



Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett

Aldermen

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Mark Vaught
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Jack Bell
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

City of Conway
5:30pm Committee Meeting
Discussion of District Court Revenue
6:30pm -- Council Meeting
Courtroom in District Court Building
810 Parkway, Conway, AR 72034
January 8th, 2008

1. **Call to Order**
2. **Roll Call**
3. **Minutes:** December 18th, 2007
4. **Recognition of Guests:**
5. **Public Hearings:**

A. Public hearing to discuss closing an alley located between North Ash & Davis Street.

1. Ordinance to discuss closing an alley between North Ash & David Street.

6. Report of Standing Committees:

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

1. Ordinance to rezone property located east of Nutter's Chapel Road approximately 400 feet south of Eggman Lane and west of Hilton Drive and Richland Hills Subdivision from R-1, MF-2, O-1 and C-2 to PUD.
2. Ordinance to rezone property located at 1220 and 1221 Ash Street at the terminus of North Ash Street of Mill Street from R-2A to PUD.
3. Ordinance to rezone property located west of 111 Lower Ridge Road directly across from 112 Lower Ridge Road between Azalea Loop and Victory Lane from A-1 to RU-1.
4. Consideration of a conditional use permit to produce, package and distribute ice products for property located west of 111 Lower Ridge Road and directly across from 112 Lower Ridge Road between Azalea Loop and Victory Lane.

B. Public Safety Committee (Police, CEOC, Fire, Dist. Court & City Att., & Animal Control)

1. Ordinance accepting asset obtained through court order for the Conway Police Department.

2. Consideration of accepting bids for station furniture for the Conway Fire Department.
3. Consideration of accepting bids for an ID badge and accountability system for the Conway Police Department.

C. Personnel

1. Ordinance amending Ordinance O-0-55 which adopted an amended employee handbook and personnel policy in regards to the City of Conway Pension Fund.

D. Finance

1. Ordinance appropriating funds for personal service for the FY 2008 for Department Heads.

7. Old Business

- A. Ordinance to close a portion of McKay Avenue east of Griffith extended to the West right of way of the railroad.

8. New Business

- A. Resolution approving the issuance of capital improvement bonds for Hendrix College.

Adjournment



**City of Conway, Arkansas
Ordinance No. O-08- _____**

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED EAST OF NUTTER'S CHAPEL ROAD APPROXIMATELY 400 FEET SOUTH OF EGGMAN LANE AND WEST OF HILTON DRIVE AND RICHLAND HILLS SUBDIVISION FROM R-1, MF-2, O-1, AND C-2 TO PUD:

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

SECTION 1: That the Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the R-1, MF-2, O-1, and C-2 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township Five (5) North, Range Fourteen (14) West, as well as the S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22, Township Five (5) North, Range Fourteen (14) West, all in Faulkner County, Arkansas, being more particularly described as beginning at the Southwest Corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ run thence N01°47'36"E, along the west line of said NE $\frac{1}{4}$, 2636.39 feet to the Northwest Corner of said NE $\frac{1}{4}$; thence run N01°52'59"E, along the west line of said SE $\frac{1}{4}$, 994.89 feet to the Northwest Corner of the S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$; thence run S88°07'28"E, along the north line of said S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, 2647.84 feet to the Northeast Corner of said S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$; thence run S01°41'26"W, along the east line of said S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, 992.40 feet to the Northeast Corner of said Section 27; thence run S02°21'22"W, along the east line of said Section 27, 570.24 feet; thence leaving said east line run S71°45'57"W, 64.09 feet; thence run S02°21'23"W, parallel to the east line of said Section 27, 566.45 feet; thence run N88°02'43"W, 303.00 feet; thence run S02°21'23"W, 160.00 feet to the south line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence run N88°02'43"W, along said south line, 955.05 feet to the Southwest Corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence run S02°19'16"W, along the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1314.81 feet to the Southeast Corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence run N88°26'18"W, along the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1308.08 feet to the point of beginning. Said tract contains 39.72 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; 39.99 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$; 37.84 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$; 30.24 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$; 30.14 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$; containing 177.99 acres in the aggregate, less and except the west thirty (30.00) feet of even width of the S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section Twenty-two (22), Township Five (5) North, Range Fourteen (14) West, Faulkner County, Arkansas, containing 0.69 acres more or less, for a total of 177.30 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: That all ordinances in conflict herewith are repealed to the extent of the conflict.

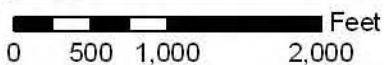
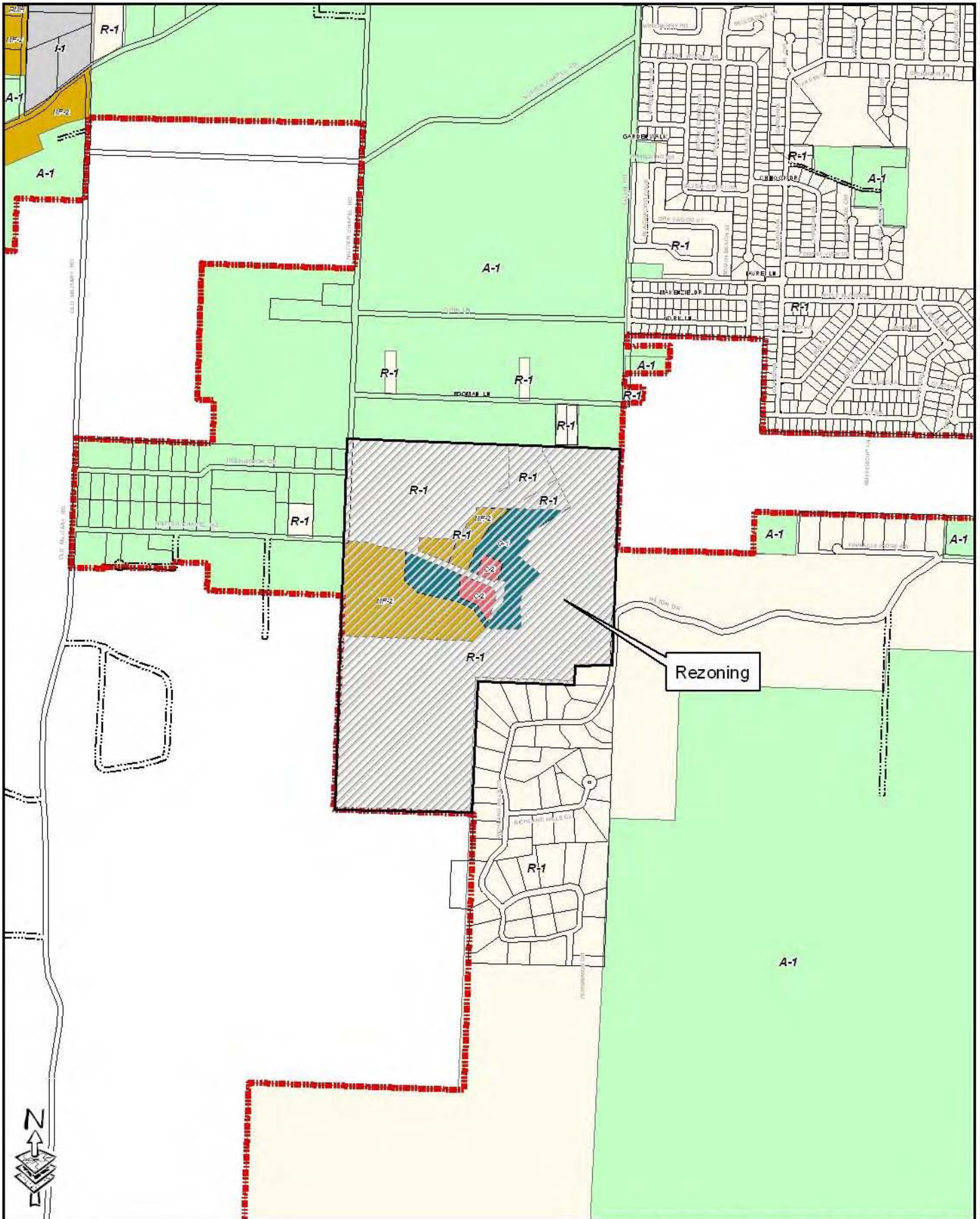
PASSED this 8th day of January, 2008.

Approved:

Mayor Tab Townsell

Attest:

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



The Greens at Nutters Chapel PUD



CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

December 27, 2007

Council Members
Conway, AR 72032

Dear Council Members:

A request for rezoning from R-1, MF-2, C-2, and O-1 to PUD for property located south of Eggman Lane and east of Nutter's Chapel Road, and with the legal description:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township Five (5) North, Range Fourteen (14) West, as well as the S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22, Township Five (5) North, Range Fourteen (14) West, all in Faulkner County, Arkansas, being more particularly described as beginning at the Southwest Corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ run thence N01°47'36"E, along the west line of said NE $\frac{1}{4}$, 2636.39 feet to the Northwest Corner of said NE $\frac{1}{4}$; thence run N01°52'59"E, along the west line of said SE $\frac{1}{4}$, 994.89 feet to the Northwest Corner of the S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$; thence run S88°07'28"E, along the north line of said S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, 2647.84 feet to the Northeast Corner of said S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$; thence run S01°41'26"W, along the east line of said S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, 992.40 feet to the Northeast Corner of said Section 27; thence run S02°21'22"W, along the east line of said Section 27, 570.24 feet; thence leaving said east line run S71°45'57"W, 64.09 feet; thence run S02°21'23"W, parallel to the east line of said Section 27, 566.45 feet; thence run N88°02'43"W, 303.00 feet; thence run S02°21'23"W, 160.00 feet to the south line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence run N88°02'43"W, along said south line, 955.05 feet to the Southwest Corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence run S02°19'16"W, along the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1314.81 feet to the Southeast Corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence run N88°26'18"W, along the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1308.08 feet to the point of beginning. Said tract contains 39.72 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; 39.99 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$; 37.84 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$; 30.24 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$; 30.14 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$; containing 177.99 acres in the aggregate, less and except the west thirty (30.00) feet of even width of the S $\frac{3}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section Twenty-two (22), Township Five (5) North, Range Fourteen (14) West, Faulkner County, Arkansas, containing 0.69 acres more or less, for a total of 177.30 acres more or less.

was reviewed by the Planning Commission at its regular meeting on December 17, 2007. The Planning Commission voted 7 – 0 that the request be sent to the City Council with a recommendation for approval subject to the following added conditions.

- 1) PUD shall be as submitted in drawings to the Planning Department—900 apartment units in 75 buildings clustered within an 18-hole golf course—with Planning Department adjustments as needed.
- 2) Building #20 and #12 green shall be located forty (40) feet north from the property line.
- 3) PUD will not exceed 900 apartment units in 75 buildings.
- 4) At no time in the future shall golf course have less than eighteen (18) holes.
- 5) The portion of Nutter's Chapel Road abutting this property must be improved and brought up to current city standards **with impact fees if approved by the City Council.**

- 6) Planning Department staff will examine parking and parking placement with an eye to the parking being more compartmentalized and located to the rear or sides of the apartment structures so as to create a better streetscape.
- 7) On-site water from lake to be used for golf course irrigation.
- 8) No external sound system usage between 10:00 p.m. and 8:00 a.m.
- 9) Trees larger than six (6) inches in diameter within twenty-five (25) feet of the property line will not be removed.
- 10) Construction traffic for this project is limited to Salem Road and Nutter's Chapel Road.

Submitted by,

Adam Thomas, Chairman
Planning Commission



City of Conway, Arkansas
Ordinance No. O-08- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 1220 AND 1221 ASH STREET AT THE TERMINUS OF NORTH ASH STREET NORTH OF MILL STREET FROM R-2A TO PUD:

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

SECTION 1: That 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 7, 8, 9 and E½ of Lot 10, all in Block 1, and all of Lot 15, except the W 75 feet thereof, in Block 2; all in Greene's Subdivision of Lots 238, 172 and 203-A of Conway, Arkansas, as shown on B.G. Wilson's Map of said City, a plat of which subdivision is of record in Book "A", Page 72, Record of Town Plats in Faulkner County, Arkansas, And

A part of Lot 203-B, Fidler's Survey to the City of Conway, Arkansas, described as beginning at the NW corner of said Lot 203-B, thence run South 89 degrees 07 minutes East along the North line of said Lot 203-B 234.0 feet; thence South 2 degrees 18 minutes West 104.7 feet to the South line of said 203-B; thence North 81 degrees 57 minutes West along said South line 72.34 feet; thence West along South line 159.3 feet to the SW corner of said Lot 203-B; thence North 0 degrees 40 minutes East 97.1 the Point of Beginning, And

The N½ of Lots 2, 3, and 4, and the N½ of the W½ of Lot 1 and a part of Lot 16, described as beginning at the southwest corner of said Lot 16; thence North 37.0 feet; thence East 100.0 feet; thence South 20.5 feet; thence East 50.0 feet to the northeast corner of Lot 16; thence South 16.5 feet to the southeast corner of Lot 16; thence West 150.0 feet to the Point of Beginning, all in Block 2, Green's Subdivision of Lots 238, 172 and 203A as shown on B.G. Wilson's Map of the City of Conway, Arkansas, Faulkner County, as shown on plat of record in Plat Book A, Page 72, records of Faulkner County, Arkansas.

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: That all ordinances in conflict herewith are repealed to the extent of the conflict.

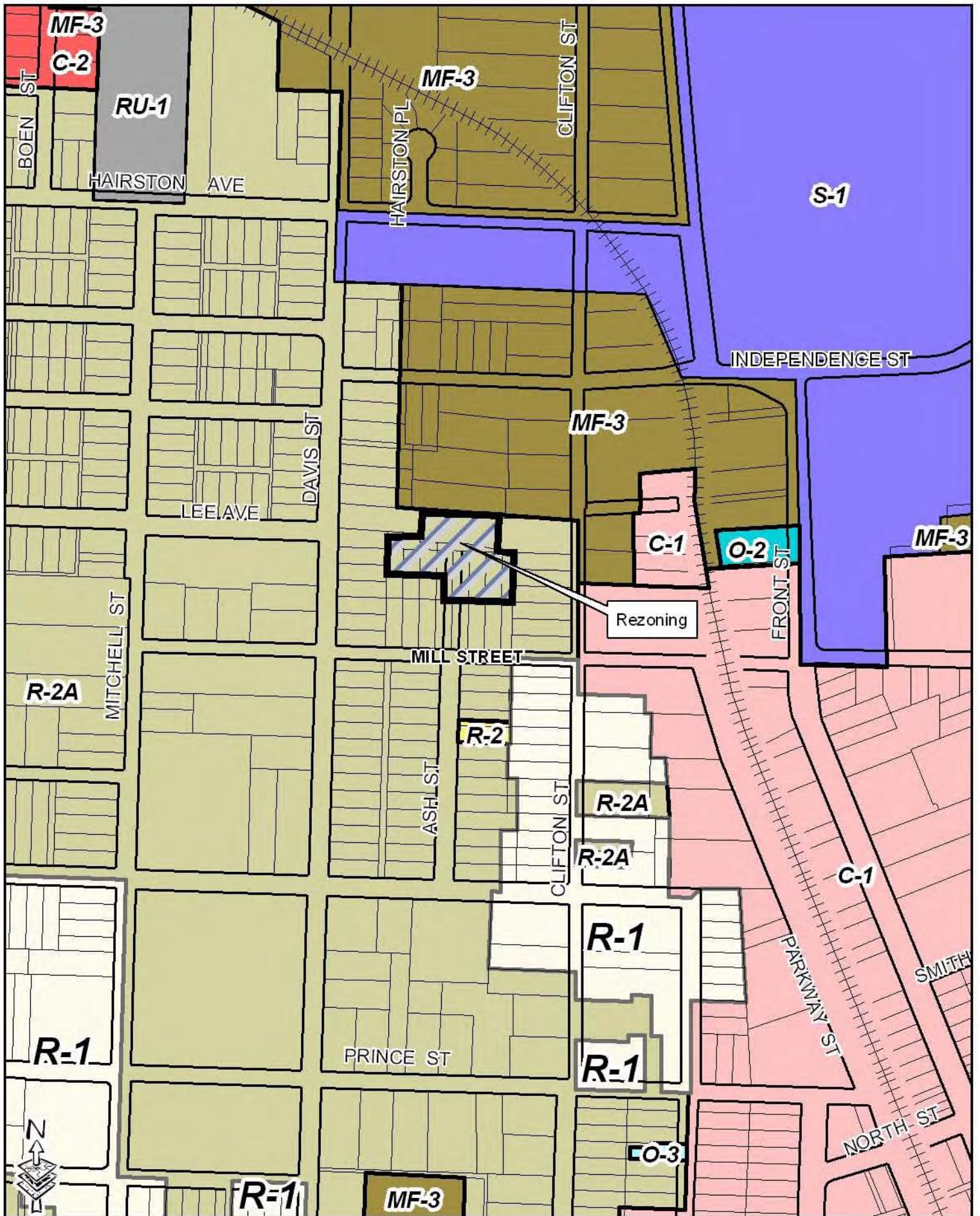
PASSED this 8th day of January, 2008

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**Pecan Grove PUD
Rezoning**



CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

December 27, 2007

Council Members
Conway, AR 72032

Dear Council Members:

A request for rezoning from R-2A to PUD for property located at 1220 and 1221 Ash Street at the terminus of North Ash Street north of Mill Street and with the legal description:

Lots 7, 8, 9 and E½ of Lot 10, all in Block 1, and all of Lot 15, except the W 75 feet thereof, in Block 2; all in Greene's Subdivision of Lots 238, 172 and 203-A of Conway, Arkansas, as shown on B.G. Wilson's Map of said City, a plat of which subdivision is of record in Book "A", Page 72, Record of Town Plats in Faulkner County, Arkansas, And

A part of Lot 203-B, Fidar's Survey to the City of Conway, Arkansas, described as beginning at the NW corner of said Lot 203-B, thence run South 89 degrees 07 minutes East along the North line of said Lot 203-B 234.0 feet; thence South 2 degrees 18 minutes West 104.7 feet to the South line of said 203-B; thence North 81 degrees 57 minutes West along said South line 72.34 feet; thence West along South line 159.3 feet to the SW corner of said Lot 203-B; thence North 0 degrees 40 minutes East 97.1 the Point of Beginning, And

The N½ of Lots 2, 3, and 4, and the N½ of the W½ of Lot 1 and a part of Lot 16, described as beginning at the southwest corner of said Lot 16; thence North 37.0 feet; thence East 100.0 feet; thence South 20.5 feet; thence East 50.0 feet to the northeast corner of Lot 16; thence South 16.5 feet to the southeast corner of Lot 16; thence West 150.0 feet to the Point of Beginning, all in Block 2, Green's Subdivision of Lots 238, 172 and 203A as shown on B.G. Wilson's Map of the City of Conway, Arkansas, Faulkner County, as shown on plat of record in Plat Book A, Page 72, records of Faulkner County, Arkansas.

was reviewed by the Planning Commission at its regular meeting on December 17, 2007. The Planning Commission voted 7 – 0 that the request be forwarded to the City Council with a recommendation for denial. The applicant has requested to appeal the denial to the City Council at its meeting on January 8, 2008.

Submitted by,

Adam Thomas, Chairman
Planning Commission

Background

A request to rezone this property to MF-2 and a conditional use for MF-3 density was brought before the Planning Commission in November 2006. The notifications were not complete, so a public hearing was held and the item was then held in committee for the December 2006 meeting in order to allow 15 additional minutes of public input for and against. The minutes from the November and December meetings are included below:

NOVEMBER 2006: REZONING & CONDITIONAL USE

Rezoning

Civil Design, Inc. request to rezone from R-2A to MF-2 property located at 1220 and 1221 Ash Street was held in committee on a 6-0 vote on a motion made by Adam Thomas and seconded by Todd Smithhart following a public hearing that heard from all those present wishing to speak against the rezoning and conditional use requests. The motion also limited input from both sides of the issue to 15 minutes each at the next meeting. Commissioners had copies of petitions containing 140 signatures of individuals opposing this development and were handed an additional 41 signatures during the meeting. A letter from Ken Parker that spoke of the history of this old Conway neighborhood was read since he could not attend the meeting. Below is a list of those present at the meeting who spoke in opposition to these requests.

Tommy Trussell, 1135 Clifton Street; Ed Appler, 1144 & 1150 Clifton; Barbara Stroope, 1220 Davis Street; Scott Stevenson, Hendrix Addition; Sarah Bryan, 1704 Mill Street; Dottie Cooper, 1115 Clifton; Marianne Welch, 1512 College; Judy Flowers, 1121 Clifton; Jimmy Bryant, 1836 Bruce; Sheila Stroman, 1117 Clifton; Walter Thompson, 1318 Davis Street; Mary Crawford, 1321 Davis; Patty Siebenmorgen, 427 Western Avenue; Gary Tumlison, 1221 Mitchell Street; Jim Lane, 1840 Scott Street; Michelle Stanford, 1700 Mill Street; and Tina McClain, 1020 Davis

Issues addressed included increased traffic, parking, drainage, the inadequate road base, and noise pollution among others. Residents presented photos and spoke of the recently passed Old Town Conway ordinance and pattern book that seeks to preserve older neighborhoods and their character, the trees and shrubs that would be lost with the development as proposed, as well as a three story apartment complex being out of character with this neighborhood and with efforts to preserve it and its character as a neighborhood.

It was suggested that a planned urban development of cottage style homes with a common green area in the center for a garden, flowers all around, and garages for each cottage would be a more acceptable and suitable use for the property. The cottages would be around 1000sf or less. This would be more in keeping with the neighborhood. Residents want to work with the developers. They have a vested interest in what happens to the property.

Conditional Use

Civil Design, Inc. request for a conditional use permit to allow MF-3 density in an MF-2 zone for property located at 1220 and 1221 Ash Street was also held in committee with input limited to 15 minutes from each side at the December meeting. The vote was 6-0 on Adam Thomas's motion that was seconded by Terry Sossong. Since public input about this issue was much the same as what was already presented on the rezoning and there being nothing new to add, there was no further discussion.

DECEMBER 2006: REZONING & CONDITIONAL USE (CONT'D FROM NOVEMBER MEETING)

Public hearing on the Civil Design, Inc., request on behalf of their client Three A Enterprises to rezone property located on Ash Street north of Mill from R-2A to MF-2 with a conditional use permit request to allow MF-3 density continued from the November meeting. After commenting that all commissioners not at last month's meeting had received a CD record of the hearing on this item so that there was no need to rehash points already made, Chairman Daves opened the hearing for 15 minutes of new input from each side. James Dreher with Civil Design came forward to speak for the requested rezoning and conditional use. Mr. Dreher stated that his client is already a property owner and landlord in that area and that the owner's sister would live in the one remaining home on the property and manage the proposed units. He presented a graphic displaying the current zoning for that and the surrounding properties as well as a layout of the property and a site plan giving an example of what might be done with the property.

Developing the property and having it meet the requirements of Conway's newly adopted Old Conway Design Review Ordinance would not be a cheap endeavor. For the project to be feasible and be a quality project, the higher density is needed. No one else came forward to speak for this request.

Speaking against the rezoning and conditional use were Barbara Stroope, Sarah Bryan, Gary Tumilson, Eric Bryan, Anna Robins, and Bryan Green. Ms. Stroope briefly summarized the concerns raised at the last meeting by those against the rezoning and conditional use. She also spoke of a possible "cottage" development on the property that was put forth by a speaker at the November meeting as a suitable use for the property. In response to her request for those present against the rezoning and conditional use to stand or raise their hands, approximately 75 persons responded.

In commission discussion following the public hearing, Bill Graff expressed concern that there was only one way in and out of this property. Chris Riggins made a motion to deny the requested rezoning that was seconded by Bill Graff. The motion to deny passed 8-0.

The denial of the rezoning rendered the conditional use request moot. But since it did require commission action, Adam Thomas made a motion to deny the conditional use request that was seconded by Ron Fields. Motion passed 8-0.

MAY 2007: PUD PRE-MEETING

A pre-PUD meeting was held on May 30, 2007 concerning this proposed PUD. Concerns voiced at this meeting included:

1. The Fire Department would like to see all drive widths at 20 feet. Sprinklers might allow a street width reduction. Any Street width reductions would require Fire Department approval.
2. Hydrants will be needed if a 400 foot hose pull cannot be achieved.
3. Conway Corporation will require that all buildings front a water and sewer main.
4. Fire flows must be met.
5. A water main loop from Clifton and Mill will need to be provided.
6. Electric service requirements will need to be provided to Conway Corporation.
7. Any non-standard lighting will need coordination with Conway Corporation. Private maintenance may be required for non-standard fixtures.
8. Fencing around the perimeter of the property will likely be required by the Planning Commission.
9. A "T" turnaround will require Planning Commission approval

10. A gate across the street would likely not be possible as the public vehicles must be able to turn around.
11. If alley is available for through traffic, a turnaround may not be needed.
12. Any water run off from the development must get to "capacity able points".
13. No "ponding" will be allowed on neighbors.
14. North Ash Street will need to be improved to Mill Street.
15. The exterior of the proposed homes will require review by the Old Conway Design Review Board.
16. The homes' "character" should be traditional in nature and compatible with the surrounding neighborhood.
17. The Old Conway Design Standards require preservation of trees, and a maximum of 60% impermeable lot coverage.
18. Duplexes and multi-family structures are encouraged to have the look of single-family homes.

DECEMBER 2007: REZONING REQUEST

This proposed PUD also went before the Old Conway Design Review Board on September 27, 2007. The OCDRB decided to hold the item in committee until it has been reviewed by the Planning Commission and City Council. If the PUD is approved, the OCDRB will review the architectural design of the project and its historic compatibility with the surrounding structures.

After taking comments from the neighbors and the Planning Department, the applicant has re-tooled the project and is now proposing a more cottage style development with 10 units. With the existing R-2A zoning, and replatting to 4 lots, 4 duplexes, or 8 units could be built on the property.

Area / Neighborhood / Lots

The PUD property sits in the center of a block bounded by Mill, Davis, Independence, and Clifton Streets. It is at the end of North Ash Street. This block has a number of land uses including single-family, duplex, multi-family, and living quarters for Independent Living Services. The majority of these uses are grandfathered (pre-existing non-conforming). The PUD replat combines the various separate lots of the property into one large lot.

Structures:

The proposed structures consist of 5, 1 1/2 story duplex units. 8 units are 1600 square feet, 2 units are 1800 square feet. These structures are proposed to be in a craftsman style to better match the historic homes in the neighborhood. The design of these structures must be approved by the Old Conway Design Review Board prior to obtaining a building permit. The 2 brick ranch style single-family homes will be demolished if the PUD is approved.

Streets / Parking / Access:

Currently North Ash Street terminates at this property. The original multi-family request proposed a cul de sac at this termination. With the new proposal, a continuous 20 foot wide drive is proposed in order to meet fire codes and provide access to the structures. 34 parking spaces are shown on the plan. Development review standards require 15-20 parking spaces. It would appear that some parking spaces should be removed. A portion of Ash Street must be closed and become private drive to allow this development. This street closure will require City Council action. An alley is also shown on the plat from Ash Street to Davis Street. This alley

must also be closed by Council action. The neighbors are in favor of this closure as a carport currently spans the alley.

The applicant had originally proposed to upgrade Ash Street. This is no longer economically feasible due to the reduction in the number of units.

Fire Safety:

One entrance is sufficient to meet fire codes. The continuous 20 foot drive also allows proper fire access. No point on the property may be more than 400 feet from the nearest fire hydrant. These hydrant locations will be properly places as part of development review.

Landscaping:

The applicant has shown a considerable amount of shrubs and landscaping throughout the project. 15 of the 24 existing trees will be preserved and 18 new trees will be planted to replace those removed. The 20% green space requirement is met through the large green space on the west and green areas throughout the project. A 6 foot wooden privacy fence has been proposed by the applicant between the development and the surrounding neighbors.

Signage:

PUDs may have their own sign requirements. No special signage has been made part of the PUD request; therefore, city signage rules would apply to the project.

Sidewalks:

An internal sidewalk system is shown that connects the structures with the short sidewalk along Ash Street. In the future, this sidewalk could be extended to Mill Street.

Recommendations:

1. The number of parking spaces could be reduced to a minimum of 20 spaces. 25 spaces should provide an adequate number of spaces for residents and guests.
2. A minimum 6 foot wooden privacy fence could be required between the development and the surrounding neighbors.
3. Architectural design and site configuration is subject to approval by the Old Conway Design Review Board.



**City of Conway, Arkansas
Ordinance No. O-08- _____**

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED WEST OF 111 LOWER RIDGE ROAD DIRECTLY ACROSS FROM 112 LOWER RIDGE ROAD BETWEEN AZALEA LOOP AND VICTORY LANE FROM A-1 TO RU-1:

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

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

Part of the SE 1/4 Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as beginning at a point 2,026.0 feet West and 100.0 feet South of the Northeast corner of said SE 1/4 Section 32, thence South a distance of 414.7 feet, thence West a distance of 130.0 feet, thence North 414.7 feet, thence East a distance of 130.0 feet to the point of beginning containing 1.24 acres, more or less.

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: That all ordinances in conflict herewith are repealed to the extent of the conflict.

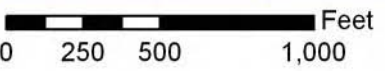
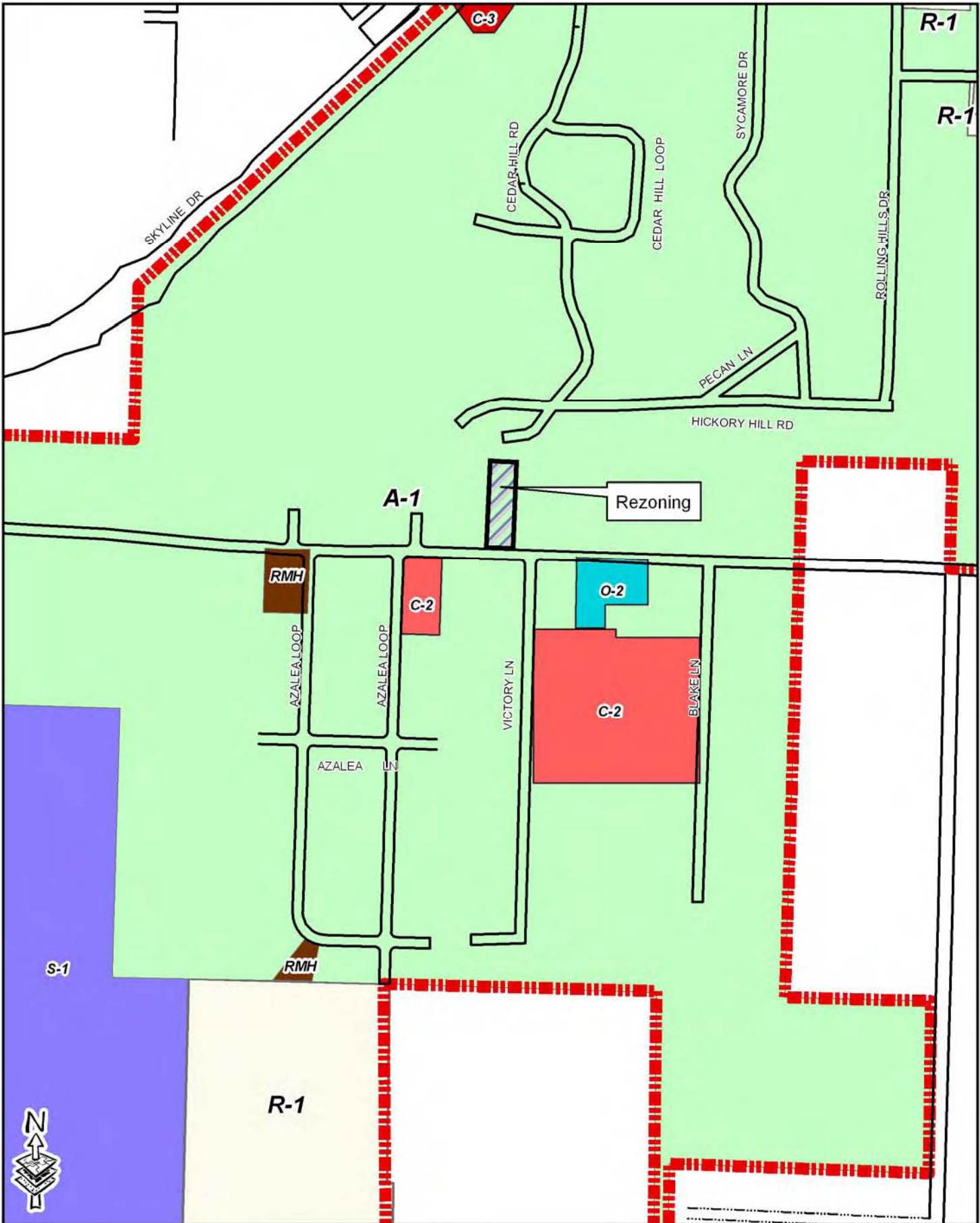
Passed this 8th day of January, 2008.

Approved:

Mayor Tab Townsell

Attest:

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



Weaver Rezoning



CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

December 27, 2007

Council Members
Conway, AR 72032

Dear Council Members:

A public hearing was held by the Planning Commission on November 19, 2007, on a request for rezoning from A-1 to RU-1 for 1.25 acres of property west of 111 Lower Ridge Road and directly across from 112 Lower Ridge Road between Azalea Loop and Victory Lane described by applicant as

Part of the SE 1/4 Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as beginning at a point 2,026.0 feet West and 100.0 feet South of the Northeast corner of said SE 1/4 Section 32, thence South a distance of 414.7 feet, thence West a distance of 130.0 feet, thence North 414.7 feet, thence East a distance of 130.0 feet to the point of beginning containing 1.24 acres, more or less.

At that meeting, the Planning Commission voted 9 – 0 to place the item in committee and requested that the applicant submit additional information on questions raised in the public hearing. At the December 17, 2007, Planning Commission meeting, commissioners considered the additional information submitted by the applicant and listened as many of the same surrounding property owners again gave voice to their objections to the proposed rezoning. The commissioners then discussed the item further and voted 7 – 0 that the request be sent to the City Council with a recommendation for approval.

Submitted by,

Adam Thomas, Chairman
Planning Commission



CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

December 27, 2007

Council Members
Conway, AR 72032

Dear Council Members:

The Planning Commission held a public hearing on November 19, 2007, on a request for a conditional use permit to produce, package, and distribute ice products for 1.25 acres of property west of 111 Lower Ridge Road and directly across from 112 Lower Ridge Road between Azalea Loop and Victory Lane described by applicant as

Part of the SE 1/4 Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as beginning at a point 2,026.0 feet West and 100.0 feet South of the Northeast corner of said SE 1/4 Section 32, thence South a distance of 414.7 feet, thence West a distance of 130.0 feet, thence North 414.7 feet, thence East a distance of 130.0 feet to the point of beginning containing 1.24 acres, more or less..

At that meeting, the Planning Commission voted 9 – 0 to place the item in committee until the next regularly scheduled meeting. At that meeting held on December 17, 2007, the Planning Commission voted 7 – 0 that the request be sent to the City Council with a recommendation for approval with the following seven (7) conditions attached.

- 1) Lighting shall be inward, downward, and shrouded.
- 2) Enclose condensers with sound reducing materials to be approved by the City Engineer and City Planner.
- 3) Drainage ditch to be approved by the City Engineer.
- 4) Sanitary sewer tanks must be installed.
- 5) Interceptor ditch may process up to 500 gallons (12 condenser units times 40 gals. each) of water per day. If the output exceeds that, clean water tank(s) must be installed.
- 6) No external sound system.
- 7) Hours for external activities, i.e. loading of delivery trucks, shall be 6:00 a.m. to 6:00 p.m., Monday to Saturday.

Submitted by,

Adam Thomas, Chairman
Planning Commission



**City of Conway, Arkansas
Ordinance No. O-08- ____**

**AN ORDINANCE ACCEPTING ASSETS OBTAINED THROUGH COURT
ORDER; AND FOR OTHER PURPOSES**

WHEREAS, the United States District Court of the Eastern District of Arkansas has granted court orders awarding specific seized assets to the City of Conway as enumerated on the attached list.

**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 assets outlined on the attached listing awarded to the City of Conway through court order by the United States District Court for the use of the City of Conway and or disposal per City Guidelines.

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

PASSED this 8th day of January, 2008

APPROVED:

Mayor Tab Townsell

ATTEST:

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

Memo

To: Mayor Tab Townsell
From: Chief Castleberry
Date: 1/3/2008
Re: Station Furniture – Station #2 and Station #4

On December 17, 2007 at 10:00am at City Hall; request for bids from interested companies to provide furniture items for the remodeling / additions of two fire stations began being accepted. Only one proposal was submitted; it is tabulated as follows:

Bates Furniture:	Station 2 -	\$5,940.76
	Station 4 -	\$5,940.76
		<hr/>
		Total - \$11,881.52

We recommend the approval of this submitted bid by Bates Furniture for these items.

Please advise if you have any questions.

Memo

To: Mayor Tab Townsell
From: Chief Castleberry
Date: 1/3/2008
Re: ID Badge and Accountability System

On December 20, 2007 at 10:00am at City Hall; request for bids from interested companies to provide an I.D. badge and accountability system began being accepted. Only one proposal was submitted; it is tabulated as follows:

AAMSCO:	System -	\$21,963.00
	Service Agreement -	\$ 950.00

Total - \$22,913.00

We recommend the approval of this submitted bid by AAMSCO for the purchase of this system.

Please advise if you have any questions.



**City of Conway, Arkansas
Ordinance No. O-08- _____**

AN ORDINANCE AMENDING ORDINANCE NO. O-00-55, WHICH ADOPTED AN AMDENDED EMPLOYEE HANDBOOK AND PERSONNEL POLICY FOR THE CITY OF CONWAY; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES,

WHEREAS, the City Council has adopted, pursuant to Ordinance No. O-00-73, an amended handbook to be used for personnel matters for the City; and

WHEREAS, a revision of Section II, Employee Benefits is needed to comply with Ark. Code Ann. 24-12-111 (d)(2) which does not contemplate that non-uniformed city employees will be able to repurchase credited service after their termination.

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

SECTION 1: The City of Conway Amended Employee Handbook and Personnel Policy be amended as follows:

The removal of the sentence that reads:

“Should you later become re-employed with the City and wish to have prior service counted toward vesting and pension, all refunded monies (with possible interest included) will have to be returned to the Pension Fund.”

...from page 22 of the Employee Handbook under Section II, Employee Benefits, Retirement and Pension, Non-Uniform Employees, Departing Employees.

Section 2: Three (3) copies of the revised section of the Amended Employee Handbook, City of Conway, Personnel Policy shall be and are hereafter kept on file in the Office of the Clerk/Treasurer

Section 3: That all ordinances in conflict herewith are repealed to that extend of the conflict, specifically, Ordinance O-00-55 and Ordinance No. O-00-73.

Section 4: That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergence is declared to exist and this ordinance shall go into effect from and after its passage and approval.

Passed this 8th day of January, 2008.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-08- _____**

**AN ORDINANCE APPROPRIATING FUNDS FOR PERSONAL SERVICES AND
FOR OTHER PURPOSES:**

WHEREAS, the Mayor and the City Council of the City of Conway have authorized an increase in the compensation of certain employees for the period January 1, 2008 through December 31, 2008 which was not previously provided in the FY 2008 budget;

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

SECTION 1. The City of Conway shall appropriate \$27,325 from the General Fund Balance Appropriation Account (01.990); \$2,206 from the Street Fund Balance Appropriation Account (02.990); and \$1,833 from the Sanitation Enterprise Fund Balance Appropriation Account (50.990) for department head compensation.

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

PASSED this 8th day of January, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

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



**City of Conway, Arkansas
Ordinance No. O-08- _____**

**AN ORDINANCE TO CLOSE A PORTION OF MCKAY AVENUE EAST OF GRIFFITH
EXTENDED TO THE WEST RIGHT OF WAY OF THE RAILROAD; AND FOR OTHER
PURPOSES.**

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 11th day of December, 2007 asking the City Council to close an alley between North Ash and Davis Street designated on the plat of the Addition to the City of Conway.

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 a easement herein described; has not been actually used by the public generally for a period of at least (5) years subsequent to the filing of the plat; 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 McKay Avenue.

**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 easement designated as follows:

A dedicated alley lying Block 2 C.J. Green Subdivision more particularly described as: Beginning at a point 25 feet west of the northeast corner of Lot 1, Block 2 of C.J. Greene Subdivision; thence continue west 325 feet to the northwest corner of Lot 9 and the Davis Street right of way; thence north 16.5 feet along the Davis Street right of way; thence east 325 feet; thence south 16.5 to the point of beginning.

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

SECTION 3. Conway Corporation has no objections to said closure, as long as the north 45 feet of said portion remains a utility easement. AT&T agrees as long as a dedicated utility easement will be established. Centerpoint Energy: No objections stated.

SECTION 4. 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.

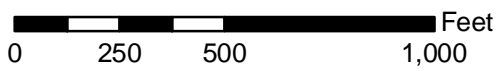
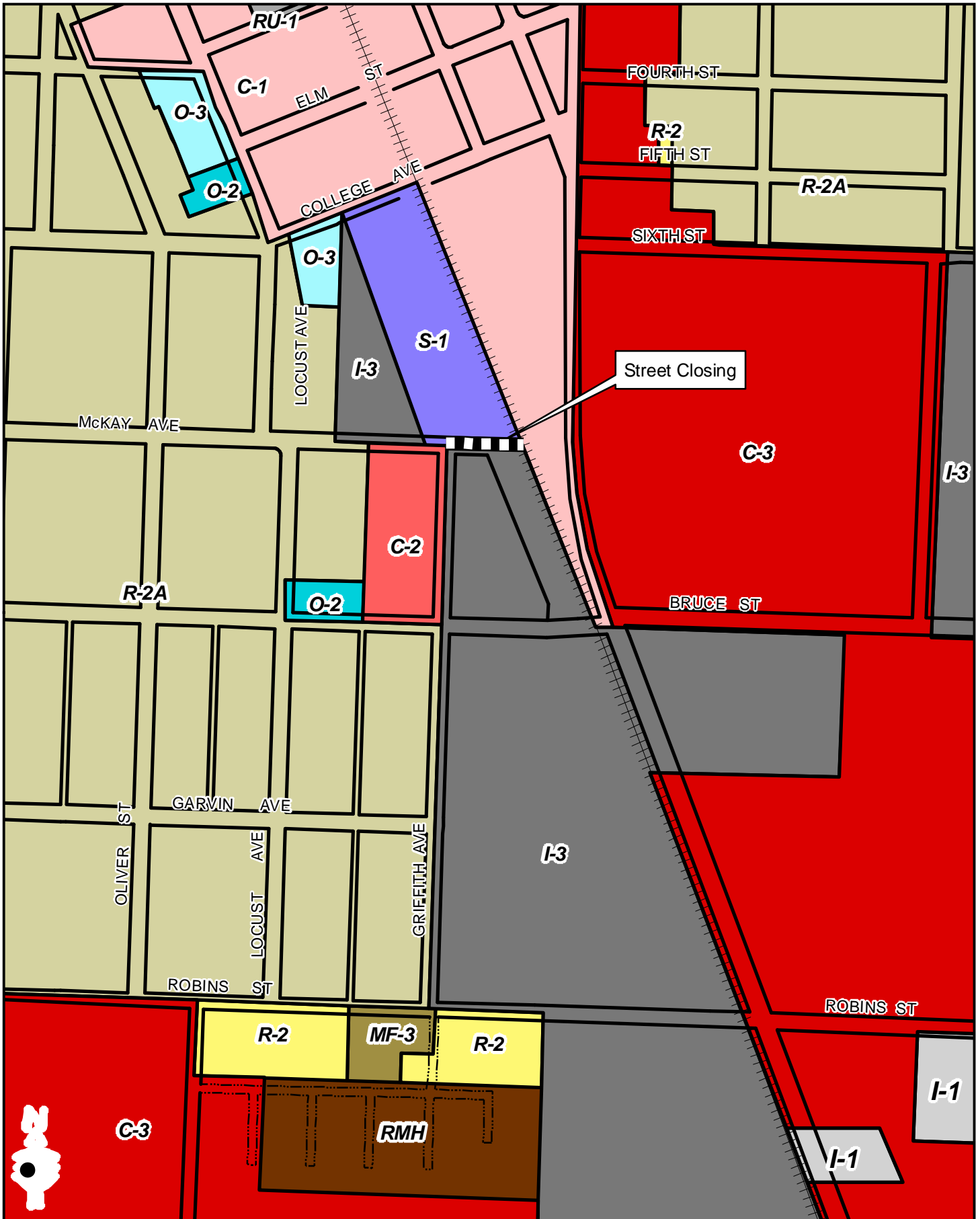
PASSED this 8th day of January, 2008.

Approved:

Mayor Tab Townsell

Attest:

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



McKay Avenue Street Closing



Operators of the City-owned Electric, Electronic & Water Systems

December 18, 2007

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

Re: Closure of a portion of McKay Avenue in Conway.

Dear Mayor Townsell:

In regard to the closure of a portion of McKay Avenue East of Griffith extended to the west right of way of the rail road. Conway Corporation does maintain parallel water mains and an over head electric line in said portion of McKay Avenue. Conway Corporation has no objections to the closure of said portion of McKay Avenue as long as the north 45 feet of said portion remains a utility easement.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Jeff Crownover
Engineering & Planning

cc: C.A.P.S.



Lynda Palmer
Manager-Engineering (ROW)
Right-of-Way & Joint Use Poles

AT&T Arkansas
1111 West Capitol
Room 941
Little Rock, AR 72201

T: 501.373.5255
F: 501.373.0229
lynda.palmer@att.com

November 16, 2007

Robert French
CAPS
1000 Front Street
Conway, AR 72032

Dear Mr. French:

I received your request of AT&T to relinquish its interest in McKay Avenue in Conway, Arkansas.

AT&T has a buried distribution cable that lies within the street right-of-way. We will agree to the street closing if a dedicated utility easement will be established. We will require a fifteen foot easement that will encompass our facilities.

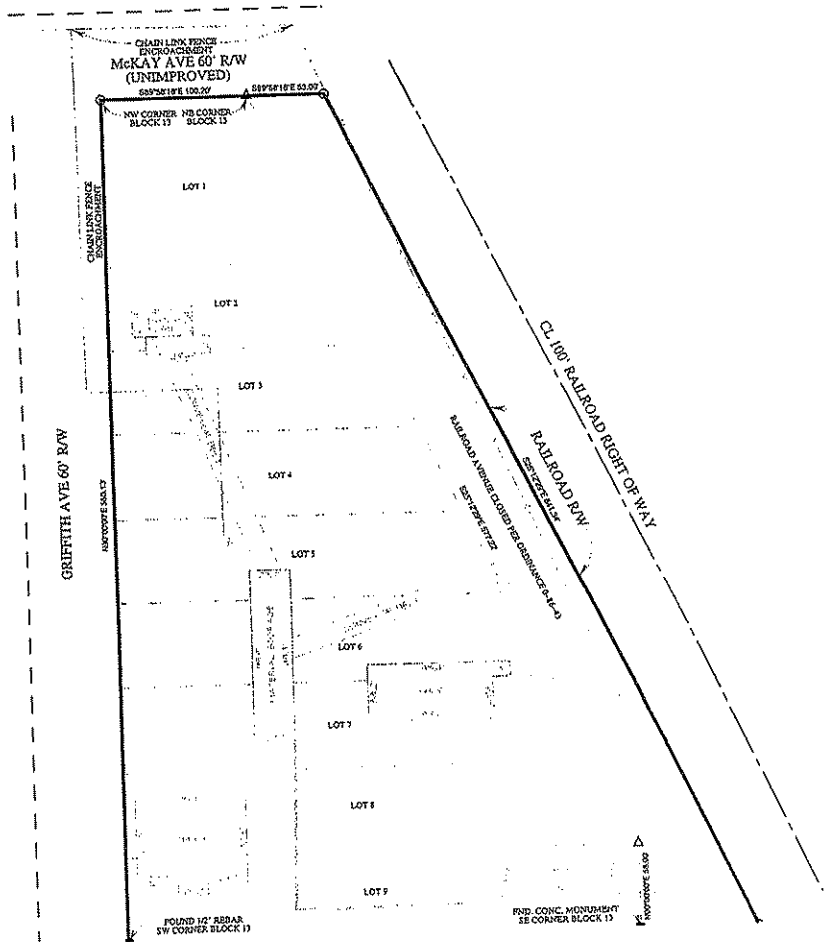
Please let me know when this easement has been platted and I will send you a formal concurrence of release.

If you have any questions or comments, please call me at 501-373-5255.

Sincerely,

A handwritten signature in cursive script that reads "Lynda Palmer".

CC: David Cain, Mgr.-Engr. (Design)



Petition of written consent for the
Vacating of Streets and Alleys
For the intent of Public Use

Name of Street or Alley, (or portion thereof), to be vacated:

All
That
Portion of

MCKAY AVE. EAST OF GRIFFITH Extended TO
THE WEST R/W OF THE RAIL ROAD

Abutting property owners:

Name

Address

My E. P. King

1053 Grants + Conway 72032

**Petition of written consent for the
Vacating of Streets and Alleys
For the intent of Public Use**

Name of Street or Alley, (or portion thereof), to be vacated:

McLAY AVE. EAST OF GRIFFITH Extended TO
THE WEST R/W OF THE RAIL ROAD

Abutting property owners:

Name	Address
<u>Mr. E. P. [Signature]</u>	<u>1053 Grants + Conway 720</u>
<u>[Signature]</u>	<u>DIocese of Little Rock</u>
<u>Msgr. J. Gaston Hebert, Administrator</u>	<u>ON BEHALF OF ST. JOSEPH CATHOLIC CHURCH</u>
<u>Roman Catholic Diocese of Little Rock</u>	<u>1115 COLLEGE AVE. CONWAY AR 72032</u>



CenterPoint Energy
817 North Creek Drive, Conway, AR 72032
501-377-4791, 501-336-8372 (fax)

Date: 12/07/07

Attention: Covington Properties,
Central Ark Professional Surveying,
Conway City Planning Department,
Honorable Tab Townsell - Mayor of Conway

Subject: Street Closure: McKay Ave

CenterPoint Energy has no conflict with the requested street closure in the section described as: The portion of McKay Ave running east to west between Griffith Ave and Railroad Right-of-Way, City of Conway, Faulkner County, Arkansas.

CenterPoint Energy has no natural gas facilities in this section.

See attached drawings.

Sincerely,
David Avra

David Avra, Marketing Consultant
CenterPoint Energy, Conway, AR



City of Conway, Arkansas
Resolution No. R-08- _____

A RESOLUTION APPROVING THE ISSUANCE OF PUBLIC FACILITIES BOARD OF THE CITY OF CONWAY, ARKANSAS CAPITAL IMPROVEMENT REVENUE BONDS (HENDRIX COLLEGE PROJECTS), IN ONE OR MORE SERIES, BY THE PUBLIC FACILITIES BOARD OF THE CITY OF CONWAY, ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, Hendrix College (the “College”) has requested that the City of Conway, Arkansas Public Facilities Board (the “Board”) issue Capital Improvement Revenue Bonds in an aggregate principal amount of approximately \$37,500,000 (the “Bonds”); and

WHEREAS, the Board is authorized pursuant to the Public Facilities Board Act, Ark. Code Ann. §§ 14-137-101 to 123 (1998 Repl. 2003 Suppl.) to issue bonds to finance educational facilities within the City of Conway; and

WHEREAS, the City Council has determined that the public purposes for which the Bonds are to be issued serve a proper need; and

WHEREAS, the City Council of the City of Conway, Arkansas (the “City”) desires to authorize the Board to entertain the College’s request and to issue the Bonds after adoption of appropriate resolutions by the Board.

NOW, THEREFORE, be it resolved by the City Council of the City of Conway, Arkansas:

Section 1. That the issuance of the bonds by the Board in an aggregate principal amount of approximately \$37,500,000 for the purposes of financing the acquisition, construction and equipping of certain capital improvements at Hendrix College is hereby authorized. The proposed capital improvements are expected to consist primarily of (i) a portion of the cost of building and equipping a Student Life and Technology Center, (ii) campus wide HVAC improvements, and (iii) other improvements, acquisitions, fixtures and equipment incidental to (i) and (ii) (all of which are hereinafter referred to as the “Improvements”).

Section 2. That this resolution is adopted solely for the purpose of complying with the requirements of Ordinance No. 0-82-01, as amended, and that by the adoption of this resolution the City has not assumed any direct or indirect financial responsibility for the payment of the Bonds.

Section 3. That the provisions of this resolution are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holdings shall not affect the validity of the remainder of this resolution.

Section 4. The need to provide facilities for the continued growth and development of Hendrix College being necessary for the preservation of the public peace, health, safety, and welfare, an emergency is hereby declared and this resolution shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 8th day of January, 2008.

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer