



City of Conway, Arkansas
CITY COUNCIL
Agenda • May 24th, 2022

www.conwayarkansas.gov

Elected Officials

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

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Anne Tucker
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

5:30pm:

No Committee Meeting

6:00pm:

City Council Meeting • City Council Chambers • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

May 10, 2022

Monthly Financial Report:

Month ending April 30, 2022

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

1. Consideration to approve the nomination of Ester McClellan for the Advertising & Promotion Commission.
2. Resolution to approve amending the compliance policy for the Community Development Block Grant Program.
3. Resolution to approve the submission of the Program Year 2022 Action Plan & Budget for the Community Development Block Grant Program.
4. Resolution to approve the submittal of the Federal Aid Surface Transportation Block Grant Program for Markham Street Improvements Phase II.
5. Resolution to approve the submittal of the Federal Aid Surface Transportation Block Grant Program for the College Avenue Bridge over Kinley Trail & Tucker Creek.
6. Ordinance to approve the rezoning of ± 21.37 acres located east and north of 12 Hundred Place Apartments Phase 1 & 2, east of Covington Way, from I-3 to MF-3.
7. Consideration to approve the modification of the conditional use permit no. 1379 for property located at 2545 Prince Street.

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

1. Ordinance appropriating and approving funds to purchase property located on 1108 Deer Street for the Conway Police Department.

C. New Business

1. Consideration to change to the City Council meeting schedule.

Adjournment



City of Conway, Arkansas
Monthly Financial Reports
April 30, 2022

City of Conway
 Monthly Financial Report - General Fund
 For the month ended April 30, 2022



Revenues	Budget	Month	Year to Date	Encumbered	(Over)/Under	%
		Activity			Budget	Expend/Collect
Ad Valorem Tax	4,000,000	91,143	618,144		3,381,856	15%
Payments in Lieu of Tax	15,000	-	-		15,000	0%
State Tax Turnback	950,000	61,857	311,424		638,576	33%
Insurance Tax Turnback - LOPFI	1,300,000	-	-		1,300,000	0%
Sales Tax	24,000,000	1,998,144	8,989,585		15,010,415	37%
Beverage Tax	400,000	-	-		400,000	0%
Franchise Fees	3,467,700	140,744	1,173,635		2,294,065	34%
Utility Tap Fees	-	-	30,280		(30,280)	-
Office Space Leases	67,400	-	11,233		56,167	17%
Permits	558,500	69,510	215,632		342,868	39%
Public Safety	2,261,521	111,065	439,173		1,822,348	19%
Parks	633,250	110,664	278,036		355,214	44%
Insurance Proceeds	30,546	14,807	22,321		8,225	73%
Interest Income	123,000	16,145	72,488		50,512	59%
Proceeds from Sale of Assets	-	-	3,072		(3,072)	-
Donations	1,350	500	1,000		350	74%
Federal Grant Revenues	221,900	-	-		221,900	0%
Miscellaneous Revenues	101,148	13,092	63,520		37,627	63%
Transfers from Other Funds	770,000	-	-		770,000	0%
Total Revenues	38,901,314	2,627,669	12,229,544		26,671,770	31%
Expenditures						
Admin (Mayor, HR)	1,180,881	131,524	385,299	39,715	755,867	33%
Finance	536,892	36,125	99,237	-	437,655	18%
City Clerk/Treasurer	163,561	18,302	49,581	-	113,980	30%
City Council	90,420	6,624	20,366	-	70,054	23%
Planning	849,552	84,557	200,120	84,485	564,947	24%
Physical Plant	747,876	76,150	206,788	5,091	535,998	28%
Information Technology	1,456,799	90,646	331,858	247,414	877,527	23%
Permits and Inspections	395,943	48,454	145,272	490	250,181	37%
Nondepartmental	1,184,103	24,496	446,581	6,648	730,875	38%
Police	14,279,779	1,355,849	4,115,363	263,480	9,900,936	29%
CEOC	1,578,597	150,476	426,825	74,141	1,077,632	27%
Animal Welfare	648,609	50,053	138,291	68,013	442,305	21%
Municipal District Court	951,867	101,376	330,985	469	620,412	35%
City Attorney	611,403	51,461	146,593	1,049	463,760	24%
Fire	13,890,817	1,179,607	3,567,127	201,494	10,122,196	26%
Parks	3,313,582	351,331	931,227	43,776	2,338,579	28%
Total Expenditures	41,880,681	3,757,031	11,541,512	1,036,265	29,302,904	28%
Net Revenue/(Expense)	(2,979,367)		688,032			

*All figures are unaudited

Notes:

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

City of Conway
General Fund
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-17	1/25/22	Construction of new Fire Station #3	2,579,500
O-22-35	3/22/22	Perimeter fence for Police training facility	93,006
O-22-43	4/12/22	Landscape planting on Prince Street	22,285
O-22-44	4/12/22	Contractor agreement for watering downtown flowers	22,000
O-22-45	4/12/22	Police dept Connect and Protect grant match	55,475
O-22-52	4/26/22	Prior year funds to replace CEOC battery backup system	66,500
			<u>\$ 2,838,766</u>

City of Conway
 Balance Sheet - General Fund
 As of April 30, 2022



Cash - Operating	12,241,428
Cash - Reserve	1,503,089
Petty Cash	715
Taxes Receivable	4,993,556
Accounts Receivable	4,784,020
Due from Street	72,352
Due from Component Unit	219,099
Due from Municipal Court	62,383
Fuel Inventory	(14,028)
General Inventory	585
<i>Assets</i>	<u>23,863,202</u>
Accounts Payable	(49,813)
Insurance and Benefits Payable	(46,554)
Event Deposits	3,650
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Due to Other Funds	14,104
Deferred Revenue	4,123,879
Unearned Revenue - City Hall Lease	980,000
<i>Liabilities</i>	<u>5,035,462</u>
<i>Fund Balance</i>	<u>18,827,739</u>
<i>Total Liabilities & Fund Balance</i>	<u>23,863,202</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended April 30, 2022



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Revenues						
Ad Valorem Tax	1,400,000	33,423	227,551		1,172,449	16%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	3,000,000	239,496	934,102		2,065,898	31%
State Tax Turnback - Other	1,640,000	160,826	588,409		1,051,591	36%
Severance Tax	-	20,133	108,847		(108,847)	-
State Tax Turnback - Wholesale	460,000	30,829	129,763		330,237	28%
Sales Tax	325,000	27,998	125,988		199,012	39%
Engineering Fees	15,000	550	3,700		11,300	25%
Interest Income	80,000	8,123	31,350		48,650	39%
Total Revenues	6,926,000	521,376	2,149,712	-	4,776,289	31%
Expenditures						
Personnel Costs	3,498,042	304,779	808,602	-	2,689,440	23%
Other Operating Costs	<u>4,044,042</u>	<u>92,532</u>	<u>540,750</u>	<u>314,456</u>	<u>3,188,836</u>	<u>13%</u>
Total Operating Costs	7,542,084	397,311	1,349,352	314,456	5,878,276	18%
Capital Outlay	<u>5,848,943</u>	<u>-</u>	<u>37,631</u>	<u>523,903</u>	<u>5,287,409</u>	<u>1%</u>
Total Expenditures	13,391,027	397,311	1,386,983	838,359	11,165,685	10%
Net Revenue/(Expense)	(6,465,027)		<u>762,729</u>			

*All figures are unaudited

Notes:

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

City of Conway
Street Fund
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-27	3/8/22	Purchase Conway Corp property	5,178,000

City of Conway
Balance Sheet - Street Fund
As of April 30, 2022



Cash - Operating	7,812,101
Taxes Receivable	69,969
Accounts Receivable	2,109,436
<i>Assets</i>	<u>9,991,506</u>
Accounts Payable	(349)
Insurance and Benefits Payable	(9,776)
Due to General	72,352
Deferred Revenue	1,517,818
<i>Liabilities</i>	<u>1,580,044</u>
<i>Fund Balance</i>	8,411,462
<i>Total Liabilities & Fund Balance</i>	<u>9,991,506</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended April 30, 2022



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Sanitation Fees	9,500,000	906,816	3,301,020		6,198,980	35%
Proceeds - Recycled Materials	500,000	75,669	340,252		159,748	68%
Landfill Fees - General	230,000	18,141	73,368		156,632	32%
Insurance Proceeds	-	1,245	4,803		(4,803)	-
Interest Income	200,000	20,079	79,303		120,697	40%
Total Revenues	10,430,000	1,021,950	3,798,746	-	6,631,254	36%
Expenditures						
Personnel Costs	5,562,606	557,856	1,582,229	300	3,980,077	28%
Other Operating Costs	3,415,414	211,423	558,006	190,106	2,667,302	16%
Total Operating Costs	8,978,020	769,279	2,140,235	190,406	6,647,380	24%
Capital Outlay	2,160,003	19,108	329,114	278,792	1,552,097	15%
Total Expenditures	11,138,024	788,387	2,469,349	469,198	8,199,477	22%
Net Revenue/(Expense)	(708,024)		1,329,398			

*All figures are unaudited

Notes:

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

City of Conway
Sanitation Fund
2022

Fund Balance Appropriations



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

City of Conway
 Balance Sheet - Sanitation
 As of April 30, 2022



Cash - Operating	14,126,649
Petty Cash	200
Post Closure Cash Account	6,157,028
Accounts Receivable	14,011
Due from Other Funds	480
Due from Component Unit	903,057
General Inventory	2,122
Land & Buildings	2,424,145
Infrastructure	783,854
Machinery, Equipment & Vehicles	2,381,173
Deferred Outflows of Resources	2,194,273
Deferred Outflows of Resources-OPEB	285,019
<i>Assets</i>	<u>29,272,010</u>
Accounts Payable	5,906
Insurance and Benefits Payable	741
Compensated Absences	248,057
Net Pension Obligation	13,981,351
Deferred Inflows of Resources	1,198,395
Deferred Inflows of Resources-OPEB	126,025
Net OPEB Liability	1,006,173
Landfill Close/Post Close	8,362,165
<i>Liabilities</i>	<u>24,928,814</u>
<i>Net Position</i>	<u>4,343,197</u>
<i>Total Liabilities and Net Position</i>	<u>29,272,010</u>

*All figures are unaudited

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

City of Conway
 Monthly Financial Report - Airport
 For the month ended April 30, 2022



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Sales Tax	15,000	2,043	7,913		7,087	53%
Airport Fuel Sales	853,460	149,565	430,414		423,046	50%
T-Hangar Rent	178,839	9,423	84,334		94,505	47%
Community Hangar Rent	43,200	3,600	14,400		28,800	33%
Ground Leases	20,257	-	26,136		(5,879)	129%
Misc Revenue - Non air	9,000	500	4,600		4,400	51%
State Grant Revenues		184,299	184,299			
Reimbursements from Conway Aircraft	-	-	312,587		(312,587)	-
Miscellaneous Revenues	16,800	1,364	7,301		9,499	43%
Total Revenues	1,136,556	350,794	1,071,984	-	64,572	94%
Expenditures						
Personnel Costs	326,214	30,795	127,101	-	199,113	39%
Fuel for Resale	600,000	136,111	349,497	-	250,503	58%
Other Operating Costs	149,342	17,749	38,142	18,599	92,601	26%
Total Operating Costs	1,075,556	184,656	514,740	18,599	542,217	48%
Capital Outlay	-	6,921	327,614	292,247	(619,860)	-
Total Expenditures	1,075,556	191,577	842,354	310,846	(77,643)	78%
Net Revenue/(Expense)	61,000		229,630			

*All figures are unaudited

Notes:

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

City of Conway
Airport Fund
2022



Fund Balance Appropriations

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

City of Conway
 Balance Sheet - Airport
 As of April 30, 2022



Cash - Operating	434,338
Taxes Receivable	4,043
Accounts Receivable - Fuel Vendor	14,755
Fuel Inventory	112,148
Land	1,254,473
Buildings	3,430,723
Machinery & Equipment	234,086
Infrastructure	22,959,891
Deferred Outflows of Resources-OPEB	11,666
<i>Assets</i>	<u>28,456,122</u>
Compensated Absences	5,127
Deferred Inflows of Resources	41,185
Deferred Inflows of Resources-OPEB	5,159
<i>Liabilities</i>	<u>51,471</u>
<i>Net Position</i>	28,404,651
<i>Total Liabilities & Net Position</i>	<u>28,456,122</u>

*All figures are unaudited

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

City of Conway
Monthly Financial Report - Major Project Funds
As of April 30, 2022



Parks and Rec A&P Tax

Balance, 3/31/22	1,963,873
Receipts	335,271
Payments	-
Balance, 4/30/22	\$ 2,299,144

Pay as you go Sales Tax

Balance, 3/31/22	7,614,537
Receipts	68,671
Payments	(362,627)
Balance, 4/30/22	\$ 7,320,581

Street Impact Fees

Balance, 3/31/22	1,559,772
Receipts	58,146
Payments	(10,286)
Balance, 4/30/22	\$ 1,607,631

Parks Impact Fees

Balance, 3/31/22	759,199
Receipts	178,248
Payments	(659)
Balance, 4/30/22	\$ 936,788

Street Sales Tax

Balance, 3/31/22	14,253,999
Receipts	14,343
Payments	(330,933)
Balance, 4/30/22	\$ 13,937,410

City of Conway, Arkansas
Office of the Mayor
Mayor Bart Castleberry
1111 Main Street
Conway, AR 72032
www.conwayarkansas.gov

MEMO

To: Mayor Castleberry
CC: City Council Members

From: Felicia Rogers
Date: May 17, 2022
Re: Advertising and Promotion Commission

The Advertising and Promotion Commission voted at their May 9th, meeting to approve Esther McClellan for an additional 4-year term, (ending May 31, 2026).

Please advise if you have any questions.



City of Conway, Arkansas
Resolution No. R-22-

A RESOLUTION AMENDING THE CITY OF CONWAY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM POLICIES AND PROCEDURES AND FOR OTHER PURPOSES

Whereas, The US Department of Housing and Urban Development recommends that entitlement cities have policies and procedures for the Community Development Block Grant program; and

Whereas, these CDBG policies and procedures manual is intended as a guide, not as a substitute for a thorough knowledge of state and federal laws and regulations referenced in this manual; and

Whereas, recently the City of Conway made changes to the Employee Handbook which consist of changes minor corrections and changes specifically to the travel and purchasing policies.

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

Section 1: That the City Council of the City of Conway hereby accepts and adopts the amended 2022 Community Development Block Grant program's compliance policies with the amended changes to the Purchasing, Travel & Standards of Conduct.

Section 2. All previous editions of any Community Development Block Grant Program Compliance manual are hereby repealed in their entirety.

Section 3. A copy of the Community Development Block Grant Program Compliance manual will be kept on file and available on the city's website.

PASSED this 24th day of May 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-22-__**

A RESOLUTION APPROVING YEAR 2022 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET, THE AUTHORIZING THE SUBMISSION OF THE 2022 ACTION PLAN AND FOR OTHER PURPOSES

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

Whereas, there is an approximate total of \$481,835 for Program Year 2022 (July 1, 2022 – June 30, 2023) funds allocated to the CDBG Program for budgetary purposes.

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

Section 1: The Program Year 2022 CDBG approximate budget totaling four hundred eighty-one thousand eight hundred and thirty-five dollars (\$481,835) for budgeting purposes is hereby adopted by reference to the attached budget sheet.

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

Section 3: The Program Year 2022 CDBG Affirmative Action Plan is adopted to provide contractual procedures with regard to equal opportunity personnel policies on the part of CDBG project contractors.

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

Section 5: The Director of Community Development is authorized to prepare and submit the 2022 Action Plan to carry out the activities/projects identified in the 5-Year Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD) for review and approval. Once the approval by HUD has occurred, the City Council approval, Mayor is authorized to execute contracts, his signature being attested by the City Clerk, and City Attorney with the agencies identified in the 2022 Community Development Department Budget as application numbers to undertake the activities/projects in the Action Plan.

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

Passed this 24th day of May, 2022.

Approved:

Attest:

Mayor Bart Castleberry

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



**City of Conway, Arkansas
Resolution No. R-22-_____**

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE FEDERAL AID SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG) FUNDS FOR THE COLLEGE AVENUE BRIDGE OVER KINLEY TRAIL PROJECT

Whereas, the Metroplan Board of Directors released a Call for Projects under the Surface Transportation Block Grant Program (STBG) for Federal Fiscal Year 2023; and

Whereas, the City of Conway understands STBG funds are available at 80% federal contribution and 20% local match and must be obligated during FFY 2023 (October 2022 – September 2023); and

Whereas, the City of Conway proposes submitting an application for the engineering of the College Avenue bridge over Kinley Trail and Tucker Creek; and

Whereas, the City of Conway understands that Federal-aid funds are available for this project on a reimbursable basis and require work to be completed and proof of payment prior to actual monetary reimbursement; and

Whereas, the total project cost is estimated to be \$937,500.00, the federal participation will be in the amount of \$750,000.00 with a local match of \$187,500.00. Matching sources will be utilized from Conway's Street Sales and Use Tax.

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

Section 1. The City of Conway does hereby express its support for the STBG application for the College Avenue Bridge project and shall authorize application submittal and commitment of matching funds for the grant.

Section 2. The City Council does hereby authorize the Mayor to execute all agreements and contracts regarding this project.

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

PASSED this 24th day of May 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



**City of Conway, Arkansas
Resolution No. R-22-_____**

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE FEDERAL AID SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG) FUNDS FOR THE MARKHAM STREET IMPROVEMENTS (PHASE 2) PROJECT

Whereas, Metroplan issued a call for projects under the Surface Transportation Block Grant Program (STBG) for Federal Fiscal Year 2023; and

Whereas, the City of Conway understands STBG funds are available at 80% federal contribution and 20% local match and must be obligated during FFY 2023 (October 2022 – September 2023); and

Whereas, the City of Conway proposes submitting an application for construction overruns on the Markham Street Improvements Phase 2 project due to estimates exceeding the expected costs; and

Whereas, the original project was estimated to be \$1,875,000 with an awarded grant of \$1,500,000 and the city's matching portion of \$375,000. The revised estimate for construction is currently \$2,100,000. The revised construction inspection fee estimate will be \$254,000. The cost overrun is \$498,000 and the city proposes submitting an application for this amount with a federal portion equal to \$398,000 and the city's matching portion of \$100,000. Matching sources will be utilized from Conway's Street Sales and Use Tax; and

Whereas, the City of Conway understands that Federal-aid funds are available for this project on a reimbursable basis and require work to be completed and proof of payment prior to actual monetary reimbursement.

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

Section 1. The City of Conway does hereby express its support for the STBG application for the Markham Street Improvements Phase 2 cost overrun project and shall authorize application submittal and commitment of funds for the grant.

Section 2. The City Council does hereby authorize the Mayor to execute all agreements and contracts regarding this project.

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

PASSED this 24th day of May 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Ordinance No. O-22- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED EAST AND NORTH OF EXISTING 12 HUNDRED PLACE APARTMENTS PHASES 1 & 2, EAST OF COVINGTON WAY, FROM I-3 TO MF-3:

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 I-3 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

BEING A PART OF THE S1/2 SW1/4 OF SECTION 18, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SE CORNER OF THE SW1/4 SW1/4, OF SECTION 18, T-5-N, R-13-W, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID SW1/4 SW1/4, N88°40'24"W 464.30 FEET TO THE EAST RIGHT OF WAY OF COVINGTON WAY; THENCE LEAVING SAID SOUTH LINE, ALONG SAID RIGHT OF WAY, ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 93.97 FEET, A RADIUS OF 330.00 FEET, A CHORD BEARING OF N0756°09"W, AND A CHORD LENGTH OF 93.65 FEET; THENCE LEAVING SAID RIGHT OF WAY S84.12°07"E 481.29 FEET; THENCE S88°39'20"E 406.02 FEET TO THE CENTERLINE OF A CREEK; THENCE ALONG SAID CENTERLINE S2R42°00"E 59.82 FEET TO THE SOUTH LINE OF THE SE1/4 SW1/4 OF SECTION 18; THENCE LEAVING SAID CENTERLINE, ALONG SAID SOUTH LINE N88.38'14"W 429.88 FEET TO THE POINT OF BEGINNING, CONTAINING 1.32 ACRES, MORE OR LESS.

and

A PART OF THE NE 1/4 NW 1/4 OF SECTION 19, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NW CORNER OF SAID NE 1/4 NW 1/4, AT A FOUND 1" PIPE, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID NE 1/4 NW 1/4 S88°38'14"E 429.88 FEET TO THE CENTERLINE OF A CREEK; THENCE LEAVING SAID NORTH LINE, ALONG SAID CENTERLINE S21°42'00"E 17.45 FEET; THENCE SLL 020°45"E 236.01 FEET; THENCE S14°50'48"E 140.11 FEET; THENCE S27°21'18"E 98.62 FEET; THENCE S19°41'33"E 125.57 FEET; THENCE S34°01'35"E 165.64 FEET; THENCE S20°37'50"E 175.83 FEET; THENCE S06°18'28"W 142.11 FEET; THENCE S05°58'52"E 159.80 FEET; THENCE S00°48'38"E 148.98 FEET TO THE SOUTH LINE OF SAID NE 1/4 NW 1/4; THENCE LEAVING SAID CENTERLINE, ALONG SAID SOUTH LINE N87°49'58"W 817.55 FEET TO A FOUND 1/2" REBAR AT THE SW CORNER OF SAID NE 1/4 NW 1/4; THENCE LEAVING SAID SOUTH LINE, ALONG THE WEST LINE OF SAID NE 1/4 NW 1/4 N02°18'04"E 1320.21 FEET TO THE POINT OF BEGINNING, CONTAINING 20.05 ACRES, MORE OR LESS.

to those of **MF-3**, 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 24th day May, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 MAIN STREET • CONWAY, AR 72032
501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman

Date: May 24, 2022

Re: Request to rezone ±21.37 acres located east and north of existing 12 Hundred Place apartments Phases 1 & 2, east of Covington Way, from I-3 to MF-3

Terry Burruss, has requested to rezone ±21.37 acres located east and north of existing 12 Hundred Place apartments Phases 1 & 2, east of Covington Way from I-3 to MF-3, with the legal description:

BEING A PART OF THE S1/2 SW1/4 OF SECTION 18, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SE CORNER OF THE SW1/4 SW1/4, OF SECTION 18, T-5-N, R-13-W, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID SW1/4 SW1/4, N88°40'24"W 464.30 FEET TO THE EAST RIGHT OF WAY OF COVINGTON WAY; THENCE LEAVING SAID SOUTH LINE, ALONG SAID RIGHT OF WAY, ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 93.97 FEET, A RADIUS OF 330.00 FEET, A CHORD BEARING OF N0756°09'W, AND A CHORD LENGTH OF 93.65 FEET; THENCE LEAVING SAID RIGHT OF WAY S84.12°07'E 481.29 FEET; THENCE S88°39'20"E 406.02 FEET TO THE CENTERLINE OF A CREEK; THENCE ALONG SAID CENTERLINE S2R42°00"E 59.82 FEET TO THE SOUTH LINE OF THE SE1/4 SW1/4 OF SECTION 18; THENCE LEAVING SAID CENTERLINE, ALONG SAID SOUTH LINE N88.38°14'W 429.88 FEET TO THE POINT OF BEGINNING, CONTAINING 1.32 ACRES, MORE OR LESS.

and

A PART OF THE NE 1/4 NW 1/4 OF SECTION 19, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NW CORNER OF SAID NE 1/4 NW 1/4, AT A FOUND 1" PIPE, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID NE 1/4 NW 1/4 S88°38'14"E 429.88 FEET TO THE CENTERLINE OF A CREEK; THENCE LEAVING SAID NORTH LINE, ALONG SAID CENTERLINE S21°42'00"E 17.45 FEET; THENCE SLL 020°45'E 236.01 FEET; THENCE S14°50'48"E 140.11 FEET; THENCE S27°21'18"E 98.62 FEET; THENCE S19°41'33"E 125.57 FEET; THENCE S34°01'35"E 165.64 FEET; THENCE S20°37'50"E 175.83 FEET; THENCE S06°18'28"W 142.11 FEET; THENCE S05°58'52"E 159.80 FEET; THENCE S00°48'38"E 148.98 FEET TO THE SOUTH LINE OF SAID NE 1/4 NW 1/4; THENCE LEAVING SAID CENTERLINE, ALONG SAID SOUTH LINE N87°49'58"W 817.55 FEET TO A FOUND 1/2" REBAR AT THE SW CORNER OF SAID NE 1/4 NW 1/4; THENCE LEAVING SAID SOUTH LINE, ALONG THE WEST LINE OF SAID NE 1/4 NW 1/4 N02°18'04"E 1320.21 FEET TO THE POINT OF BEGINNING, CONTAINING 20.05 ACRES, MORE OR LESS.

The applicant is seeking the rezoning for the purpose of developing an additional phase of the existing multi-family development, 12 Hundred Place. Although the requested zoning is not consistent with the

Comprehensive Plan, in recent years the immediate area has transitioned away from general industry to more commercial and office uses. Therefore, the requested zoning is appropriate given the context of the area. The third phase of the development is proposed to contain between 208 - 224 units, varied between 1-bedroom, 2-bedroom, and town homes. This proposed density is less than the estimated 238 units of developable acreage, exclusive of all flood hazard zones, would allow under MF-3 zoning.










Staff recommendation: Staff recommends approval of the request as it will allow for appropriate use of the property in context and will not likely negatively impact adjacent properties

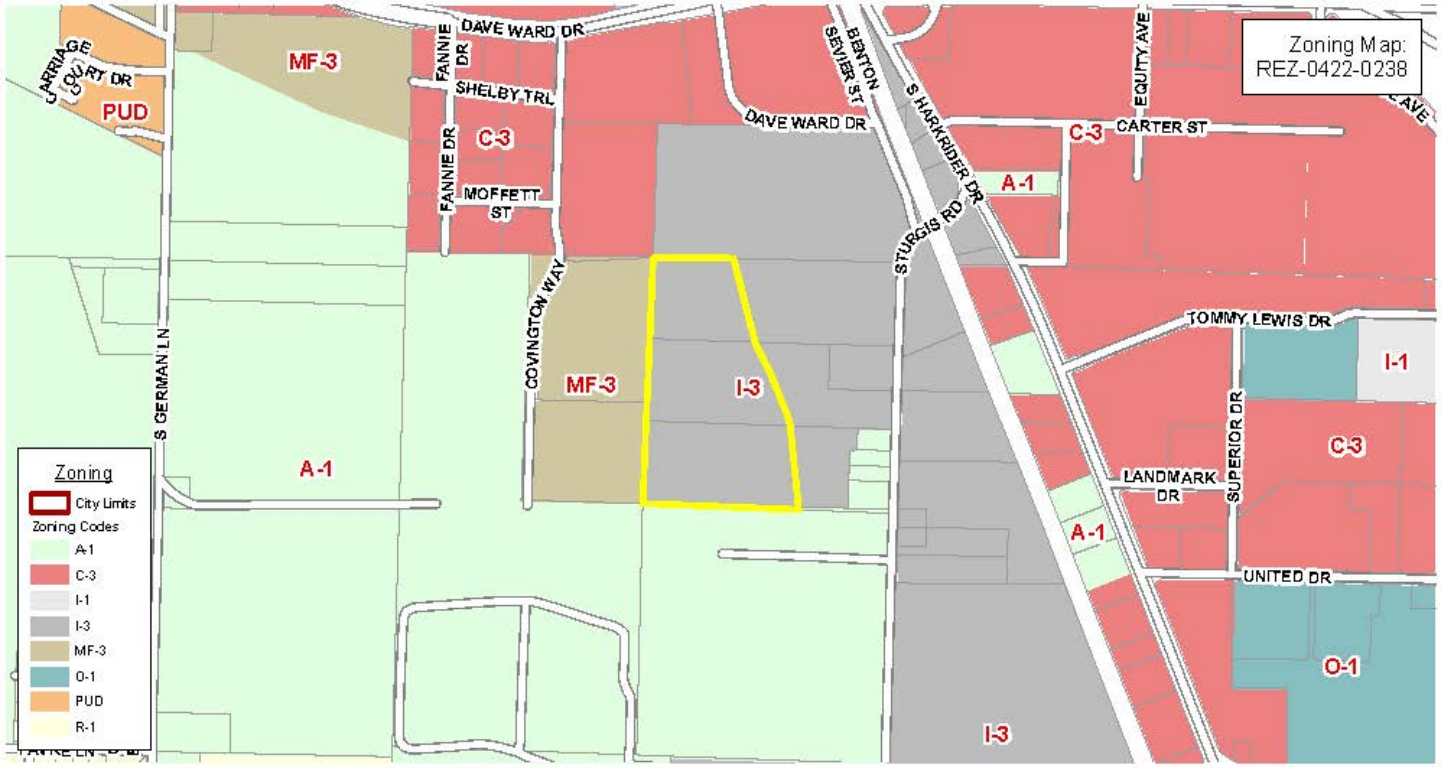
The Planning Commission reviewed the request at its regular meeting on May 16, 2022 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning Map:
REZ-0422-0238

Zoning

-  City Limits
-  A-1
-  C-3
-  I-1
-  I-3
-  MF-3
-  O-1
-  PUD
-  R-1





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MEMO

To: Mayor Bart Castleberry
 cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman
 Date: May 24, 2022

Re: Request to modify Conditional Use Permit No. 1379 for property located at 2545 Prince Street
 Michael Boggs, has requested to modify Conditional Use Permit No. 1379 for property located at 2425 Prince St, with the legal description:

A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11; THENCE S88°20'23"E A DISTANCE OF 489.12 FT. TO A POINT; THENCE S01°39'37"W A DISTANCE OF 31.82 FT. TO A POINT; THENCE S88°47'05"E A DISTANCE OF 133.50 FT. TO A POINT; THENCE S09°29'19"W A DISTANCE OF 11.36 FT. TO THE SOUTH RIGHT OF WAY LINE OF PRINCE STREET AND THE POINT OF BEGINNING; THENCE S88°47'05"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 107.55 FT. TO A POINT; THENCE LEAVING SAID RIGHT OF WAY LINE, RUN S01°39'00"W A DISTANCE OF 89.10 FT. TO A POINT; THENCE S88°09'36"W A DISTANCE OF 11.44 FT TO A POINT; THENCE S02°38'43"W A DISTANCE OF 403.82 FT TO A POINT; THENCE N88°20'54"W A DISTANCE OF 134.00 FT. TO A POINT; THENCE N02°38'43"E A DISTANCE OF 190.80 FT. TO A POINT; THENCE N09°29'19"E A DISTANCE OF 304.81 FT. TO A POINT, SAID POINT BEING THE POINT OF BEGINNING, CONTAINING 1.41 ACRES AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RESERVATIONS, OR RIGHTS OF WAY OF RECORD.

Planning staff requested the applicant modify the existing buffering condition tied to the current conditional use permit at the site to better align with future development to the east, indicating a brick wall must be constructed along the south property line to provided screening for residences. (Wall must be a minimum of 6 feet tall).

Staff recommendation: Staff recommends approval of the modified conditional use permit, with the following 7 conditions:

1. Retail – General shall be allowed.
2. Driveway curb cuts shall meet development review standards. Cross access/shared access shall be used unless outstanding conditions warrant otherwise.
3. The development shall be built in a manner that's consistent with the applicant's development review application for Shadrach's Coffee (SDR-1121-0155).
4. A 30-foot green space buffer [no parking or structures] is required along the southern property line to be properly maintained by the property owner. This buffer shall be

- vegetated and left in an undisturbed state. Any additional structures, expansion of uses not permitted by right, or additions to those structures indicated on the applicant's development review application (SDR-1121-0155) shall be subject to review through an amended or new conditional use permit.
5. development review application (SDR-1121-0155) shall be subject to review through an amended or new conditional use permit.
 6. This conditional use permit expires 2 years from the date of issuance if no building permit has been issued.
 7. If the site or any structure on an individual lot become vacant for a period of more than 18 consecutive months, the conditional use permit shall become void for the site or portion of the site as appropriate to the extent of the vacancy.

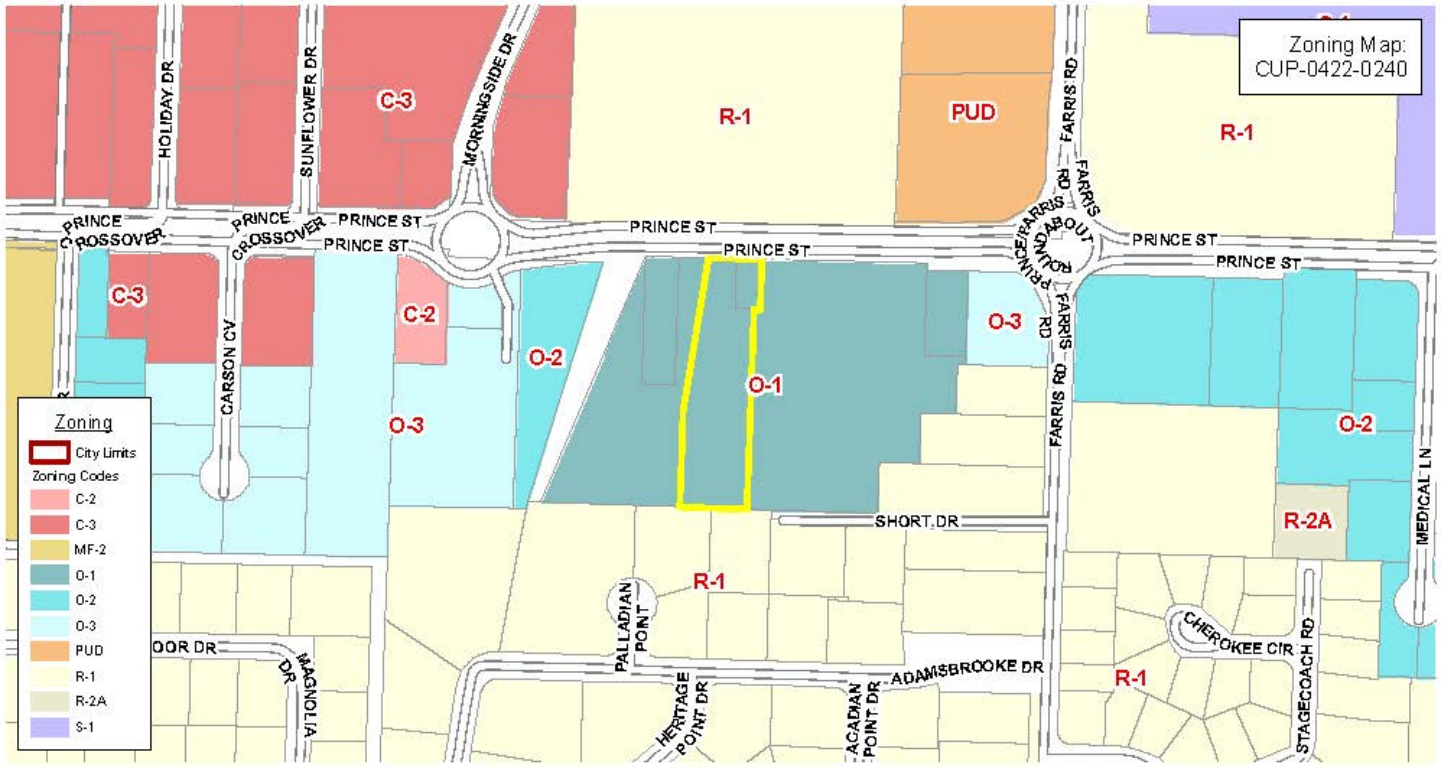
The Planning Commission reviewed the request at its regular meeting on May 16, 2022 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning Map:
CUP-0422-0240

Zoning

- City Limits
- Zoning Codes
 - C-2
 - C-3
 - MF-2
 - O-1
 - O-2
 - O-3
 - PUD
 - R-1
 - R-2A
 - S-1





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

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM JIM PEARCE; AND FOR OTHER PURPOSES DECLARING AN EMERGENCY;

Whereas, the City of Conway would like to purchase property located at 1108 Deer Street adjacent to the Conway Police Department; and

Whereas, the property consists of a tract of land that is 8,300 SF containing a 3,600 SF building that contains 600 SF of office space and 3,000 SF of warehouse; and

Whereas, the property appraised for \$240,000. The owner is asking \$250,000 for the property and that the City pay for closing cost. If approved the purchase will be funded by the General Fund.

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

Section 1. The City of Conway shall enter into a contract agreement to purchase property located at 1108 Deer Street for a purchase price up to \$250,000 from Jim Pearce.

Section 2. The City of Conway shall appropriate \$255,500 from the General Fund Balance Appropriation Account 001-119-4900 into the Conway Police Department Building Acquisition Expenditure Account 001-121-5903 to purchase property and cover closing cost.

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

Section 4. This ordinance is necessary for the protection of the public peace, health, and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED this 24th day of May 2022.

Approved:

Mayor Bart Castleberry

Attest:

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