



City of Conway Council Agenda

<u>Council Meeting Date:</u>	December 13th, 2016
<u>5:30pm Committee Meeting:</u>	Stormwater Utility Presentation
<u>6:30pm:</u>	Council Meeting
<u>Call to Order:</u>	Mayor Tab Townsell
<u>Roll Call:</u>	City Clerk/Treasurer Michael O. Garrett
<u>Minutes Approval:</u>	November 22 nd , 2016

Mayor Tab Townsell
City Clerk Michael O. Garrett
City Attorney Chuck Clawson

City Council Members

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Wesley Pruitt
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

1. Report of Standing Committees:

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

1. Resolution to set a public hearing to discuss the closing of a sewer and utility easement located in Lot 1 and Lot 2A1 of the Ramada Inn Lot 2A Replat, 811 and 813 East Oak Street.
2. Resolution to set a public hearing to discuss the creation of the stormwater utility and stormwater utility fund for the Street & Engineering Department.
3. Resolutions requesting the Faulkner County Tax Collector place a certified liens on certain properties as a result of incurred expenses by the City.
4. Consideration to approve the nominations for the annual boards and commissions: Historic District Commission, Oak Grove Cemetery, Airport Advisory Board and Planning Commission.
5. Ordinance appropriating grant funds received from the EPA for the Spencer Street Brownfield Cleanup project.
6. Ordinance amending the Conway zoning ordinance in regards to various zoning amendments.
7. Ordinance amending the Conway zoning ordinance development review regulations relating to building facade appearance and materials.
8. Discussion of a request for a proposed amendment to the subdivision ordinance as related to allowing a waiver in the fire code section.
9. Ordinance to rezone property located at 260 Hwy 65 North from A-1 to C-2.

10. Consideration to approve the conditional use permit to allow a jewelry store in an I-3 zoning district for property located at 655 Dave Ward Drive, Suite 102.
11. Consideration to approve the request for conditional use permit to allow non-residential uses in the territorial jurisdiction for property located at 294 Hwy 65N.
12. Consideration to amend the Hart Place PUD Final Development Plan.

B. Public Service Committee (Sanitation, Parks & Recreation & Physical Plant)

1. Ordinance authorizing personnel changes within the Sanitation Department.

C. Public Safety Committee (Police, AWU, CEOC, Fire, District Court, , Information Technology, & City Attorney)

1. Ordinance accepting & appropriating grant proceeds awarded from the Arkansas Department of Emergency Management to the Conway Fire Department Bomb Squad.
2. Ordinance accepting & appropriating grant funds from the Arkansas Department of Emergency Management to the Conway Police Department.
3. Consideration to approve a donation received from the US Marshal's Service to the Conway Police Department.

Adjournment

DRAFT

December 6, 2016

ORDINANCE TO CREATE A STORMWATER UTILITY AND STORMWATER UTILITY
FUND

ORDINANCE NO. O-_____

WHEREAS: The City of Conway operates and maintains the stormwater system in the City of Conway;

WHEREAS: Under the Federal Clean Water Act, 33 U.S.C. 1251 et seq., and under the Arkansas Pollution Control and Ecology Commission (“APC&E”) Regulation 6, certain public entities, including municipal corporations, were charged with unfunded federal and state mandates promulgated through the Environmental Protection Agency (“EPA”) and the APC&E. The Clean Water Act and Regulation 6 require municipalities to obtain a National Pollution Discharge Elimination System Permit (“NPDES Permit”) from the Arkansas Department of Environmental Quality (“ADEQ”) for discharges from municipal storm systems and to established a comprehensive Stormwater Management Program to manage the quality of stormwater passing through municipal separate storm sewer systems (“MS4”);

WHEREAS: Arkansas Code Annotated, Chapter 14, § 14-235 provides that among other powers municipalities have with respect to stormwater facilities, is the power by ordinance or resolution to:

- (1) Own, acquire, construct, equip, operate, and maintain, within or without the corporate limits of the city or town, a stormwater collection system and all other appurtenances necessary or useful and convenient for the collection and treatment, purification, and disposal in a sanitary manner of the stormwater of the

municipality; and

- (2) Pursuant to Ark. Code Ann., Chapter 14, § 14-235-223(a)(1) (Repl. 1998), to establish rates or charges for the use and service of a stormwater utility or other similar structure used by a city to dispose of or treat stormwater; and
- (3) Pursuant to Ark. Code Ann., Chapter 14, § 14-235-201 (Supp. 2011), “Works” are defined to include:
 - a) The structures and property as provided in § 14-235-203;
 - b) Stormwater management;
 - c) The creation and operation of a stormwater utility; and
 - d) The creation and operation of a stormwater department.

WHEREAS: The City of Conway desires to develop a stormwater utility to be responsible for the operation, construction and maintenance of stormwater facilities; for stormwater system planning; for permitting and management of stormwater quality, and for review of stormwater development plans for compliance with stormwater management codes (Ordinance O-09-13).

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

Section 1. Legislative findings and policy. The City Council of the City of Conway, Arkansas finds, determines and declares that the stormwater system which provides for the

collection, treatment, storage and disposal of stormwater provides benefits and services to all property within the incorporated city limits. Such benefits include, but are not limited to: the provision of adequate systems of collection, conveyance, detention, treatment and release of stormwater; the reduction of hazards to property and life resulting from stormwater runoff; improvements in general health and welfare through reduction of undesirable stormwater conditions; and improvements to the water quality in the stormwater and surface water system and its receiving waters.

Section 2. Definitions. For the purpose of this ordinance, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

- (2) “Construction” means the erection, building, acquisition, alteration, reconstruction, improvement or extension of stormwater facilities; preliminary planning to determine the economic and engineering feasibility of stormwater facilities; the engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary in the construction of stormwater facilities; and the inspection and supervision of the construction of stormwater facilities;
- (3) “Developed property” means real property which has been altered from its natural

state by the creation or addition of impervious areas, by the addition of any buildings and associated pavement or other improvements.

- (4) “Equivalent residential unit” or “ERU” means the average impervious square footage of a detached single family residential property.
- (5) “Exempt entity” means all properties of the federal, state, and county governments, and any of their divisions or subdivisions. This shall also include educational and religious institutions.
- (6) “Fee” or “Stormwater User’s Fee” means the charge established under this ordinance and levied on owners or users of parcels or pieces of developed real property to fund the costs of stormwater management and of operating, maintaining, and improving the stormwater system in the municipality. The Stormwater User’s Fee is in addition to any other fee that the municipality has the right to charge under any other rule or regulation of the municipality.
- (7) “Fiscal year” means January 1 to December 31 of a calendar year, both inclusive.
- (8) “Impervious surface” means a surface which is compacted or covered with material that is resistant to infiltration by water, including, but not limited to, most conventionally surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, compacted, or any other surface which impedes the natural infiltration of surface water.
- (9) “Impervious surface area” means the number of square feet of horizontal surface covered by buildings, and other impervious surfaces. All building measurements shall be made between exterior faces of walls, foundations, columns or other

means of support or enclosure.

- (10) “Other developed property” means developed property other than residential property. Such property shall include, but not be limited to, commercial properties, industrial properties, parking lots, hospitals, schools, recreational and cultural facilities, hotels, offices, and churches.
- (11) “Person” means any and all persons, natural or artificial, including any individual, firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.
- (12) “Property owner” means the property owner of record as listed in the county’s assessment roll. A property owner includes any individual, corporation, firm, partnership, or group of individuals acting as a unit, and any trustee, receiver, or personal representative.
- (13) “Residential property” means a developed property which serves the primary purpose of providing a permanent dwelling unit to a single family. A single family detached dwelling or a townhouse containing an accessory apartment or second dwelling unit is included in this definition. A multi-family residential property in which the owner or tenant of each residential unit is the utility account holder is included in this definition.
- (14) "Stormwater" means stormwater runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration, and drainage.
- (15) "Stormwater Utility Fund" or “fund” means the fund created by this ordinance to operate, maintain, and improve the city’s stormwater system.

- (16) “Stormwater management” means the planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to water, flood plains, flood control, grading, erosion, tree conservation, and sediment control.
- (17) "Surface water" includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.
- (18) “User” shall mean the owner or occupant of record of property subject to the Stormwater User’s Fee imposed by this ordinance.
- (19) “Utility account holder” shall mean the owner or occupant of record that is responsible for payment of utility services (electric or water) to the property, the “utility customer”.

Section 3. Creation of stormwater utility. For those purposes of the Federal Clean Water Act, of the APC&E Regulation 6, and for the maintenance, operation and improvement of the city stormwater system, there is created a stormwater utility which shall be operated by the city Public Works Department.

The Public Works Department, under the legislative policy, supervision and control of the City Council, shall:

- (1) Administer the acquisition, design, construction, maintenance and operation of the stormwater utility system, including capital improvements designated in the capital improvement program;

- (2) Administer and enforce this ordinance and all regulations and procedures adopted relating to the design, construction, maintenance, operation and alteration of the utility stormwater system, including, but not limited to, the quantity, quality and/or velocity of the stormwater conveyed thereby;
- (3) Advise the municipality’s governing body and other city departments on matters relating to the utility;
- (4) Prepare and revise a comprehensive drainage plan for adoption by the municipality’s governing body;
- (5) Review plans and approve or deny, inspect and accept extensions and connections to the system;
- (6) Enforce regulations to protect and maintain water quality and quantity within the system in compliance with water quality standards established by state, regional and/or federal agencies as now adopted or hereafter amended;
- (7) Annually analyze the cost of services and benefits provided, and the system and structure of fees, charges, civil penalties and other revenues of the utility.

Section 4. Creation of Stormwater Utility Fund. There is hereby created on the books of the City of Conway, a fund to be entitled the “Stormwater Utility Fund” and all revenues generated by or on behalf of the stormwater user’s fees created herein shall be deposited in said Stormwater Utility Fund and shall be used exclusively for the operations, management, salaries, purchase and maintenance of stormwater related equipment, construction costs, materials, supplies or services including but not limited to, day-to-day stormwater management activities,

stormwater related disaster recovery and emergency preparedness provided to the community.

The City may use the Stormwater Utility Fund only for the following expenses:

- (1) Regulatory review and inspection of stormwater management, sediment control, and storm drainage for development permits.
- (2) Watershed, stormwater management, floodplain, and storm drainage conveyance data acquisition, studies and planning.
- (3) The study, design, purchase, construction, expansion, retrofit, repair, maintenance, landscaping, operation or inspection of stormwater management facilities, storm drainage, and other watershed improvements.
- (4) Land acquisition (including easements and rights-of-way) for stormwater management facilities or storm drainage.
- (5) Water quality programs related to State or Federal laws, including requirements for the City's National Pollution Discharge Elimination System permits for small municipal separate storm sewer systems (MS4s).
- (6) Water quality monitoring, inspection, and enforcement activities, including illicit discharge and illicit connection investigations.
- (7) Water quality and pollution prevention education, public participation and outreach activities.
- (8) Stormwater and MS4 program administration, operation and implementation, including reasonable operating and capital reserves to meet unanticipated or emergency requirements for stormwater management, storm drainage and water quality.

- (9) Other stormwater management, storm drainage, and water quality programs that are reasonably required to protect public safety or meet applicable regulatory requirements.

Section 5. Revenues. The following revenues will be deposited into the Stormwater Utility Fund:

- (1) All revenues collected from the stormwater user's fee.
- (2) In-Lieu contributions generated from alternate detention basin options.
- (3) Revenues generated from all stormwater fees.
- (4) Revenues resulting from stormwater violations.
- (5) Any other revenue as may be determined by the City Council, including but not limited to grants and special appropriations.
- (6) Interest generated from these revenues.

Section 6. Operating budget. The City Council shall adopt an operating budget for the stormwater utility each fiscal year. The operating budget shall set forth for such fiscal year the estimated revenues and the estimated costs for operations and maintenance, extension and replacement, permit compliance and debt service.

Section 7. Stormwater User's Fees established. There shall be imposed on each and every developed property in the city, except exempt entities, Stormwater User's Fees (the fees), which shall be set from time to time by ordinance or resolution, and in the manner and amount

prescribed by this ordinance.

Prior to establishing or amending user's fees, the City shall advertise its intent to do so by publishing notice in a newspaper of general circulation in the city at least thirty (30) days in advance of the meeting of the City Council which shall consider the adoption of the fee or its amendment.

The fees shall be collected, being most cost efficient and convenient, as part of the monthly utility statement to each user by Conway Corporation. Conway Corporation shall be permitted to assess an administration fee for the collection and remittance of the fees to the city.

Section 8. Fee Structure. The Stormwater User's Fee shall be a flat fee based upon property type as follows:

A. Residential. All residential municipal utility accounts (electric or water), located within the corporate limits of the City of Conway, shall be charged a flat Stormwater User's Fee of \$4.25. Only (1) one Stormwater User's Fee will be charged per household regardless of number of City utility accounts maintained by that single household. The Stormwater User's Fee will be charged monthly and identified as a separate line item within the utility bill.

B. Other developed property. All commercial & industrial municipal utility accounts (electric or water), located within the corporate limits of the City of Conway, shall be charged a flat Stormwater User's Fee of \$12.00. Only one Stormwater User's Fee will be charged to each commercial/industrial entity regardless of the number of utility accounts maintained by that business or organization, unless the business or organization maintains

and operates from more than one physical location. In the case of the latter, the municipal utility accounts covering the additional, separate locations would also be charged the single Stormwater User's Fee of \$12.00. The Stormwater User's Fee will be charged monthly and identified as a separate line item within the utility bill.

Section 9. Property owners to pay charges. The owner or tenant, whichever is the utility account holder, of each non-exempt lot or parcel shall pay the Stormwater User's Fees and charges as provided in this ordinance.

Section 10. Billing procedures and penalties for late payment.

A. Billing Procedures.

- (1) The Stormwater User's Fees for residential and other developed property shall be billed and collected monthly with the monthly utility service bill for those properties within the corporate limits of the City.
- (2) Apartment buildings will be billed monthly to either a master utility account or to the individual utility accounts for each apartment resident, whichever the case may be.
- (3) Undeveloped property will not be billed.

B. Penalties for Late or Non-Payment. The Stormwater User's Fee for those properties utilizing City utilities is part of a consolidated statement for utility customers, which is generally paid by a single payment to the Billing Department. In the event of non-payment or if a partial payment is received, the amount of the payment shall be

applied prorate to each account billed on the consolidated statement of all current charges for all accounts. All bills, including Stormwater User's Fees, shall become due and payable in accordance with the rules and regulations of the utilities or Billing Department. Non-payment may result in canceling or shutting off all utilities utilized.

Section 11. Adjustment to Stormwater User's Fees. The City Council finds that the use of the flat fee structure described in Section 8 of this ordinance is the most expedient and least costly method to fund the creation of the stormwater utility. Furthermore, the City Council finds that these fees will not generate the revenue required to fulfill the responsibilities listed in Section 3 of this ordinance. The Public Works Department and the City Council shall take measures necessary to develop a tiered rate structure based upon an Equivalent Residential Unit (ERU) or other methodology, to develop a credit and incentive program and, by ordinance or decree, amend this ordinance within twelve (12) months of enacting this ordinance.

