NE CORNER OF SAID NE 1/4 SE 1/4; THENCE ALONG THE NORTH LINE OF SAID NE 1/4 SE 1/4, N87°54'55"W. 182.00 FEET TO A FOUND 1" PIPE, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE, S02°10'07"W 278.43 FEET TO A POINT IN SOUTHERLAND ROAD; THENCE ALONG SAID ROAD, N59°43'48"W 589.49 FEET (DEEDED 589.85 FEET) TO THE NORTH LINE OF SAID NE 1/4 SE 1/4; THENCE LEAVING SAID ROAD, ALONG SAID NORTH LINE, S87°54'55"E 520.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.66 ACRES, MORE OR LESS.

Staff recommendation: The applicant is requesting a rezoning from A-1 to R-1 for most likely a single-family residential subdivision. The Comprehensive Plan designates the area as single family. Due to site layout, and possible sewer connectivity constraints, 9 dwelling units will most likely not be able to be constructed. Staff recommends approval of the rezoning to the requested R-1 zoning district, as it would provide an appropriate level of transition toward the low-density agricultural developments existing to the west.

The Planning Commission reviewed the request at its regular meeting on April 15, 2024, and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning

-  City Limits
- Zoning Codes**
-  A-1
-  C-2
-  RU-1
-  L/E Area

RU-1

A-1

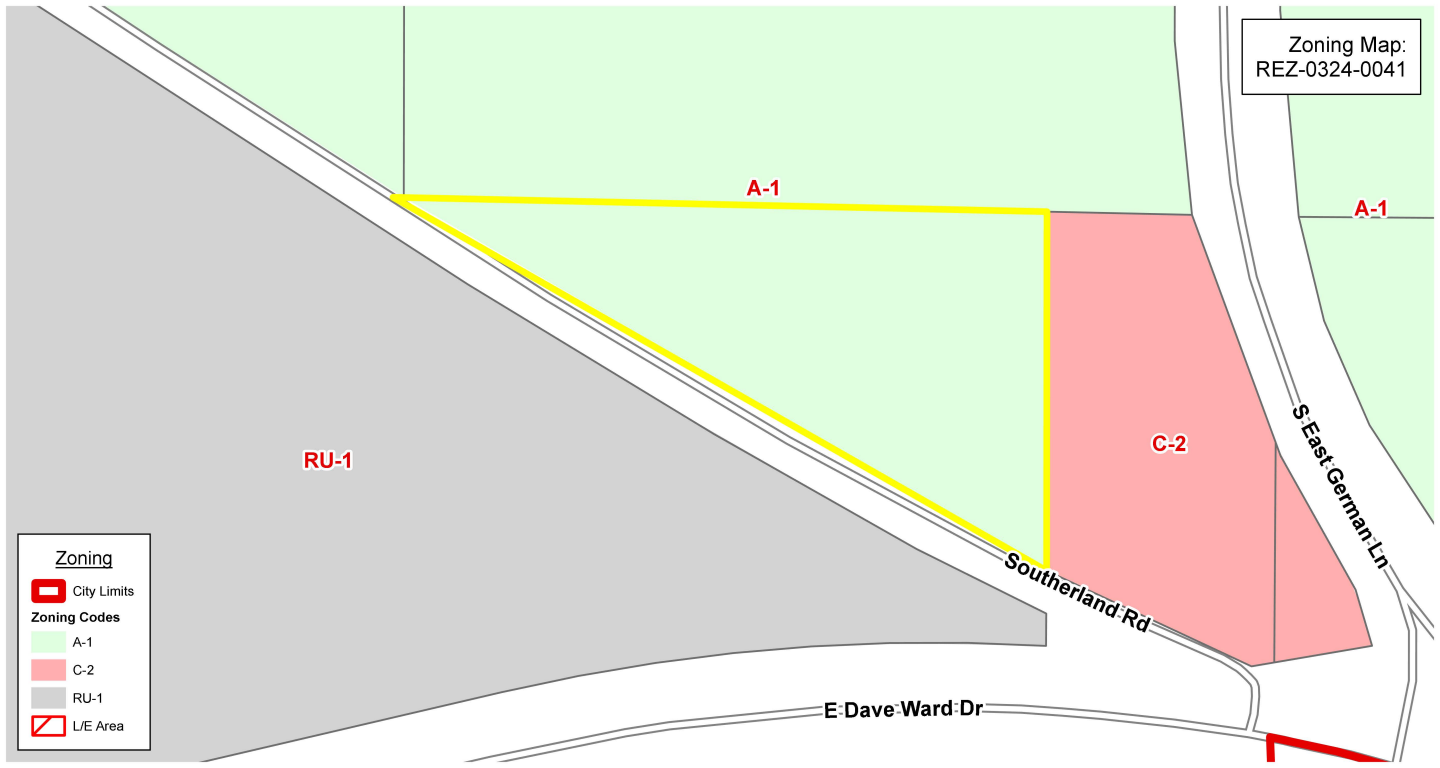
C-2

A-1

Southerland Rd

S East German Ln

E Dave Ward Dr





City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 1695 S GERMAN LANE, FROM A-1 TO S-1:

Whereas, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **April 15th, 2024**, and adopted the amendments.

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

SECTION 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

PART OF THE NE ¼ SE ¼ OF SECTION 24, T5N, R14W, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID NE ¼ SE ¼ AND RUNNING THENCE NORTH BY 34 DEGREES 2 MINUTES EAST A DISTANCE OF 339.8 FEET TO A POINT IN THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH BY 7 DEGREES 39 MINUTES WEST A DISTANCE OF 317.4 FEET TO A POINT IN THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH BY 31 DEGREES 21 MINUTES WEST A DISTANCE OF 282.7 FEET TO A POINT ON THE WEST LINE OF SAID NE ¼ SE ¼; THENCE SOUTH 838.8 FEET TO THE POINT OF BEGINNING.

to those of **S-1**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

SECTION 2: All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 23rd day April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 Main Street • Conway, AR 72032
(501) 450-6105 • planning@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairwoman
Date: April 23, 2024

Re: Request to rezone property located at 1695 S German Lane from A-1 to S-1

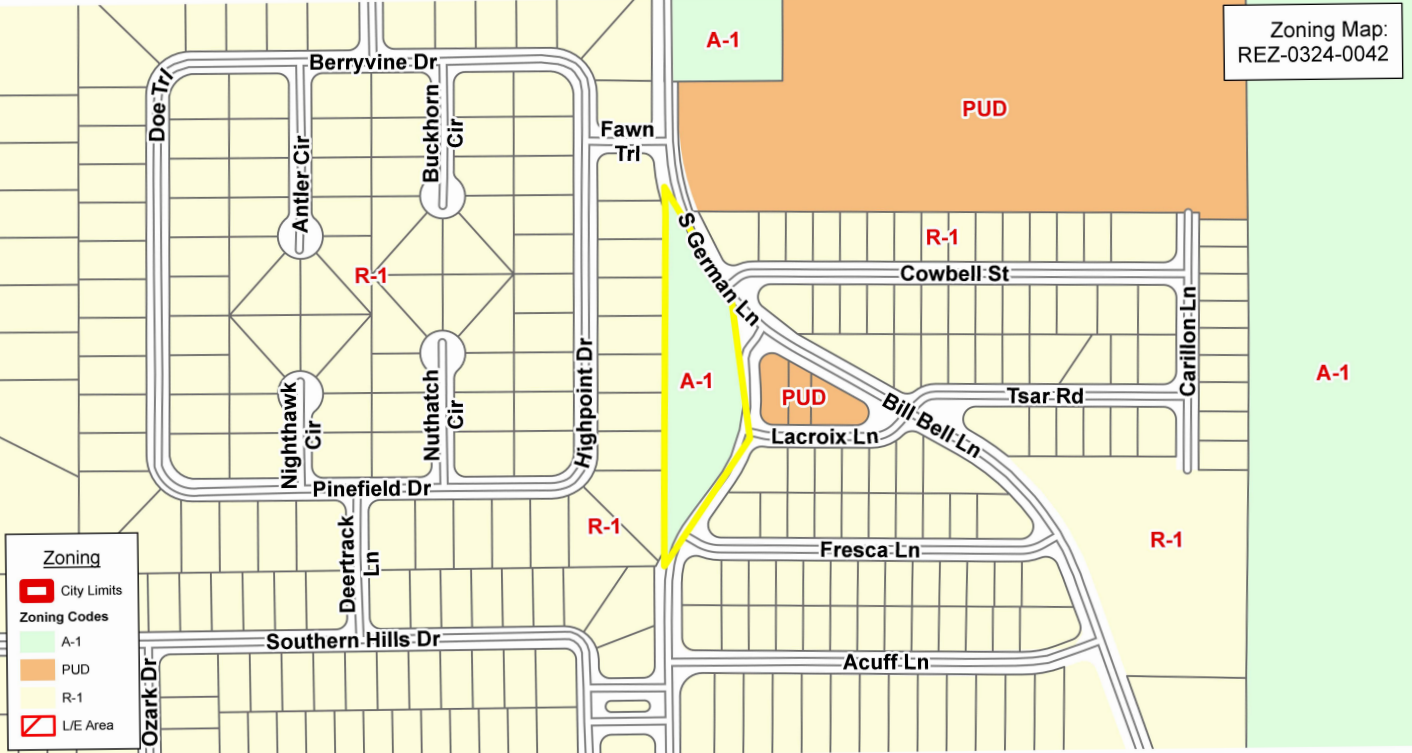
Brandon Foiles with Crafton Tull has requested to rezone property located at 1695 S German Lane from A-1 to S-1, with the legal description:

PART OF THE NE ¼ SE ¼ OF SECTION 24, T5N, R14W, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID NE ¼ SE ¼ AND RUNNING THENCE NORTH BY 34 DEGREES 2 MINUTES EAST A DISTANCE OF 339.8 FEET TO A POINT IN THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH BY 7 DEGREES 39 MINUTES WEST A DISTANCE OF 317.4 FEET TO A POINT IN THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH BY 31 DEGREES 21 MINUTES WEST A DISTANCE OF 282.7 FEET TO A POINT ON THE WEST LINE OF SAID NE ¼ SE ¼; THENCE SOUTH 838.8 FEET TO THE POINT OF BEGINNING.

Staff recommendation: The applicant is seeking a rezoning from A-1 (Agricultural) to S-1 (Institutional). The S-1 district is, "...designed to provide a use area for large developments involving schools..., churches and other institutional uses and for limited retail and service uses that are accessories to the principal use." The subject property is currently developed and used as a church which is permitted by right in S-1. It is currently operating under a Conditional Use permit in the A-1 zoning district; if the rezoning is approved, the associated Conditional Use Permit No. 1241 shall be revoked. The request is consistent with institutional uses throughout Conway and will not likely negatively impact adjacent property. These uses are often found associated with churches and schools located in predominately residential areas.

The Planning Commission reviewed the request at its regular meeting on April 15, 2024, and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



Zoning

- City Limits
- Zoning Codes**
- A-1
- PUD
- R-1
- L/E Area



City of Conway, Arkansas
Ordinance No. O-24-__

**AN ORDINANCE APPROPRIATING FUNDS FOR THE CONWAY FIRE DEPARTMENT; AND FOR
OTHER PURPOSES**

WHEREAS, the Conway Fire Department requests \$7,972 for the use of repairing Rescue 1 from damages incurred during a response to an incident; and

WHEREAS, funds in the amount of \$7,972 were received from the Municipal Insurance Program for such reasons.

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

Section 1. The City of Conway shall appropriate \$7,972 from the Insurance Proceeds Account (001.119.4360) to the Fire Department Vehicle Maintenance Operating Account (001.131.5450).

Section 2. All ordinances in conflict herewith are repealed to that extent of the conflict.

PASSED this 23rd day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer