City of Conway 
Council Agenda 

Council Meeting Date: Tuesday, September 9th, 2014

5:30pm – Committee Meeting: Discussion of Health Insurance Benefits

6:30pm - Council Meeting

Call to Order: Mayor Tab Townsell

Roll Call: City Clerk/Treasurer Michael O. Garrett

Minutes Approval: August 26th, 2014 & Special City Council Meeting on August 28th, 2014

1. Public Hearings

A. Public Hearing

1. Public Hearing/Ordinance to close a portion of a 10 foot utility easement and all of a 13.5 foot utility easement located at 621 Oak Street.

2. Report of Standing Committees:

A. Economic Development Committee (Airport, Conway Corporation, Conway Development, Chamber of Commerce)

1. Consideration to remove inventory from the fixed assets listings for the Conway Municipal Airport.

2. Ordinance to accept a donated metal hangar located at Dennis F. Cantrell Field to the City of Conway.

3. Ordinance transferring airport activity out of the general fund and into an enterprise fund account.

B. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)

1. Resolution requesting the Faulkner County Tax Collector place to place certified liens on property located at 24 Rolling Hills a result of incurred expenses by the City.

2. Resolution setting a public hearing to discuss the closing a 15 foot utility easement located along the south side of Lots 1-4 in Fulmer subdivision.

3. Ordinance appropriating funds for engineering services for adaptive signal control for the Conway Street Department.

Mayor Tab Townsell
City Clerk Michael O. Garrett
City Attorney Michael Murphy

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 2 – Sheila Whitmore
4. Ordinance accepting the annexation of certain lands compromised of 146.73 acres located on the east side of Mill Pond Road North of Mountain Park Estates with an R-1 zoning.

5. Consideration of approval for annexation of the 142 acres known as The Orchard on Round Mountain into Water District 11.

6. Ordinance to rezone property known as Old Cantrell Field located at South of Sixth Street, west of I-40 and East of Harkrider Street from I-3 to PUD.

7. Ordinance to rezone property located at Northeast corner of Factory and Monroe Streets from R-2A to O-2.

8. Consideration of a conditional use permit for temporary bank building for property located at the northeast corner of Factory and Monroe.

9. Ordinance to rezone property located at 1755 Meadowlake Road from R-2 to O-3.

10. Ordinance to rezone property located at 2595 Nutters Chapel Road from R-1 to PUD.

11. Ordinance to rezone property located at 2215 Dave Ward Drive from O-1 to RU-1.

12. Consideration of a conditional use permit request for property located at 2215 Dave Ward Drive.

C. Public Services Committee (Sanitation, Parks & Recreation & Physical Plant)

1. Ordinance amending the 2013 budget and appropriating funds associated with Rogers Plaza for the Conway Parks & Recreation Department.

2. Ordinance appropriating funds for the purchase of equipment for the Parks & Recreation Dept.

D. Public Safety Committee (Police, Fire, District Court, CEOC, Information Technology, City Attorney, & Animal Welfare)

1. Ordinance appropriating reimbursement funds from various entities for the Conway Animal Welfare Unit.

2. Ordinance appropriating reimbursement funds from various entities for the Conway Police Department.

Adjournment
City of Conway, Arkansas
Ordinance No. O-14- _____

AN ORDINANCE CLOSING PART OF A 10 FOOT UTILITY EASEMENT AND ALL OF A 13.5 FOOT UTILITY
EASEMENT LOCATED AT 621 OAK STREET; AND FOR OTHER PURPOSES;

Whereas, a petition was duly filed with the City Council of the City of Conway, Arkansas on the
August 7th, 2014 asking the City Council to vacate and abandon all of a 10 foot and a 13.5 foot easement
in Lot A Harkrider Addition Superior Replat; and

Whereas, after due notice as required by law, the council has, at the time and place mentioned
in the notice, heard all persons desiring to be heard on the question and has ascertained that the
easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public
use as an easement herein described; has not been actually used by the public generally for a period of at
least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon
the portion of the 10 foot and 13.5 foot utility easement to be vacated have filed with the council their
written consent to the abandonment; and that public interest and welfare will not be adversely affected
by the abandonment of part of a 10 foot and all of a 13.5 foot utility easement in Lot A Harkrider Addition
Superior Replat.

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

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the
rights of the public generally, in and to the 10 foot and 13.5 foot easement designated as follows:

10' Easement Abandonment Description
Part of Lot A, Block 1, Harkrider Addition to the City of Conway, Faulkner County, Arkansas as filed for record in Plat Book J, Page 144, being more particularly described as follows:
Commencing at the SE corner of said Lot A, being on the north right-of-way line of Polk Street; thence N88°16'57"W along said north right-of-way line, a distance of 225.06 feet; thence along a curve to the right having a Radius of 25.00 feet, an Arc Length of 39.21 feet and a Chord bearing and distance of N43°20'47"W, 35.32 feet to the east right-of-way line of Factory Street; thence N01°35'23"E along said east right-of-way line, a distance of 115.91 feet to the POINT OF BEGINNING; thence S88°08'42"E, a distance of 10.00 feet; thence N01°35'23"E, a distance of 97.24 feet; thence N88°25'21"W, a distance of 10.00 feet to said east right-of-way line; thence S01°35'23"W along said east right-of-way line, a distance of 97.19 feet to the POINT OF BEGINNING, containing 0.02 Acres (972 sq. ft.) more or less.

13.5’ Easement Abandonment Description
Part of Lot A, Block 1, Harkrider Addition to the City of Conway, Faulkner County, Arkansas as filed for record in Plat Book J, Page 144, being more particularly described as follows:
Commencing at the SE corner of said Lot A, being on the north right-of-way line of Polk Street; thence N88°16'57"W along said north right-of-way line, a distance of 225.06 feet; thence along a curve to the right having a Radius of 25.00 feet, on Arc Length of 39.21 feet and a Chord bearing and distance of N43°20'47"W, 35.32 feet to the east right-of-way line of Factory Street; thence N01°35'23"E along said east right-of-way line, a distance of 115.91 feet to the POINT OF BEGINNING; thence S88°08'42"E, a distance of 10.00 feet; thence N01°35'23"E, a distance of 97.24 feet; thence N88°25'21"W, a distance of 10.00 feet to said east right-of-way line; thence S01°35'23"W along said east right-of-way line, a distance of 97.19 feet to the POINT OF BEGINNING, containing 0.02 Acres (972 sq. ft.) more or less.
BEGINNING; thence continue S88º08'42"E, a distance of 162.50 feet; thence S01º35'23"W, a distance of 13.50 feet; thence N88º08'42"W, a distance of 162.50 feet; thence N01º35'23"E, a distance of 13.50 feet to the POINT OF BEGINNING, containing 0.05 Acres (2,194 sq. ft.) more or less.

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance shall take effect and be in force from and after its passage.

Passed this 9th day of September, 2014.  

Approved:

___________________________
Mayor Tab Townsell

Attest:

____________________________
Michael O. Garrett  
City Clerk/Treasurer
August 5, 2014

Robert M. Brown (rbrown@dci-ir.com)
Development Consultants, Inc.
2200 N. Rodney Parham Road, Suite 220
Little Rock, AR 72212

Dear Mr. Brown:

After speaking with our engineer, I am able to agree that AT&T will relinquish its interest in two platted easements in the Harkrider Addition, Block 1, Superior Replat, of Conway, Arkansas. I have highlighted those easements on your drawing and have attached it as Exhibit “A” to this letter.

AT&T has no facilities within these easements and has no plans to use them in the future.

Any questions concerning AT&T’s facilities in this area should be directed to Lannie Page on 501-373-3423.

Sincerely,

attachment:

CC: Lannie Page
August 7, 2014

The Honorable Tab Townsell
Mayor of Conway
City Hall
1201 Oak Street
Conway, AR 72032

Re: Easement closures for Arvest Bank on Block 1, Harkrider Addition, Superior Replat, Faulkner County, Arkansas.

Dear Mayor Townsell:

Conway Corporation has no objections to the request to close the easements on the above plat as requested by Robert Brown for Arvest Bank.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey
Engineering and Planning
August 7, 2014

Robert Brown
Development Consultants Inc.
2200 North Rodney Parham Road, Suite 220
Little Rock, Arkansas 72212

Subject: Arvest Easement Abandonment

Dear Robert,

Upon your request, CenterPoint Energy (CNP) has investigated the location of its facilities in the area surrounding Arvest Bank at the intersection of Oak and Factory Street in Conway, AR. We have found our main to be within existing city ROW, therefore have no objections to the proposed abandonment of the two easements shown in the attached exhibit.

If you have any questions or concerns, you can reach me at the numbers below.

Sincerely,

Chase Batson
Engineer
CenterPoint Energy
Office: 501-377-4667
Cell: 501-454-4741
To: Mayor Tab Townsell  
Conway City Council

From: Josh Zylks, Airport Manager

Date: September 2nd, 2014

Subject: Disposal/Removal from Inventory

The listing below details items to be removed from the fixed assets (inventory). I would like to request approval to remove these items from our inventory listing and to dispose of them.

1993 Model 6300 John Deere Tractor (To trade in on new unit for Cantrell Field)

Please advise if you have any questions.
City of Conway, Arkansas
Ordinance No. O-14-______

AN ORDINANCE ACCEPTING THE DONATION OF A METAL AIRPORT HANGAR BUILDING TO THE CITY OF CONWAY; AND FOR OTHER PURPOSES

Whereas, The City of Conway has been offered a 12,585 square feet metal airport hangar located at Dennis F. Cantrell Field by Allison Leasing; and

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 donation from Allison Leasing of a 12,585 square feet metal airport hangar with an appraised value of $374,000 and add to the City inventory listings.

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

PASSED this 9th day of September, 2014.

Approved:

______________________
Mayor Tab Townsell

Attest:

______________________
Michael O. Garrett
City Clerk/Treasurer
AN OPINION OF VALUE WITH A SCOPE OF WORK & AN APPRAISAL REPORT

OF
A 12,585 SF METAL AIRPORT HANGAR
FOR
ALLISON LEASING
6TH STREET - CONWAY REGIONAL AIRPORT
CONWAY, AR

AS OF
April 25, 2014

PREPARED FOR

ALLISON LEASING
719 HARKRIDER, SUITE 200
CONWAY, AR 72032

PREPARED BY
Wayne Coats CG0168
COATS APPRAISAL SERVICE, INC.
394 HIGHWAY 65 NORTH
CONWAY, AR 72032
April 25, 2014

Allison Leasing
719 Harkrider Avenue, Suite 200
Conway, AR 72032

RE: An opinion as to the current value of a 12,585 SF Metal Airport Hangar located off of 6th Street in the Conway Regional Airport, Conway, AR 72032.

As you have requested: I have conducted the required investigation, gathered the necessary data and have made certain analyses that have enabled me to form my opinion of the “Value” of the airport hangar that is described in the report. The following report contains the description of the building and an opinion as to their cost new and the amount of physical depreciation to develop an opinion of value based on a scope of work that is shown in this report. There is no real estate involved in this analysis and there are no other site improvements except the 12,585 SF hangar building.

The intended use of the report is for the clients use only, the intended user is Allison Leasing Services for a financial decision. The current use of the hangar is one large hangar for their personal use to house the airplane and two motor homes that have access through one of two 18 X 20 overhead rollup doors at the rear of this building. The building is a pre-engineered metal building with a folding door on the front and a metal roof with some fiberglass on the sides above the metal on the sides of the hangar. There is a finished, reinforced concrete floor and exposed insulation on the interior, lighting and overhead heaters and there are two walk thru doors and two overhead doors plus the folding door.

This report has been prepared, to the best of my knowledge and ability, in conforming to the most recent USPAP guidelines for the Uniform Standards for property of this type. The value of this building has been determined by using Marshall & Swift Commercial Cost Manual.

Certain assumptions underlie these analyses and certain conditions limit the use of this report and/or data contained herein. You attention is directed to the “Limiting Conditions and Assumptions” section of this report for a detailed listing and explanation. The Limiting Conditions are incorporated herein for all purposes.

I hereby certify that I have made a review as to the cost new, used the age/life method to develop an opinion as to the amount of physical depreciation and have reported on each of the building and have identified the buildings with numbers and a description of the building. The data source is Marshall & Swift Commercial Cost Manual.

Based upon my visit to the property and the research and analyses undertaken, it is my opinion that the opinion as to the current “Value” of the buildings noted and described in the report has a value as of the date of this report of $374,000, this value includes the one building and no other site improvement as the site is airport property,
Respectfully Submitted:

Wayne Coats CG0168
Coats Appraisal Service, Inc.

The current value of the building that is the subject of this appraisal has a value of $374,000 AS IS in this location.

THREE HUNDRED SEVENTY FOUR THOUSAND DOLLARS
$374,000
Allison Leasing, Airport Hangar With 12,585 SF Located at Conway Regional Airport, Conway, AR 72032
Coats Appraisal Service, Inc.

Exterior, Front Folding Door

Exterior View

Allison Leasing, Airport Hangar With 12, 585 SF Located at Conway Regional Airport, Conway, AR 72032
Front door, 80' in Length

Rear 18 X 20 Overhead Door, one of 2
AN ORDINANCE TRANSFERRING AIRPORT ACTIVITY OUT OF THE GENERAL FUND AND INTO AN ENTERPRISE FUND; AND FOR OTHER PURPOSES:

Whereas, Government accounting rules provide for the use of several different types of funds for tracking financial activity; and

Whereas, one such fund is an Enterprise Fund, which is designed to track business-type activities (funded by sales/fees for services rather than tax levies); and

Whereas, prior to the relocation of the Conway Airport its financial activity has been recorded in the City’s general fund; and

Whereas, the new Conway Airport will no longer be managed by a third party but instead by the City itself, and it will be funded by aviation fuel sales, ground leases, and hangar rentals; and

Whereas, the City Council deems it most appropriate and beneficial to utilize an Enterprise Fund for reporting on the new Conway Airport’s operations.

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

Section 1. The City of Conway shall establish a new Enterprise Fund in its accounting records to report the financial activity of the newly relocated Conway Airport, and shall no longer record airport activities in the General Fund.

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

PASSED this 26th day of August, 2014.

Approved:

________________________
Mayor Tab Townsell

Attest:

________________________
Michael O. Garrett
City Clerk/Treasurer
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 24 Rolling Hills 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 $276.74 ($224.31 + Penalty -$22.43 + 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 September 9th, 2014 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 9th day of September, 2014.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members

From: Missy Lovelady  
Date: September 2, 2014

Re: 24 Rolling Hills

- June 20, 2014– Warning Violation written regarding grass in the yard by Kim Beard.
- Property Owner is listed as William & Anita McDorman.
- Property was rechecked on 6/30/14 with no progress made.
- Letters were mailed 7/7/14 to address on file and a notice was left by post office.
- Property was rechecked on 7/15/14 & 7/23/14 with no action taken.
- Final Cleanup completed on 7/29/14.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.
City of Conway
Code Enforcement

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

TO William K & Anita D McDorman
24 Rolling Hills
Conway, AR 72032

Description: Mowing/Clean-up/Admin Fees associated with the nuisance abatement at 24 Rolling Hills, Conway Arkansas

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<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
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<td>Kim Beard</td>
<td>711-09468-000</td>
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<td>September 9, 2014</td>
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<td>2</td>
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<td>2</td>
<td>1 Employee- Mowing/Cleanup</td>
<td>15.23</td>
<td>30.46</td>
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<td>2</td>
<td>Maintenance fee (tractor)</td>
<td>15.00</td>
<td>30.00</td>
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<td>2</td>
<td>Maintenance fee (Mower)</td>
<td>15.00</td>
<td>30.00</td>
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<td>Regular letter</td>
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TOTAL BY 9/9/14 $224.31
TOTAL AFTER 9/9/14 $276.74

- Total amount due after September 9, 2014 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
August 8, 2014

Parcel # 711-09468-000

William K & Anita D McDorman
24 Rolling Hills
Conway, AR  72032

RE:  Nuisance Abatement at 24 Rolling Hills, Conway AR
Cost of Clean-Up, Amount Due:   $224.31

Dear Mr. & Mrs. McDorman,

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 September 9, 2014 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 Schrag. If you have any questions, please feel free to call me at 501-450-6191.

Sincerely,

Missy Schrag
Date of Violation: 06/20/2014

Violator Name: William & Anita McDorman

Address of Violation: 24 Rolling Hills

Violation Type: Overgrown Grass

Warning #: CE148477

Description of Violation and Actions Taken: On 06/20/14, Code Enforcement Officer Kim Beard wrote a warning to correct violation at 24 Rolling Hills for overgrown grass. Property was rechecked on 06/30/14 with no progress made. Regular and certified letters were mailed on 07/07/14 to address on file. Additional rechecks were made on 07/15/14 & 07/23/14 with no action taken. Final cleanup was conducted by city on 07/29/14.

Code Enforcement Officer: Kim Beard

Officer Signature: ________________________________

Date:    Time:
City of Conway, Arkansas
Resolution No. R-14-_______

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF A 15 FOOT UTILITY EASEMENT LOCATED ALONG THE SOUTH SIDE OF LOTS 1-4, FULMER SUBDIVISION:

Whereas, a petition has been filed with the City Council of the City of Conway, Arkansas by Wanda Fulmer to abandon a 15 foot utility easement located in the Fulmer Subdivision 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 September 23rd, 2014 @ 6:30pm.

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 manner prescribed by law.

PASSED this 9th day of September, 2014.

Approved:

__________________________________________________________________________
Mayor Tab Townsell

Attest:

__________________________________________________________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-14-____

AN ORDINANCE APPROPRIATING FUNDS FOR ENGINEERING SERVICES FOR ADAPTIVE SIGNAL CONTROL FOR THE CONWAY STREET DEPARTMENT; AND FOR OTHER PURPOSES:

WHEREAS, the Metroplan board has approved the City of Conway’s application for funding for an adaptive signal control system for Dave Ward Drive; and

WHEREAS, the Metroplan board has hired an engineering firm to perform the engineering services for the adaptive signal system; and

WHEREAS, the City of Conway must provide the estimated 20% match for engineering services before a notice to proceed may be issued to the engineering consultant; and

WHEREAS, the City of Conway Street and Engineering Department requests additional funds be appropriated to the 2014 budget to cover cost of these engineering services.

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

THAT:

Section 1. The City of Conway Street and Engineering Department budget shall be amended by appropriating $27,000 from the Street Fund Balance Appropriation account 002-201-4900 into the Street Fund Traffic Signal Maintenance Account 002-201-5466.

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

PASSED this 9th day of September, 2014.

Approved:

___________________________
City of Conway, Arkansas
Mayor Tab Townsell

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF 146.73 ACRES LOCATED ON THE EAST SIDE OF MILL POND ROAD NORTH OF MOUNTAIN PARK ESTATES. TO THE CITY OF CONWAY, ARKANSAS WITH A ZONING OF R-1; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:

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

Section 1: That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, annexed to said City by order of the County Court of Faulkner County, Arkansas, heretofore entered on the August 26th, 2014 and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned R-1 and described as follows:

A tract of land located in part of the E½ of the NW¼ and part of the NE¼ of Section 2 and in part of the NW¼ NW¼ of Section 1, all in Township 4 North, Range 14 West, Faulkner County, Arkansas, being further described as follows: Commencing at an Anchor Bolt for the Northwest Corner of the NE¼ of Section 2; thence along the North Line of said NE¼ S88°45'46"E, 59.21 feet to a Stone for the Southwest Corner of the SE¼ of Section 35, Township 5 North, Range 14 West, Faulkner County, Arkansas; thence continue along the North Line of said NE¼ of Section 2 S88°45'49"E, 235.69 feet to a ½" Rebar with Cap (PLS 1363) for the Point of Beginning; thence continue along said North Line S88°45'49"E, 1016.91 feet to a Stone for the Northeast Corner of the NW¼ NE¼ of said Section 2; thence continue along the North Line of the NE¼ of Section 2 S88°22'52"E, 1309.31 feet to a Stone for the Northeast Corner of Section 2; thence along the North Line of said NW¼ NW¼ of said Section 1, S89°30'55"E, 78.59 feet to a Stone for the Northwest Corner of said Section 35; thence continue along said North Line of the NW¼ NW¼ of Section 1 88°37'16"E, 543.18 feet to a ½" Rebar with Cap (PLS 1363); thence leaving the North Line of said NW¼ NW¼ of Section 1 S15°39'09"W, 1186.50 feet to ½" Rebar with Cap (PLS 1363) on the South Line of the NW¼ NW¼ of Section 1; thence along said South Line N86°46'08"W, 343.20 feet to a Stone for the Southeast Corner of the NE¼ NE¼ of Section 2; thence along the East Line of the NE¼ of Section 2 S02°12'47"W, 967.00 feet to a ½" Rebar with Cap (PLS 1363); thence leaving said East Line N86°52'41"W, 1302.80 feet to an Axle on the East Line of the SW¼ NE¼ of Section 2; thence along said East Line S01°57'45"W, 352.54 feet to a 1" Pipe for the Southeast Corner of the SW¼ NE¼; thence along the South Line of said SW¼ NE¼ S88°22'39"W, 1316.90 feet to a ⅜" Rebar for the Southwest Corner of said SW¼ NE¼; thence continue along the South Line of the SE¼ NW¼ of Section 2 N88°22'39"W, 51.07 feet to a ⅜" Rebar with Cap (PLS 1363); thence leaving said South Line N00°56'19"E, 1520.17 feet to a ⅜" Rebar with Cap (PLS 1363); thence S88°24'50"E, 291.87 feet to a 1" Pipe; thence N02°04'11"E, 420.00 feet to a ½" Rebar with Cap (PLS 1363); thence N88°26'17"W, 210.00 feet to a 1" Pipe on the West Line of the NW¼ NE¼ of said Section 2; thence along said West Line N02°07'14"E, 190.84 feet to a ½" Rebar with Cap (PLS 1363); thence leaving said West Line S88°12'04"E, 293.90 feet to a ½" Rebar with Cap (PLS 1363); thence N02°07'07"E, 295 feet to the Point of Beginning, containing 146.73 acres more or less.

and that above said – described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.
Section 2: From and after this date, the inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as a part of Ward 4 of the City of Conway, Arkansas.

Section 3: It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 9th day of September, 2014.

Approved:

_______________________________
Mayor Tab Townsell

Attest:

_______________________________
Michael O. Garrett
City Clerk/Treasurer
IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

Hal Crafton, Petitioner

No. 2014-69

ORDER

Comes now before the Court the above-styled case and after having been presented all the facts and circumstances and having considered the relevant laws, this Court finds and orders the following:

1. A petition for annexation was filed on or about July 22, 2014.
2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-601(b).
3. The petition and associated information was advertised in the newspaper of general circulation one time per week for three consecutive weeks.
4. The proposed site to be annexed was adequately described in the Petition and further displayed a map of the proposed site to be annexed.
5. Based on the above premises, the Petitioner’s prayer is right and proper.

WHEREFORE, this Court finds that the Petition proposing the subject property’s annexation into the City of Conway should be and hereby is GRANTED.

IT IS SO ORDERED.

Allen Dodson
Faulkner County Judge

9-3-14

Date
ANNEXATION TO R-1 ZONE
143 ACRES

DESCRIPTION
RUSH HAL DEVELOPMENT
ORCHARD ANNEXATION
143 ACRES
ROUND MOUNTAIN ORCHARD

CONTACT INFORMATION
WWW.CONWAYPLANNING.ORG/GIS
E-MAIL: Jason.Lyon@CityofConway.org

1 in = 600 ft
AUGUST 2014
Municipal Improvement District No 11
Annexation of Orchard on Round Mountain

It was unanimously agreed by all Commissioners that the 142 acres known as Orchard on Round Mountain be approved for annexation into Water District 11. This will help the water district to reduce the remaining balance of our loan.

Marcie Garis, Chairperson

Robert Downey, Commissioner
AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY KNOWN AS OLD CANTRELL FIELD LOCATED AT SOUTH OF SIXTH STREET, WEST OF I-40, AND EAST OF HARKRIDER STREET FROM I-3 TO PUD:

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 and shown on Exhibit "A":

(See Attached Exhibit A.)

to those of PUD, and a corresponding use district is hereby established in the area described in Exhibit "A" and said property is hereby rezoned subject to the following modifications:

A. The requirements for impervious surface contained in the ordinance, including Section 1101.7 may be met in part by inclusion of sidewalks and impervious areas within the City rights of way provided that such landscaped areas are to be maintained by applicant, its successors and assigns or a landowners association.
B. Bike lanes and/or paths shall only be required where indicated on Exhibit "G".
C. Signage will be addressed as a regional scale development and Petitioner will work with Planning and Development Department on applicable signage regulations.
D. The streets shown on the attached exhibits are still conceptual. Petitioner will work with the City to finalize the location of all streets.
E. Building setbacks will be 20 feet from front lot lines and 10 feet from side and rear lot lines. Any variances shall be addressed at platting of the various parcels.
F. The use of the term "retail" shall be deemed to include but not be limited to all establishments conducting sales or providing services to the public provided those uses listed on Exhibit "J" shall not be permitted.
G. Until such time as the airport is decommissioned and closed, the airport shall be entitled to continue to operate under this zoning.
H. This zoning shall revert to I-3, Intensive Industrial District in the event that applicant or its successors and assigns do not close the purchase of the Property described in Exhibit A but only as to any parcel not so purchased.
I. Exhibits "B"-"J" consist of pages showing the following:
   B Development Phasing Plan
   C Overall Master Plan
   D Overall P.U.D. Master Plan-uses of each parcel are noted thereon
   E Overall P.U.D. Master Plan-uses and proposed allowable unit counts and square footages are noted thereon
   F Retail Site Plan
Section 2: All ordinances in conflict herewith are repealed to the extent of the conflict and this ordinance shall take effect upon its passage, approval and publication.

PASSED this 9th day of September, 2014.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
EXHIBIT A

TRACT 1:

A TRACT OF LAND SITUATED IN THE SE 1/4 OF SECTION 7; THE NE 1/4 OF THE SW 1/4 OF SECTION 7; THE NW 1/4 OF THE SW 1/4 OF SECTION 7; THE NW 1/4 OF THE SW 1/4 OF SECTION 8; THE SW 1/4 OF THE NW 1/4 OF SECTION 8; THE NW 1/4 OF THE NE 1/4 OF SECTION 18 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 7, BEING A FOUND 2" PIPE; THENCE ALONG THE SOUTH LINE OF SAID SE 1/4 OF SECTION 7, N88°46'39"W A DISTANCE OF 1390.96 FEET TO A FOUND 1" PIPE AND THE POINT OF BEGINNING; THENCE S03°29'24"W A DISTANCE OF 1420.53 FEET TO A FOUND 3/8" REBAR; THENCE N86°28'19"W A DISTANCE OF 499.44 FEET TO A SET 5/8" REBAR; THENCE N03°00'44"E A DISTANCE OF 102.80 FEET TO A FOUND 3/4" PIPE; THENCE N03°00'44"E A DISTANCE OF 1299.52 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 7; THENCE CONTINUING N03°00'44"E A DISTANCE OF 585.41 FEET TO A SET 5/8" REBAR, PASSING THROUGH A FOUND 1/2" REBAR AT 557.42 FEET; THENCE N41°19'49"W A DISTANCE OF 708.48 FEET TO A SET 5/8" REBAR; THENCE N01°20'02"E A DISTANCE OF 113.12 FEET TO A FOUND 1/2" REBAR; THENCE N57°27'51"W A DISTANCE OF 184.26 FEET TO A SET 5/8" REBAR; THENCE N01°07'25"E A DISTANCE OF 60.00 FEET TO A SET 5/8" REBAR AND THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BRUCE STREET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N88°51'21"W A DISTANCE OF 1449.69 FEET TO A SET 5/8" REBAR ON THE EAST RIGHT OF WAY LINE OF INGRAM STREET; THENCE ALONG SAID EAST RIGHT OF WAY LINE N02°24'10"E A DISTANCE OF 1254.45 FEET TO A SET 5/8" REBAR ON THE SOUTH RIGHT OF WAY LINE OF 6TH STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE S88°26'38"E A DISTANCE OF 896.63 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°51'16"E A DISTANCE OF 2989.98 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°09'49"E A DISTANCE OF 98.86 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 7; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°09'49"E A DISTANCE OF 316.07 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°29'32"E A DISTANCE OF 135.59 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE N72°10'35"E A DISTANCE OF 346.78 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S89°48'50"E A DISTANCE OF 69.48 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S57°29'01"E A DISTANCE OF 23.70 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S39°30'03"E A DISTANCE OF 388.73 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S25°31'03"E A DISTANCE OF 131.17 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID RIGHT OF WAY LINE N88°21'10"W A DISTANCE OF 1186.60 FEET TO A SET 5/8" REBAR ON THE EAST LINE OF SAID SECTION 7; THENCE ALONG SAID SECTION LINE S02°07'02"W A DISTANCE OF 938.65 FEET TO A SET MAG NAIL; THENCE LEAVING SAID SECTION LINE N87°53'35"W A DISTANCE OF 1357.09 FEET TO A SET 5/8" REBAR; THENCE S03°29'24"W A DISTANCE OF 1406.77 FEET
TO THE POINT OF BEGINNING, CONTAINING 151.49 ACRES, MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 2:

A TRACT OF LAND SITUATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND PK NAIL BEING THE SOUTH 1/4 CORNER OF SAID SECTION 7, THENCE ALONG SOUTH LINE OF SAID SECTION S88°31'06"E A DISTANCE OF 248.27 FEET TO A SET MAG NAIL AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SECTION LINE S88°31'06"E A DISTANCE OF 462.99 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID SECTION LINE N03°00'44"E A DISTANCE OF 585.41 FEET TO A SET 5/8" REBAR; THENCE N41°19'49"W A DISTANCE OF 708.48 FEET TO A SET 5/8" REBAR; THENCE S01°20'02"W A DISTANCE OF 1104.94 FEET TO THE POINT OF BEGINNING, CONTAINING 9.20 ACRES MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 3:

A TRACT OF LAND SITUATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" IRON PIPE BEING THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE EAST LINE OF SAID SECTION 7 N02°07'02"E A DISTANCE OF 1384.88 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID SECTION LINE N02°07'02"E A DISTANCE OF 319.83 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID SECTION LINE N87°53'35"W A DISTANCE OF 1349.42 FEET TO A SET 5/8" REBAR; THENCE S03°29'24"W A DISTANCE OF 319.92 FEET TO A SET 5/8" REBAR; THENCE S87°53'35"E A DISTANCE OF 1357.09 FEET TO THE POINT OF BEGINNING, CONTAINING 9.94 ACRES MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 4:

A TRACT OF LAND SITUATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" IRON PIPE BEING THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE SOUTH LINE OF SAID SECTION 7 N88°46'39"W A DISTANCE OF 1390.96 FEET TO A FOUND 1" IRON PIPE; THENCE LEAVING SAID SECTION LINE N03°29'24"E A DISTANCE OF 899.24 FEET TO A SET 5/8"
REBAR; THENCE S88°01'35"E A DISTANCE OF 1369.25 FEET TO THE EAST LINE OF SAID SECTION 7 AND A
SET 5/8" REBAR; THENCE ALONG SAID SECTION LINE S02°07'02"W A DISTANCE OF 880.69 FEET TO THE
POINT OF BEGINNING, CONTAINING 28.19 ACRES MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS
AND RIGHTS OF WAY OF RECORD.
Central Landing
Conway, Arkansas
EXHIBIT J

Prohibited Uses

As used herein, the term “Prohibited Uses” shall mean any of the following uses:

(1) Any mobile home park, trailer court, labor camp, junkyard, or stockyard (except that this provision shall not prohibit the temporary use of construction trailers during periods of construction, reconstruction, or maintenance);

(2) Any central laundry, dry cleaning plant, or laundromat (except that a drop-off dry cleaner that performs all dry cleaning off site shall be permitted);

(3) Any body and fender repair operation for automobiles, trucks, trailers, boats, or other vehicles; provided this shall not prohibit an automotive repair shop, or any business servicing motor vehicles in any respect, including, without limitation, any quick lube oil change service, tire center or gasoline or service station;

(4) Any mortuary or funeral home;

(5) Any “Pornographic Use”, which shall include, without limitation: (x) a store displaying for sale or exhibition books, magazines or other publications containing any combination of photographs, drawings or sketches of a sexual nature, which are not primarily scientific or educational [provided, however, that the sale of books, magazines and other publications by a national or regional bookstore of the type normally located in first-class retail shopping centers shall not be deemed a “pornographic use” hereunder]; or (y) a store offering for exhibition, sale or rental video cassettes or other medium capable of projecting, transmitting or reproducing, independently or in conjunction with another device, machine or equipment, an image or series of images, the content of which has been rated or advertised generally as NC-17 or “X” or unrated by the Motion Picture Rating Association, or any successor thereto [provided, however, that the sale or rental of such videos by a national or regional video store of the type normally located in first-class retail shopping centers shall not be deemed a “pornographic use” hereunder]; or massage parlor [except for therapeutic massages given in connection with the operation of a day spa or health club or other similar facilities normally located in first class shopping center];

(6) Any so-called “head shop”, or other establishment primarily selling or exhibiting drug-related paraphernalia or merchandise commonly used or intended for use with or in the consumption of any dangerous drug or other controlled substance, provided this shall not prohibit the operation of a pharmacy, drugstore or medical office;

(7) Any flea market;

(8) Any discotheque, dance hall or topless bar;

(9) Any gambling facility or operation, including but not limited to: off-track or sports betting parlor; table games such as black-jack or poker; slot machines; video poker/black-jack/keno machines or similar devices; or bingo hall. Notwithstanding the foregoing, this
prohibition shall not apply to governmental sponsored gambling activities, or charitable
gambling activities, so long as such governmental and/or charitable activities are incidental to the
business operation being conducted by the occupant;

(10) Any tattoo parlor or skin/body piercing facilities;

(11) Any carnival, amusement park or circus;

(12) any warehouse operation (except incidental to the sale of goods in a retail
facility).
City of Conway, Arkansas
Ordinance No. O-14-_____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF FACTORY AND MONROE STREETS FROM R-2A TO O-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 R-2A symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

Lots 14, 15, 16 and the West 1/2 of Lot 17, Block 4, of the Harkrider Addition to the City of Conway, Arkansas to those of O-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 9th day of September, 2014.

Approved:

___________________________
Mayor Tab Townsell

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer
August 19, 2014

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from R-2A to O-2 for property that is located at northeast corner of Factory and Monroe Streets with the legal description:

Lots 14, 15, 16 and the West 1/2 of Lot 17, Block 4, of the Harkrider Addition to the City of Conway, Arkansas

was reviewed by the Planning Commission at its regular meeting on August 18, 2014. The Planning Commission voted 9 – 0 that the request be sent to the City Council with a recommendation for approved.

Submitted by,

Jeff Allender, Chair
Planning Commission
DESCRIPTION
NE CORNER FACTORY & MONROE
REZONE R-2A TO O-2
LOTS 14-16 BLOCK 4
HARKRIDER ADDN

REZONING
R-2A TO O-2

CONWAY PLANNING COMMISSION
Jeff Allender - Chair
Charie Buchanan - Vice-Chair

1 in = 250 ft
AUGUST 2014
August 19, 2014

Council Members
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit for temporary bank building for property that is located at the northeast corner of Factory and Monroe with the legal description:

    Lots 14, 15, 16 and the West 1/2 of Lot 17, Block 4, of the Harkrider Addition to the City of Conway, Arkansas

was reviewed by the Planning Commission at its regular meeting on August 18, 2014. The Planning Commission voted 9 – 0 that the request be sent to the City Council with a recommendation for approval subject to the following conditions.

1. The conditional use permit is applicable to Scott Hayes and Arvest Bank only to allow a temporary bank building and will lapse sixty (60) days after opening of the new Arvest Bank structure to be built at Oak and Factory Streets, and all structures to include signage and temporary bank building shall be removed from the property during those sixty (60) days.
2. The temporary bank may operate from 8:00am to 7:00pm Monday through Friday, and from 8:00am to 2:00pm Saturday.
3. Conditional Use Permit 1337 shall be amended to only allow one triplex at the southeast corner of Monroe and Factory Streets.

Submitted by,

Jeff Allender, Chair
Planning Commission

Attachment: Amended CUP 1337
CONDITIONAL USE PERMIT
CITY OF CONWAY, ARKANSAS

PROPERTY DESCRIPTION / ADDRESS / LOCATION:

This conditional use is for property located at the southeast and northeast corners of Factory and Monroe Streets with the following description:

Lots 14, 15, 16 and west half of Lot 17, Block 4, Harkrider Addition; and Lots 12 and 13, Block 5, Harkrider Addition

ZONING: R-2A

CONDITIONAL USE PERMITTED TO SCOTT AND ROBIN HAYES FOR: MF-1 density in R-2A zoning district

DATE OF COUNCIL MEETING ALLOWING PERMITTED USE: January 28, 2014

CONDITIONS ATTACHED TO PERMIT:

1. A total of nine (9) three (3) dwelling units is allowed.
2. Type of structure must be triplexes.
3. The permit is only applicable to Scott and Robin Hayes. The permit is not transferable and does not "run with the land".

APPROVED:

__________________________  _______________________
Tab Townsell, Mayor        Date
DESCRIPTION
NE CORNER FACTORY & MONROE CONDITIONAL USE FOR BANK
LOTS 14-16 BLOCK 4 HARKRIDER ADDN

CONDITONAL USE TEMPORARY BANK LOCATION

CONTACT INFORMATION
WWW.CONWAYPLANNING.ORG/GIS
E-MAIL: Jason.Lyon@CityofConway.org
City of Conway, Arkansas
Ordinance No. O-14-______

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 1755 MEADOWLAKE ROAD FROM R-2 TO O-3; AND FOR OTHER PURPOSES;

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 R-2 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

The North 122 feet of Lots 14, 15, 16, Block 2 Hutto Addition.

to those of O-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 9th day of September, 2014.

Approved:

___________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
August 19, 2014

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from R-2 to O-3 for property that is located at 1755 Meadowlake Road (southeast corner of Meadowlake and West Street) with the legal description:

The North 122 feet of Lots 14, 15, 16, Block 2 Hutto Addition.

was reviewed by the Planning Commission at its regular meeting on August 18, 2014. The Planning Commission voted 9 – 0 that the request be sent to the City Council with a recommendation for approval.

Submitted by,

Jeff Allender, Chair
Planning Commission
City of Conway, Arkansas
Ordinance No. O-14- ______

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 2595 NUTTERS CHAPEL ROAD FROM R-1 TO PUD:

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 R-1 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

A PART OF the SE1/4 SW1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SW1/4 SE1/4 AND RUNNING THENCE S01°06'19"W, 306.55 FEET TO THE NORTHWEST CORNER OF LOT 91 CATHERINE PLACE PHASE II; THENCE RUN S01°56'12"W, 293.85 FEET TO THE NORTHEAST CORNER OF LOT 3 OF CATHERINE PLACE PHASE I; THENCE RUN N88°05'20"W, ALONG THE NORTH LINE OF SAID SUBDIVISION, 534.61 FEET; THENCE RUN N80°49'17"W ALONG THE NORTH LINE OF SAID SUBDIVISION, 206.06 FEET TO THE CENTERLINE OF NUTTERS CHAPEL ROAD; THENCE RUN ALONG SAID CENTERLINE N46°14'41"E, 117.38 FEET; THENCE RUN N35°49'01 "E, 421.33 FEET; THENCE N31°17'02"E, 40.70 FEET; THENCE LEAVING SAID CENTERLINE RUN S58°42'57"E, ALONG THE SOUTH LINE OF SAID CATHERINE PLACE SUBDIVISION 410.46 FEET; THENCE RUN S88°04'54"E, ALONG SAID SOUTH LINE, 44.43 FEET TO THE POINT OF BEGINNING CONTAINING 5.36 ACRES MORE OR LESS.

to those of PUD, 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 9th day of September, 2014.

Approved:

___________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
August 19, 2014

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from R-1 to PUD for property that is located at 2595 Nutters Chapel Road with the legal description:

A part of the SW ¼ SE ¼ and a part of the SE ¼ SW ¼ of Section 14, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as commencing at the Northwest corner of said SW ¼ SE ¼ and running thence S01°06'19"W, 306.55 feet to the Northwest corner of Lot 91 Catherine Place Phase II; thence run S01°56'12"W, 293.85 feet to the Northeast corner of Lot 3 of Catherine Place Phase I; thence run N88°05'20"W, 534.61 feet; thence run N80°49'17"W, 206.06 feet to the Centerline of Nutters Chapel Road; thence run along said Centerline N46°14'41"E, 117.38 feet; thence run N35°49'01"E, 421.33 feet; thence 31°17'02"E, 40.70 feet; thence leaving said Centerline run S58°42'57"E, 410.46 feet; thence run S88°04'54"E, 44.43 feet to the Point of Beginning containing 5.36 acres more or less.

was reviewed by the Planning Commission at its regular meeting on August 18, 2014. The Planning Commission voted 9 – 0 that the request be sent to the City Council with a recommendation for approval with the following stipulations in addition to the requirements specific to the PUD zoning.

1. PUD shall be generally developed as shown on submitted site plan. Minor variations from the submitted site plan. Minor variations from the submitted plan shall be allowed for technical reasons.
2. Platting shall be required. Any additional right of way, sidewalks, etc., as required by the Subdivision Ordinance shall be dedicated and constructed.
3. Setbacks. Building setbacks must be established and shown on the plat. The front setback shall be allowed at 15 feet instead of the typical 25 feet.
4. Lot sizes. Lots 4-6, 8, 11-15, and 17 shall be allowed at 0.16± acre.
5. A brick wall shall be constructed along Nutters Chapel Road.
6. Residences shall be a minimum of 1800 square feet heated and cooled.

Submitted by,

Jeff Allender, Chair
Planning Commission
NAHLEN COVE -- REZONING R-1 TO PUD

2595 NUTTERS CHAPEL RD
5.37 ACRES

REZONING R-1 TO PUD
City of Conway, Arkansas
Ordinance No. O-14-______

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 2215 DAVE WARD DRIVE FROM O-1 TO RU-1:

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 O-1 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

A part of the NE 1/4 SE 1/4 of Section 14, Township 5 North, Range 14 West, more particularly described as follows: Beginning 669 feet West of the Northeast corner of the NE 1/4 SE 1/4 and run from thence South 522.7 feet; thence West 178 feet; thence North 522.7 feet; thence East 178 feet to the point of beginning, containing 2.14 acres, more or less, conveyed to Huel Thurman Heath and Mona Claire Heath, husband and wife by deed recorded in the official records of Faulkner County, Arkansas, in Deed Record Book 467, Page 226, being the property located at 2215 Dave Ward Drive, Conway, Arkansas 72034.

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

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

PASSED this 9th day of September, 2014.

Approved:

_________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
August 19, 2014

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from O-1 to RU-1 for property that is located at 2215 Dave Ward Drive with the legal description:

A part of the NE 1/4 SE 1/4 of Section 14, Township 5 North, Range 14 West, more particularly described as follows:

Beginning 669 feet West of the Northeast corner of the NE 1/4 SE 1/4 and run from thence South 522.7 feet; thence West 178 feet; thence North 522.7 feet; thence East 178 feet to the point of beginning, containing 2.14 acres, more or less, conveyed to Huel Thurman Heath and Mona Claire Heath, husband and wife by deed recorded in the official records of Faulkner County, Arkansas, in Deed Record Book 467, Page 226, being the property located at 2215 Dave Ward Drive, Conway, Arkansas 72034.

was reviewed by the Planning Commission at its regular meeting on August 18, 2014. The Planning Commission voted 5 – 4 that the request be approved. It failed to achieve the necessary 6 votes and is therefore forwarded to Council without recommendation for its consideration. If the City Council were to approve the change in zoning to RU-1, the Planning Commission voted 7 – 2 to recommend that the conditional use as presented be a part of that and the following conditions be considered.

1. Conditional Use Permit 1288 will be amended to remove this property from the legal description. A new conditional use permit will be issued with appropriate conditions.
2. This conditional use is applicable to DT Real Estate only.
3. Allowed land uses: Uses as allowed by right in RU-1 with the addition of mini storage and general retail that is incidental to the storage unit business only during normal office hours.
4. Additional landscaping including evergreen trees along sides and rear of property to screen storage units. A reduced 10 foot rear landscaping area is allowed; however, double the number of required trees shall be planted with a screening evergreen species. Existing trees may also be used. Planning Staff shall determine proper screening measures during site development review.
5. Parking spaces as shown on the submitted site plan along the east and west property lines shall be allowed with reduced landscaping areas.
6. Project will be developed generally as submitted on the site plan.

Submitted by,

Jeff Allender, Chair
Planning Commission

Attachments:
  Amended CUP 1288
  Site Plan
PERMIT No 1288 (AMENDED 8-26-2014)

CONDITIONAL USE PERMIT
CITY OF CONWAY, ARKANSAS

PROPERTY DESCRIPTION / ADDRESS / LOCATION:

This conditional use is for property located along the south side of Dave Ward Drive on both sides of Moix Boulevard, starting at Stone Dam Creek and extending east about 1,300 feet, with the legal description

TRACT 1:
A part of the NW¼ SE¼ of Section 14, Township 5 North, Range 14 West and apart of Lot 7 of Moix Meadows Subdivision as shown in Plat Book K, on page 34, Records of Faulkner County, Arkansas being more particularly described as commencing at the Northeast Corner of said NW¼ SE¼ and running thence S66°06'52"W, 149.36 feet to the corner of said Lot 7, said point being the point of beginning; thence run along the West right of way of Moix Boulevard S24°32'46"E, 13.93 feet; thence S02°02'00"W, 444.80 feet; thence leaving said right of way run N87°53'44", 397.40 feet; thence run N17°12'12"W, 259.68 feet; thence N19°49'12"W, 164.83 feet to the South right of way of HWY #60 (now HWY 286 aka Dave Ward Drive); thence run along said right of way S87°23'25"E, 450.46 feet to the point of beginning. Said Tract contains 4.91 acres more or less.

TRACT 2:
A part of the N½ SE¼ of Section 14, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as commencing at the Northeast Corner of the NW¼ SW¼ of said Section 14 and running thence S33°36'33"W, 94.21 feet to the North right of way of HWY #60 (now HWY 286 aka Dave Ward Drive), said point being the point of beginning; thence run along said right of way the following: N89°03'34"E, 162.31 feet; N89°43'18"E, 165.16 feet; S87°58'52"E, 375.20 feet; thence leaving said right of way run S01°57'26"W, 458.43 feet; thence run N87°53'44"W, 721.69 feet to the East right of way of Moix Boulevard; thence run N02°02'00"E along said right of way 428.39 feet; thence N55°22'53E, 23.39 feet to the point of beginning. Said tract contains 7.52 acres more or less.

LESS AND EXCEPT:
A part of the NE 1/4 SE 1/4 of Section 14, Township 5 North, Range 14 West, more particularly described as follows: Beginning 669 feet West of the Northeast corner of the NE 1/4 SE 1/4 and run from thence South 522.7 feet; thence West 178 feet; thence North 522.7 feet; thence East 178 feet to the point of beginning, containing 2.14 acres, more or less, conveyed to Huel Thurman Heath and Mona Claire Heath, husband and wife by deed recorded in the official records of Faulkner County, Arkansas, in Deed Record Book 467, Page 226, being the property located at 2215 Dave Ward Drive, Conway, Arkansas 72034.

ZONING: O-1

CONDITIONAL USE PERMITTED TO SALTER ACQUISITIONS (GENE SALTER, PRINCIPAL) FOR: ________________
________ Retail – General and Hotel

DATE OF COUNCIL MEETING ALLOWING PERMITTED USE: __________ October 28, 2008 __________

CONDITIONS ATTACHED TO PERMIT:

Tree Preservation – Removal of any tree(s) eight (8) inches or greater in diameter must have approval of the city's Director of Planning & Development.

APPROVED:

______________________________  __________________________
Tab Townsell, Mayor Date
AN ORDINANCE AMENDING THE 2013 BUDGET FOR CONWAY PARKS & RECREATION DEPARTMENT CAPITAL; AND FOR OTHER PURPOSES:

Whereas, the Advertising and Promotion Commission agreed to contribute funding towards the construction of Rogers Plaza in 2013; and

Whereas, the City received this funding from the Commission on December 18, 2013; and

Whereas, the City did not amend its budget at that time and appropriate the funding for Rogers Plaza.

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

Section 1. The City of Conway shall accept $257,162 and appropriate these funds to the following Parks Capital Projects Fund accounts: Miscellaneous Revenue (252.000.4799) and CIP – Misc. (252.140.5990) for the fiscal year 2013.

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

PASSED this 26th day of August, 2014.

Approved:

________________________
Mayor Tab Townsell

Attest:

________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas  
Ordinance No. O-14-____

AN ORDINANCE APPROPRIATING FUNDING FOR THE PURCHASE OF EQUIPMENT FOR THE PARKS & RECREATION DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway Parks and Recreation Department has a need to purchase two (2) replacement Kawasaki mules; and

Whereas, the Conway Parks & Recreation A&P Funds is allocated to be used for such manner.

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

Section 1. The City of Conway shall appropriate an amount of $15,000 from Parks and Recreation A&P Fund Balance Appropriation (252-000-4900) to the following Conway Parks Department Capital Budget Accounts:

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>252-154-5910</td>
<td>Parks Machinery &amp; Equipment</td>
<td>$7,500</td>
</tr>
<tr>
<td>252-161-5910</td>
<td>Parks Machinery &amp; Equipment</td>
<td>$7,500</td>
</tr>
</tbody>
</table>

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

PASSED this 9th day of September, 2014.

Approved:

___________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CONWAY ANIMAL WELFARE UNIT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursements funds from the following entities:

  Pet Smart                  $ 3,421.80 Donations
  District Court of Faulkner Cty  $ 350.00 Restitution

Whereas, the Conway Animal Welfare Unit needs these funds to replenish their expenditure accounts.

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

Section 1. The City of Conway shall appropriate donation funds from Pet Smart in the amount of $3,421.80 from 001.127.4705 to the Conway Animal Welfare Department Spay/Neuter miscellaneous supplies expense account, 223.127.5699.

Section 2. The City of Conway shall appropriate restitution funds in the amount of $350.00 from 001.121.4184 to the Conway Animal Welfare Department uniform expense account, 001.127.5670.

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

PASSED this 9th day of September, 2014.

Approved:

_________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursements funds from the following entities:

- Various Companies $ 12,423.55 Extra Duty Services
- DEA $ 6,713.28 Reimbursement for OT
- DOJ/Secret Service $ 1,023.32 Reimbursement for Equipment
- Insurance Companies $ 3,564.57 Insurance Proceeds
- District Court of Faulkner Cty $ 54.04 Restitution
- Property Room.com $ 15,471.81 auction proceeds
- DOJ $ 3,050.38 Bullet proof vest reimbursement

Whereas, the Conway Police Department needs these funds to replenish their expenditure accounts;

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

Section 1. The City of Conway shall appropriate funds from various Companies in the amount of $12,423.55 from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

Section 2. The City of Conway shall appropriate reimbursement funds from DEA in the amount of $6,713.28 from 001.121.4186 to the CPD overtime expense account, 001.121.5114.

Section 3. The City of Conway shall appropriate reimbursement funds from Secret Service in the amount of $1023.32 from 001.121.4186 to the CPD miscellaneous expense account, 001.121.5799.

Section 4. The City of Conway shall appropriate insurance proceeds funds in the amount of $3,564.57 from 001.119.4360 to the CPD fleet maintenance expense account, 001.121.5450.

Section 5. The City of Conway shall appropriate restitution funds from District Court in the amount of $54.04 from 001.121.4184 to the CPD uniform expense account, 001.121.5670.

Section 6. The City of Conway shall appropriate $15,471.81 from the Police Auction Proceeds account, 001.121.4799 to the CPD vehicle maintenance expense account, 001.121.5450.

Section 7. The City of Conway shall appropriate $3,050.38 from the Federal Grant Revenue account, 399.121.4750 to the CPD accountable equipment expense account, 001.121.5650.

Section 8. All ordinances in conflict herewith are repealed to the extent of the conflict

PASSED this 9th day of September, 2014.

Attest:  

_________________________
Michael O. Garrett  
City Clerk/Treasurer

Approved:  

_________________________
Mayor Tab Townsell