PRELIMINARY FLAT FEE STRUCTURE REVENUE PLAN ANALYSIS

12/6/2016

Funding to be Covered Under Fee (INITIAL)	\$1,337,500.00
Funding to be Covered Under Fee (FUTURE)	\$2,145,500.00

Flat Fee Structure

Property Classification	Number of Customers in Town (Metered)	Number of ERUs	Monthly Fee p/Property	Annual Total p/Property
Residential	22,070	22,070	\$ 4.25	\$51.00
Non-Residential	2,514		\$ 12.00	\$144.00

Total Billable Properties	24,584
Equal Allocation Across Property Types, \$/YR	\$54.41
Equal Allocation Across Property Types, \$/MO	\$4.53

CONWAYCORP METER ESTIMATES:	
Residential	22070
Residential Master	297
Other	2200
Other Master	17

Total Revenue Raised	\$1,487,586.00
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Net Operating Income under Flat Fee Structure (\$)	\$1,487,586.00
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Δ Raised Revenue and Initial Funding Gap	\$150,086.00
Δ Raised Revenue and Future Funding Gap	(\$657,914.00)

CITY OF CONWAY

PRELIMINARY ESTIMATED STORMWATER EXPENSES

FTN Associates, Ltd./Conway Streets and Engineering Department

12/6/2016

CATEGORY	SUBCATEGORY	ESTIMATED HISTORIC COST	ESTIMATED FUTURE COST
GENERAL ADMINISTRATION			
	General Stormwater Program Administration	\$ -	\$ 50,000.00
	Floodplain Management	\$ 25,000.00	\$ 25,000.00
	Financial Management	N/A	\$ 10,000.00
	Indirect Cost Allocations	N/A	\$ 5,000.00
	Billing, Financing and Customer Services	N/A	\$ 35,000.00
	General Government Support	N/A	\$ 10,000.00
	SUBTOTAL	\$ 25,000.00	\$ 135,000.00
OPERATIONS AND MAINTENANCE			
	Emergency Response	\$ 11,000.00	\$ 11,000.00
	Storm Sewer and Culvert Inspections and Cleaning		
	- Maintenance Manager	\$ 60,000.00	\$ 60,000.00
	- Laborers	\$ 100,000.00	\$ 200,000.00
	- Vehicles	\$ 7,500.00	\$ 15,000.00
	- Jetter Trailer	\$ -	\$ 6,000.00
	Remedial Repair and Replacement		
	- Driveway Culvert Replacement (Materials)	\$ -	\$ 75,000.00
	- Driveway Culvert Replacement (Pavement)	\$ -	\$ 75,000.00
	- Curb & Gutter Repair (Materials)	\$ 12,500.00	\$ 12,500.00
	- Curb Inlet Top Repair (Materials)	\$ 10,000.00	\$ 10,000.00
	- Concrete Crew (Personnel)	\$ 100,000.00	\$ 100,000.00
	- Concrete Crew (Equipment)	\$ 7,500.00	\$ 7,500.00
	Ditch and Channel Maintenance		
	- Mowing (Personnel)	\$ 50,000.00	\$ 100,000.00
	- Mowing (Equipment)	\$ 12,500.00	\$ 25,000.00
	- Ditch Mopping (Personnel)	\$ -	\$ 200,000.00
	- Ditch Mopping (Equipment)	\$ -	\$ 70,000.00
	- Box Ditch Cleaning (Equipment)	\$ 10,000.00	\$ 20,000.00
	SUBTOTAL	\$ 381,000.00	\$ 987,000.00
CAPITAL IMPROVEMENTS			
	Stormwater Drainage Major Capital Projects	\$ -	\$ 500,000.00
	Improvements to Undersized/Debililitated Systems	\$ 100,000.00	\$ 750,000.00
	Land Easement and Rights Acquisition	\$ -	\$ 100,000.00
	SUBTOTAL	\$ 100,000.00	\$ 1,350,000.00

CITY OF CONWAY

PRELIMINARY ESTIMATED STORMWATER EXPENSES

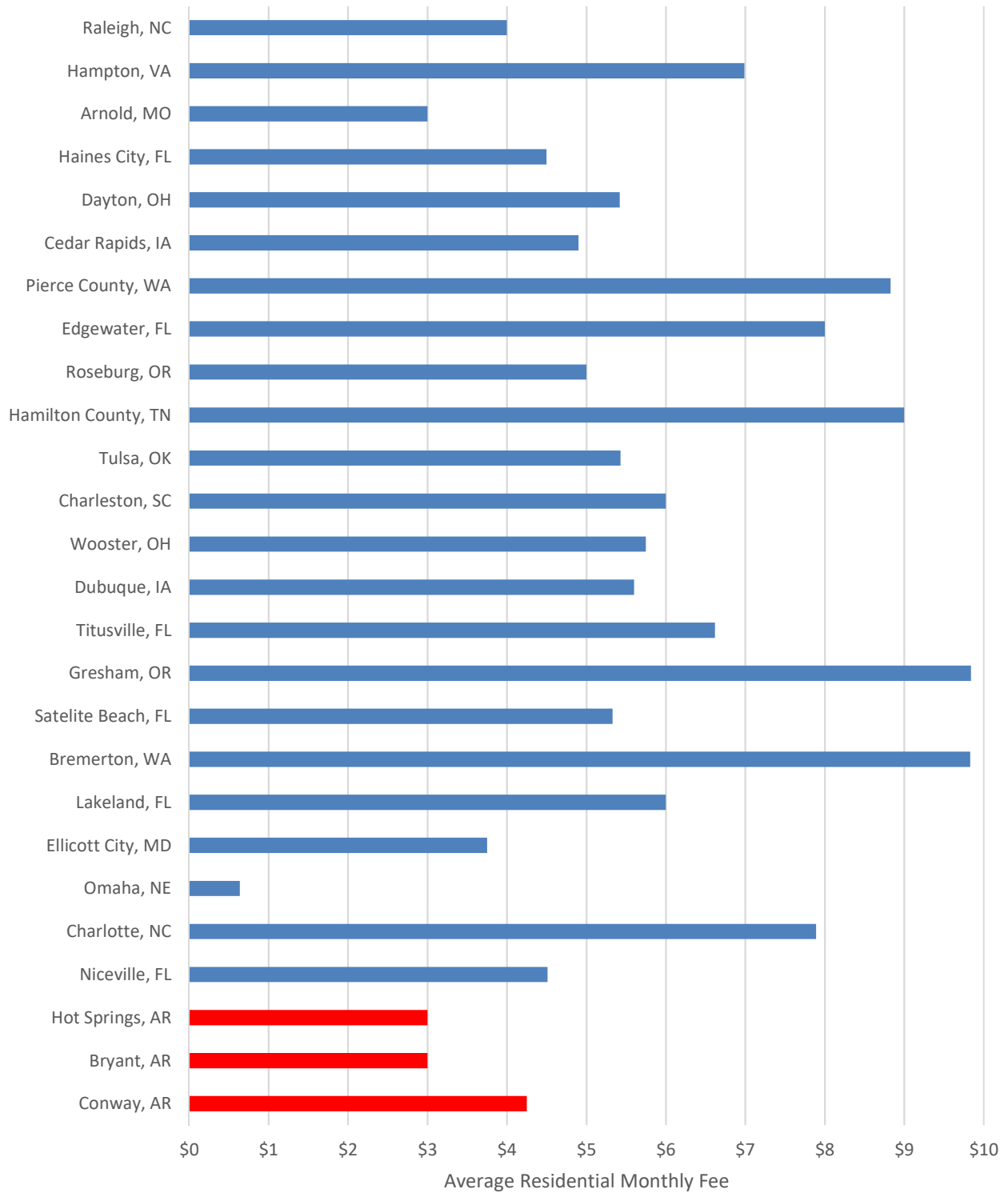
FTN Associates, Ltd./Conway Streets and Engineering Department

12/6/2016

CATEGORY	SUBCATEGORY	ESTIMATED HISTORIC COST	ESTIMATED FUTURE COST
NPDES MS4 PERMIT COMPLIANCE			
	NPDES NOI and SWMP	\$ 5,000.00	\$ 25,000.00
	NPDES Annual Reporting	\$ 5,000.00	\$ 10,000.00
	NPDES Public Education Programs	\$ -	\$ 2,500.00
	NPDES Training	\$ -	\$ 10,000.00
	Illicit Discharge Removal/Remediation	\$ -	\$ 5,000.00
	NPDES Wet Weather Monitoring	\$ -	\$ 10,000.00
	Pesticide, Herbicide and Fertilizer Program	\$ -	\$ 500.00
	Illicit Discharge Investigation/Tracking	\$ -	\$ 25,000.00
	SUBTOTAL	\$ 10,000.00	\$ 88,000.00
ENGINEERING AND MASTER PLANNING			
	Site Design, Field and Ops Engineering (Private Projects)	\$ -	\$ 25,000.00
	GIS, Database and Mapping	\$ -	\$ 30,000.00
	Field Data Collection (GIS and Engineering)	\$ -	\$ 25,000.00
	Cost and Rate Analysis	N/A	\$ 50,000.00
	Stormwater Quantity and Quality Master Planning	N/A	\$ 50,000.00
	SUBTOTAL	\$ -	\$ 180,000.00
TOTAL		\$ 516,000.00	\$ 2,740,000.00

EXAMPLE RESIDENTIAL STORMWATER USER'S FEES

Population 50,000 to 80,000



Note: Fees are average monthly fees obtained from various utility surveys and ordinances. Population data obtained from US Census Bureau 2015 estimates.



**City of Conway, Arkansas
Resolution No. R-16-___**

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF A UTILITY AND SEWER EASEMENT LOCATED AT 811 AND 813 E OAK STREET, LOTS 1 AND 2A1 OF RAMADA INN LOT 2A REPLAT, IN THE CITY OF CONWAY, ARKANSAS:

Whereas, a petition has been filed with the City Council of the City of Conway, Arkansas by Crafton Tull to abandon a utility and sewer easement located in the Ramada Inn Lot 2A Replat, within the corporate limits of the City of Conway, Arkansas; and

Whereas, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at the Russell L. "Jack" Roberts District Court Building, 810 Parkway Street, Conway, Arkansas, on the **27th day of December, 2016.**
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the matter prescribed by law.

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

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

EOAK ST

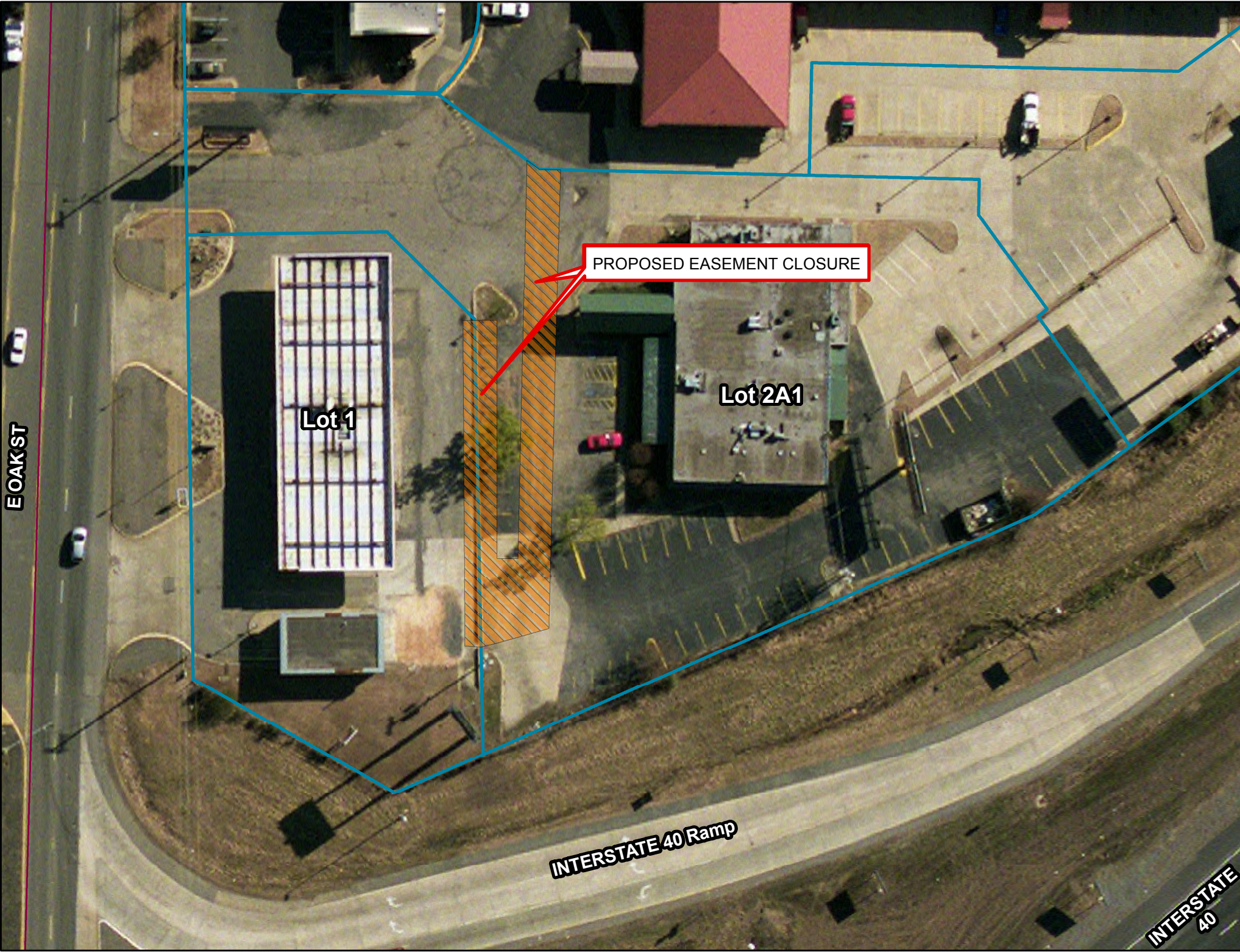
Lot 1

Lot 2A1

PROPOSED EASEMENT CLOSURE

INTERSTATE 40 Ramp

**INTERSTATE
40**





**City of Conway, Arkansas
Resolution No. R-16-___**

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CREATION OF A STORMWATER UTILITY AND STORMWATER UTILITY FUND

Whereas, the City of Conway desires to develop a stormwater utility to be responsible for the operation, construction and maintenance of stormwater facilities; for stormwater system planning; for permitting and management of stormwater quality, and for review of stormwater development plans for compliance with stormwater management codes (Ordinance O-09-13); and

Whereas, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at the Russell L. "Jack" Roberts District Court Building, 810 Parkway Street, Conway, Arkansas, on the 27th day of December, 2016.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the matter prescribed by law.

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

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



MEMO

TO: Mayor Tab Townsell
CC: City Council Members
FROM: Missy Lovelady
DATE: December 6, 2016
SUBJECT: Certified Liens – Code Enforcement

The following resolutions are included for a request to the Faulkner County Tax collector to place a certified lien against real property as a result of incurred expenses by the City.

The properties & amount (plus a ten percent collection penalty) are as follows:

- | | |
|------------------------|----------|
| 1. 1824 South Blvd | \$163.64 |
| 2. 14 Mockingbird Lane | \$229.78 |
| 3. 229 Mitchell St. | \$235.35 |

Please advise if you have any questions.

Thank you for your consideration.



City of Conway, Arkansas
Resolution No. R-16-____

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.

Whereas, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1824 South Blvd within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

Whereas, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$163.64 (\$121.49 + Penalty-\$12.15 + filing fee-\$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

Whereas, a hearing for the purpose of determine such lien has been set for **December 13th, 2016** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

Section 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

ADOPTED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Code Enforcement
1201 Oak Street
Conway, Arkansas 72032



Missy Lovelady
Phone: 501-450-6191
Fax: 501-450-6144

MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Missy Lovelady
Date: December 6, 2016

Re: 1824 South Blvd

- October 6, 2016– Warning Violation written regarding grass in the yard by Kim Beard.
- Property Owner is listed as Jeff & Mathilda Hulett.
- Property was rechecked on 10/12/16 with no progress made.
- Certified and regular letters were mailed 10/20/2016 to address on file and a notice was left by post office.
- Property was rechecked on 11/1/16 with no action taken.
- Final Cleanup completed on 11/9/16.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.

INVOICE

City of Conway
Code Enforcement

DATE: DECEMBER 8, 2016

1201 Oak Street
 Conway, AR 72032
 Phone: 501-450-6191
 Fax 501-450-6144
 missy.schrag@cityofconway.org

TO Jeff & Mathilda Hulett
 235 Shasta Dr
 Conway Ar 72034

Description: Mowing/Clean-up/Admin Fees
 associated with the nuisance abatement at
 1824 South Blvd, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Kim Beard	710-01063-000		December 13, 2016

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	1 Employee -Mowing/Cleanup	16.62	16.62
1	1 PT Employee -Mowing/Cleanup	10.94	10.94
1	1 Employee - Mowing/Cleanup	18.82	18.82
1	Maintenance fee (mower)	15.00	15.00
1	Administrative Fee (Missy Lovelady)	20.49	20.49
1	Administrative Fee (Kim Beard)	17.46	17.46
1	Administrative Fee (Michelle Collins)	10.94	10.94
2	Certified Letter	5.13	10.26
2	Regular letter	.48	.96

TOTAL BY 12/13/16 \$121.49

- Total amount due after December 13, 2016 includes collection penalty & filing fees

TOTAL AFTER 12/13/16 \$163.64

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

City of Conway
Code Enforcement

1201 Oak Street
Conway, Arkansas 72032
www.cityofconway.org



Missy Lovelady
Conway Permits & Code Enforcement
Phone 501-450-6191
Fax 501-450-6144

November 18, 2016

Parcel # 710-01063-000

Jeff & Mathilda Hulett
235 Shasta Dr
Conway Ar 72034

RE: Nuisance Abatement at 1824 South Blvd., Conway AR
Cost of Clean-Up, Amount Due: \$121.49

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **December 13, 2016 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention to Missy Lovelady**. If you have any questions, please feel free to call me at 501-450-6191.

Sincerely,

Missy Lovelady

**Conway Code Enforcement
Incident Report**

Date of Violation: 10/06/16

Violator Name: Jeff & Mathilda Hulett

Address of Violation: 1824 South Blvd

Violation Type: Grass

Warning #: CE9248

Description of Violation and Actions Taken: On 10/06/16 Code Enforcement Officer Kim Beard wrote a warning violation to correct grass. Property was rechecked on 10/12/16 with no progress made. Certified & regular letters were mailed 10/20/16. Property was rechecked on 11/1/16 with no action taken. Final cleanup was completed on 11/09/16.

Code Enforcement Officer: Kim Beard

Officer Signature: _____

Date:

Time:



City of Conway, Arkansas
Resolution No. R-16-_____

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.

Whereas, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 14 Mockingbird Lane within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

Whereas, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount **\$229.78** (\$181.62 + Penalty-\$18.16 + filing fee-\$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

Whereas, a hearing for the purpose of determine such lien has been set for **December 13th, 2016** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

Section 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

ADOPTED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Code Enforcement
1201 Oak Street
Conway, Arkansas 72032



Missy Lovelady
Phone: 501-450-6191
Fax: 501-450-6144

MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Missy Lovelady
Date: December 6, 2016

Re: 14 Mockingbird Lane

- August 9, 2016– Warning Violation written regarding grass and rubbish/trash in the yard by Kim Beard.
- Property Owner is listed as Jose A Garcia.
- Property was rechecked on 8/17/16 with no progress made.
- Certified and regular letters were mailed 9/1/16 to address on file and a notice was left by post office.
- Property was rechecked on 10/10/16 with no action taken.
- Final Cleanup completed on 10/25/16.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.

INVOICE

City of Conway
Code Enforcement

DATE: DECEMBER 8, 2016

1201 Oak Street
Conway, AR 72032
Phone: 501-450-6191
Fax 501-450-6144
missy.schrag@cityofconway.org

TO Jose A Garcia
14 Mockingbird LN
Conway AR 72034

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
14 Mockingbird Lane, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Kim Beard	710-06845-000		December 13, 2016

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
2	2 Employee -Mowing/Cleanup	16.62	33.24
1	1 PT Employee -Mowing/Cleanup	10.94	10.94
1	1 Employee - Mowing/Cleanup	18.82	18.82
	Sanitation ticket #573225 & 573224		43.51
1	Maintenance fee (mower)	15.00	15.00
1	Administrative Fee (Missy Lovelady)	20.49	20.49
1	Administrative Fee (Kim Beard)	17.46	17.46
1	Administrative Fee (Michelle Collins)	10.94	10.94
2	Certified Letter	5.13	10.26
2	Regular letter	.48	.96

TOTAL BY 12/13/16 \$181.62

- Total amount due after December 13, 2016 includes collection penalty & filing fees

TOTAL AFTER 12/13/16 \$229.78

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

City of Conway
Code Enforcement

1201 Oak Street
Conway, Arkansas 72032
www.cityofconway.org



Missy Lovelady
Conway Permits & Code Enforcement
Phone 501-450-6191
Fax 501-450-6144

October 21, 2016

Parcel # 710-06845-000

Jose A Garcia
14 Mockingbird LN
Conway AR 72034

RE: Nuisance Abatement at 14 Mockingbird LN, Conway AR
Cost of Clean-Up, Amount Due: \$181.62

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **December 13, 2016 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention to Missy Lovelady**. If you have any questions, please feel free to call me at 501-450-6191.

Sincerely,

Missy Lovelady

**Conway Code Enforcement
Incident Report**

Date of Violation: 08/09/16

Violator Name: Jose A Garcia

Address of Violation: 14 Mockingbird Lane

Violation Type: Grass; Rubbish & trash in yard

Warning #: CE9115

Description of Violation and Actions Taken: On 08/09/16 Code Enforcement Officer Kim Beard wrote a warning violation to correct grass and rubbish and trash in yard. Property was rechecked on 08/17/16 with no progress made. Certified & regular letters were mailed 09/01/16. Property was rechecked on 10/10/16 with no action taken. Final cleanup was completed on 10/25/16.

Code Enforcement Officer: Kim Beard

Officer Signature: _____

Date:

Time:



City of Conway, Arkansas
Resolution No. R-16-____

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.

Whereas, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 229 Mitchell St within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

Whereas, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$235.35 (\$186.68 + Penalty-\$18.67 + filing fee-\$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

Whereas, a hearing for the purpose of determine such lien has been set for **December 13th, 2016** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

Section 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

ADOPTED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Code Enforcement
1201 Oak Street
Conway, Arkansas 72032



Missy Lovelady
Phone: 501-450-6191
Fax: 501-450-6144

MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Missy Lovelady
Date: December 6, 2016

Re: 229 Mitchell St

- August 3, 2016– Warning Violation written regarding grass and rubbish/trash in the yard by Kim Beard.
- Property Owner is listed as Thomas and Maria Parenteau.
- Property was rechecked on 8/17/16 with no progress made.
- Certified and regular letters were mailed 9/1/16 to address on file and a notice was left by post office.
- Property was rechecked on 10/10/16 with no action taken.
- Final Cleanup completed on 11/19/16.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.

INVOICE

City of Conway
Code Enforcement

DATE: DECEMBER 9, 2016

1201 Oak Street
 Conway, AR 72032
 Phone: 501-450-6191
 Fax 501-450-6144
 missy.schrag@cityofconway.org

TO PARENTEAU, THOMAS & MARIA
 12 BERNEY WAY
 LITTLE ROCK, AR 72223

Description: Mowing/Clean-up/Admin Fees
 associated with the nuisance abatement at
 229 Mitchell, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Kim Beard	710-01048-000		December 13, 2016

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
2	2 Employee -Mowing/Cleanup	16.62	33.24
2	2 PT Employee -Mowing/Cleanup	10.94	21.88
1	1 Employee - Mowing/Cleanup	18.82	18.82
	Sanitation ticket #574929; 574930		37.63
1	Maintenance fee (mower)	15.00	15.00
1	Administrative Fee (Missy Lovelady)	20.49	20.49
1	Administrative Fee (Kim Beard)	17.46	17.46
1	Administrative Fee (Michelle Collins)	10.94	10.94
2	Certified Letter	5.13	10.26
2	Regular letter	.48	.96

TOTAL BY 12/13/16 \$186.68

- Total amount due after December 13, 2016 includes collection penalty & filing fees

TOTAL AFTER 12/13/16 \$235.35

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

City of Conway
Code Enforcement

1201 Oak Street
Conway, Arkansas 72032
www.cityofconway.org



Missy Lovelady
Conway Permits & Code Enforcement
Phone 501-450-6191
Fax 501-450-6144

November 21, 2016

Parcel # 710-01048-000

PARENTEAU, THOMAS & MARIA
12 BERNEY WAY
LITTLE ROCK, AR 72223

RE: Nuisance Abatement at 229 Mitchell St., Conway AR
Cost of Clean-Up, Amount Due: \$186.68

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **December 13, 2016 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention to Missy Lovelady**. If you have any questions, please feel free to call me at 501-450-6191.

Sincerely,

Missy Lovelady

**Conway Code Enforcement
Incident Report**

Date of Violation: 08/03/16

Violator Name: Thomas & Maria Parenteau

Address of Violation: 229 Mitchell St

Violation Type: Grass; Rubbish & trash in yard

Warning #: CE9115

Description of Violation and Actions Taken: On 08/03/16 Code Enforcement Officer Kim Beard wrote a warning violation to correct grass and rubbish and trash in yard. Property was rechecked on 08/17/16 with no progress made. Certified & regular letters were mailed 09/01/16. Property was rechecked on 10/10/16 with no action taken. Final cleanup was completed on 11/19/16.

Code Enforcement Officer: Kim Beard

Officer Signature: _____

Date:

Time:

City of Conway
Mayor's Office

Memo:

To: City Council Members

CC: Mayor Tab Townsell

From: Felicia Rogers

Date: December 5th, 2016

Re: Annual Boards & Commission Nominations

Annual Boards & Commission nominations were advertised for the month of October. The following nominees are being submitted for your approval:

They are as follows:

- Planning Commission: Arthur Ingram – 5 year term
Brandon Ruhl – 5 year term
- Historic District Commission: Gerald Tosh – Three year term
George Covington – Three year term
Steve Hurd – Three year term
- Oak Grove Cemetery: John Courtway – 5 year term
Ellen Gordy – 5 year term
- Airport Advisory Committee: William Hegeman – 3 year term
Brad Teague – 3 year term
Bill Adkisson – 3 year term

Please advise if you have any questions.



1201 Oak Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayplanning.org

November 29, 2016

MEMO

From: Historic District Commission - HDC Staff, Bryan Patrick

To: Mayor and Council

Three Historic District Commission member terms expire on December 31, 2017; Steve Hurd, George Covington, Sr., and Aaron Nicholson. All three members are eligible to serve another term. Mr. Hurd and Mr. Covington chose to continue to serve on the Commission. while Aaron Nicholson chose to roll off. The Historic District Commission advertised for one new member throughout the month of October and two nominations were received; Rick Green and Gerald Tosh. These two nominees were interviewed by the HDC at their November 28 meeting. The Commission was impressed with both candidates and felt that either would be ideal members. After much consideration, the HDC chose to send forward Gerald Tosh as the 2017 HDC nominee recommendation.

The HDC 2017 member nominations are:

Gerald Tosh, term expiring December 31, 2019.

George Covington, Sr., current term expires December 31, 2016. New term will expire on December 31, 2019.

Steve Hurd, current term expires December 31, 2016. New term will expire on December 31, 2019.

Sincerely,

Bryan Patrick, Director Planning and Development
Conway Historic District Commission Staff

Encl: 2017 Historic District Commission roster and Gerald Tosh nomination form

12.9.2016

Memo

To
Mayor Tab Townsell

From
Carol Powers

CC
Conway City Council

Re
Oak Grove Cemetery

Comments:

Nominations for the annual boards and commission were from October 1st, 2016 to October 31st, 2016. The Oak Grove Cemetery Board received two nominations that were as follows:

Ellen Gordy

John Courtway

The Oak Grove Cemetery Board met at their regular meeting on November 21st and recommended John Courtway and Ellen Gordy for 5 year appointments to the board.

Please advise if you have any questions.

Thank you for your consideration.

[Company]

Tel [Telephone]
Fax [Fax]

[Street Address]
[City, ST ZIP]

[Website]
[Email]

replace with
LOGO

12.9.2016

Memo

To
Mayor Tab Townsell

From
Josh Zylks

CC
Conway City Council

Re
Airport Advisory board

Comments:

Nominations for the annual boards and commission were from October 1st, 2016 to October 31st, 2016. The Airport Advisory Board recommended the following for an additional three year term on the board:

William Hegeman

Brad Teague

Bill Adkisson

Please advise if you have any questions.

Thank you for your consideration.

[Company]

Tel [Telephone]
Fax [Fax]

[Street Address]
[City, ST ZIP]

[Website]
[Email]

replace with
LOGO



1201 OAK STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Mark Lewis, 2016 Planning Commission Chairman
Date: November 22, 2016

Re: Nominations for Conway Planning Commission

After having the opportunity to review all submitted nomination forms and interview selected candidates, the Conway Planning Commission voted unanimously to submit the names of Arthur Ingram and Brandon Ruhl for approval to serve on the Conway Planning Commission for 5 year terms. The Planning Commission requests that these names be voted on at your next regularly scheduled meeting.

Please advise if you have any questions.



City of Conway, Arkansas
Ordinance No. O-16-_____

AN ORDINANCE APPROPRIATING GRANT FUNDS FOR THE SPENCER STREET BROWNFIELD CLEANUP PROJECT; AND FOR OTHER PURPOSES;

Whereas, grant funds in the amount of \$4,521.66 were received from the U.S. Environmental Protection Agency in support of the Spencer Street Brownfield Cleanup Project and for other expenses.

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

Section 1: The City of Conway, Arkansas, shall accept grant funds in the amount of \$4,521.66 and appropriate said funds from Federal Miscellaneous Grant Account (399-000-4200) to the Planning & Development Grant Account (399-105-5799).

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

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-16-____

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE O-94-54 TO REMOVE C-4 AND S-2 ZONES, HEIGHT REGULATIONS IN HIGHWAY SERVICE & OPEN DISPLAY DISTRICT (C-3), ALLOW DUPLEX DWELLING BY CONDITIONAL USE PERMIT IN QUIET OFFICE ZONING DISTRICTS (O-3); AND FOR OTHER PURPOSES:

Whereas, The City of Conway would like to amend the Zoning Ordinance for future development and remove outdated and obsolete zoning classifications.

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

Section 1. The Conway Zoning Ordinance O-94-54, Section 401.5, Section 401.9 and Addendum A, be amended as follows with all other listed zoning districts and land uses remain unchanged:

Remove C-4 (Large Shopping Center Developments) and S-2 (Institutional District), C-4 Zoned properties amended to C-3 Zoning, S-2 properties amended to S-1 Zoning

References to C-4 Large Shopping Center are removed and any properties currently zoned C-4 are rezoned to C-3 zoning classification district

References to S-2 Institutional District are removed and any properties currently zoned S-2 are rezoned to S-1 zoning classification district

Uses (Permitted - X) (conditional - C)	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR	C-1	C-2	C-3	C-4	O-1	O-2	O-3	I-1	RU-1	I-3	A-1	S-1	S-2	TJ
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Section 2. The Conway Zoning Ordinance O-94-54, Section 401.5.D to the Conway Zoning Ordinance is hereby amended as follows

LOT REGULATIONS	C-1	C-2	C-3
Minimum Lot Area (Square Feet)	none	5,000	5,000
Minimum Lot Width at Building Line (Feet) 25 50 50 300 100 50 100 50	25	50	50
Maximum Lot Coverage (Percent)	100%	50%	50%
YARD REGULATIONS (IN FEET)(2)(8)(9)			
<u>Minimum Front Yard(7)</u>	0	25	40
<u>Minimum Rear Yard</u>	0	10	10
<u>Minimum Side Yard</u>			
<u>Interior</u>			
When abutting Property in Residential District	0	12	12
When Abutting Property in Nonresidential District	0	5	0
<u>Exterior</u>	0	15	15
HEIGHT REGULATIONS*			
Maximum Number of Feet	35	25	35 45 (10)

No limit (Ordinance No. O-02-30)

Maximum Number of Stories - 2 ~~2.5~~ **4 (10)**

FOOTNOTES: *See Article 601 special Provisions Conditions Applying to Uses

(1) (a) Refers to requirements for duplexes; (b) refers to all others except accessory buildings. For accessory buildings, see Article 601 Special Provisions Conditions Applying to Uses.

(2) Anytime a structure is located less than six (6) feet from any lot line, the structure must meet fire district requirements for construction as specified in the Building Code.

(3) At no time may maximum height exceed seventy-five (75) feet.

(4) Maximum height at no time shall exceed forty-five (45) feet.

(5) The lot coverage may be 35% on an exterior or corner lot.

(6) Maximum number of stories shall not exceed 2.5.

(7) See Section 601.24 – Setbacks on Corner Lots

(8) In the C-1 Central Business District, canopies may project over the street rights-of-way if they terminate no less than two (2) feet horizontally from the outside edge of the street curb and are no less than eight (8) feet above the surface of a new or existing sidewalk. (Ordinance O-00-126)

(9) No building in the C-1 Central Business District, regardless of the location of the lot lines of the property on which it is to be built, shall be built closer than eight (8) feet from the back of the curb line of any public street abutting the property on which the building is located. This spacing shall be maintained in order to provide adequate space for the required sidewalk to be built along that street frontage. (Ordinance O-00-127)

(10) Structures within the C-3 Zoning District abutting a lot with a single-family or two-family dwelling shall not exceed thirty-five (35) feet in height.

Section 3. The Conway Zoning Ordinance O-94-54, Section 401.5 C and Addendum A to the Conway Zoning Ordinance, Uses Allowed in Various Zoning Districts shall be amended as follows with all other listed uses unchanged:

Zoning Districts

Uses (Permitted - X) (conditional - C)	C-1	C-2	C-3	C-4	O-1	O-2	O-3
1. Commercial							
Duplex/2-Family Dwelling*	X (Ordinance O-01-83)	C	C	C	C		X C
* See Article 601 Special Provisions Conditions Applying to Uses							

Uses (Permitted - X) (conditional - C)	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR	C-1	C-2	C-3	C-4	O-1	O-2	O-3	I-1	RU-1	I-3	A-1	S-1	S-2	TJ
Duplex/ 2 Family Dwelling*		X	X		X	X	X	X	C	X	C	C	C	C		C X					C	X	X

Section 4. The Conway Zoning Ordinance O-94-54. Section 401.9 Institutional Districts, D. Development Criteria shall be deleted.

D. DEVELOPMENT CRITERIA

The following development criteria shall apply to these Zoning Districts unless otherwise specified in this Section.

1. Properties in this District shall be contiguous.
2. Accessory uses shall be permitted only when incidental to primary use.
3. Ingress, egress and service easement provisions shall comply with the City Subdivision Ordinance.
4. ~~For lots that are one acre or more in size and one hundred fifty (150) feet or more in width at the building line, there shall be a twenty five (25) foot landscaped setback parallel to and abutting any boundary street that shall be provided and maintained by the owner with restricted parking allowing no wheeled vehicles.~~

Section 5. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY
Planning and Development

1201 Oak Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayplanning.org

December 6, 2016

MEMO

From: Bryan Patrick

To: Mayor and City Council

The Planning Department would like to amend various sections of the Zoning Ordinance. These amendments are somewhat “housekeeping” changes.

Section 1. Remove C-4 and S-2 Zoning Districts. C-4 becomes C-3. The proposed amending ordinance removes all references to the C-4 (Large Shopping Center) and S-2 (Institutional District). The C-4 zoning district was created in the early 1990s tailored specifically for an indoor shopping mall. Among several nonproductive regulations, there are requirements for large 40 foot setback areas that cannot include any “wheeled vehicle parking”. Regulations such as these create inefficient land use. There is only one area in Conway zoned C-4; the area adjacent to the new Baptist Hospital and car dealerships between I-40 and Harkrider. The limitations of the C-4 zone required the new hospital and one dealership to rezone to O-1 and C-3 respectively, in order to make efficient use of their property. Remaining C-4 properties would be reclassified as C-3 (Highway Shopping District). There will be no lesser degree of development review regulation.

There are no S-2 zoning districts. This is a second institutional zone that was created in 2002. The S-2 zone duplicates the allowed uses of S-1 with the addition of “by right” child care, duplex, hotel, multi-family, and restricted retail. This zoning classification has never been used. No existing property will be affected.

Section 2. Increase allowed height in C-3. The Planning Department feels that development in C-3 zones not abutting single family or duplex uses could have an increased height from 3 stories to 4. This would allow appropriately denser development in high commercial areas such as hotels. The proposed amendment will increase the allowed base height from 35 feet to 45 feet. When abutting single family or duplex uses, the allowed height will remain at 35 feet.

Section 3. Remove duplex by right from O-3. It has come to the Planning Department’s attention that a duplex is allowed “by right” in O-3 (Restricted Office). Allowing a duplex by right in a zone intended for an office use would seem to be contradictory, therefore it is proposed to be removed.

Section 4. Remove Institutional Development Criteria. These development criteria have been superseded by new development review regulations. These criteria were developed in the early 2000s as means to regulate accessory uses and landscaping for hospital areas.



City of Conway, Arkansas
Ordinance No. O-16-_____

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE DEVELOPMENT REVIEW REGULATIONS RELATING TO BUILDING FACADE APPEARANCE AND MATERIALS ; REPEALING ANY ORDINANCES IN CONFLICT:

Whereas, The City of Conway would like to amend existing development review facade requirements to create more aesthetically pleasing commercial structures by requiring the use of more appropriate materials to improve the appearance of new building facades and;

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

Section 1. Conway Zoning Ordinance O-94-54, Section 1101.7 - Development Standards, C. Standards and Concepts for Design and Architecture, 2. Size and Shape is hereby amended as follows:

2. Size and shape

- a. Buildings shall avoid long uninterrupted facade planes and/or blank walls. The facade planes of the exterior walls shall be varied in depth and/or direction.
 - i. The maximum permitted length of an uninterrupted facade plane shall be thirty-five (35) feet for buildings twenty-thousand (20,000) square feet or less.
 - ii. The maximum permitted length of an uninterrupted facade plane shall be fifty (50) feet for buildings greater than twenty-thousand (20,000) square feet.
 - iii. The maximum permitted length of an uninterrupted facade plane shall be one hundred (100) feet for buildings greater than fifty-thousand (50,000) square feet.
 - iv. *Furthermore,* Differing colors (**other than paint**), materials, and textures, when used in concert with one another, may be considered **facade** interruptions *for buildings of this scale.* **In addition to vertical elements such as pilasters, horizontal facade elements are required to create more interesting and pleasing building facades. These horizontal elements can be created through the use of differing textured masonry materials and/or masonry coursing bonds. Contrasting paint changes are strongly encouraged along with differing masonry textures. However, paint variation alone is not sufficient in creating the desired horizontal features.**
 - v. **In addition to the above horizontal elements,** architectural treatments *which* may include, but not be limited to, windows, ~~and~~ doors, pilasters, variations in the roof line or parapet wall, archways, ~~and~~ columns, ~~and~~ building wall recesses, **and wall projections.** These types of treatment shall be used to break up the mass of a single building into distinct components, while continuing to maintain an overall rhythm similar to surrounding buildings.

3. Facade characteristics

- a. Exterior construction materials shall vary in type, form, and color
 - i. Metal siding, when used as the primary sheathing of the facade, is prohibited when visible from the public realm or residential areas. Other forms of metal, when used as an architectural treatment or aesthetic accent, may cover up to twenty percent (20%) of any

facade. **Architectural metal percentages may be increased beyond 20% if the material is shown to be durable, aesthetically pleasing, and a cost equivalent substitute for masonry materials.**

- ii. Masonry shall occupy no less than 51% of any facade of any structure. **Brick or brick like units should be the dominant masonry material. Split face block or other textured concrete CMU block should be used as a base or facade accent. Split face and textured block is limited to no more than 25% of a wall face area. Durable fiber cement board, cast concrete, poured concrete, stone, and cultured stone materials are acceptable masonry materials.**
 - iii. Unpainted, unstained, and/or otherwise untreated precision concrete block **is prohibited. shall not be visible on any part of any exterior facade. Precision concrete block shall be limited to a decorative use only not to exceed 10% of the wall facade area.**
 - iv. All buildings ~~should~~ **shall** have a defined base and cap.
- b. “Franchise architecture” is strongly discouraged. “Branding” a structure makes it difficult, if not impossible, to redevelop into another use.
- i. Site-specific architectural design is desired. Rather than adapting a standard design, floor plans and elevations that are unique to the community and are not a corporate or franchise design, are encouraged ~~by all developments.~~
 - ii. The only franchise identifying feature should be minor facade details, and the company’s logo and signs.
 - iii. Please refer to Paragraphs B, C, and D of the “General Design Guidelines” when making considerations.
- c. To avoid a monolithic appearance, facade design should attempt to break down buildings into smaller sections, with each section varying in type, material, and/or color.
- i. Rear and side facades shall be similar to ~~(but may be more modest than)~~ the primary facade in their architectural treatment ~~when visible from the public realm or adjacent residential areas.~~ **A facade that is out of view from the public realm may use relaxed building standards; however, any visible area shall be “wrapped” to the degree that adjoining wall treatment is carried around the structure’s corner to visibly hide any blank facade.**
 - ii. Blank walls visible from the public realm and residential areas ~~shall not be allowed~~ **are prohibited.** Where blank wall sections are unavoidable due to the requirements of a particular land use or structural needs, they shall receive special design treatments ~~up to at least the finished ceiling height of the first floor building space in order~~ to increase visual appeal and interest. **Methods to decrease blank wall impact include, but are not limited to: lush vegetation in front of the wall (such as a trellis with climbing vines or other planted materials like evergreen trees and shrubs), enhanced decorative masonry patterns, setbacks, projections, indentations, or intervals of material change to break up a wall’s surface. These methods shall be approved through the development review variance process.**
 - 1) ~~Lush vegetation in front of the wall (such as a trellis with climbing vines or other planted materials like trees and shrubs) which cover at least 50% of the blank wall surface.~~
 - 2) ~~Provide a decorative masonry pattern, or other architectural feature, over at least thirty percent (30%) of the blank wall surface.~~
 - 3) ~~Employ small setbacks, projections, indentations, or intervals of material change to break up the wall’s surface.~~
4. ~~Location with respect to natural topography and finish grade elevation.~~

Section 2. Conway Zoning Ordinance O-94-54, Section 1101.7 - Development Standards, P. Special Standards, is hereby amended as follows:

P. Large-Scale (“Big Box”) Retail Developments

- h. Any proposed building elevations that face public streets, whether such elevations function as the front, side, or rear of the building, ~~should~~ **shall** be architecturally detailed to avoid the appearance of being the “back of the building.” Buildings should function as a positive addition to the streetscape.

Section 3. Conway Zoning Ordinance O-94-54, Section 1101.10 - Fees, is hereby amended as follows:

Section 1101.10 – Fees

The Development Review Fee will be calculated for all projects as follows:

\$0.02 per sq. ft. of Lot Coverage Area (LCA): The total square footage of all impervious surfaces on a given site, except the square footage totals from the footprints of any structure which is calculated as part of the gross floor area.

PLUS

\$0.04 per sq. ft. of Gross Floor Area (GFA): The total square footage of all covered floor area on all levels of all structures on a given site.

The minimum fee for Development Review, regardless of project size, shall be \$325.

The maximum fee for Development Review, regardless of project size, shall be \$3250.

A post approval review fee of \$250 shall be required for any developer requested changes to approved development review plans. Requested changes create the need for further review and occupy City staff time. Developers are encouraged to submit complete and accurate plans. This fee is applicable to all approved plans including landscaping plans.

Section 4. That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY
Planning and Development

1201 Oak Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayplanning.org

November 28, 2016

MEMO

From: Bryan Patrick

To: Mayor and City Council

The Planning Department would like to amend the Zoning Ordinance Article 1101 Development Review Standards.

The proposed amending ordinance would modify development review facade requirements to create a more aesthetically pleasing structure on all sides of all commercial structures with the exception of a facade not viewable from the public realm. The use of vertical pilasters is a predominant method used to break up large horizontal walls. These pilasters alone are not a sufficient method as this only provides a vertical element at prescribed distances. Additional horizontal facade elements are needed to create more interesting and pleasing building facades. In addition to vertical pilasters, horizontal elements created through the use of differing textured masonry materials and/or masonry coursing bonds will be required. Paint changes alone are not sufficient in creating the desired horizontal features. Brick or brick like units should be the required dominant masonry material. Precision concrete block will be limited to a decorative use and split face block and other textured concrete CMU block materials will have limited percentages of wall area.

Durable cement board, cast concrete, poured concrete, stone, and cultured stone materials are acceptable masonry materials. Architectural metal percentages may be increased beyond 20% if the material is shown to be durable, aesthetically pleasing, and a cost equivalent substitute for masonry materials.

Also a post-approval review fee of \$250 is proposed. Many times after a project is approved and building permits issued, a developer seeks to change the approved landscaping plan, site plan, lighting plan, or building elevations. Requested changes create the need for further review and occupies City Staff time. A fee could help discourage unnecessary changes to approved plans. Planning Staff wants to see accurate and final plans submitted at the beginning of a project rather than the end.



City of Conway, Arkansas
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 - iii. The maximum permitted length of an uninterrupted facade plane shall be one hundred (100) feet for buildings greater than fifty-thousand (50,000) square feet.
 - iv. *Furthermore*, Differing colors (**other than paint**), materials, and textures, when used in concert with one another, may be considered **facade** interruptions ~~for buildings of this scale~~. **In addition to vertical elements such as pilasters, horizontal facade elements are required to create more interesting and pleasing building facades. These horizontal elements can be created through the use of color or paint, differing textured masonry materials and/or masonry coursing bonds. Contrasting colors and/or paint changes shall be used (except as outlined in the next sentence) along with differing masonry surface treatments or textures. Differing "raised" masonry surfaces in higher value masonry such as brick, stone, or cast stone can be used to create horizontal banding. When using lower value masonry such as split face block or precision block substantially contrasting colors shall be used even with "raised" surfaces or textures. However, color or paint variation alone is not sufficient in creating the desired horizontal features.**
 - v. **In addition to the above horizontal elements**, architectural treatments ~~which~~ may include, but not be limited to, windows, ~~and~~ doors, pilasters, variations in the roof line or parapet wall, archways, ~~and~~ columns, ~~and~~ building wall recesses, **and wall projections**. These types of treatment shall be used to break up the mass of a single building into distinct components, while continuing to maintain an overall rhythm similar to surrounding buildings.

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 - iii. Unpainted, unstained, and/or otherwise untreated precision concrete block is **prohibited. shall not be visible on any part of any exterior facade. Precision concrete block shall be limited to a decorative use only not to exceed 10% of the wall facade area and can only be used in contrasting horizontal bands.**
 - iv. All buildings ~~should~~ **shall** have a defined base and cap.
- b. "Franchise architecture" is strongly discouraged. "Branding" a structure makes it difficult, if not impossible, to redevelop into another use.
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SECTION 4. That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

ADKISSON & WILCOX, LLP

ATTORNEYS AT LAW

FAULKNER COUNTY TITLE BUILDING

711 LOCUST AVENUE

P.O. Box 996

CONWAY, ARKANSAS 72033

TELEPHONE (501) 327-0220

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WILLIAM C. ADKISSON
BEAU WILCOXbill@billadkisson.com
beau@beauwilcoxlaw.com

December 7, 2016

Mayor Tab Townsell
City Council MembersRe: Proposed Amendment to Subdivision Ordinance
To Provide Waiver Allowed In Fire Code

Ladies and gentlemen:

Through Faulkner Properties, Inc., I acquired slightly over sixty acres of land in 1999 which lies along the south right-of-way of Highway 319 leading to the Cadron Settlement Park along the Arkansas River. Soon after buying it we annexed this property, as well as additional land over Cadron Ridge to the south which runs to Tyler Street extended, into the city limits of Conway. On June 17, 2005, we had the property lying north of Cadron Ridge surveyed into 12 tracts of 5-6 acres, although no plat has been recorded. We have sold three five-acre tracts, and still own roughly 48 acres.

Unbeknownst to us at the time, the Conway City Council passed ordinance #0-05-75 on June 28, 2005, eleven days after we had the lots surveyed. This ordinance was recorded on July 22, 2005 in the Faulkner County Circuit Clerk's office as Doc#2005-15834. The title to the ordinance indicated that it amended the subdivision ordinance to bring the city in compliance with the Arkansas State Fire Code. Among other things, it provides that all subdivisions shall be provided with a water supply approved by Conway Corporation and the State Health Department, and designed to meet water consumption and fire protection requirements. It further provides that a fire hydrant shall be installed by the subdivider so that the furthest point of a residential lot is no more than 600 feet from the nearest fire hydrant. My understanding is that the city is implementing this fire hydrant requirement by refusing to issue a building permit to any land which does not comply with this ordinance. As a result of this ordinance, no building permits may be issued to any of the property in question.

In an effort to comply with this requirement, we have gotten bids from Conway Corporation for the cost of running water lines and fire hydrants to serve this property. The most recent quote a couple of years ago was roughly \$500,000. None of the other landowners who might benefit from the water line have an interest in sharing this expense. Since the cost for a single property owner is prohibitive, the development of this land has stalled. We have had several dozen inquiries from prospective purchasers of the property, but upon learning of the effect of the ordinance, no one is willing to buy since they cannot build a home or other structure.

The 2012 International Fire Code adopted by the State of Arkansas provides, in section 104.8, as follows:

Whenever there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided the fire code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention.

I have met with the fire chief and fire marshall in an effort to obtain some relief from this code requirement since the application of the "strict letter" of the code is clearly impractical for the useful development of this property. However, we have been unable to arrive at a solution. Accordingly, I ask the council to amend the ordinance to allow a modification, as set forth in the fire code above, since it currently does not allow that leeway. The wording could be the same as set forth above from the Fire Code. I would further ask that the amendment exclude tracts of land of five acres or more in size from the requirement of an approved water supply and fire protection where it is impractical economically to obtain municipal water. My wife and I live just over the hill to the south in a home built in 2004, prior to the adoption of the amendment to the ordinance. We have a serviceable water well and septic system which meet the requirements of the Arkansas Health Department, and do not "lessen health, life and fire safety requirements", citing from the fire code above, as do dozens of our neighbors and thousands of landowners in Faulkner County.

While the International Fire Code applies to all areas of the State of Arkansas, since it has been adopted statewide, the code is not being enforced outside the city limits of Arkansas cities to prohibit the issuance of building permits. Were it to be enforced, building construction would come to an immediate halt.

We formerly lived in and later developed the Audubon Place Subdivision at the corner of Prince and College Avenues. We installed both water and sewer for that development, and certainly enjoyed those amenities. While it is not a choice we wish to make, if the council is unable to amend the ordinance to allow some relief from this onerous fire code requirement as it applies to this land, we will need to ask the city to detach or de-annex the area in question from the city limits of the City of Conway.

Enclosed for your review are the following:

(1) Aerial photograph reflecting the land in question identified in red;

(2) Surveys reflecting the layout of the 12 lots in question;

(3) Section 104.8, entitled "Modifications" from the 2012 International Fire Code adopted by the State of Arkansas.

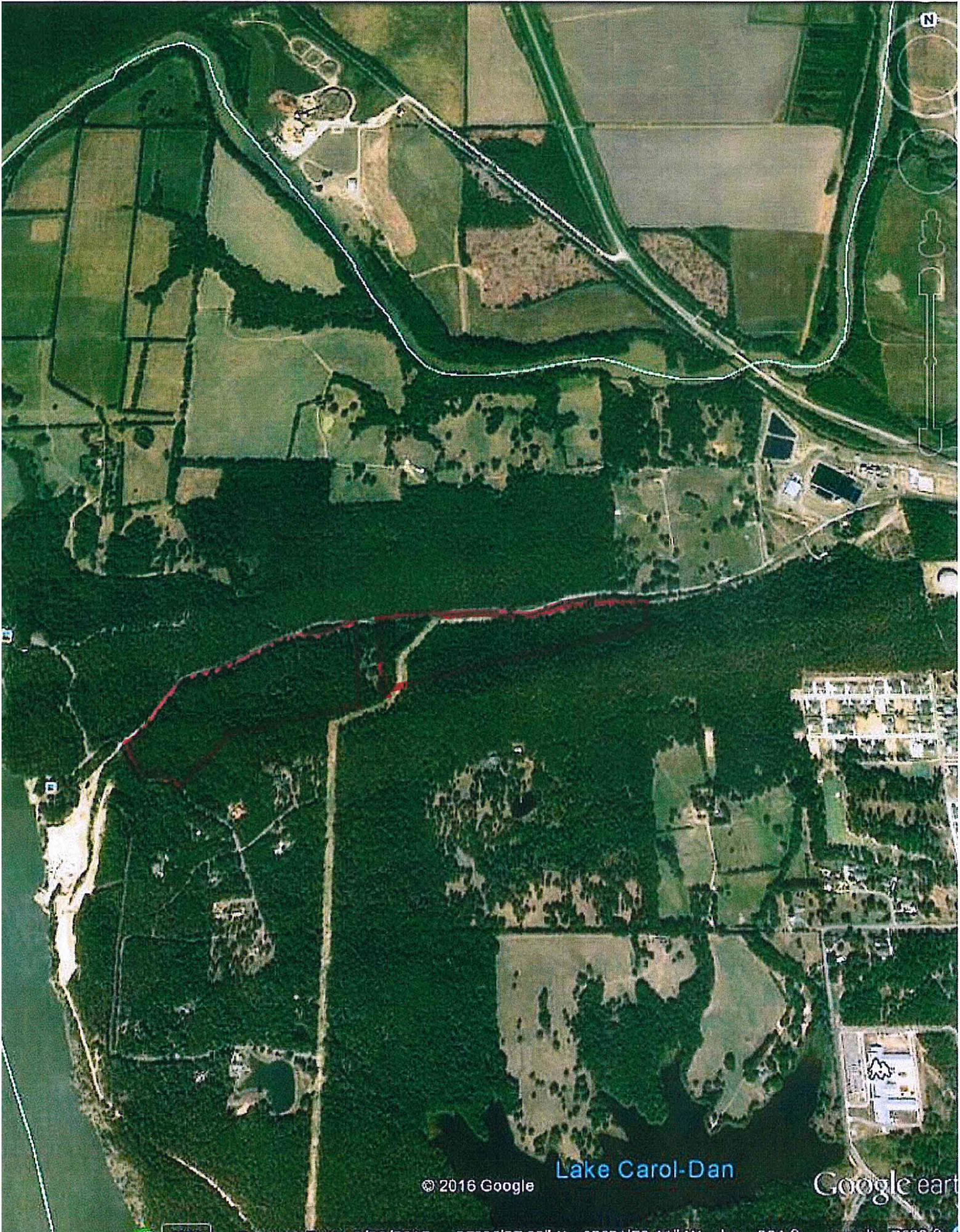
(3) City of Conway Ordinance No. 0-05-75. Section 7 contains the applicable language with the water service and fire hydrant requirements.

We would appreciate your consideration of this request.

Sincerely,



William C. Adkisson



N

Lake Carol-Dan

Google earth

© 2016 Google

4894 Imagery Date: 8/20/2015 25°05'27.02" N 92°21'59.11" W elev 384 ft eye alt 7639 ft

such fires and the damage caused thereby, together with other information as required by the *fire code official*.

[A] **104.6.4 Administrative.** Application for modification, alternative methods or materials and the final decision of the *fire code official* shall be in writing and shall be officially recorded in the permanent records of the *fire code official*.

[A] **104.7 Approved materials and equipment.** All materials, equipment and devices *approved* by the *fire code official* shall be constructed and installed in accordance with such approval.

[A] **104.7.1 Material and equipment reuse.** Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and *approved*.

[A] **104.7.2 Technical assistance.** To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the *fire code official*, the *fire code official* is authorized to require the *owner* or agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *fire code official* and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The *fire code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

[A] **104.8 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the *fire code official* shall have the authority to grant modifications for individual cases, provided the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention.

[A] **104.9 Alternative materials and methods.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. The *fire code official* is authorized to approve an alternative material or method of construction where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety.

[A] **104.9.1 Research reports.** Supporting data, when necessary to assist in the approval of materials or assem-

blies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] **104.9.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *fire code official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *fire code official* shall approve the testing procedures. Tests shall be performed by an *approved* agency. Reports of such tests shall be retained by the *fire code official* for the period required for retention of public records.

[A] **104.10 Fire investigations.** The *fire code official*, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record, except as directed by a court of law.

[A] **104.10.1 Assistance from other agencies.** Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

[A] **104.10.2 Report of fire fatalities.** Fire departments responding to fires resulting in a fatal injury shall report in writing such fatalities to the State Fire Marshal's Office within 3 (three) business days of the occurrence.

[A] **104.10.3 Fire reports submitted to Arkansas Fire Academy.** Fire departments responding to fires within their jurisdiction shall, by the 15th of the month following the occurrence of the fire, furnish to the Arkansas Fire Academy (AFA) for the National Incident Fire Reporting System (NFIRS), information about the fire, on forms provided by and approved by the Arkansas Fire Academy.

[A] **104.10.4 Changes in fire department information.** All fire departments shall submit, on or before June 30th of each year, the name of the officer in charge, the mailing address and electronic mailing address, telephone and facsimile numbers of the fire department and other information to the State Fire Marshal's Office on a form provided by the State Fire Marshal's Office. Any change in the pertinent information during the year shall be sent to the State Fire Marshal's Office in writing no later than thirty (30) days after the change occurs.

[A] **104.10.5 Reports of fireworks accidents.** Accidents involving fireworks resulting in death, serious injury or major property damage shall be reported immediately to the State Fire Marshal's Office by the responding fire or police department or the holder of a fireworks license or public display permit.

[A] **104.11 Authority at fires and other emergencies.** The fire chief or officer of the fire department in charge at the scene of a fire or other emergency involving the protection of

City of Conway

016025

Doc#2005- 15834

Date 07/22/2005

11:43:35 AM

Filed & Recorded in

Official Records of

Faulkner County

SHARON KIMBER

CLERK

1994-2008

2577734
\$ 2300

ORDINANCE NO. O-05-75

AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE O-00-03 ADOPTED JANUARY 25, 2000 TO BRING SAID ORDINANCE INTO COMPLIANCE WITH THE ARKANSAS STATE FIRE CODE, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

Whereas, the City of Conway wishes to maintain uniformity in it's adopted regulations and be in compliance with applicable State Codes, and

Whereas, the City of Conway wishes to maintain safe residential and commercial development:

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

Section 1: That Article IV. Access, Section 4, ¶ 1, be revised as follows:

Every subdivision shall be served by a publicly dedicated street and every lot or parcel within a subdivision shall have direct access to a publicly dedicated street, or in the case of a PUD, access to a public street by means of a private street, or in the case of lots in C-1, C-3 and O-1 zoning districts, access to a public street by means of a dedicated access easement. In no case shall a lot be permitted where the lot is fronted by a stub-out or street termination. In such cases, dead-end fire apparatus turnarounds shall be provided. All lots shall front on public streets except for PUDs where private streets may prevail subject to Planning Commission approval and except for lots in C-1, C-3 and O-1 zoning districts, where access to a public street may be established through a dedicated access easement. (Ordinance O-00-154)

Section 2: That Article IV. General Design Principles, Section 5. Subdivision Design Standards, A. Streets, (8) Cul-de-sac Streets ¶ b., d., and e be rewritten with the below figures and tables added.

b. 3. Any cul-de-sac over 750 feet must have fire department approval.

d. An acceptable turnaround shall be provided at the end of all permanent dead-end streets exceeding 150 feet in length. Turnarounds for residential and commercial streets shall conform to dimensions and requirements shown in Figure A, Table 1, and Table 2. A 96 foot diameter cul-de-sac requires a 120-foot right-of-way. Measurements assume back of curb to back of curb for a roll curb.

Figure A

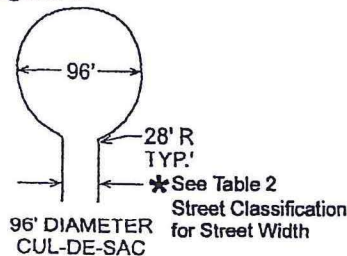


Figure B

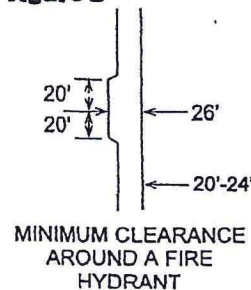


Table 1 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20*	None required
151-500	20*	96-foot-diameter cul-de-sac in accordance with Figure A
501-750	26*	96-foot-diameter cul-de-sac in accordance with Figure A
Over 750		Special approval required

* Minimum fire apparatus widths see table 2 for required public street widths

e. In the case of temporary dead-end streets, *less than 150 feet in length*, which are stub streets designed to provide future connections with unsubdivided adjacent areas, the Planning Commission may require a temporary easement for a turnaround of the type discussed above. *No building permit may be issued for lots with sole frontage on a stub out or at the end of a stub out without an approved turnaround.*

Section 3: That Article IV. General Design Principles, Section 5. Subdivision Design Standards, A. Streets, (10) a. and d., be amended as follows:

a. Street intersections shall be laid out as nearly at right angles as possible. The centerline of no more than two streets shall intersect at any one point. No intersection shall be at an angle of less than seventy-five (75) degrees and where collector and arterial streets intersect other collector or arterial streets, the curb radii at the intersection shall not be less than thirty-one and one-half (31 ½) feet. Where residential streets intersect with other residential, collector or arterial streets, the curb radii at the intersection shall not be less than ~~twenty-five (25)~~ *twenty-eight (28) feet.*

d. Property line corners at street intersections shall be rounded with a radius of at least ~~twenty-five (25)~~ *twenty-eight (28) feet.*

Section 4: That Article IV. General Design Principles, Section 5. Subdivision Design Standards, A. Streets, (11) Table 1 Street Classifications, be amended as shown in the table below:

**TABLE 4 2
STREET CLASSIFICATION & DESIGN STANDARDS
CITY OF CONWAY**

DESIGN STANDARD(1)(6)(10)	MAJOR ARTERIAL	MINOR ARTERIAL	COLLECTOR	RESIDENTIAL COLLECTOR	RESIDENTIAL	MINOR RESIDENTIAL
Approximate Design Speed	50 mph	40 mph	30 mph	25 mph	25 mph	20 mph
Maximum Grade (%)	8%	9%	10%	10%	12% 10% (8)	15% 10% (8)
Minimum Right-of-Way(2)	100'	80'	60'	60'	50'	50'
Minimum Street Width(3) (back to back of curb)	60' (5)	48' (5)	36'	36'	27'	24' (9)
Minimum Sight Distance (at crest of vertical curve)	475'	325'	200'	200'	150'	110'
Minimum Horizontal Radius at Centerline (normal crown)	1,400'	900'	450'	200'	50'	50'
Minimum Horizontal Tangent Distance Between Reverse Curves	400'	300'	200'	50'	50'	—
Sidewalks (4)	both sides	both sides	both sides	both sides	none (7)	none (7)

SUPER ARTERIAL

The specific design standards for this classification are to be determined on a road-by-road basis, dependent upon the specific needs of the road. It is anticipated that the design standards will be of a higher standards than a major arterial, but of a lower standard than for an interstate or expressway.

- (1) Except for existing streets in the C-1 Central Business District, all streets within industrial, commercial and office zones must meet requirements for collector streets and above. Streets within commercial and office zones shall not utilize the reduced standards in footnote 3. (Ordinance O-00-124) In the C-1 Central Business District, no additional right-of-way dedication that would encompass any existing buildings is required during the replat or subdivision process. (Ordinance O-01-06)
- (2) For subdivisions and replats utilizing the street widths in footnote 3, an additional ~~ten (10) feet of right-of-way~~ five (5) feet of drainage easement is required on each side of the street right-of-way to accommodate open ditches. (Ordinance No. O-01-35)
- (3) For subdivisions and replats ~~outside the city limits but within the territorial jurisdiction, and where each lot is one hundred fifty (150) or more feet in width at the building line and for subdivisions and replats within the city limits where each lot is 200 feet or more in width at the building line,~~ and where each lot accommodates no more than one dwelling unit, the minimum street width is reduced four (4) feet, a three (3) foot compacted gravel shoulder is required on each side, no curbs or gutters are required and open ditches are allowed. No further subdivision creating lots less than the minimums in this footnote and no density greater than one dwelling unit per lot shall occur without improving the entire length of the streets to the minimum requirements for narrower lots. (Ordinance No. O-02-80) (O-04-37)
- (4) For subdivisions and replats utilizing the street widths in footnote 3, no sidewalks are required.
- (5) Developers are responsible for the cost of the first 36 feet of these streets. The City of Conway will be responsible for the cost of any additional width of streets should the City choose to have a wider street built. The City may choose to build or have built a lesser width than that shown in this table for major and minor arterial streets, but no less than 36 feet, except when the first phase of a four lane or greater roadway is being built.
- (6) For subdivisions and replats that abut collectors, minor arterials and major arterials, the lots shall be configured to reduce the potential number of curb cuts on those streets to the minimum reasonable number.
- (7) While sidewalks are not required on residential and minor residential streets, they are encouraged.
- (8) *Grades up to 12 % for residential and 15% for minor residential require approval by the Fire Chief and Planning Commission.*
- (9) *Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant. See Figure B.*
- (10) *Minimum clearance of twenty(20) feet must be provided on each side of an island within street right of way. Right of way must extend ten (10) feet beyond outside curbs where islands are used.*

Section 5: That Article IV. General Design Principles, Section 5. Subdivision Design Standards, F. Streets, ¶ (1), be amended as follows:

(1) Every lot shall abut upon a public street except where private streets are explicitly approved by the Planning Commission in Planned Unit Developments or where lots in C-1, C-3, or O-1 zoning districts are explicitly approved by the Planning Commission, with access to a public street by way of a dedicated access easement. *In no case shall a lot be permitted where the lot is fronted by a stub-out or street termination. In such cases, dead-end fire apparatus turnarounds shall be provided.* The shape of residential lots shall conform to the design of the subdivision. The Planning Commission shall judge lot shapes on the type of development and the use for which the lot is intended. (Ordinance O-00-154)

Section 6: That Article IV. General Design Principles, Section 6. Access Requirements, ¶ (1) (2), be rewritten as follows:

(1) Single Family and Two Family Access Requirements:

The maximum number of single-family and two-family residential units served by a single access shall be thirty (30). For more than thirty (30) living units, there shall be no fewer than two (2) separate and approved fire apparatus access roads. These two access roads shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. For more than two hundred (200) living units, three (3) access routes must be provided. Two access roads must meet the above separation requirements, the third access must be no less than 200 feet from any other access, measured from centerline to centerline of street rights-of-way.

(2) Multi Family Access Requirements:

Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the International Fire Code.

Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

The number of dwelling units on a single fire apparatus road shall not be increased unless fire apparatus access roads will connect with future development, as determined by code official.

Section 7: That Article V Improvements, Section 5, Water Supply, ¶ (1), be amended as follows:


All subdivisions containing more than 4 lots within the corporate limits shall be provided with a water supply and a distribution system approved by the Conway Corporation and meeting the requirements of the State Health Department. The water supply and distribution system shall be designed to provide the anticipated water consumption within the subdivision including fire protection. Recognized engineering design criteria shall be used to design the system. Fire hydrants shall be installed by the subdivider and shall be located so as to adequately protect each lot within the subdivision. Fire hydrant location shall be approved by the Conway Corporation and shall be placed so that *the furthest point of a lot in a residential subdivision is no more than 900 600 feet from the nearest hydrant on the same street. Fire Hydrants shall be placed so that the furthest point of a lot in a commercial subdivision is more than 400 feet from the nearest hydrant located on the same street.* The Planning Commission may require other appropriate spacing in commercial and/or industrial subdivisions.

Section 8: That any ordinances or parts of ordinances in effect at the time of the passage of this ordinance that are in conflict with this ordinance are repealed to the extent of the conflict.

Section 9: That this ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance will be in full force and effect from and after its passage and approval.

PASSED this 28th day of June 2005.

APPROVED:



Mayor Tab Townsell

ATTEST:


City Clerk Michael O. Garrett



City of Conway, Arkansas
Ordinance No. O-16- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 260 HWY 65 NORTH FROM A-1 TO C-2:

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 W 1/2 NE 1/4 of Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as follows: Commencing at a found 5/8" rebar at the SW corner of said W 1/2 NE 1/4; thence along the West line of said W 1/2 NE 1/4 N01°45'05"E 1757.40 feet to a found 1/2" rebar (APLS #1243) at the point of beginning; thence continuing along said West line N01°45'05"E 187.30 feet to a found 3/4" pipe on the South right of way of State Hwy 65 N47°19'00"E 264.76 feet to a found 3/8" rebar; thence leaving said right of way S36°47'33"E 56.99 feet to a found 1/2" rebar (APLS #1243); thence N88°16'08"W 224.40 feet to the point of beginning containing 1.50 acres more or less. Reserving the West 60.00 feet for public road and utility easement purposes. Subject to all roadways, easements and reservations that are of record or physically in place.

to those of **C-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 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



1201 OAK STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Mark Lewis, 2016 Planning Commission Chairman
Date: November 22, 2016

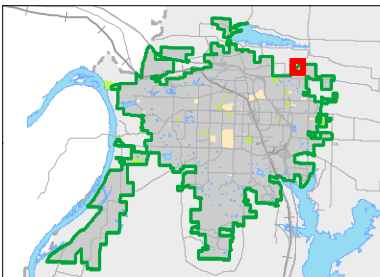
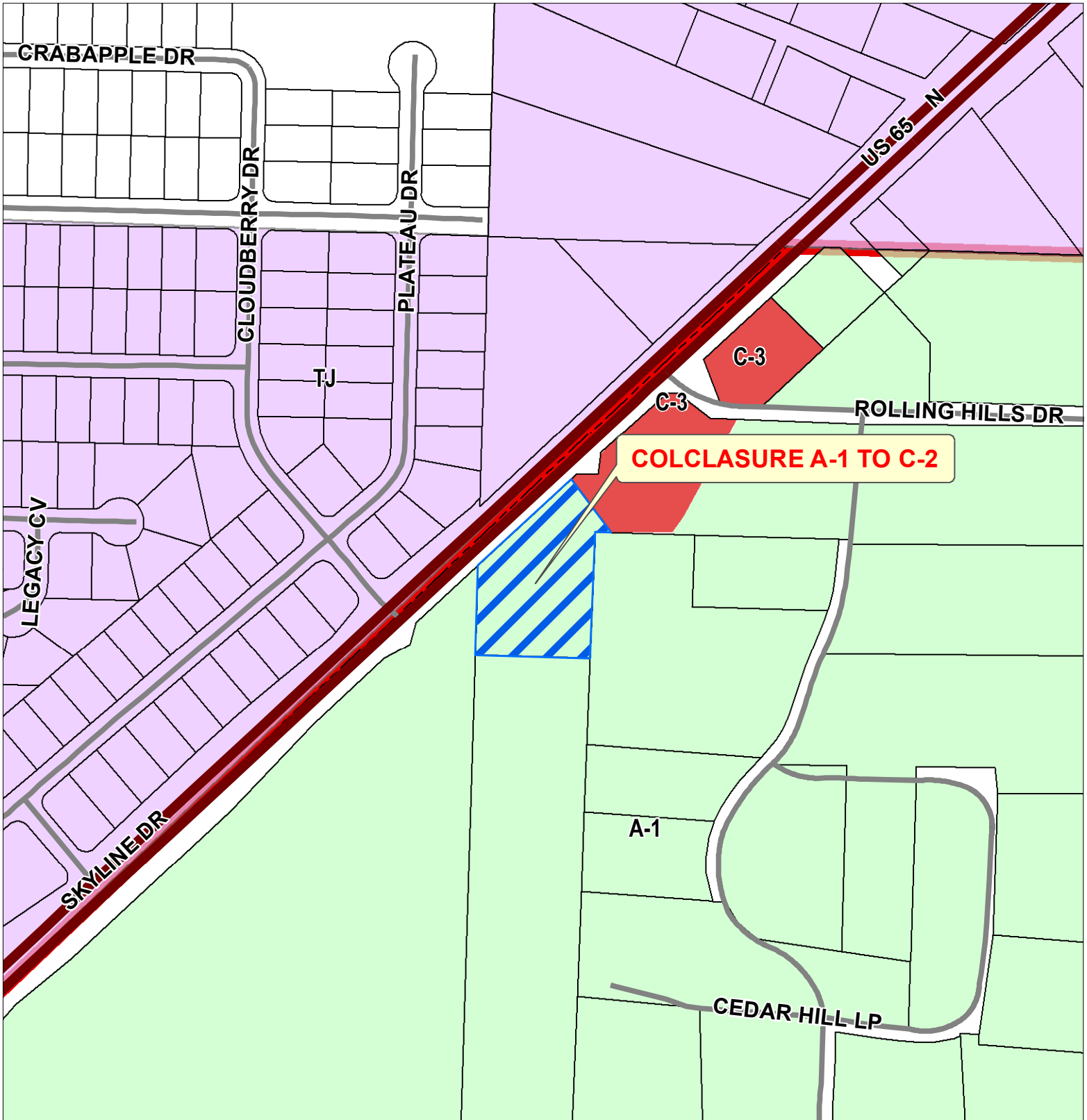
Re: Request to rezone property located at 260 Hwy 65 N from A-1 to C-2

A request to rezone property from A-1 (Agricultural) to C-2 (Neighborhood Commercial), property located at 265 Hwy 65 N with the legal description:

Being a part of the W 1/2 NE 1/4 of Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as follows: Commencing at a found 5/8" rebar at the SW corner of said W 1/2 NE 1/4; thence along the West line of said W 1/2 NE 1/4 N01°45'05"E 1757.40 feet to a found 1/2" rebar (APLS #1243) at the point of beginning; thence continuing along said West line N01°45'05"E 187.30 feet to a found 3/4" pipe on the South right of way of State Hwy 65 N47°19'00"E 264.76 feet to a found 3/8" rebar; thence leaving said right of way S36°47'33"E 56.99 feet to a found 1/2" rebar (APLS #1243); thence N88°16'08"W 224.40 feet to the point of beginning containing 1.50 acres more or less. Reserving the West 60.00 feet for public road and utility easement purposes. Subject to all roadways, easements and reservations that are of record or physically in place.

was reviewed by the Planning Commission at its regular meeting on November 21, 2016. The Planning Commission voted 9-0 that this request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



DESCRIPTION

**REZONING
COLCLASURE
A-1 TO C-3**

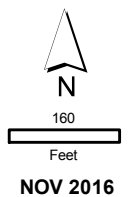
260 HWY 65 NORTH

1.633 ac

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			
Commercial		Office	
C-1	O-1		
C-2	O-2		
C-3	O-3		
C-4			
Special			
	SP		
	S-1		
	A-1		
	PUD		
	TJ		



**City of Conway
Planning & Development**
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(501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Mark Lewis, 2016 Planning Commission Chairman
Date: November 22, 2016

Re: Conditional Use Permit request to allow restricted retail at 655 Dave Ward Drive, Suite 102

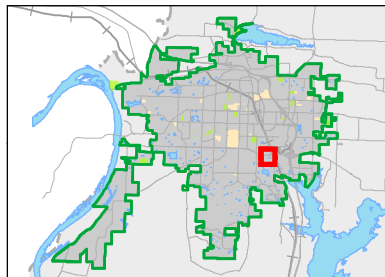
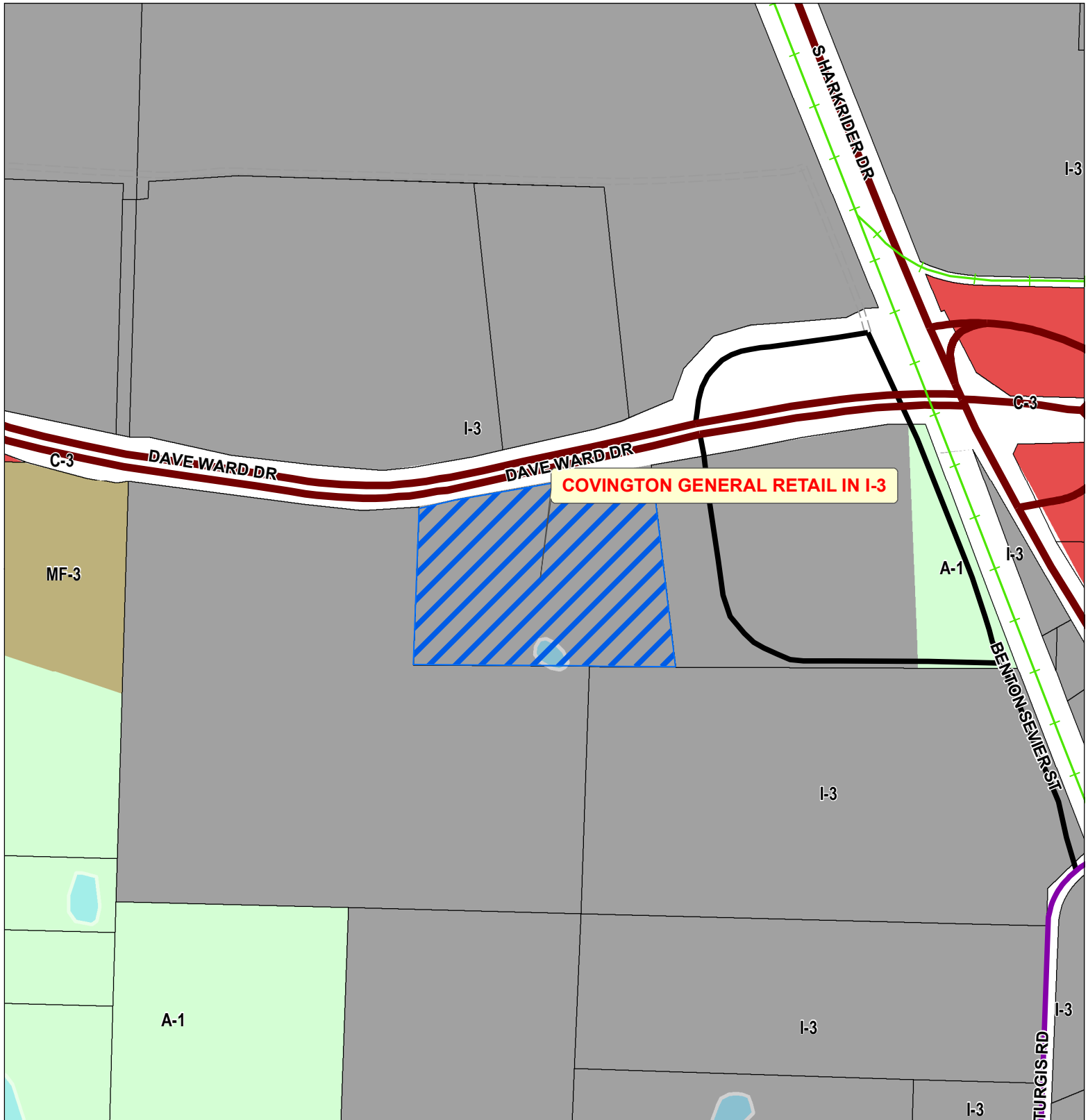
A request for a Conditional Use Permit to allow restricted retail for property zoned I-3, Intensive Industrial District, located at 655 Dave Ward Drive, Suite 102 with the legal description:

Part of the SW 1/4 of Section 18, T-5-N, R-13-W, Faulkner County, Arkansas being more particularly described as follows: Commencing at a found 1" pipe for the SE corner of the SW 1/4 SW 1/4 of said Section; thence along the west line of said SW1/4 SW 1/4 N01°27'05"E 707.27'; thence N89°32'00" W 487.65' to a set of 1/2" rebar w/ cap (1363) being the point of beginning; thence N01°57'45" 442.75' to a set 1/2" rebar w/ cap (1363) being on the south R/W of Dave Ward Drive; thence along said south R/W N77°16'37"E 91.35' to a set 1/2" rebar w/ cap (1363); thence N77°37'46"E 13.34' to a set 1/2" rebar w/ cap (1363); thence N80°07'11"E 11.11' to a set 1/2" rebar w/ cap (1363); thence N80°07'11"E 379.89' to a set 1/2" rebar w/ cap (1363); thence N80°02'15"E 76.71' to a set 1/2" rebar w/ cap (1363); thence S83°15'48"E 52.20' to a set 1/2" rebar w/ cap (1363); thence N80°02'15"E 46.24'; thence leaving said south R/W S06°47'36"E 557.66'; thence N89°32'00"W 741.42' to the point of beginning, containing 8.17 acres more or less.

was reviewed by the Planning Commission at its regular meeting on November 21, 2016. The Planning Commission voted 9-0 that this request be forwarded to the City Council with a recommendation for approval with the following conditions:

1. Use is limited to a jewelry store and jewelry fabrication (business expansion is allowed).
2. Conditional Use Permit only applies to Suite 102 of the building located at 655 Dave Ward Drive.

Please advise if you have any questions.



DESCRIPTION
CONDITIONAL USE PERMIT
RETAIL IN I-3
COVINGTON PROPERTIES
655 DAVE WARD DR

8.165 ac

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			
Commercial		Office	
C-1	O-1		
C-2	O-2		
C-3	O-3		
C-4			
Special			
	SP		
	S-1		
	A-1		
	PUD		
	TJ		

City of Conway
Planning & Development

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220
Feet

NOV 2016



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(501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Mark Lewis, 2016 Planning Commission Chairman
Date: November 22, 2016

Re: Conditional Use Permit request to allow non-residential uses at 294 Hwy 65 North

A request for a Conditional Use Permit to allow non-residential uses for property located at 294 Hwy 65 North with the legal description:

Part of the SE 1/4 SE 1/4 of Section 29, T-6-N, R-13-W, Faulkner County, Arkansas, described as beginning at the SE corner of said SE 1/4 SE 1/4; thence run North 1227.35' to a point 99.0' south of the NE corner of said SE 1/4 SE 1/4; thence S89°59'36"W 422.9 feet; thence S00°03'49" W 404.68 feet; thence S89°44'03" W 673.38 feet to the east right of way of U.S. Hwy 65; thence S47°23'04" W along said right of way 232.42 feet; thence S17°23'04" E along the west line of a 15' road and utility easement, 246.15 feet; thence N89°46'36" E 817.35 feet to the point of beginning, containing 22.94 acres more or less.

was reviewed by the Planning Commission at its regular meeting on November 21, 2016. The Planning Commission voted 9-0 that this request be forwarded to the City Council with a recommendation for approval with the conditions listed below. The City Council will consider this request at their regular meeting December 13, 2016 at 6:30 pm. Please have a representative present at the meeting to answer any questions that may arise.

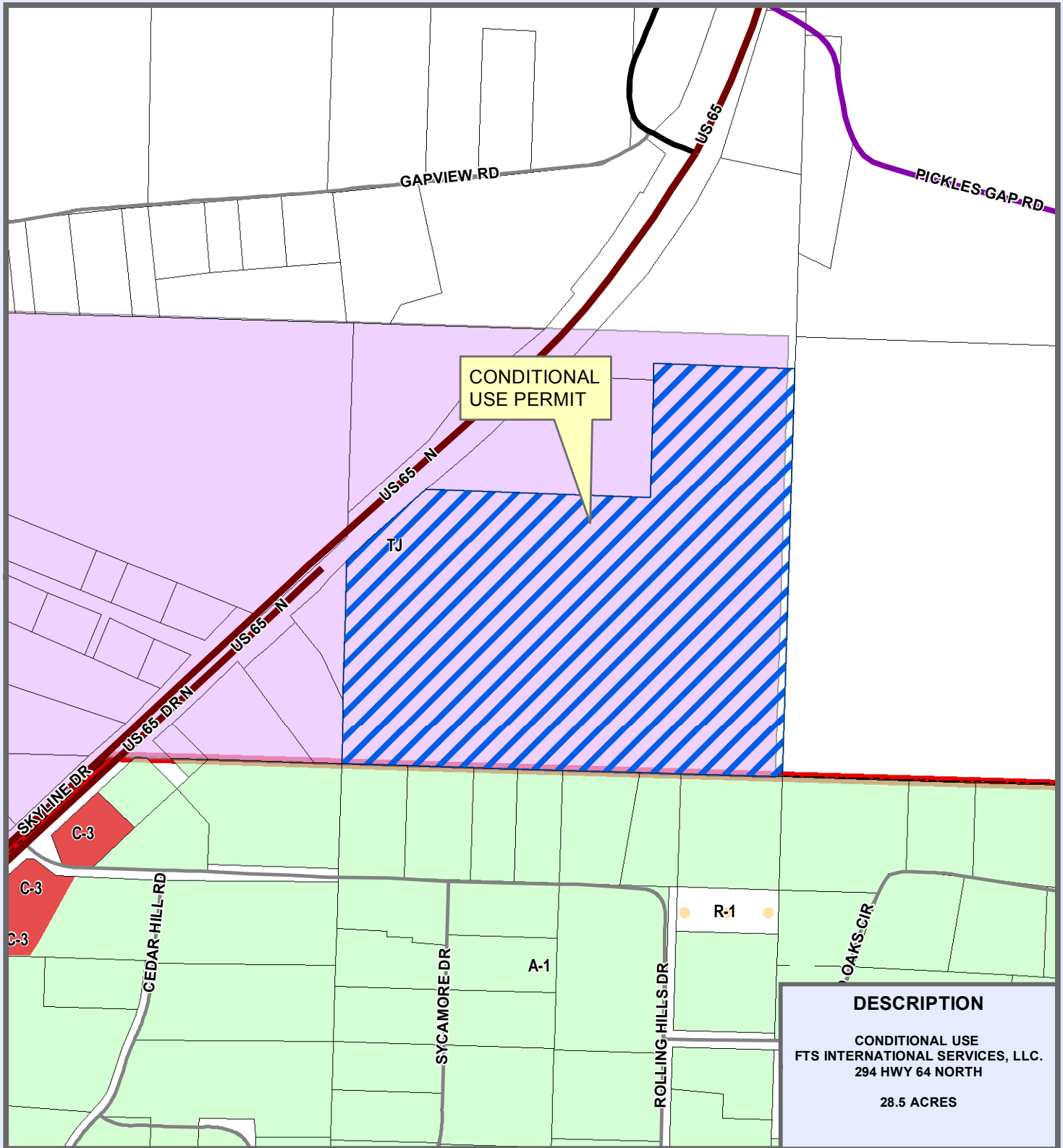
Conditions:

1. Hours of operation for commercial uses are limited to 6 am to 6 pm, Monday through Friday and 8 am to 6 pm on Saturdays except in cases of emergencies. Church hours are not limited.
2. Lighting must be inward, downward, and shrouded with cut off fixtures meeting development review standards. No lights shall intrude on abutting residential property.
3. Uses are limited to those requested; church, bucket truck assembly; and environmental services, incorporating attached *Exhibit C*.
4. Allowed uses shall be in specified areas as shown on submitted lease area map.
5. Church entity may change. Commercial business entities may not change without amending conditional use permit.

Please advise if you have any questions.

CITY OF CONWAY

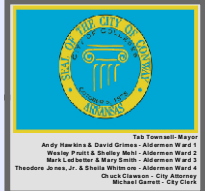
FTS INTERNATIONAL SERVICES, LLC. --- CUSE



DESCRIPTION

CONDITIONAL USE
 FTS INTERNATIONAL SERVICES, LLC.
 294 HWY 64 NORTH

28.5 ACRES



INTERSTATE	LOT LINE
MAJOR ARTERIAL	STREAMS
MINOR ARTERIAL	LAKES & PONDS
COLLECTOR	CITY LIMITS
RESIDENTIAL	PRIVATE ROAD
INTERSTATE RAMP	RAILROADS

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			
Commercial		Special	
C-1	O-1	SP	
C-2	O-2	S-1	
C-3	O-3	A-1	
C-4		PUD	
		TJ	



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CONTACT INFORMATION
 WWW.CONWAYPLANNING.ORG/CIS
 E-MAIL: Jason.Lyon@CityOfConway.org



Church

Momar
Ramco

Altec

Possible
Additional
Building

Altec

Momar
Ramco



CITY OF CONWAY
Planning and Development

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Conway, AR 72032

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HART PLACE ADDITION PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN 221-225 East German Lane

Meg Lynn “Toby” Hart - Applicant

**The Conway City Council approved Hart Place PUD on August 24, 1999 (#O-99-76);
Amended December 13, 2016**

Legal Description:

[Per Hart Place PUD Replat, June 14, 2013]

Hart Place PUD Replat of Lot 1 Hart Place Addition, less and except Lot 1B, as shown in Plat Book L, Page 153 in the Records of Faulkner County, Arkansas containing +/- 16.74 acres.

[Per Hart Place PUD, March 20, 2001]

The East 1/2, Southeast 1/4, Southeast 1/4, Section 8, T-5-N, R-13-W, Faulkner County, Arkansas containing 20.59 acres +/-.

Allowed Uses:

1. Boarding or training animals
2. Public stable
3. Child care facility
4. College, junior college, professional school, public school, or equivalent private school.
5. Community day camp
6. Nursery or daycare center
7. Nursery school
8. Park, playground, or tot lot
9. Private school, kindergarten, or institution for special education
10. Religious activities
11. Private or public elementary school
12. School facilities
13. Private beauty school or commercial art school
14. Private or public secondary school
15. Commercial trade or craft school
16. Studio art, drama, speech, dance, and music ceremonies
17. Public swimming pool
18. Public tennis court
19. All permitted uses in A-1 zoning district

20. Commercial recreational facility
21. Boarding or rooming children (maximum 15)
22. Dance and gymnastics lessons (ballet, tap, jazz, pointe, ballroom, country western dance, modeling and pageant preparation, clogging)
23. Dance and horseback birthday parties
24. Cotillion classes
25. Overnight dance and horseback camps
26. Workshops and clinics
27. Meetings
28. Childcare
29. Competitions
30. Dances
31. Class reunions
32. Receptions and weddings
33. Company parties and picnics
34. Animal shows (i.e. horse and dog shows)
35. Recreation and games (i.e. volleyball, pony rides, etc.)
36. Horseback riding lessons, trail rides, and leisure rides
37. Competitive horse shows and rodeo training
38. Boarding and animal training
39. Weenie roasts
40. Hay rides
41. Field Trips for schools and churches
42. Family reunions
43. Paddlesports and related trailer retail sales (*amended to include on December 13, 2016*)

Lot, Yard, and Height Requirements:

All construction must comply with A-1 zoning district lot, yard and height regulations.

Studio Building and Parking:

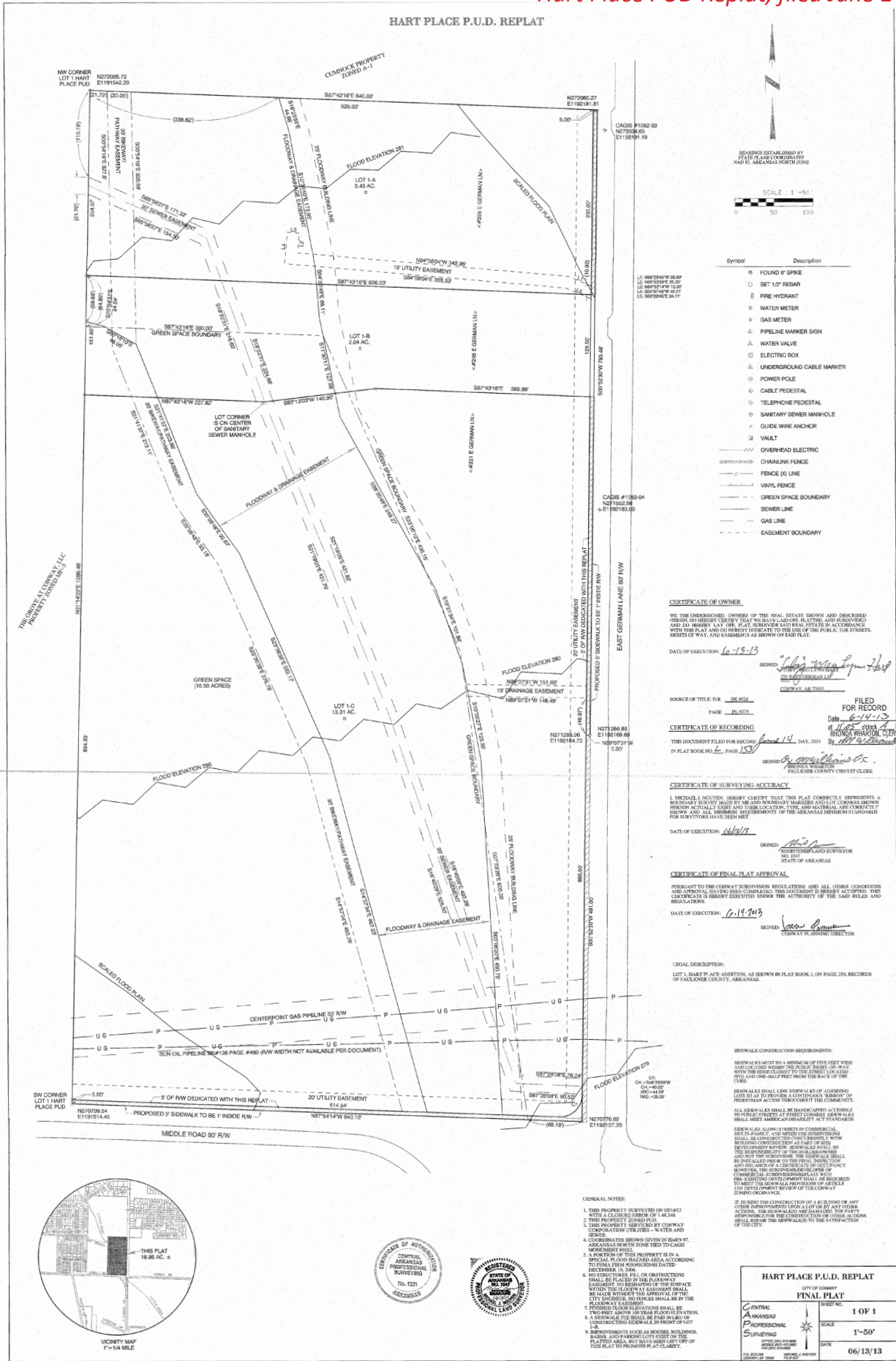
The studio will be a one-story building that may be constructed in phases. This building will occupy no more than the area shown on the final development plat and will be located within the building footprint shown on the plat.

Parking will be located within the potential parking area shown on the final development plat. At a minimum, one parking space will be provided for each 400 square feet of building area.

Without amendment, no other new buildings or parking will be constructed on this PUD outside of the designated areas. However, other recreational facilities may be constructed to accommodate allowed uses.



Bryan C. Patrick
Director of Planning and Development



Symbol	Description
○	FOUND IR SPIKE
○	SET 1/2" PEARL
⊕	FIRE HYDRANT
⊕	WATER METER
⊕	GAS METER
⊕	PIPELINE MARKER SIGN
⊕	WATER VALVE
⊕	ELECTRIC BOX
⊕	UNDERGROUND CABLE MARKER
⊕	POWER POLE
⊕	CABLE PEDESTAL
⊕	TELEPHONE PEDESTAL
⊕	SANITARY SEWER MANHOLE
⊕	GUIDE WIRE ANCHOR
⊕	VAULT
⊕	OVERHEAD ELECTRIC
⊕	CHAINLINK FENCE
⊕	FENCE 60' LINE
⊕	VINYL FENCE
⊕	GREEN SPACE BOUNDARY
⊕	SEWER LINE
⊕	GAS LINE
⊕	EASEMENT BOUNDARY

CERTIFICATE OF OWNER
 WE THE UNDERSIGNED OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY CERTIFY THAT WE HAVE LAYED OUT PLATS AND SUBDIVISIONS AND DO HEREBY LAY OUT PLAT, SUBDIVISIONS AND REAL ESTATE IN ACCORDANCE WITH THE PLAT AND DO HEREBY HERETO TO THE USE OF THE PUBLIC, THE STREETS, RIGHTS OF WAY, AND EASEMENTS AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: 6-15-13
 SIGNED: [Signature]
 COUNTY ASSESSOR

SOURCE OF TITLE: D.R. BK 6054
 PAGE 181-187
 FILED FOR RECORD
 DATE: 6-14-13
 COUNTY CLERK

CERTIFICATE OF RECORDING
 THIS DOCUMENT FILED FOR RECORD June 14 DAY, 2013
 IN PLAT BOOK NO. 18 PAGE 183
 SIGNED: [Signature]
 COUNTY CLERK

CERTIFICATE OF SURVEYING ACCURACY
 I, MICHAEL J. MCNEELY, SURVEYOR, CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND NEARBY MARKERS AND LINES SHOWN HEREON ACCURATELY LOCATE AND THEIR LOCATION, TYPE AND MATERIALS ARE CORRECTLY SHOWN AND ALL NEIGHBORING INTERESTS OF THE ARKANSAS MINIMUM STANDARDS FOR SURVEYS HAVE BEEN MET.

DATE OF EXECUTION: 6/15/13
 SIGNED: [Signature]
 SURVEYOR

CERTIFICATE OF FINAL PLAT APPROVAL
 PURSUANT TO THE CONWAY SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVALS HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED FOR RECORDATION UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: 6-14-2013
 SIGNED: [Signature]
 COUNTY PLANNING DIRECTOR

LEGAL DESCRIPTION:
 LOT 1, PART OF ACRES, SECTION 14, SHOWN IN PLAT BOOK 1, ON PAGE 276, RECORDS OF FAULKNER COUNTY, ARKANSAS.

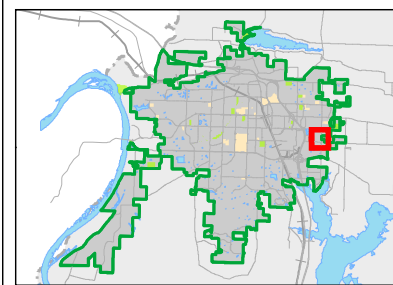
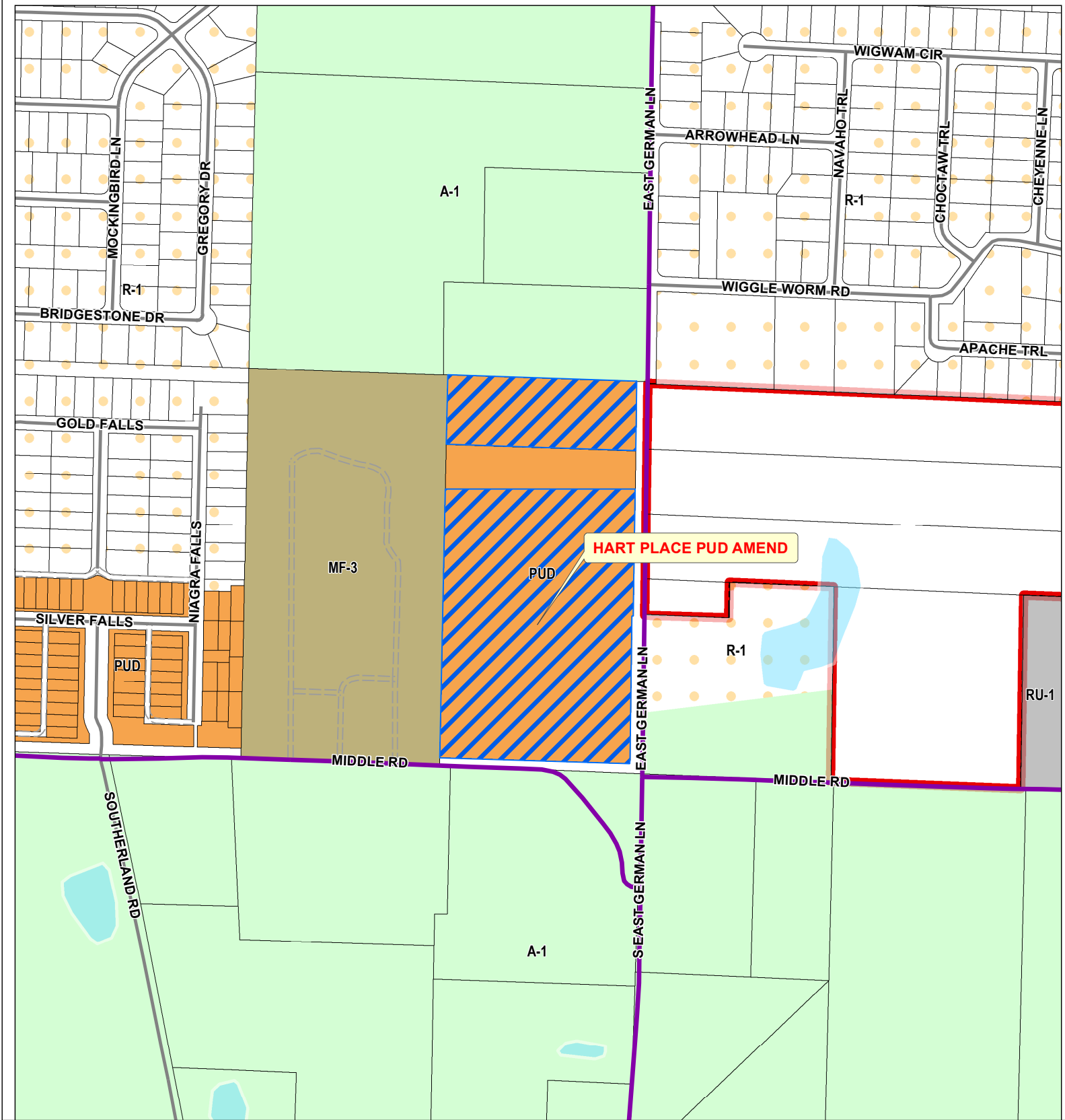
SEWERAGE CONSTRUCTION REQUIREMENTS:
 SEWERAGE SHALL BE A MINIMUM OF 18" DIAMETER AND ALL OTHER CONDITIONS AND APPROVALS HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED FOR RECORDATION UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

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 SEWERAGE SHALL BE A MINIMUM OF 18" DIAMETER AND ALL OTHER CONDITIONS AND APPROVALS HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED FOR RECORDATION UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

GENERAL NOTES:
 1. THIS PLAT IS FILED FOR RECORD ON 06/14/13 WITH A CLASSIFICATION OF 18.358.
 2. THE PROPERTY IS LOCATED IN CONWAY COUNTY, ARKANSAS.
 3. THE PROPERTY IS SERVICED BY CONWAY COUNTY PUBLIC UTILITIES - WATER AND SEWER.
 4. CONVEYANCES SHOWN GIVEN IN SEARS ST. CONVEYANCES MUST BE FILED TO CONVEYANCE RECORDS.
 5. PORTION OF THE PROPERTY IS A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA FLOOD INSURANCE DATA DECEMBER 19, 2006.
 6. NO STRUCTURES SHALL BE CONSTRUCTED OR EXISTING STRUCTURES SHALL BE REMOVED OR ALTERED WITHOUT THE APPROVAL OF THE CITY ENGINEER. NEIGHBORING EASEMENTS SHALL BE MAINTAINED.
 7. FINISHED FLOOR ELEVATIONS SHALL BE TWO FEET ABOVE FINISHED GRADE.
 8. A SIDEWALK SHALL BE PAID FOR BY THE CONVEYOR OF THE REAL ESTATE.
 9. IMPROVEMENTS SUCH AS HOUSES, BUILDINGS, BARRIERS AND PARKING LOTS MUST BE ON THE PLATTED AREA, BUT HAVE BEEN LEFT OFF OF THIS PLAT TO PROMOTE PLAT CLARITY.



HART PLACE P.U.D. REPLAT	
CITY OF CONWAY	SHEET NO.
CENTRAL ARKANSAS PROFESSIONAL SURVEYING	1 OF 1
SCALE	1"=50'
DATE	06/13/13



DESCRIPTION

REQUEST TO AMEND HART PLACE PUD
221-225 E GERMAN LN

17.028 ac

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	I-3	
R-2	MF-3		
HR	RMH		
SR			
Commercial		Special	
C-1	O-1	SP	S-1
C-2	O-2		S-2
C-3	O-3		A-1
C-4			PUD
			TJ

City of Conway
Planning & Development

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER.

THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. THIS DOCUMENT IS TO BE USED FOR REFERENCE PURPOSES ONLY.

www.cityofconway.org/pages/planning-development
www.cityofconway.org/pages/

250
Feet

DEC 2016



City of Conway, Arkansas
Ordinance No. _____

AN ORDINANCE AUTHORIZING PERSONNEL CHANGES WITHIN THE CONWAY DEPARTMENT OF SANITATION, AND FOR OTHER PURPOSES:

Whereas, the Department Of Sanitation has determined that there is a need to streamline operations and is requesting the following reclassification which will NOT affect the authorized staffing level; and

Whereas, the Conway Department of Sanitation would benefit by this reorganization by reclassifying; and

Whereas, the financial impact of this change will increase the cost of salaries and benefits by approximately thirty nine thousand, seven hundred and seventy (\$39,770) dollars annually; and

Whereas, this change will enable the department to increase efficiency in order to provide a higher level of service to the citizens and businesses of Conway.

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

Section 1. The authorized positions in the Conway Department of Sanitation are changed to reflect the following reclassifications:

- Reclassify one Collector (1) to Sanitation CDL (12)
- Reclassify one Collector (1) to Custodian (803)
- Reclassify one Collector (1) to Groundskeeper (804)
- Reclassify one Collector (1) to Office Clerk (805)
- Reclassify one Collector (1) to Shop Supervisor (21)

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

PASSED this 13th day of December, 2016.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-16- _____

AN ORDINANCE ACCEPTING GRANT PROCEEDS AWARDED TO THE CONWAY FIRE DEPARTMENT BOMB SQUAD, WAIVING BIDS, AND FOR OTHER PURPOSES:

Whereas, Conway Fire Department has been awarded a grant in the amount of \$83,825 by the Arkansas Department of Emergency Management (ADEM) as the State Administrative Agency (SAA) for the Homeland Security Grant Program (HSGP) from the Department of Homeland Security Federal Emergency Management Agency (DHS FEMA) as a recipient for the FY16 Homeland Security Grant Program under the Law Enforcement Terrorism Prevention Activities (LETPA) category; and

Whereas, the Conway Fire Department Bomb Squad requests acceptance of this grant in order to purchase equipment; and

Whereas, the Conway Fire Department Bomb Squad entered the competitive application process in April; and

Whereas, this grant is 100% reimbursable to the City of Conway.

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

Section 1. The City of Conway shall accept the grant funds of \$83,825 in the Federal Grant Fund Revenue Account (399.000.4750) and transfer \$78,325 into the Grant Machinery and Equipment expense account (399.131.5910); and \$5,500 in to the Travel Expense Line Item (399.131.5910).

Section 2. The City of Conway hereby approves waiving the competitive bid requirement and will utilize ICOR as a sole source vendor to purchase the MK# flip bar, MK3 telescoping PTZ mast, and MK3 PTZ camera assembly.

Section 3. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 13th day of December, 2016

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-16-____**

**AN ORDINANCE APPROPRIATING AND ACCEPTING GRANT FUNDS FROM THE ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE CONWAY POLICE DEPARTMENT; AND
FOR OTHER PURPOSES**

Whereas, the City of Conway has been awarded funds in the amount of \$116,000 through the Faulkner County Judge's office from the AR Department of Emergency Management for equipment purchases for the Conway Police Department's SWAT team.

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

Section 1. The City of Conway shall accept all grant proceeds totaling \$116,000.00 and appropriate from 399.121.4200, State Grant Revenue account into the following State Grant expense accounts:

399.121.5910 \$116,000

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

PASSED this 13th day of December, 2016.

Approved

Mayor Tab Townsell

Attest:

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

MEMORANDUM

TO: City Council Members/Mayor Tab Townsell
FROM: Chief Jody Spradlin
DATE: December 13, 2016
SUBJECT: Donated vehicle

The Conway Police Department respectfully requests the acceptance of a white, 2017 Ford F150 Crew Cab 4x4 from the US Marshal's Service. The vin number for this vehicle is 1FTEW1E88HKC00990.

The total of the donated vehicle is \$28,328.48.

Thank you for your consideration.