

City Council Members

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



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 – Jim Rhodes
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

5:30pm -- Committee Meeting:

Discussion of:

Amendment to Zoning Ordinance (SP)

&

Old Conway Design Overlay District Revisions

6:30pm -- City Council Meeting

Courtroom in District Court Building

810 Parkway, Conway, AR 72032

July 28th, 2009

1. **Call to Order**
2. **Roll Call**
3. **Minutes:** *June 14th, 2009*
4. **Recognition of Guests:** *Employee Service Awards*
5. **Public Hearings:**
6. **Report of Standing Committees:**
 - A. **Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)**
 1. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.
 2. Resolution amending the Conway Comprehensive Plan in the Northeast Old Conway Area with replacement graphics and supporting text as per the 2009 Northeast Old Conway Area Study Comprehensive Plan update.
 3. Ordinance amending Ordinance O-06-139 in reference to the Old Conway Design Overlay District.
 4. Ordinance accepting the annexation of certain lands along the east side of Old Military Road north of Deerbrook Subdivision.
 5. Ordinance to rezone property located at 2501 East Oak from R-1 to I-3.
 6. Consideration of a conditional use permit to allow religious activities (including new buildings for worship and staff residence) on property located at 1715 South Blvd.
 7. Consideration to accept bids for intersection improvements for Donaghey Avenue & Dave Ward Drive.
 - B. **Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)**
 1. Ordinance waiving the requirements to obtain competitive bids and appropriating funds for equipment repairs for the Sanitation Department.

C. Finance

1. Ordinance waiving bids for insurance coverage for the City's vehicle and property.

7. Old Business

- A. Ordinance rezoning property located on the northwest corner of the intersection of South Donaghey Avenue and Moix Blvd.
- B. Consideration of a conditional use permit to allow Retail-General & Hotel for property located along the south side of Dave Ward Drive on both sides of Moix Blvd, starting at Stone Dam Creek.

8. New Business

Adjournment

ORDINANCE NO. O-06-139

AN ORDINANCE CREATING AN OLD CONWAY DESIGN OVERLAY DISTRICT:

Amended: O-07-46; O-09-___

Whereas, the City of Conway wishes to preserve the historic character of the older residential areas in Conway by requiring new construction to conform to proper design standards, and;

Whereas, the City of Conway wishes to preserve the historic character of the older commercial areas in Conway by requiring new construction in the central business district to conform to proper design standards;

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

Section 1: Ordinance Section 1: Boundaries

The Old Conway Design Overlay District is hereby approved and established by reference for the purpose of enhancing and protecting the aesthetics, sustainability, and the historic nature of Old Conway. ~~Not less than three (3) copies of said ordinance are now filed in the office of the Clerk of the City of Conway, Arkansas.~~ All uses inside an area described by the following boundaries unless specifically exempted shall be subject to the regulations contained in this ordinance:

Area: Robins Street west from ~~the Union Pacific Railroad tracks~~ **Griffith Street** to Donaghey Avenue, thence north along Donaghey Avenue to Bruce Street, thence west along Bruce Street to Western Avenue, thence northward along Western Avenue to College Avenue, thence east along College Avenue to Augusta Avenue, thence north along Augusta Avenue to Robinson Avenue, thence east along Robinson Avenue, thence north along the west line of Lot 1 Taylor Replat to Western Avenue, thence continuing north along Western Avenue to Poplar Street, thence east along Poplar Street to Donaghey Avenue, thence north along Donaghey Avenue to Hairston Avenue, thence east along Hairston Avenue to Clifton Street, thence north along Clifton Street to Tyler Street, thence east along Tyler Street to Washington Avenue, thence north along Washington Avenue to Fleming Street, thence east along Fleming Street to Harkrider Street, thence south along Harkrider Street to Winfield Street, thence west along Winfield Street to Washington Avenue, thence southward along Washington Avenue to Independence Street, thence eastward along Independence Street to Spruce Street, thence continuing eastward along Spruce Street to the intersection of Harkrider Street and Siebenmorgen Road, thence east along Siebenmorgen Road to **Interstate 40, thence southeasterly along Interstate 40 to Gum Street, thence south along Gum Street to Merriman Street, thence west along Merriman Street to** Ingram Street, thence south along Ingram Street to ~~Bruce Street~~ **6th Street**, thence west along ~~Bruce Street~~ **6th Street** to Harkrider Street, thence southward along Harkrider Street to **Bruce Street, thence west along Bruce Street to Griffith Street, then southward along Griffith Street to** Robins Street and the point of beginning; and Lots 10 through 14 of Block 1 of the Browns Addition

Less and except the Asa P. Robinson Historic District and any future officially recognized Certified Local Government Historic District.

Within this above described boundary are three distinct zones; the Urban Zone, Transition Zone, and Suburban Zone as mapped on Exhibit A of this ordinance.

Section 2: Establishment of Old Conway Design Review Board:

The Old Conway Design Review Board shall be appointed by the Mayor. This review board shall consist of the following **(9)** nine members: one (1) Planning Commissioner, four (4) homeowners residing within the boundaries of the Old Conway Design Overlay District, one (1) member of the Asa P. Robinson Historic District Commission, one (1) citizen of Conway , **one (1) member of the Conway downtown Partnership Board of Directors, and one (1) member of the Pine Street Area Community Development Corporation Board of Directors.** One (1) architect, City Planner, or professional architectural historian, with knowledge of historic architecture may be retained, as needed, as a consultant to the Board; The Conway Planning Department shall act as staff for this board.

Term. Each member shall serve for a term of three years; except that the initial appointments shall be for two members to serve a term of one year, **three** members to serve a term of two years, and **four** members to serve a term of three years. Vacancies shall be filled in the same manner as the original appointment for the unexpired term. Each member shall continue in office after expiration of his or her term until a successor is duly appointed and qualified.

Compensation. No member shall receive compensation for his or her service on the Board.

Officers. The Board shall elect officers within the first year and every January thereafter, a chairman, vice-chairman, and a secretary. All officers shall be elected from its own members. Whenever the secretary shall not attend a meeting of the Board, the Board shall elect a secretary pro-tempore who shall take the minutes of the meeting. The records of the Board shall set forth every determination made by the Board, the vote of every member participating in such determination and the absence or failure to vote of every other member.

Other Powers. The Board shall have, in addition to the powers, authority and duties granted to it by this Ordinance, such other powers, authority and duties as may be delegated or assigned to it from time to time by vote of the City Council.

Record Keeping and Rules. The Board shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein, and may adopt and amend such rules and regulations not inconsistent with the provisions of this Ordinance and prescribe such forms as it shall deem desirable and necessary for the regulations of its affairs and the conduct of its business. The Board shall file a copy of any such rules and regulations with the City Clerk and Planning Department.

Section 3. Application for Certificates from the Commission

A. **Considerations of the Board.** In passing upon cases involving new construction or additions to existing structures, the Board shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the Board may in appropriate cases impose dimensional and set back requirements in addition to those required by applicable ordinance or by-law. The Board shall not consider interior arrangements. The Board shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the Old Conway overlay district.

B. **Submission Requirements.** No new building or structure or exterior renovation requiring a building permit or remodeling permit within the Old Conway Design Overlay District shall be constructed or altered in any way that affects exterior architectural features unless the Board shall first have issued a certificate of appropriateness with respect to such construction or exterior renovation.

Any person who desires to obtain a certificate of appropriateness shall file with the Board an application in such form as the Commission may reasonably determine, together with such plans, elevations, specifications, materials and other information, as may be reasonably deemed necessary by the Board to enable it to make a determination on the application.

The Permits and Inspections Department shall issue no building permit for new construction of a building or structure or for alteration of an exterior architectural feature within the Old Conway Design Overlay District until the Board or Planning and Development Department has issued the certificate of appropriateness required by this section.

Minor Construction Departmental Approval: Outbuildings 160 square feet or less and exterior renovations / additions that add no more than 75 square feet to an existing structure may be approved by the Director of Planning and Development. These approvals must be reported to the Old Conway Design Review Board at the next regularly scheduled Old Conway Design Review Board Meeting. Sidewalk repair or construction shall not be required when approved departmentally.

C. **Board Powers and Duties.** The Board shall have the following powers, functions and duties related to issuance of certificates:

1. If the Board determines that the construction or alteration for which an application for a certificate of appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the Old Conway Design Overlay District, the Board shall cause a certificate of appropriateness to be issued to the applicant. In the case of a disapproval of an application for a certificate of appropriateness the Board shall record the reasons for such determination and shall notify the applicant of these reasons. The Board may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material, and similar features. Prior to the issuance if any disapproval, the Board may notify the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the Board. The Board shall, as feasible, identify sources of additional information, technical assistance and financial incentives, which may eliminate the area of concern. The Old Conway Design Overlay District Pattern Book should be used as a design guide to

clarify the requirements of this ordinance. If, within fourteen days of the receipt of such notice, the applicant files a written modification of his application in conformity with the recommended changes of the Board, the Board shall issue a certificate of appropriateness to the applicant.

2. Each certificate issued by the Board shall be dated and signed by its Chairman, Vice-Chairman, Secretary, or such other person designated by the Board to sign such certificates on its behalf. Each certificate issued by the Board shall also be accompanied by a document substantiating in sufficient detail, the basis of the determination. Certificates are valid for one full year from the date of issuance and must be revalidated by the Board if substantial work has not been completed by the end of this period.
3. The Board shall file with the City Clerk, Planning Department, and with the City Permits and Inspections Department a copy or notice of all certificates, determinations of disapproval and substantiating documents issued by it.

Section 4. Meetings of the Board

- A. **Voting:** The Board shall hold meetings at the call of the Chairman and at the request of two members of the Board, and in such other manner as the Board shall determine in its rules. A majority of the members of a Board shall constitute a quorum. The concurring vote of a majority of the members of the Board shall be necessary to issue a certificate of appropriateness.
- B. **Review of Application:** Planning Staff shall determine promptly, and in all events within fourteen (14) days after the filing of an application for a certificate of appropriateness whether the application involves any exterior architectural features which are subject to approval by the Board. If the Planning Staff determines that such application involves any such features which are subject to approval by the Board, the Board shall hold a public hearing on such application.
- C. **Hearing an Application:** The Board shall meet as necessary to review an application(s). Upon the setting of a date, time, and place for the meeting, the applicant shall be notified of said date and time. The applicant shall then follow the procedure outlined below:
 1. Prior to the Design Review Board formally reviewing the application request, the applicant must take all necessary action to ensure that the entirety of the property under review has the appropriate land-use designation(s) as prescribed by the City of Conway Zoning Ordinance. (e.g. Zoning Classification and/or Conditional Use Permit)
 2. The applicant shall file an application with the Old Conway Design Review Board for review. Said application shall be filed no less than ~~seventeen~~**fifteen** (15) days prior to the Old Conway Design Review Board meeting.
 3. The applicant must file a legal notice in regard to the proposed change, which must run in the local newspaper at least once no later than fifteen (15) days prior to the public hearing. This public notice must state that a design review is sought, the location of the property by legal description and street address, the time, date, and place of the public hearing. If no street address is available, a description that is clear to the average person will suffice.
 4. In addition, the applicant will be required to notify, by certified mail and/or petition, all property owners within two hundred (200) feet as listed on the most recent real estate tax list of the Faulkner County Assessors Office. This applicant shall mail said letter and/or gather signatures no less than fifteen (15) days prior to the Old Conway Design Review Board meeting. In this certified letter and/or petition, the applicant shall state the date and time of the meeting. The postmarked certified receipts and/or petitions shall be submitted to the Planning Department staff not less than ten (10) days prior to the Old Conway Design Review Board meeting along with a simple map showing the location of the property in question and the owners within 200 feet of the property.
 5. In addition, the applicant shall post one or more "Design Review" signs on the premise of said property. Such sign(s) shall be clearly visible, unobstructed to the passing general public, and posted on or near the existing front property line not later than fifteen (15) days prior to the public hearing. The applicant shall obtain the disposable sign from the Conway Planning Department and shall pay a fee of seven dollars and fifty cents (\$7.50) for the sign. The fee is not returnable.
 6. The Old Conway Design Review Board shall hold one (1) or more public hearings thereon.

Disapproval: If a design is not approved or no determination is made by the Old Conway Design Review Board, the petitioner may appeal such disapproval or inaction to the City Council in writing, stating why he/she considers the Old Conway Design Review Board's findings and decisions to be in error. Such appeal shall be

filed with the Planning Department within thirty (30) days of the date the Old Conway Design Review Board disapproves the design review. If such a request is not appealed, the decision of the Old Conway Design Review Board shall be final and no further action on the request shall take place.

Section 5. Enforcement

Any work started without a certificate of Appropriateness or work found not to be in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Old Conway Design Review Board and/or City staff, the building inspector shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect. Stop work orders and penalties for non-compliance with such will be enforced according to other applicable laws. A decision shall be made by the Old Conway Design Review Board concerning the stop work order within five (5) business days. Any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined ten dollars (\$10.00) to five hundred dollars (\$500) per day, in accordance with state statute. Each day that a violation continues to exist shall constitute a separate offense.

Section 6: Standards

Proposed new construction, additions, and outbuildings (accessory buildings) 160 square feet or more; requiring a building permit within the Old Conway ~~historic~~ Design Overlay District shall respect and relate to the special character of the district. In making its determination, the Old Conway Design Review Board shall consider without being limited to the following criteria:

1. New construction shall be judged on its compatibility with the existing neighborhood and area of influence.
2. The architectural or historic value or significance of the surrounding area
3. The general compatibility of the proposed construction
4. Any other factor, including visual and aesthetic, considered pertinent
5. The exteriors of public facades (street facing) shall be more carefully reviewed than other facades
6. Old Conway Design Overlay Pattern Book

Additions to existing buildings shall be judged in the same manner as new construction and shall complement the design of the original building.

All specific numbers listed in Section 6 Standards such as setbacks, lot coverage, heights, footprints, etc. shall be used as minimal guidelines to produce desired development in the Old Conway area. However, due to the unique nature of Old Conway and its traditional pattern of development, the Old Conway Design Review Board may grant exceptions to these numbers on a case by case basis without considering or setting precedent in order to allow development that is appropriate to unique circumstances. In no case shall an exception be made to not construct or pay an in-lieu fee for sidewalks.

When evaluating the general compatibility of the exterior of new construction or additions to any building in the Old Conway Design Overlay District, the OCDRB shall consider, but not be limited to, the following factors within the building's area of influence:

1. Site
 - a. Setbacks
 - b. Spacing
 - c. Lot coverage
 - d. Orientation
 - e. Garages
 - f. Alleys
 - g. Parking
 - h. Driveways
 - i. Sidewalks
 - j. Fences and walls
 - k. Landscaping and tree preservation
 - l. Lot sizes
 - m. Street right of way

2. Massing
 - a. Scale (proportion)
 - b. Height and width
 - c. Directional expression
 - d. Footprint
 - e. Complexity of form
 - f. Façade, wall area, and rhythm

3. Structural Design Elements
 - a. Style
 - b. Entries, porches, and porticos
 - c. Doors and windows
 - d. Awnings
 - e. Lighting

4. Materials and Detailing
 - a. Architectural details – Eaves, brackets, dentils, cornices, molding, columns, trim work, pilasters, balustrades, decorative or character defining features
 - b. Roof
 - c. Siding and bricks
 - e. Decks
 - f. Skylights
 - g. Mechanical system screening
 - h. Shutters

5. Additions
 - a. Ancillary buildings
 - b. Additions to primary structures
 - c. Outbuildings

A. Suburban Zone Standards

Site:

Building Setbacks:

Setback - The area of a lot measured from the lot line to a building façade or elevation. This area must be maintained clear of permanent structures with the exception of: fences, garden walls, arcades, porches, stoops, balconies, bay windows, terraces, and decks (that align with the first story level) which are permitted to encroach on the setback.

Primary Building Setbacks

Front: The new construction shall be located between 85% and 115% of the average front setback distance established by the existing adjacent historic structures. If all buildings along a block have similar setbacks, that setback line shall be respected.

Secondary Front (adjacent to street): 8 feet minimum, ~~0 feet minimum in C-1 areas~~

Side: 6 feet minimum in all residential zones

Rear: 3 feet or 15 feet from centerline of alleyway in residential zones

Outbuilding Setbacks

Front: Rear of Principal Building

Secondary Front: 8 feet min.

Side: 3 feet min.

Rear: 2 feet min.

Spacing:

Spatial relationships among existing buildings on a block and neighborhood suggest an appropriate width and spacing for new construction in the area. The historic range of building widths is an important guide, which will help determine an appropriate width for infill structures and will also suggest a module for dividing the facade and massing of an exceptionally large new building into a series of smaller visual units. Spacing should be within 15% of the average distance between existing structures on the block to respect the rhythm of the street.

Lot Coverage:

Coverage: 60% impermeable surfaces maximum in all residential zones, 100% impermeable surfaces maximum in C-1

Orientation:

Orientation refers to the direction in which the front of a building faces. New construction shall orient its façade in the same direction as adjacent historic buildings. In the case of a corner lot, dual orientation may be permitted.

Garages / Outbuildings:

Detached garages / outbuildings shall be located at the rear of the primary structure. If lot width or depth prohibits a rear location, the garage may be attached at the side of the structure. This attached garage façade should not extend in front of the transverse centerline of the house. In the case of a side location, the garage façade shall not dominate the façade of the structure. The footprint of a detached garage / outbuilding shall be no more than 30% of the footprint of the primary structure.

The use of an outbuilding / garage combination is encouraged. A garage apartment is allowed in the Old Conway Design Overlay District when the following conditions are met:

1. The homeowner must live on the property.
2. One parking space must be allowed for the garage apartment in addition to the required number of spaces as per this ordinance. All parking must be located as per the requirements of this ordinance.

Alleys:

In the Old Conway Design Overlay District, a large number of alley rights of way were originally platted. Although very few of these alleys were ever constructed, many of the rights of way are still open. The use of these alleyways is encouraged. These alleys could provide another access point for residences and allow parking at the rear of residential lots.

Parking:

Parking is not permitted in the front yard of houses. Parking is allowed in driveways. No more than fifty (50) percent of the front yard may be paved. Parking areas should be concrete, pavers, or permeable parking surfaces such as grass pavers. Asphalt is not appropriate for single or two family residences. Asphalt with curb and gutter is appropriate for multi-family parking in the C-1 downtown zoning district. The use of permeable materials is encouraged. Parking areas shall be screened with landscaping if the area is prominently visible from the public right of way. Two (2) parking spaces per dwelling unit are required. On-street parking may be counted towards the required parking number, except in the case of streets classified as collector or above on the Conway Master Street Plan as on-street parking is not allowed.

Driveways:

Driveways should be concrete, pavers, or permeable parking surfaces such as grass pavers. Asphalt is appropriate for multi-family drives in the C-1 downtown zoning district. Historic driveways such as concrete strips with a grass median are encouraged. The use of permeable materials is encouraged. Semi-circular driveways with two entry points on the lot are discouraged. Shared driveways are encouraged to lessen the amount of non permeable surface.

Sidewalks:

A Sidewalk shall be constructed or repaired as part of new construction in the Old Conway Design Overlay District.

Sidewalk Exception:

The construction of an outbuilding with a footprint area greater than 30% of the primary structure will require the construction or repair of sidewalks.

Sidewalks are historically correct and add an essential pedestrian element to the area. Sidewalks shall be constructed / repaired for all street frontages and shall be 5 feet wide unless the width differs historically. Sidewalks shall pass through driveways. ~~In the downtown area, sidewalks shall meet downtown sidewalk requirements.~~

If sidewalks are not prevalent in the area or not technically feasible due to utilities, easements, rights of way, etc., an in-lieu fee of \$3 per square foot may be paid into the general sidewalk fund to be used within the boundaries of the Old Conway area. The Old Conway Design Review Board will determine if a request for a sidewalk exception is reasonable. This per square foot in-lieu fee shall be reviewed by the City Council at least every 5 years.

Fences and Walls:

Fences primarily serve two purposes in the Old Conway Design Overlay District; definition of private / public space in front yards and privacy screening in rear or side yards. Fences shall be no more than 3.5 feet tall in front yards with pickets no more than 4 inches wide and 3 inches apart. Privacy fences shall be no more than 6 feet tall and are only allowed in rear yards or side yards as deemed appropriate. Fences may be constructed of wood, iron (or aluminum mimicking iron), brick, or stone. The use of brick or stone should be limited to corner post or limited detailing. The upper two feet of privacy fencing should have 50% opacity, provided by a lattice or grid pattern of wood or iron. Iron fences are typically found on substantially-sized structures other than bungalows or cottages. Chain link fence and bare concrete block fences are prohibited. Fences of railroad ties or landscape timbers are prohibited. Fences of wood-like composite materials may be used upon approval.

Low brick, stone, and finished concrete walls defining front yards are evident in the Old Conway Design Overlay District. New construction of these walls, typically 12-18 inches in height is allowed. The capping of these walls with a shaped stone or brick cap is encouraged. Finished concrete walls are allowed. Bare concrete retaining walls are prohibited.

Landscaping and Tree Preservation:

Landscaping is a critical part of the historic appearance of the Old Conway Design Overlay District. Identify and retain existing trees and plants that help define the character of the area. Install new landscaping that is compatible with the existing neighborhood and indigenous to the area. Protect significant existing trees (8" or greater in diameter breast height) and plants during construction. Preserve any large trees which line the streets of the residential areas. New trees reaching a mature height of 60 feet shall be planted at a distance of no more than 30 feet apart along the street right of way. No street tree shall be planted over or within 5 lateral feet of any underground water, sewer, electrical lines, or cable television (excluding telephone, and individual service lines.) No street tree shall be planted closer than 10 feet to a fire hydrant, utility pole or streetlight. No street tree shall be planted within 15 feet of a street intersection. A list of approved street tree species is available from the Planning Department. Understory trees shall be planted in cases of overhead power lines. Limit the amount of landscaping in the front yard of small lots in order to retain the neighborhood scale of landscaping to the size of the house.

Removal of one or more significant trees in the Old Conway Design Overlay District requires approval by the Board, which also requests the following information:

1. Site plan and/or photographs showing location of significant tree(s);

2. Proof that the tree is dead or so badly diseased or damaged that it cannot be salvaged (such as a letter from a landscape firm);
3. Any other reasons for removal;
4. Species and size of the tree that will be planted to replace it, as well as the location where it will be planted.
5. If a tree is removed, the stump must be removed or ground to the surrounding surface soil level.

In instances where construction or other site work may affect significant trees on a given lot, all appropriate tree protection measures must be taken. The following specific protective measures shall be required for all development, or work requiring a permit, on properties with trees subject to regulation:

1. Protective fencing is required for protection of any tree to be preserved in place within fifteen (15') feet of any construction or construction material or construction equipment storage and is to be shown on the Tree Preservation Plan. All required protective fencing must be in place and approved by the Permits and Inspections department and/or Planning Department before a building permit will be issued. All fencing must remain in place during the entire construction period. All fencing shall be of a rigid material (i.e., chain-link, wood lathe, etc.) unless otherwise specified by the Planning Department. All fencing must be secured to metal posts driven into the ground and spaced no further than ten feet (10') apart. Fencing shall not be removed or relocated unless authorized in writing by the Planning Department. The approved Tree Preservation Plan shall be available on the building site before work commences and always during construction of the project. The general contractor shall be responsible for giving written notice of the Tree Preservation Plan and Tree Removal Permit to all contractors or subcontractors prior to their entering the Site.
2. Pumping of concrete for the foundation or other protective measures such as crown pruning and root pruning may be required for preservation of the existing trees. These measures must be indicated on the Tree Preservation Plan.
3. During construction all reasonable steps necessary to prevent the destruction or damaging of trees to be preserved in place shall be taken.
4. During construction, unless otherwise authorized by the Tree Preservation Plan, no excess soil, additional fill, equipment, liquids, or construction debris, shall be placed within the root zone of any tree that is required to be preserved in its present location.
5. No attachments, fences or wires, other than approved materials for bracing, guying or wrapping, shall be attached to any vegetation during the construction period.
6. All measures shall be taken to maintain the health of trees which are transported to the site.

Lot Sizes:

Many lots in the Old Conway Design Overlay District were originally platted anywhere from 25 feet to 100 feet wide. Further subdivision over the years added to the small lot sizes. The Conway Zoning Ordinance's minimum lot width is 50 feet wide. This regulation is based on larger lot suburban standards developed around the 1950's. This ordinance shall allow the construction of single family residences on platted and subdivided lots as small as 25 feet in width. These lots must have been platted or subdivided by deed no later than December 31, 1979.

Street Rights of Way:

Many of the platted streets in the Old Conway Design Overlay District were originally laid out with 40-60 foot rights of way. The Conway Subdivision and Zoning Ordinances require that all local streets have a minimum of 50 feet of street right of way. This regulation is based on larger lot suburban standards developed around the 1950's. This ordinance shall allow the construction of residences without the requirement of dedication of additional street right of way unless the street is classified as a collector or above on the Conway Master Street Plan. The smaller street rights of way of Old Conway are a desirable feature and should be preserved.

Massing: Overall bulk of a building

Scale:

The size of new construction shall not be in conflict with the surrounding relationships of building size to lot size. Further, design features of new construction shall reinforce a human scale through the size and proportion of doors, windows, details, etc.

Height:

The eave or cornice lines of existing buildings on a particular street define a range of heights. New construction should remain within this range of heights in order to relate with the surrounding structures and to preserve and enhance the character of the area. Even though zoning regulations may permit greater heights, new buildings should

be compatible in height to surrounding historic structures (typically not more than a 1 story differential). The first floor height of existing buildings is also an important factor in defining an appropriate scale for the new construction. First floor elevations should be consistent with surrounding historic structures.

The height of additions and outbuildings shall also relate to the primary structure.

Maximum Heights:

Principal Building:	3 stories maximum in residential zones 6 stories maximum in C-1 zones
Outbuilding:	2 stories maximum

Width:

New construction proportions shall respect the average width of the majority of neighboring buildings in the area.

Directional Expression:

This is a measurement of the height to width ratio of a structure's front elevation. New construction should respect the directional expression of the majority of the neighboring buildings in the area.

Footprint:

The area of land area covered by a structure. This measurement should be in relation to the majority of the neighboring buildings in the area.

Complexity of Form:

The level of detailing and breaks in the wall planes of a structure. New construction shall relate to the complexity of the majority of neighboring buildings in the area.

Façade, Wall Area, and Rhythm:

Facade and Openings (Proportion, Size, Detailing). New facades shall be compatible with surrounding historic buildings in proportion and relationships to wall area and openings. Windows and door openings should correspond to the rhythm and proportion that exist on neighboring structures. Generally, doors and windows are proportioned vertically. The total area of windows on a residential facade shall be in a range of 25-40% of the total surface area. In buildings with commercial uses on the first floor, the area of ground floor openings shall be in the range of 65-75%, to correspond with traditional storefront organization.

Structural Design Elements:

Style:

Buildings in the Old Conway Design Overlay District reflect a variety of traditional architectural styles and forms. New design should respect its context, while expressing the contemporary nature of the building and its use. A contemporary architecture that reflects the traditional elements of the area is encouraged.

Entries, Porches, and Porticos:

Entrances and porches are often the primary focal points of historic structures. Porches and porticos are encouraged in the Old Conway Design Overlay District. Porches must have minimum depth of 6 feet, preferably 8 feet. Roofs on porches should match those on the main or existing structure where possible. Steps leading up to porches may be of wood, brick, stone, or concrete, as appropriate to the material and architecture of the main structure. Railings on porch stairs should have handrails and pickets to match the railing of the porch. Many entrances in the Old Conway Design Overlay District have special features such as transoms, sidelights, and decorative elements framing the entrances. Consideration should be given to incorporating such elements into new construction. Screened porches should be reserved for the rear of lots.

Doors and Windows:

The rhythm, patterns, and ratio of solids (walls) and voids (windows and doors) of new buildings should relate to and be compatible with adjacent facades. (See Façade, wall area, and rhythm above) Traditionally designed openings generally have a recessed jamb on masonry buildings and a surface mounted frame on frame buildings. New construction should follow these methods as opposed to designing openings that are flush with the wall. If small paned windows are used in a new construction project, they should have the appearance of true divided lights and should not have fake clip-in muntin bars.

Awnings:

When new construction uses awnings, traditional awning designs, materials, and placement should be used.

Lighting:

Security lighting, such as flood lights shall be mounted on secondary and rear facades. Unshielded floodlights are not permitted. No light shall be of such intensity as to produce glare or direct illumination across the property line, nor shall any light be of such intensity so as to create a nuisance or detract from the use and enjoyment of adjacent property. All light shall be directed downward and inward toward the property by choosing appropriate fixtures and properly aiming fixtures during installation. Fixtures shall be architecturally compatible with and designed to complement the principle structure and surroundings.

Materials and Detailing:

Architectural Details:

Architectural details on a new residential structure should be compatible with existing elements, in style, material, size, and shape. These details include, but not limited to: eaves, brackets, dentils, cornices, molding, columns, trim work, pilasters, balustrades, decorative or character defining features.

Roof:

Roofs on new construction in the Old Conway Design Overlay District should respect the character of roof types and pitches in the immediate area around the new construction. Metal roofing is generally prohibited, but applicant will be allowed to prove the historic nature of a metal material. For new construction the following parameters should be considered:

1. Style (gambrel, gable, hip, shed, flat, mansard);
2. Pitch (slope of roof)
3. Material (slate, wood shingles, asphalt or fiberglass shingles, rolled roofing, hot mopped asphalt, tile);
4. Details (dormers, gables, chimneys);
5. Gutters and downspouts; ~~and~~

Siding and Bricks:

The selection of materials for a new dwelling should be compatible with and complement the surrounding structures in the Old Conway Design Overlay District. Brick, stone, and wood are the most appropriate materials for the cladding of new structures. Synthetic siding such as vinyl, aluminum, and synthetic stucco, (EIFS products) are not historic cladding materials and should not be used. However, cement board materials such as Hardiboard may be substituted for wood siding. Siding shall present an historical appearance.

Decks:

Elevated wooden decks are not historic to the area and should be located at the rear of the structure and screened from street view with fencing and / or plants and shrubs when visible.

Skylights:

Skylights should not be visible from the street.

Mechanical system screening:

HVAC units should be located where they are not readily visible from the street. If visible, they should be screened with shrubbery or fencing. Exterior HVAC ductwork shall not be visible from street. Electrical and gas meters and other mechanical equipment should be located on the side or rear façade. The Old Conway Design Review Board shall consider that utility equipment location may be beyond the applicant's control.

Shutters:

If used, shutters should be in proportion to their window opening. They should fit so that if they were closed, they would cover the window opening.

Colors:

Colors will not be regulated under this ordinance. The use of colors that are compatible with the surrounding area is highly encouraged. Color determination should be based on historic schemes appropriate for the style of the building. Reference materials are available from the Old Conway Design Review Board and the Arkansas Historic Preservation Program in determining appropriate paint colors. Avoid too many colors on a building. Colors should be selected to highlight the architectural details of a building.

Additions:

An exterior addition to a historic residence may radically alter its appearance. The design of a new addition shall follow the regulations for new construction for all elevations that are prominently visible. New additions should not destroy the materials that characterize the property. New work should be compatible in massing, size, scale, and architectural features to protect the historic integrity of the property. Use materials, windows, doors, and architectural detailing that are compatible with the existing home. The addition should be done in such a manner

that if removed in the future, the essential form and integrity of the original structure would be unimpaired. New design should not use the same wall plane, roof line or cornice line of the existing structure.

The addition should be sized so that it does not visually overpower the existing building. The addition should be located at the rear or side elevation in a manner that the addition visually secondary to the primary elevation of the historic structure. If the addition is located on an elevation facing the street or an important pedestrian route, the visible elevation shall be treated under tightest standards of the construction guidelines of this ordinance.

Outbuildings:

The design of new outbuildings with a footprint of 160 square feet or larger should use materials, windows, doors, and architectural detailing that are compatible with the existing or proposed residential structure. The footprint of an outbuilding may be a maximum of 30% of the footprint of the primary structure.

B. Transition Zone Standards

Unless otherwise superseded through the use of explicit language herein Part Two, the design criteria established within parts one and three shall maintain all regulatory bearing for the Urban Transition Zone. Therefore, it is the charge of the Old Conway Design Review Board to determine where and how criteria from The Urban and/or Suburban zones shall apply within the Urban Transition Zone, basing their determination upon individual project dynamics, location, and desired neighborhood character.

Building Setbacks:

Front setbacks in the Urban Transition Zone are defined as those which have street frontage. As measured from the right-of-way line, front setbacks shall be no greater than eighteen feet and no less than six.

There is no requirement for side setbacks in the Urban Transition Zone, however all fire code requirements must be met.

Rear setbacks shall be no less than five feet from the rear property line. In cases where alleys are present, rear setbacks must remain a minimum of fifteen feet from the centerline of the alley.

Building Height:

Primary structures within the Urban Transition Zone shall be no greater than three and one-half stories in height. A half-story refers to the uppermost floor being ‘tucked’ into the roof gable and using dormer windows for natural lighting and fire access. (Also referred to as an “attic story.”)

Outbuildings shall be no greater than two stories in height.

Lot Coverage:

The maximum allowable lot coverage for the Urban Transition Zone shall be eighty percent.

Parking Areas:

Where off-street surface parking lots are necessary for multi-family, office, and commercial activities, such lots shall be designed to minimize their size, visibility, and interference with pedestrian safety or comfort. Every effort should be made by developers to shelter adjacent properties, sidewalks, and the public realm as a whole from the unsightliness and clamor of surface parking.

Curb Cuts & Drive-Troughs:

Curb cuts in the Urban Transition Zone shall be no greater than twenty four feet in width; however, for projects along quieter, neighborhood streets, twenty feet is encouraged.

When interrupted by a vehicular access point, the continuity of the sidewalk surface material and grade shall be maintained and the material and grade of the driveway interrupted.

Drive-through service windows shall be located in the rear of all mid-block and alley-accessed corner locations, provided they do not substantially disrupt pedestrian activity or surrounding uses.

Drive-through windows shall never be located along any structure’s primary street frontage (i.e. between the structure and the street).

Sidewalks:

Sidewalks shall be constructed and/or repaired for all street frontages and shall be a minimum of five feet wide, unless the width differs historically. If desired by the property owner or Design Review Board, the sidewalk may be increased in width by encroaching into either the private setback area or the public planting strip adjacent to the curbline, whichever is most appropriate to the circumstance.

Sidewalks shall pass through driveways, creating a seamless ribbon of paving material.

Sidewalks shall retain any existing historic paving materials used in walks and driveways, such as brick, stone and examples of the early use of patterned concrete, replacing damaged areas with materials that match the original paving. Ensure that new paving materials are compatible with the character of the area. Brick pavers in traditional patterns and scored concrete are examples of appropriate applications. Color and texture of both surfaces should be carefully reviewed prior to installation.

Trees:

Canopy trees shall be planted within the public street frontage at ratio of one tree per thirty feet. This tree planting will typically occur in the green strip lying between the sidewalk and curb line of the street.

C. Urban Zone Standards

Proposed new construction, additions, and outbuildings (accessory buildings) 160 square feet or more; requiring a building permit within the Old Conway Design Overlay District Urban Zone shall respect and relate to the special character of the zone. In making its determination, the Old Conway Design Review Board shall consider and without being limited to the following criteria:

Building Setbacks:

A minimum of 80% of any building facade shall be within three feet of all property lines, except in the rear of the structure where an alley or other access exists. This shall be required only for the first four floors.

Major architectural projections into the public right-of-way such as balconies, arcades, and colonnades, shall require an encroachment permit, granted by City Council.

Structures may be set back up to 8 feet at the intersections in order to better articulate and accentuate the corners.

Building Height:

Buildings shall have a front facade which is no fewer than two stories in height and no greater than six. The City Council may grant additional stories for higher intensity development through the use of a conditional use permit. ~~Additional stories will require the approval of the Board of Zoning Adjustment.~~

The first story floor-to-floor height of any new building in the Urban Zone shall be a minimum of fifteen feet.

Lot Coverage:

The maximum allowable lot coverage for the Urban Zone shall be one hundred percent.

Landscaping and Paving:

Outdoor ground plane which abuts or is adjacent to the public right-of-way shall be paved with terrazzo, concrete pavers, concrete, stone, brick, tile, or another high quality hardscape material.

Asphalt and loose paving such as gravel are not permitted.

Any proposed landscaping shall not block pedestrian access to storefronts or building entrances.

Fences, Railings, & Walls:

Fences, railings, and walls shall be constructed of metal, brick, or stone. Plastic, chain link, and wood are prohibited.

Fences and railings shall be a minimum of 70% open.

Vehicular Access Points:

Curb cuts in the Urban Zone shall be no greater than 20 feet in width.

When interrupted by a vehicular access point, the continuity of the sidewalk surface material and grade shall be maintained and the material and grade of the driveway interrupted.

Off-Street Parking:

Except in the most critical of circumstances, locating surface parking lots at block corners shall not be permitted.

Where a parking lot must abut a public sidewalk, a visual buffer shall be provided through the use of a wall or fencing along the sidewalk edge. Materials should be compatible with those of nearby buildings and utilize visually interesting elements, such as masonry patterns, articulation, and vegetation. In situations where walls are not appropriate, a landscape buffer may be utilized. However, landscaping shall be dense and unbroken in order to completely meet the spirit and intent of this section. Planting strips and planter boxes may be incorporated to assist in fulfilling this requirement.

Loading Docks:

All loading docks shall be screened from pedestrian view. A combination of doors, gates, walls, fencing, and/or landscaping shall be used to shield the loading dock from view.

Dumpsters:

Trash dumpsters shall be further screened by use of a gate and structure which complements the design of the primary building through the use of similar materials, colors, finishes, and architectural details. Dumpster enclosures shall be constructed of masonry materials with an interior clear dimension of 15 feet by 15 feet.

Facade Articulation:

A minimum of 35% of each upper story shall be windows.

Windows shall be proportioned to appear vertical, even when combined to form horizontal bands around the structure.

Facades shall be broken down into distinct twenty to thirty foot “modules” or “bays” from side to side in order to prevent a monolithic edge to the street. The modules can follow structural, historical, aesthetic, or functional dimensions, but should always remain contextual to the street.

Large unarticulated walls are discouraged, and shall have either a window or a functional public access (such as a door or passageway) at least every ten feet. Facades exceeding fifty feet in length shall be visually broken down into bays through the use of architectural elements such as pilasters, reveals, or other three-dimensional surface modulations.

Building facade designs shall respect the historical context of Old Conway with a clear ground floor, body, and cornice line (i.e. “base, body, and cap”). Designs should be contextual to adjacent buildings, including their cornice lines and horizontal banding. The use of traditional facade components is encouraged and includes parapets caps, cornices, transoms, awnings, storefronts, kickplates, recessed entries, and sign bands.

Ground-Level Facade Detail:

A minimum of 2/3 of the first story facade shall be windows. First story windows shall be a maximum of three feet above the ground. Please refer to the section titled “Building Materials” for percentage of transparent glass.

Windows should be used to display products and services and maximize visibility into storefronts. With the exception of ground-floor residential units, windows shall not be obscured with elements that prevent pedestrians from seeing inside.

Building Materials:

Of the total amount of glass on the first story facade(s), a minimum of 85% shall be transparent. The remaining 15% may be stained, frosted, or otherwise non-transparent glass. Tinted or reflective glass is discouraged at ground level. All floors other than ground level may utilize window transparency as desired.

Building materials (other than glass) shall include brick, stone, concrete, architectural metals, stucco/plaster, and wood trim. Historically, these are among the most widely-used, identifiable, and longest-lasting materials within Conway’s Urban Zone, and therefore the most desirable for all projects. All materials shall be highly durable, attractive, and easily maintained, especially at street level where pedestrians come in contact with the building.

Prohibited materials shall include wood siding, pressed wood siding, composite siding, vinyl siding, all forms of sheet metal sheathing, and exterior insulated finishing systems (EIFS). These materials are not contextual to Old Conway and are generally perceived to be less permanent in nature, therefore they are not appropriate for use within the Urban Zone.

Building Entries:

Main pedestrian entries shall be located on the street to generate pedestrian traffic on the sidewalk.

Building entries shall be emphasized with architectural features, changes in the facade plane, different massing, or unique materials and finishes.

The primary pedestrian entry to each building shall be along the street frontage. For buildings that front on two streets, entries shall be located along each frontage or at the corner if the building is at an intersection.

All structures shall be ADA compliant.

Any use confined to a building’s upper floors (such as with a mixed-use structure) shall be provided at least one entry located along street frontage to further promote street life. These should be designed as separate entries and distinguished from ground-level uses with architectural details, materials, colors, lighting, signage, and/or paving, so that it is clear which entries are public and which are private.

All street front doors, as well as the walls which make up recessed entries, shall comply with all transparency requirements as outlined in the previous two sections. Address labeling greater than ten inches high shall be considered “signage” and therefore shall comply with the Conway Sign Ordinance.

Overhead Cover:

Where desired or required, overhead cover shall be a minimum of eight feet above the sidewalk grade. No cover shall project beyond the curb line of the street.

Overhead cover which requires structural support to rest within the right-of-way (i.e. arcades, colonnades, balconies, etc.) shall require approval of encroachment by the Conway City Council.

Public trees located within the right-of-way take precedence to all overhead cover designs and shall be provided all necessary growing room.

Exterior Building & Accent Lighting:

The use of moving, blinking, or strobe lights is prohibited.

Sidewalks:

Sidewalks shall be provided along all street frontages and located within the public right-of-way. Sidewalks shall extend from the structure’s facade outward to the existing curb line of the street. Where public sidewalk improvements are necessary, they shall be paved with terrazo, concrete pavers, concrete, stone, brick, tile, or another high quality hardscape material. Asphalt and loose paving are not permitted.

Sidewalk Cafes:

All outdoor seating which takes place within the public right-of-way shall require approval of encroachment from the Conway City Council.

No less than five feet of sidewalk must remain unobstructed by tables, chairs, or other encumbrances, and be available for the free-flow of pedestrian traffic at all times. Eight feet is recommended where sidewalk widths allow.

All sidewalk cafes must be located in front of or beside the associated restaurant and on the same side of the street. Sidewalk cafes may be located in front of adjacent properties with the permission of that building owner or tenant.

No signs are permitted in the cafe area except tabletop signage, menu signs, “Please wait to be seated” signs, and any others permitted by the Conway Sign Ordinance. All signage shall be removed each day at the close of business.

Sidewalk Furniture, Public Art, and Other Accessories:

Street furniture and accessories may be located within the public sidewalk immediately adjacent to the host structure. All shall be constructed of durable materials, correspond to the general aesthetic character of the Urban Zone, and not be harmful to any public streetscape materials (such as the sidewalk surface). All furniture and accessories shall be removable when necessary.

All art displayed within the public right-of-way, to include sculptures, wall murals, or any other forms, shall be submitted for approval by the Conway City Council. Public artwork may not be used as an advertising or marketing tool for its host property.

Signage:

All signage shall adhere to the guidelines and regulations detailed within Ordinance O-06-134 (Article 1301, City of Conway Zoning Ordinance) and all amendments thereto, all overlay district regulations which may apply, and any and all other current laws pertaining to signage.

Signage (District-wide)

The one exception to the aforementioned guideline is for the area measurement for those signs most commonly referred to as “freestanding” signs. A freestanding sign is a sign supported permanently upon the ground by poles or braces and not attached to any building. Most commonly, these signs take the form of a ‘monument’ sign or ‘post-and-arm’ sign. In no case shall any freestanding sign within the Old Conway Design Overlay District exceed 16 square feet in area per side, and a maximum height of 4 feet, without an exception granted by the Design Review Board.

Section 7: Definitions

Unless specifically defined below, words or phrases shall have the same meaning, they have in common usage.

ADDITION - New construction added to an existing building or structure.

ALTERATION - Any project involving change of or addition to an existing building as it pertains to exterior of the building as viewable from a public right of way

AREA OF INFLUENCE - The affected area to be notified for a public hearing as determined by a specific type of construction, alteration, restoration, moving or demolition as described in the individual categories found in the guidelines for review adopted by the Historic District Commission.

BUILDING - Any structure having a roof supported by columns or walls for the housing or enclosure of persons or animals.

CERTIFICATE OF APPROPRIATENESS - A document awarded by the Old Conway Design Review Board allowing an applicant to proceed with a proposed new construction or addition in a designated area or site, following a determination of the proposal's suitability according to applicable criteria.

CHARACTER - The qualities and attributes of any structure, site, street or district.

CONTEMPORARY - Reflecting characteristics of the current period. Contemporary denotes characteristics which illustrate that a building, structure, or detail was constructed in the present or recent past rather than being imitative or reflective of a historic design.

DETAILING - Architectural aspects that, due to particular treatment, draw attention to certain parts or features of a building.

DESIGN GUIDELINES - Criteria developed by preservation commissions to identify design concerns in an area and to help property owners ensure that rehabilitation and new construction respect the character of designated buildings and districts.

ELEMENT - A material part or detail of a site, structure, street, or district.

ENTRANCE AREA - The area of access to the interior of the building including the design, location, and materials of all porches, stairs, doors, transoms, and sidelights.

EXTERIOR ARCHITECTURAL FEATURES - The architectural style, design, and general arrangement of the exterior of a structure, including the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures

FACADE - A face of a building.

HEIGHT - The vertical extent of a building measured in stories, not including a raised basement or attic. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures. Height shall be measured from the elevation of the lowest finished floor level to the highest point of the building.

HISTORIC STRUCTURE - Generally any building 50 years or older or any building determined to be historically significant by an appropriate authority - local, state, or national.

LOT COVERAGE - For the purposes of this ordinance, the area covered by all impermeable surfaces including the primary structure, drives, sidewalks, ancillary buildings, etc.

MASSING - Volume, magnitude, or overall size of a building.

OWNER OF RECORD - The person, corporation, or other legal entity listed as owner on the records of Faulkner County.

OUTBUILDING - An accessory building, usually located towards the rear of the same lot as the principal building. An outbuilding 160 square feet in area or larger requires that the structure be constructed with a foundation and is considered a permanent structure.

PRESERVATION - The maintenance of a property without significant alteration to its current condition.

PROPORTION - Relationship of height to width of the building outline as well as individual components.

PUBLIC NOTICE - The classified advertisement of an event, such as a preservation commission meeting, that is published in the local newspaper and posted in the city government building in order to notify the general public of the upcoming event.

REHABILITATION - The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

RESTORATION - The process of returning a building to its condition at a specific time period, often to its original condition.

RHYTHM - A harmonious or orderly recurrence of compositional elements at regular intervals, including the location of doors and the placement of windows, symmetrically or asymmetrically and their relative proportion.

ROOF AREA - The outside covering of a building or structure extending above the vertical walls including the form, material, and texture of the roof, including the slope, pitch, and spacing of roof covering. Roof area also includes but is not limited to size, design, number, and location of dormers; the design and placement of cornices; and the size, design, material, and location of chimneys.

SCALE - The relative dimension, size, degree or proportion of parts of a building to one another or group of buildings.

SITING - Location of a building in relationship to the legal boundaries and setbacks, adjacent properties, and the natural conditions of the site. .

STRUCTURE - Any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built or constructed; an edifice or building of any kind.; excluding but not limited to, electric and cable television distribution and transmission lines, poles and equipment, fire hydrants and wastewater collection manholes.

TEXTURE - The visual or tactile surface characteristics created by shape, arrangement, and distribution of the component materials.

WALL AREAS - The vertical architectural member used to define and divide space. This includes but is not limited to kind, texture, and exposure of wall sidings and trims and the location, number, and design of all window and door openings.

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

AMENDED this 28th day of July, 2009.

APPROVED:

ATTEST:

Mayor Tab Townsell

City Clerk Michael O. Garrett



**City of Conway, Arkansas
Resolution No. R-09-___**

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 1901 Robins Street 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 \$117.76 (plus a ten percent collection penalty) 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 July 28th, 2009 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

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 28th day of July, 2009.

Approved:

Mayor Tab Townsell

Attest:

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



City of Conway, Arkansas
Resolution No. R-09-_____

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 2345 Krystal Kreek 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 \$134.02 (plus a ten percent collection penalty) 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 July 28th, 2009 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

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.

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ADOPTED this 28th day of July, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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 2752 East Port Circle 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 \$153.66 (plus a ten percent collection penalty) 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 July 28th, 2009 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

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.

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Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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 2530 T.J. Drive 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 \$165.54 (plus a ten percent collection penalty) 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 July 28th, 2009 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

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 28th day of July, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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 324,325, & 327 Hereford Street 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 \$198.88 (plus a ten percent collection penalty) 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 July 28th, 2009 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 28th day of July, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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 at 3350 Marlsgate Drive 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 \$212.62 (plus a ten percent collection penalty) 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 July 28th, 2009 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

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 28th day of July, 2009.

Approved:

Mayor Tab Townsell

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Michael O. Garrett
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City of Conway, Arkansas
Resolution No. R-09-_____

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 105 Second Street 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 \$593.30 (plus a ten percent collection penalty) 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 July 28th, 2009 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 28th day of July, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09- _____

A RESOLUTION AMENDING THE CONWAY COMPREHENSIVE PLAN IN THE NORTHEAST OLD CONWAY AREA WITH REPLACEMENT GRAPHICS AND SUPPORTING TEXT AS PER THE 2009 NORTHEAST OLD CONWAY AREA STUDY COMPREHENSIVE PLAN UPDATE; AND FOR OTHER PURPOSES:

Whereas, the Conway Planning and Development Department conducted a small-area study of the Northeast Old Conway Area to better define existing and desired land use patterns, preferred street designs, and pedestrian and bicycling opportunities; and

Whereas, the small-area study gathered input and comments from area stakeholders including residents, property owners, the general public, public officials, and City staff members; and

Whereas, the small-area study will guide future growth, infill, and other development throughout the Northeast Old Conway Area;

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

That the Conway Comprehensive Plan as adopted by Resolution R-04-24 on August 23, 2004, is hereby amended as follows:

1. Map graphics as presented in the 2009 Northeast Old Conway Area Study Comprehensive Plan Update will replace all areas in conflict as shown.
2. Accompanying text documents for the 2009 Northeast Old Conway Area Study Comprehensive Plan Update shall be adopted as supporting reference text.

PASSED THIS 28th DAY OF July, 2009.

APPROVED:

 Mayor Tab Townsell

ATTEST:

 Michael O. Garrett
 City Clerk/Treasurer

2009 Northeast Old Conway Area Study
Comprehensive Plan Update
July 2009

Definitions

A list of Definitions is available in Attachment A.

Boundaries of Affected Area

The Northeast Old Conway Area study area shall be defined as:

Beginning at the intersection of Siebenmorgen Road and Harkrider Street; thence east along Siebenmorgen Road to the western right of way of Interstate 40; thence southeasterly along the Interstate 40 right of way to the projected intersection of Gum Street and the Interstate 40 right of way; thence south along Gum Street to the intersection of Merriman Street; thence west along Merriman Street to Harkrider Street; thence north along Harkrider Street to Garland Street; thence west along Garland Street to Spencer Street; thence north along Spencer Street to Pine Street; thence east along Pine Street to Markham Street, thence north along Markham Street to Spruce Street; thence east along Spruce Street to Harkrider Street; thence northwesterly along Harkrider Street to the point of beginning at the intersection of Harkrider Street and Siebenmorgen Street.

Land Uses

The affected area’s land use patterns follow the rural-to-urban transect model. The area includes three transect zones: T5 Urban; T4 Transition; and T3 Sub-urban. Each transect zone has a list of uses allowed by right. The City Council may at its discretion modify the list and may adopt a list of uses allowed by warrant. Upon adoption of the Specific Plan by the City Council, each transect zone will have its own appropriate form; developments within each transect zone must comply with both the list of allowable uses and the form requirements for the relevant zone. Attachment B (Proposed Changes to Comprehensive Plan) shows zone delineation.

A. Uses presently allowed by right within the T5 Urban zone

Mixed use block	Office building	Parking structure
Flex building	Open-market building	Playground
Apartment building	Retail building	Surface parking lot
Live-work unit	Display gallery	Religious assembly
Row house	Restaurant	Gasoline
Duplex house	Kiosk	Drive-through facility
Courtyard house	Bus shelter	Fire station
Sidyard house	Conference center	Police station
Accessory unit	Fountain or public art	Funeral home
Hotel (no room limit)	Library	Hospital
Inn (up to 12 rooms)	Live theater	Medical clinic
Bed & breakfast (up to 5 rooms)	Movie theater	College
School dormitory	Museum	High school
Outdoor auditorium	Trade school	Elementary school
Childcare center		

B. Uses presently allowed by right within the T4 Transition zone

Flex building	Bed & breakfast (up to 5 rooms)	Religious assembly
Apartment building	School dormitory	Surface parking lot
Live-work unit	Open-market building	Kennel
Row house	Office building	High school
Duplex house	Retail building	Elementary school
Courtyard house	Display gallery	Childcare center
Sideyard house	Restaurant	Fire station
Cottage	Kiosk	Police station
House	Bus shelter	Cemetery
Accessory unit	Fountain or public art	Funeral home
Inn (up to 12 rooms)	Library	Medical clinic
Playground		

C. Uses presently allowed by right within the T3 Sub-urban zone

Live-work unit	Childcare center	Cemetery
Sideyard house	Bed & breakfast (up to 5 rooms)	Bus shelter
Cottage	Open-market building	Fountain or public art
House	Fire station	Outdoor auditorium
Accessory unit	Playground	Religious assembly
Elementary school		

Transportation

The affected area includes six new street segments. The new street segments are: 1) extension of Durham westward through Jersey and terminating at Ingram; 2) extension of Neal northward through Angus and Hereford and terminating at Durham; 3) extension of Gum northwestward terminating at an extension of Shannon; 4) extension of Shannon eastward terminating at an extension of Gum; 5) extension of Durham eastward terminating at an extension of Gum; and 6) extension of Hereford eastward through Guernsey and terminating at an extension of Gum.

2009 Northeast Old Conway Area Study
Comprehensive Plan Update

Attachment A: Definitions

Courtyard house: a house that occupies the boundaries of its lot while internally defining one or more private patios

Flex building: a building that may serve multiple purposes including residential, office, and/or commercial

Kiosk: informational or vendor-operated booth with an opening or window on one side

Live-work unit: a mixed use unit consisting of a commercial and residential function; the commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry

Mixed use: multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency

Row house: a single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line

Sideyard house: a house that occupies one side of the lot with a setback on the other side

Transect: a cross-section of the environment showing a range of different habitats. The rural-to-urban transect of the human environment used in SmartCode is divided into six transect zones. These zones describe the physical form and character of a place, according to the density and intensity of its land use and urbanism

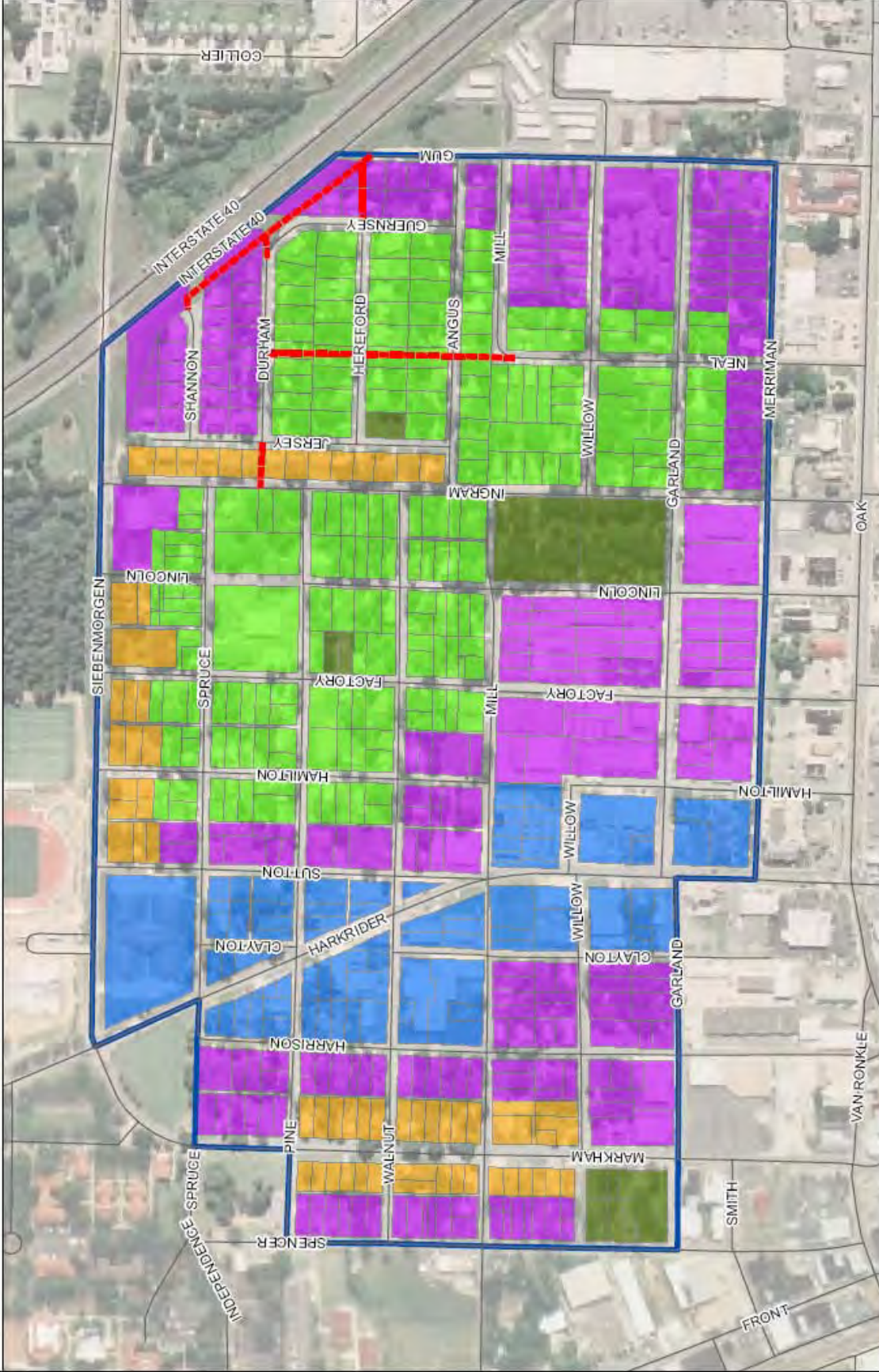
Transect zone: one of several areas on a zoning map regulated by SmartCode. Transect zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, density, height, and setback requirements, other elements of the intended habitat are integrated including those of the private lot and building and public frontage

2009 Northeast Old Conway Area Study
Comprehensive Plan Update

Attachment B: Proposed Changes to Comprehensive Plan

See Map on following page.

Proposed Changes to Comprehensive Plan (NE Old Conway)



<ul style="list-style-type: none"> T3 Sub-urban T4 Transition T5 Urban Specific Use: Green Space 	<ul style="list-style-type: none"> Specific Use: Townhouse New street Study area Street 	<p style="text-align: center;">0 300 600 1,200 Feet</p> <p style="text-align: center;">N </p>	<p style="text-align: center;">Conway Planning and Development Department July 7, 2009</p> <p style="text-align: center;">Sources: ESRI, Geostor, Faulkner Co. Assessor</p>
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CONWAY PLANNING COMMISSION

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

July 21, 2009

Council Members
Conway, AR 72032

Dear Council Members:

At its regular meeting Monday night, July 20, 2009, the Planning Commission heard a presentation from Conway city planner Donald Anthony concerning the completed study of Conway's Pine Street area begun a year and a half ago. This small-area study of what is now being called the Northeast Old Conway Area better defined existing and desired land use patterns, preferred street designs, and pedestrian and bicycling opportunities. The study area, chiefly bounded by Siebenmorgen to the north, Spencer Street to the west, Garland and Merriman to the South, and Gum Street and Interstate 40 on the east, was subsequently divided into four sub areas—the Markham Street Corridor, the Harkrider Corridor, the historic Pine Street neighborhood, and the Brown and Erbacher neighborhood known to many as "cow town." The city is looking at this area because it has deteriorating economic conditions, rising poverty rates, and falling incomes. Its current state is one of decline with an abundance of vacant and abandoned properties as evidenced by boarded-up buildings and empty lots. Currently, the zoning for the area is simply not compatible with the land uses that are there. The predominant zoning is MF-3 (multi-family), 24 units per acre; there is nothing like that in that area. It is a single family, traditional neighborhood, especially the core Pine Street area, and the zoning simply does not work with what is there. Finally, stated Mr. Anthony, this area is a critical portion of the city. It sits right between downtown, the Village at Hendrix, Oak Street, Harkrider—all of our major corridors run right there. After discussing the process of the study and its participants many of whom are stakeholders in the area, Mr. Anthony shared the six goals of the study.

1. Neighborhood design that fosters a unique sense of place and provides a single transition for various areas within the neighborhood.
2. A land use scheme that allows for multiple types of land uses while protecting single family residential neighborhoods from commercial encroachment.
3. A transportation scheme that supports desired neighborhood forms and enhances connectivity and accessibility and provides for multiple modes of transportation.
4. Neighborhood structural designs that foster energy efficiency and protect local air and water quality.
5. Neighborhoods in which culture and history are preserved, opportunities for recreation are available, and residents are empowered to make decisions about the neighborhood's future.
6. Neighborhoods in which infrastructure is adequate for redevelopment, multiple types of housing are available, and home ownership is emphasized and attainable for people of every socioeconomic background.

He then discussed the decision to use the new and more adventurous urban transect design for land use in the Northeast Old Conway Area versus the more traditional land use categories.

With transect, the form, design, and feel of a place are what is important and not so much what is actually in the building but how it relates to the other buildings around it, how it relates to the street.

The study made use of three transect zones T3, T4, and T5—suburban, transition, and urban. The suburban would be the traditional Pine Street neighborhood, primarily, and the Brown and Erbacher additions. Transition would be the fringe area surrounding those areas that has some mix of residential and commercial with a little higher density and a little more traffic. The urban zone is primarily exemplified at this time by what is around the Harkrider Street area.

Commission discussion followed Mr. Anthony's presentation and resulted in a motion to submit a resolution to the city council recommending that it adopt an amendment to the Comprehensive Plan incorporating this vision of the Northeast Old Conway Area with the transect design presented and remove the more traditional but incompatible design currently in place. The motion passed 7 – 0 – 1 with Commissioner Kent Mathis abstaining.

This change to the comprehensive plan to designate the three transect zones is the first phase of three that will be presented to the Planning Commission and to the City Council for the Northeast Old Conway Area.

Submitted by,

Terry Sossong, Chairman
Planning Commission



City of Conway, Arkansas
Ordinance No. O-09-___

AN ORDINANCE AMENDING ORDINANCE O-06-139 OLD CONWAY DESIGN OVERLAY DISTRICT BY REFERENCE, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

WHEREAS, The City of Conway wishes to preserve the character of Conway's historic area by requiring new construction to conform to compatible design standards, and;

WHEREAS, It is desirable to further expand the Old Conway Overlay District and create additional design overlay zones and accompanying standards;

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

SECTION 1. That Ordinance O-06-139, the Old Conway Design Overlay District Ordinance, as adopted on the 10th Day of October 2006, is hereby amended by reference, which was approved following notice as required by law, such amendment consisting of the amended text and map, of which not less than three (3) copies have been and are now filed in the office of the City Clerk of the City of Conway, Arkansas.

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

SECTION 3. That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this **28th** day of **July**, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

July 21, 2009

Council Members
Conway, AR 72032

Dear Council Members:

At its regular meeting Monday night, July 20, 2009, the Planning Commission heard a presentation from Planning Director Bryan Patrick concerning a proposed amendment to the Old Conway Design Overlay District that would expand its scope and scale.

The additional area that would be added to the district includes Brown Addition and an area east of Harkrider Street to Ingram Street. All projects within the district, including non-residential, would become subject to review by the Old Conway Design Review Board. Expansion of the district to include the Northeast Old Conway Area would provide Design Review Board oversight of more of that area's redevelopment. Mr. Patrick gave a brief history of the current Old Conway Design Overlay District and the Design Review Board—what it is and where it's going. It is not so much about preservation of current structures as it is about keeping the character of the neighborhood, making sure new structures going in, and additions to those existing structures blend with the neighborhood. Basically, the amendment expands the Board from the current seven (7) to nine (9) members to include a Pine Street neighborhood and a downtown representative, and expands the scope of the board's responsibility from just residential projects to include all projects within the district, not just residential projects. This addresses architecture not land use.

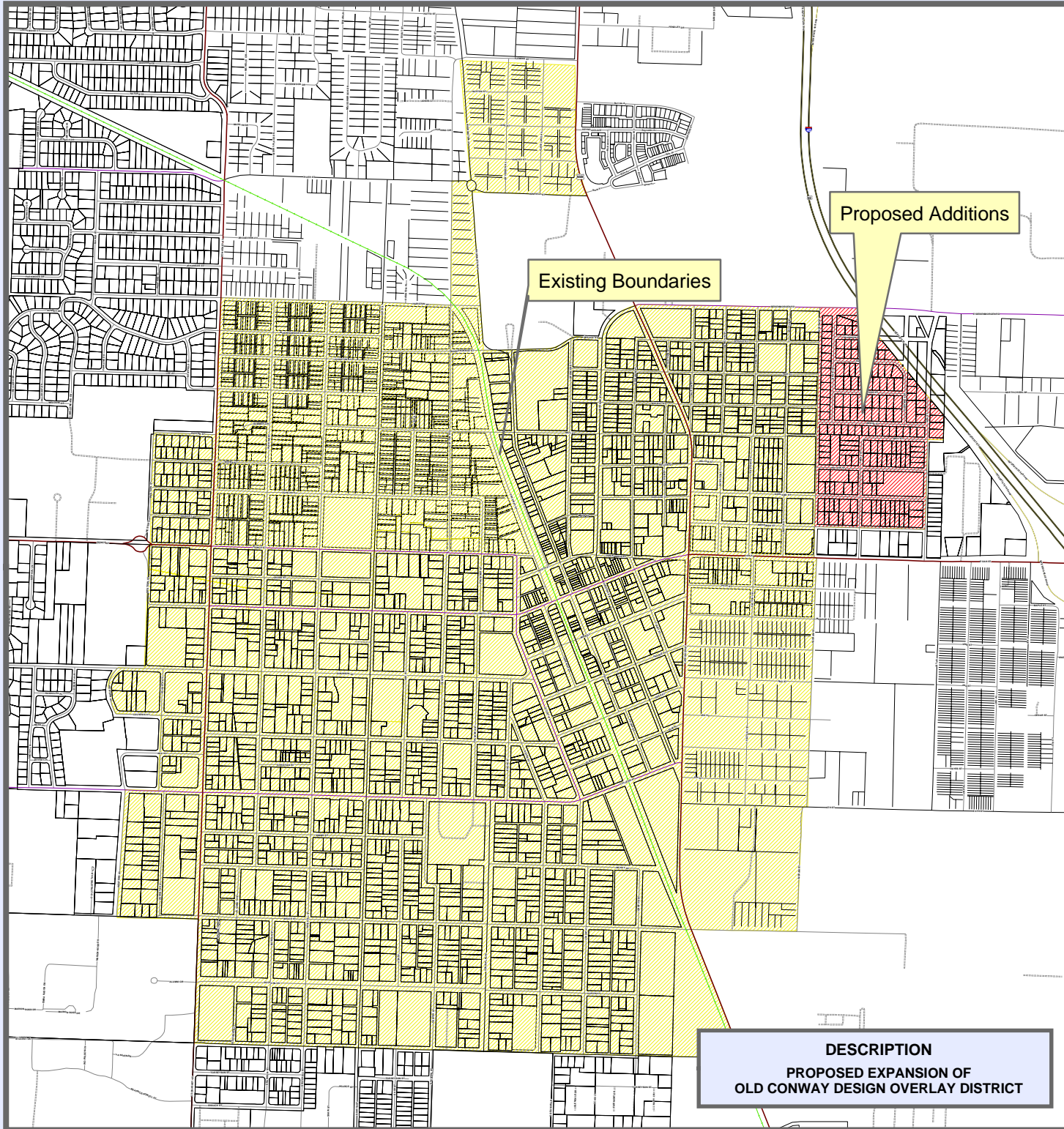
Spirited discussion followed the presentation and a motion was made and passed 6 – 1 – 1 to recommend this amendment to the Old Conway Design Overlay District Ordinance (O-06-139) to the City Council for adoption. Planning Commissioner Kent Mathis voted against the motion and Terry Sossong abstained from voting.

Submitted by,

Terry Sossong, Chairman
Planning Commission

CITY OF CONWAY

OLD CONWAY DESIGN OVERLAY DISTRICT - UPDATE



DESCRIPTION
PROPOSED EXPANSION OF
OLD CONWAY DESIGN OVERLAY DISTRICT

Tab Townes - Mayor
 Andy Hawkins & David Grimes - Aldermen Ward 1
 Mark Vaughn & Shelley Mehl - Aldermen Ward 2
 Jim Rhodes & Mary Smith - Aldermen Ward 3
 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4
 Michael Murphy - City Attorney
 Michael Garrett - City Clerk

Bryan Patrick - Director
 Ken Pickett - Assistant Director
 Christy Sutherland - Planner
 Donald Anthony - Planner
 Wes Craiglow - Planner
 Jason Lyon - GIS Coordinator

CONWAY PLANNING COMMISSION
 Terry Sosong - Chair
 Sandy Mabry - Vice-Chair

— INTERSTATE	— LOT LINE	Residential	Industrial
— MAJOR ARTERIAL	— STREAMS	R-1	I-1
— MINOR ARTERIAL	— LAKES & PONDS	R-2A	MF-1
— COLLECTOR	— CITY LIMITS	R-2	MF-2
— RESIDENTIAL		R-3	MF-3
— PRIVATE ROAD		HR	RMH
— INTERSTATE RAMP		SR	
— RAILROADS		Commercial	Office
		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	
			Special
			S-1
			A-1
			PUD

0 125 250 500 750 Feet
1 in = 1,500 ft
JULY 2009

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION
 LANDMARK GIS WEBSITE
gis.cityofconway.org/LANDMARK_DEVELOPMENT/
 E-MAIL: Jason.Lyon@CityOfConway.org



City of Conway, Arkansas
Ordinance No. O-09- _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS ALONG THE EAST SIDE OF OLD MILITARY ROAD NORTH OF DEERBROOK SUBDIVISION TO THE CITY OF CONWAY, ARKANSAS; 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 9th day of **July, 2009**, 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 part of the NW 1/4 SW 1/4 of Section 22, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows:

Commencing at the NW Corner of said NW 1/4 SW 1/4 run from thence S87 degrees 39'07"E, along the North Line of said NW 1/4 SW 1/4, 491.69 feet to the point of beginning; thence continue along said North Line 663.35 feet; thence run S01 degree 52'10"W, parallel to the West Line of said NW 1/4 SW 1/4, 1322.72 feet to the South Line of said NW 1/4 SW 1/4; thence run N87 degrees 35'32"W, along said South Line, 1130.05 feet to the East Right of Way line of Old Military Road; thence run N01 degree 52'10"E, parallel to the West Line of said NW 1/4 SW 1/4, 854.84 feet; thence leaving said right of way, run S87 degrees 39'07"E, parallel to the North Line of said NW 1/4 SW 1/4, 466.69 feet; thence run N01 degrees 52'10"E parallel to the West Line of said NW 1/4 SW 1/4, 466.70 feet to the point of beginning.

Said Tract contains 29.30 acres more or less and is subject to all rights of way, easements, covenants, and restrictions on record.

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: That the City of Conway hereby accepts the following section(s) of street(s) as public street(s) for maintenance and for the purpose of providing street frontage for the issuance of building permits.

That portion of Old Military Road that fronts upon this property.

SECTION 3: That unless a street is specifically named in this ordinance as being accepted for maintenance or to provide street frontage for the issuance of building permits, it shall not be accepted for either purpose.

SECTION 4: 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 1** of the City of Conway, Arkansas.

SECTION 5: 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 **28th** day of **July**, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

July 21, 2009

Council Members
Conway, AR 72032

Dear Council Members:

Resolution {R-09-30} passed by the Council at its meeting on June 23, 2009, established the City's intent to annex certain lands located along the east side of Old Military Road north of Deerbrook Subdivision with the legal description

A part of the NW 1/4 SW 1/4 of Section 22, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows:

Commencing at the NW Corner of said NW 1/4 SW 1/4 run from thence S87 degrees 39'07"E, along the North Line of said NW 1/4 SW 1/4, 491.69 feet to the point of beginning; thence continue along said North Line 663.35 feet; thence run S01 degree 52'10"W, parallel to the West Line of said NW 1/4 SW 1/4, 1322.72 feet to the South Line of said NW 1/4 SW 1/4; thence run N87 degrees 35'32"W, along said South Line, 1130.05 feet to the East Right of Way line of Old Military Road; thence run N01 degree 52'10"E, parallel to the West Line of said NW 1/4 SW 1/4, 854.84 feet; thence leaving said right of way, run S87 degrees 39'07"E, parallel to the North Line of said NW 1/4 SW 1/4, 466.69 feet; thence run N01 degrees 52'10"E parallel to the West Line of said NW 1/4 SW 1/4, 466.70 feet to the point of beginning.

Said Tract contains 29.30 acres more or less and is subject to all rights of way, easements, covenants, and restrictions on record.

into the City of Conway with a zoning designation of R-1. That property was released by Faulkner County and filed with the County Clerk on July 9, 2009 as evidenced by the attached copy of signed Order NO. 09-62. Your adoption of the proposed ordinance submitted with this letter is requested in order to finalize the annexation previously approved in Resolution R-09-30.

Submitted by,

Terry Sossong, Chairman
Planning Commission

PRESTON SCROGGIN
FAULKNER COUNTY JUDGE
(501) 450-4900
Conway, Arkansas 72034

FILED

2009 JUL -9 A 9 48

MELINDA REYNOLDS
COUNTY CLERK
DC

OM

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

**IN THE MATTER OF THE
PIN TAIL INVESTMENTS
OF CONWAY, LLC PETITION
FOR ANNEXATION**

NO. 09-62


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. An amended petition for annexation was filed on or about May 28, 2009.
2. All appropriate signatures were affixed to the Petition.
3. The proposed site to be annexed was adequately described in the Petition and further displayed a map of the proposed site to be annexed.
4. As a result of the proposed site's potential use for a subdivision and/or a municipal service area 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



Preston Scroggin
Faulkner County Judge

7-7-09

Date

"An Equal Opportunity Employer"

whatever.

And I, the GRANTOR, for and in consideration of said sum of money, do hereby release and relinquish unto the said GRANTEE all our rights of dower, curtesy, and homestead in and to said lands.

WITNESS my hand and seal this 28th day of MAY, 2009.

PINTAIL INVESTMENTS OF CONWAY, LLC

By: Hal Crafton
Hal Crafton

Oper. Member
Title

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF Faulkner

On this the 28 day of May, 2009, before me, the undersigned officer, personally appeared Hal Crafton, who acknowledged himself to be acting on behalf of the GRANTOR, and that he, as such and being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of Pintail Investments of Conway, LLC.

In witness whereof I hereunto set my hand and official seal.

Judith B. Quick
NOTARY PUBLIC

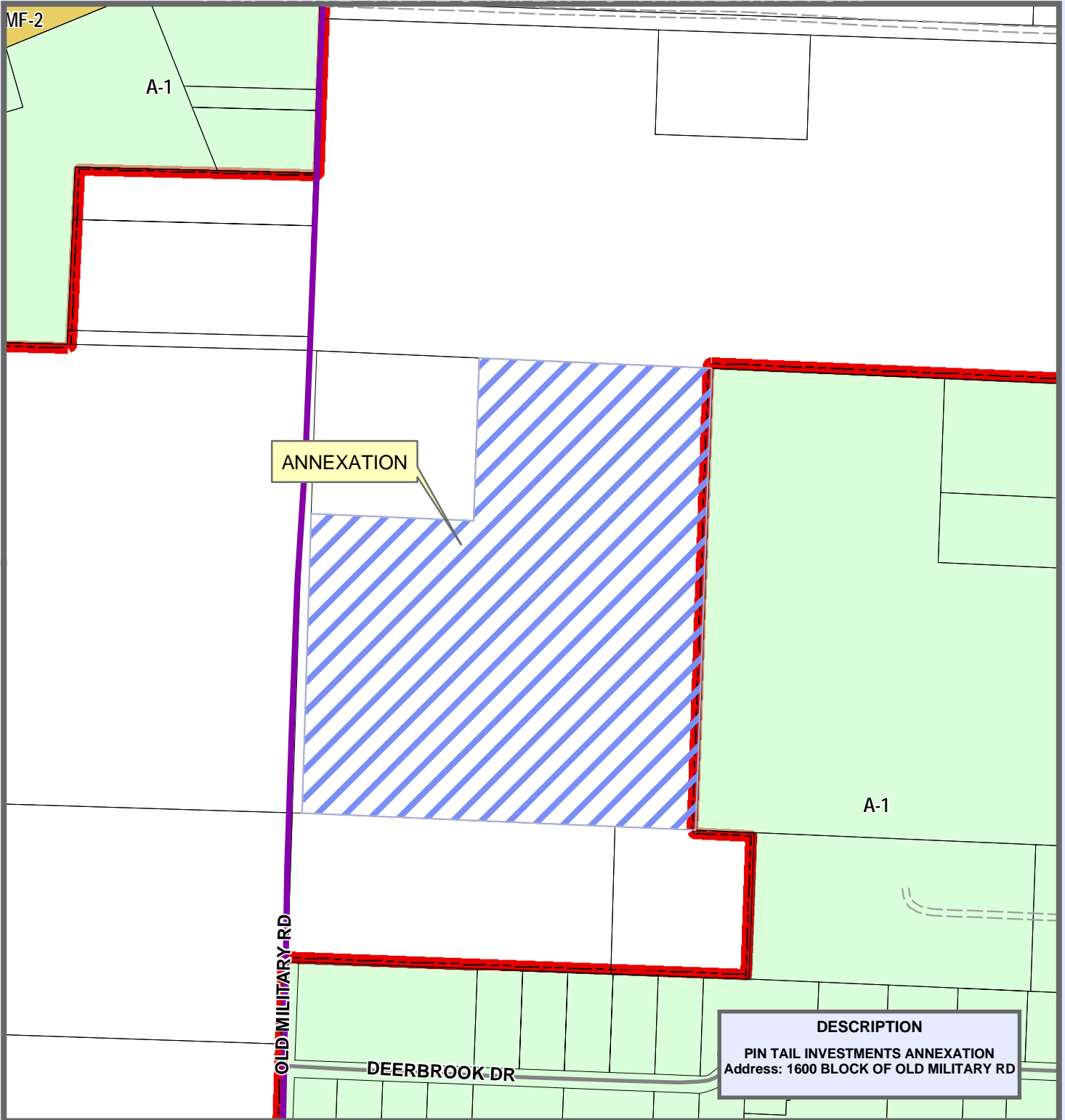
My commission expires: 7-31-2018

Judith B. Quick Notary Public - Arkansas Faulkner County #12366734 My Commission Exp. July 31, 2018


CERTIFICATE OF RECORD
Doc#2009- 13906
07/24/2009
08:50:35 AM
Filed and Recorded in Official Records of
FAULKNER COUNTY
RHONDA WARTON
FAULKNER COUNTY CLERK
by [Signature] D.C.

CITY OF CONWAY

PIN TAIL INVESTMENTS ANNEXATION



DESCRIPTION
PIN TAIL INVESTMENTS ANNEXATION
 Address: 1600 BLOCK OF OLD MILITARY RD



Tall Townesell - Mayor
 Andy Hawkins & David Grimes - Aldermen Ward 1
 Mark Vaughn & Shelby Mehl - Aldermen Ward 2
 Jim Rhodes & Mary Smith - Aldermen Ward 3
 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4
 Michael Murphy - City Attorney
 Michael Garrett - City Clerk

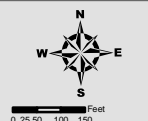


Bryan Patrick - Director
 Ken Pickett - Assistant Director
 Christy Sutherland - Planner
 Donald Anthony - Planner
 Wes Craiglow - Planner
 Jason Lyon - GIS Coordinator



CONWAY PLANNING COMMISSION
 Terry Sossong - Chair
 Sandy Mabry - Vice-Chair

<ul style="list-style-type: none"> INTERSTATE MAJOR ARTERIAL MINOR ARTERIAL COLLECTOR RESIDENTIAL PRIVATE ROAD INTERSTATE RAMP RAILROADS 	<ul style="list-style-type: none"> LOT LINE STREAMS LAKES & PONDS CITY LIMITS 	<p>Residential</p> <ul style="list-style-type: none"> R-1 R-2A R-2 HR SR <p>Commercial</p> <ul style="list-style-type: none"> C-1 C-2 C-3 C-4 	<p>Industrial</p> <ul style="list-style-type: none"> MF-1 MF-2 MF-3 RMH <p>Office</p> <ul style="list-style-type: none"> O-1 O-2 O-3 	<p>Special</p> <ul style="list-style-type: none"> I-1 I-3 S-1 A-1 PUD
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0 25 50 100 150 Feet
1 in = 400 ft
JUNE 2009

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION
 LANDMARK GIS WEBSITE:
gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org



City of Conway, Arkansas
Ordinance No. O-09- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 2501 EAST OAK FROM R-1 AND MF-2 TO I-3:

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

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

The SW 1/4 NE 1/4, Section 9, Township 5 North, Range 13 West, 40 acres, more or less, in Faulkner County, Arkansas.

to those of **I-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 28th day of **July**, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

July 21, 2009

Council Members
Conway, AR 72032

Dear Council Members:

A request for rezoning from R-1 and MF-2 to I-3 for property located at 2501 East Oak with the legal description

The SW 1/4 NE 1/4, Section 9, Township 5 North, Range 13 West, 40 acres, more or less, in Faulkner County, Arkansas.

was reviewed by the Planning Commission at its regular meeting on July 20, 2009. The Planning Commission voted 8 – 0 that the request be sent to the City Council with a recommendation for denial.

In a separate motion, the Planning Commission voted 8 – 0 to recommend that the City Council consider rezoning this property to O-1 with a conditional use request for appropriate building and landscape variances for fairgrounds.

Submitted by,

Terry Sossong, Chairman
Planning Commission

/lr

Attached:
Ltr of Appeal



CITY OF CONWAY
Office of the Mayor
Mayor Tab Townsell

July 21, 2009

To Whom It May Concern:

The City of Conway would like appeal the Planning Commission denial of the request to rezone property located at 2501 East Oak Street from R-1 and MF-2 to I-3. We respectfully request this item be placed on the next available City Council agenda.

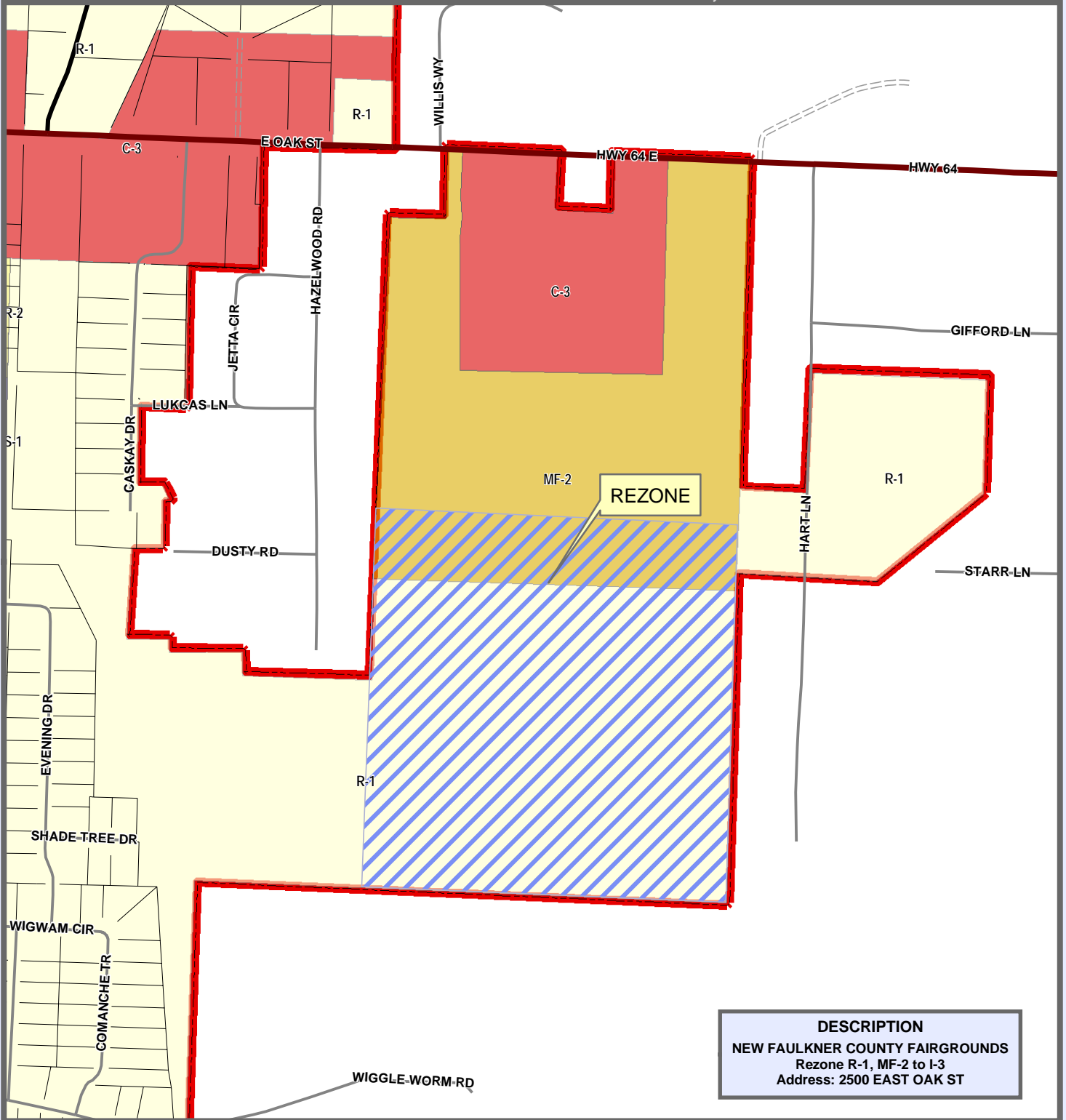
Thank you,

A handwritten signature in blue ink, appearing to read "Tab", is positioned above the printed name.

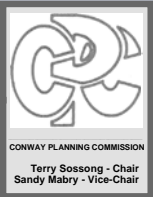
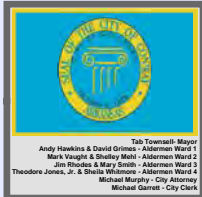
Tab Townsell
Mayor
City of Conway

CITY OF CONWAY

NEW FAIRGROUNDS REZONE R-1, MF-2 TO I-3

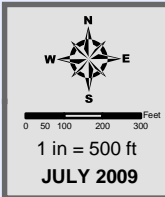


DESCRIPTION
NEW FAULKNER COUNTY FAIRGROUNDS
 Rezone R-1, MF-2 to I-3
 Address: 2500 EAST OAK ST



— INTERSTATE	— LOT LINE	R-1	MF-1	I-1
— MAJOR ARTERIAL	— STREAMS	R-2A	MF-2	RU-1
— MINOR ARTERIAL	— LAKES & PONDS	R-2	MF-3	I-3
— COLLECTOR	— CITY LIMITS	HR	RMH	
— RESIDENTIAL		SR		
— PRIVATE ROAD				
— INTERSTATE RAMP		C-1	O-1	S-1
— RAILROADS		C-2	O-2	A-1
		C-3	O-3	PUD
		C-4		

R-1	MF-1	I-1
R-2A	MF-2	RU-1
R-2	MF-3	I-3
HR	RMH	
SR		
C-1	O-1	S-1
C-2	O-2	A-1
C-3	O-3	PUD
C-4		



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION
 LANDMARK INS WEBSITE
gis.cityofconway.org/LANDMARK_DEVELOPMENT
 E-MAIL: Jason.Lyon@CityOfConway.org



CONWAY PLANNING COMMISSION

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

July 21, 2009

Council Members
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow religious activities (including new buildings for worship and staff residence) on property located at 1715 South Boulevard with the legal description

Boulevard Subdivision, Block 77, Lot 3

was reviewed by the Planning Commission at its regular meeting on July 20, 2009. The Planning Commission voted 6 – 2 that the request be sent to the City Council with a recommendation for approval subject to the condition stated below. Commissioners Craig Cloud and Kent Mathis voted against the motion to approve the conditional use.

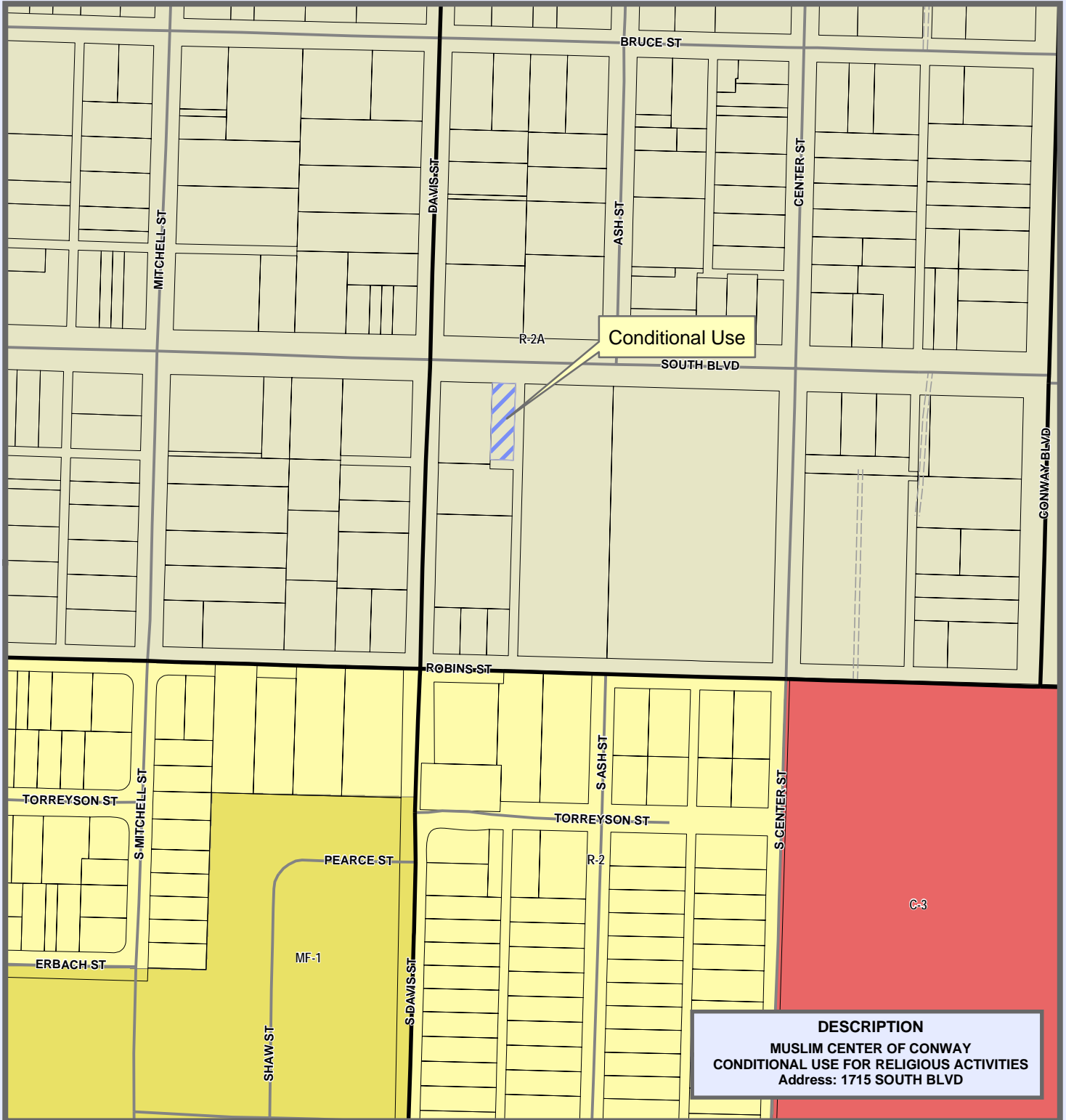
1. Revoke Conditional Use Permit No. 1116.

Submitted by,

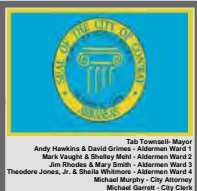
Terry Sossong, Chairman
Planning Commission

CITY OF CONWAY

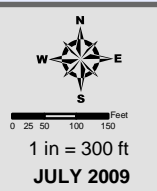
MUSLIM CENTER OF CONWAY CONDITIONAL USE



DESCRIPTION
MUSLIM CENTER OF CONWAY
CONDITIONAL USE FOR RELIGIOUS ACTIVITIES
Address: 1715 SOUTH BLVD



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	Special
			S-1
			A-1
			PUD
			I-1
			RU-1
			I-3



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CONTACT INFORMATION
 LANDMARK GIS WEBSITE:
gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org



CITY OF CONWAY
STREET AND ENGINEERING DEPT.

100 East Robins • Conway, AR 72032
 501-450-6165 • Fax 501-513-3566

Ronnie D. Hall, P.E.
 City Engineer

July 22, 2009

Mayor Tab Townsell
 City Hall
 1201 Oak Street
 Conway, Arkansas 72032

Re: Donaghey Avenue At Dave Ward Drive
 Intersection Improvements

Dear Mayor Townsell,

Bids were received at 10:00 AM, Wednesday, July 22, 2009 at Conway City Hall for the above referenced project. This project involves providing dual left turn lanes for Donaghey Avenue traffic at Dave Ward Drive, two south bound thru lanes for Donaghey and a northbound right turn lane for Donaghey Avenue. The left turn lanes on Dave Ward Drive at Donaghey Avenue are also lengthened to provide additional storage capacity in the left turn lanes. The widening for the two south bound Donaghey lanes extends to Moix Boulevard and the widening for the two north bound Donaghey lanes extends to Woodland Springs Drive. The four bids received are listed below and detailed on the enclosed bid tabulation.

CO-BAR Contracting, Inc.	\$939,041.00
JCI Construction	\$1,042,579.00
J's Construction Co.	\$1,081,051.75
Redstone Construction	\$1,168,358.00
Engineers Estimate	\$1,341,655.00

Due to our lack of knowledge of the low bidders capability to perform the work for this project, I have requested a "Statement of Bidders Qualifications" from COBAR Construction. I will provide this information to you at the City Council meeting for your use in considering the award of this project.

It is my understanding that the funding for this project will come from the "pay as we go" sales tax fund.

Please advise if you have questions or need additional information,

Sincerely,

Ronnie Hall, P.E.

CITY OF CONWAY, ARKANSAS
DONAGHEY AVENUE - DAVE WARD DRIVE
INTERSECTION IMPROVEMENTS

Summary of Bids Received July 22, 2009

DESCRIPTION	ESTIMATED QUANTITY	UNITS	CO-BAR CONTRACTING		JCI CONSTRUCTION		J's CONSTRUCTION		REDSTONE CONSTRUCTION		Engineers Estimate	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1 SITE PREPARATION	1	L.S.	\$30,000.00	\$30,000.00	\$98,000.00	\$98,000.00	\$151,100.00	\$151,100.00	\$170,000.00	\$170,000.00	\$150,000.00	\$150,000.00
2 UNCLASSIFIED EXCAVATION	1,900	C.Y.	\$11.00	\$20,900.00	\$10.00	\$19,000.00	\$20.55	\$39,045.00	\$17.00	\$32,300.00	\$25.00	\$47,500.00
3 EMBANKMENT MATERIAL	1,100	C.Y.	\$12.00	\$13,200.00	\$9.00	\$9,900.00	\$15.00	\$16,500.00	\$17.00	\$18,700.00	\$25.00	\$27,500.00
4 UNDERCUT & BACKFILL	2,500	C.Y.	\$8.00	\$20,000.00	\$12.00	\$30,000.00	\$23.00	\$57,500.00	\$21.00	\$52,500.00	\$25.00	\$62,500.00
5 STONE BACKFILL	500	TON	\$16.00	\$8,000.00	\$20.00	\$10,000.00	\$18.50	\$9,250.00	\$31.00	\$15,500.00	\$25.00	\$12,500.00
6 CRUSHED STONE BASE	6,500	TON	\$18.75	\$121,875.00	\$17.00	\$110,500.00	\$18.50	\$120,250.00	\$20.00	\$130,000.00	\$23.00	\$149,500.00
7 ASPHALT SURFACE COURSE	2,500	TON	\$82.35	\$205,875.00	\$88.00	\$220,000.00	\$83.00	\$207,500.00	\$88.00	\$220,000.00	\$90.00	\$225,000.00
8 ASPHALT BINDER COURES	1,300	TON	\$76.80	\$99,840.00	\$82.00	\$106,600.00	\$78.00	\$101,400.00	\$82.00	\$106,600.00	\$90.00	\$117,000.00
9 COLD MILLING ASPHALT	2,900	S.Y.	\$4.00	\$11,600.00	\$6.00	\$17,400.00	\$2.50	\$7,250.00	\$2.25	\$6,525.00	\$8.00	\$23,200.00
10 18" STORM DRAIN	970	L.F.	\$34.00	\$32,980.00	\$30.00	\$29,100.00	\$40.00	\$38,800.00	\$40.00	\$38,800.00	\$25.00	\$24,250.00
11 24" STORM DRAIN	575	L.F.	\$43.00	\$24,725.00	\$40.00	\$23,000.00	\$43.75	\$25,156.25	\$50.00	\$28,750.00	\$35.00	\$20,125.00
12 36" X 24" ARCH STORM DRAIN	140	L.F.	\$60.50	\$8,470.00	\$68.00	\$9,520.00	\$64.50	\$9,030.00	\$88.00	\$12,320.00	\$50.00	\$7,000.00
13 STANDARD CURB INLET	11	EACH	\$2,450.00	\$26,950.00	\$2,200.00	\$24,200.00	\$2,250.00	\$24,750.00	\$3,200.00	\$35,200.00	\$3,000.00	\$33,000.00
14 JUNCTION BOX	1	EACH	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00	\$1,950.00	\$1,950.00	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00
15 CONCRETE CURB & GUTTER (8	2,800	L.F.	\$12.50	\$35,000.00	\$13.00	\$36,400.00	\$11.20	\$31,360.00	\$15.50	\$43,400.00	\$15.00	\$42,000.00
16 CONCRETE CURB & GUTTER	620	L.F.	\$10.00	\$6,200.00	\$11.00	\$6,820.00	\$11.05	\$6,851.00	\$15.00	\$9,300.00	\$12.00	\$7,440.00
17 CONCRETE SIDEWALK	1,511	S.Y.	\$26.00	\$39,286.00	\$29.00	\$43,819.00	\$32.00	\$48,352.00	\$37.00	\$55,907.00	\$40.00	\$60,440.00
18 WHEEL CHAIR RAMP	500	S.F.	\$19.00	\$9,500.00	\$10.00	\$5,000.00	\$12.50	\$6,250.00	\$12.00	\$6,000.00	\$15.00	\$7,500.00
19 CONCRETE DRIVEWAY	250	S.Y.	\$36.00	\$9,000.00	\$42.00	\$10,500.00	\$40.50	\$10,125.00	\$48.00	\$12,000.00	\$45.00	\$11,250.00
20 CONCRETE PAVED MEDIAN & ISI	175	S.Y.	\$58.50	\$10,237.50	\$50.00	\$8,750.00	\$49.00	\$8,575.00	\$55.00	\$9,625.00	\$100.00	\$17,500.00
21 CONCRETE BASE	255	S.Y.	\$44.50	\$11,347.50	\$54.00	\$13,770.00	\$46.50	\$11,857.50	\$46.00	\$11,730.00	\$50.00	\$12,750.00
22 SILT FENCE	1,500	L.F.	\$3.65	\$5,475.00	\$3.00	\$4,500.00	\$3.00	\$4,500.00	\$4.00	\$6,000.00	\$5.00	\$7,500.00
23 B-STONE	200	TON	\$15.50	\$3,100.00	\$18.00	\$3,600.00	\$18.50	\$3,700.00	\$25.00	\$5,000.00	\$25.00	\$5,000.00
24 DROP INLET SILT FENCE	12	EACH	\$90.00	\$1,080.00	\$300.00	\$3,600.00	\$75.00	\$900.00	\$200.00	\$2,400.00	\$300.00	\$3,600.00
25 SOLID SOD	1,600	S.Y.	\$6.50	\$10,400.00	\$3.50	\$5,600.00	\$4.00	\$6,400.00	\$7.00	\$11,200.00	\$6.00	\$9,600.00
26 SEEDING & MULCHING	1	ACRE	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00	\$1,200.00	\$1,200.00	\$3,000.00	\$3,000.00
27 MAINTENANCE OF TRAFFIC	1	L.S.	\$18,000.00	\$18,000.00	\$50,000.00	\$50,000.00	\$17,600.00	\$17,600.00	\$13,000.00	\$13,000.00	\$80,000.00	\$80,000.00
28 TRAFFIC SIGNALS	1	L.S.	\$116,000.00	\$116,000.00	\$95,000.00	\$95,000.00	\$90,000.00	\$90,000.00	\$85,000.00	\$85,000.00	\$130,000.00	\$130,000.00
29 PAVEMENT MARKINGS	1	L.S.	\$15,500.00	\$15,500.00	\$17,500.00	\$17,500.00	\$15,200.00	\$15,200.00	\$15,400.00	\$15,400.00	\$25,000.00	\$25,000.00
30 CONSTRUCTION LAYOUT	1	L.S.	\$7,500.00	\$7,500.00	\$25,000.00	\$25,000.00	\$6,800.00	\$6,800.00	\$10,500.00	\$10,500.00	\$15,000.00	\$15,000.00
31 TRENCH & EXCAVATION SAFETY	1	L.S.	\$12,000.00	\$12,000.00	\$500.00	\$500.00	\$100.00	\$100.00	\$1.00	\$1.00	\$2,500.00	\$2,500.00
SUBTOTAL				\$939,041.00		\$1,042,579.00		\$1,081,051.75		\$1,168,358.00		\$1,341,655.00



City of Conway, Arkansas
Ordinance No. O-09-_____

AN ORDINANCE WAIVING THE REQUIREMENT TO OBTAIN COMPETITIVE BIDS AND APPROPRIATING FUNDS FOR EQUIPMENT REPAIR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, Conway Sanitation Department equipment which is imperative for efficient operations at the landfill was recently damaged; and

WHEREAS, due to the ability to promptly repair the equipment at a reasonable cost, the City desires to utilize J.A. Riggs to repair the equipment; and

WHEREAS, budgetary authority for such repairs has not previously been provided;

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

SECTION 1. The City of Conway shall waive the requirements to obtain competitive bids for the repair of the D6RKL Dozer and shall utilize J.A. Riggs for repairs.

SECTION 2. The City of Conway shall appropriate \$29,060 from the Sanitation Enterprise Fund Balance account (50.990) to Equipment Repairs Operating Account (50.118.235).

SECTION 3. This ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

SECTION 4. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 28th day of July 2009

Approved:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



MODEL	D6RXL	SERIAL #	5LN03242	CUSTOMER	Conway Sanitation Department		
		QTY		DESCRIPTION		Check if included	COST ESTIMATE
TRANSPORT (MACHINE ONE WAY)						x	\$ 550.00
WASH MACHINE						X	\$ 560.00
INSPECT MACHINE AND PREPAIR REPAIR ESTIMATE						X	\$ 1,800.00
AFTER MACHINE IS INSPECTED RIGGS CAT WILL PROVIDE THE CUSTOMER WITH WRITTEN ESTIMATE FOR EXPECTED REPAIRS. THIS WILL ONLY BE AN ESTIMATE AND ONLY AFTER COMPLETE DISSASSEMBLY WILL A FIRM QUOTE BE PROVIDED							
RIGGS CAT HAS PERFORMED THE INSPECTION AND FOUND THE FOLLOWING ITEMS NEED ADDRESSED, THIS IS STILL AN ESTIMATE AND ONLY AFTER COMPLETE DISSASSEMBLY WILL A FIRM QUOTE BE PROVIDED:							
PARTS TO MAKE THE NEEDED REPAIRS						X	\$ 11,129.42
LABOR TO MAKE THE NEEDED REPAIRS						X	\$ 12,600.00
ESTIMATED REPAIRS INCLUDE: A/C SYSTEM, COMPRESSOR, DRYER, A/C LINES, ACCUMULATOR REPLACEMENT OF STARTER, ALTERNATOR NUMEROUS HOSES, MAIN WIRING HARNESS AND CAB WIRING HARNESS TRANSMISSION PUMP COUPLING, ALL ENGINE BELTS							
RIGGS CAT RECOMMENDS A PREVENATIVE MAINTENANCE LEVEL 4 PM4 INCLUDES CHANGING ALL FILTERS AND ALL FLUIDS, INCLUDING INNER AND OUTER AIR FILTERS						X	\$ 2,420.00
ESTIMATED COST OF PARTS AND LABOR TO REPAIR MACHINE BEFORE DISASSEMBLY AND INSPECTION. ANY WORN, DAMAGED, MISSING OR OTHERWISE UNUSABLE PARTS ABOVE REBUILD DESCRIPTION ARE NOT INCLUDED IN ESTIMATE COST AND WILL BE DETERMINED AFTER DISASSEMBLY AND INSPECTION AND ADDED TO ORIGINAL COST ESTIMATE BEFORE A FIRM QUOTATION CAN BE GIVEN. (TAXES ARE NOT INCLUDED IN ESTIMATE OR QUOTATION). PRICES GOOD FOR 30 DAYS.							
ESTIMATE:	\$29,059.42		QUOTATION:				\$29,059.42
DATE:	15-Jul-09	RIGGS REPRESENTATIVE:	ADAM M. REED 501.517.7765				
PO #:		CUSTOMER AUTHORIZATION:					



**City of Conway, Arkansas
Ordinance No. O-09-___**

**AN ORDINANCE WAIVING BIDS FOR INSURANCE COVERAGE FOR THE CITY OF CONWAY
VEHICLES AND PROPERTY AND FOR OTHER PURPOSES:**

WHEREAS, vehicles and property owned by the City of Conway is insured through Arkansas Municipal League Insurance Program at a cost that is favorable to the City of Conway;

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

SECTION 1. The City of Conway shall waive the requirement for obtaining bids for insurance coverage for City owned property, contents and vehicles and shall insure such assets through the Arkansas Municipal League Insurance Program at a price of approximately \$88,000 for all vehicles (including heavy equipment) and approximately \$75,000 for all buildings and contents.

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

PASSED this 28th day of July 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

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



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 ON THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH DONAGHEY AVENUE AND MOIX BOULEVARD, EXTENDING WEST ABOUT 1,600 FEET TO STONE DAM CREEK, CROSSING THE SWEEPING NORTHWARD BEND OF MOIX BOULEVARD, FROM O-1 TO MF-3:

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

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

TRACT 3:

A part of the N½ SE¼ of Section 14, Township 5 North, Range 14 West and all of Lots 1 and 6 of Moix Meadows Subdivision as shown in Plat Book K, on Page 34, Records of Faulkner County, Arkansas being more particularly described as beginning at the Northwest Corner of said Lot 6 and running thence S87°53'44"E, 1340.69 feet to the West right of way of South Donaghey Avenue; thence run along said right of way S01°57'27"W, 351.21 feet; thence run along the right of way of Moix Boulevard the following: along an arc to the right having a chord bearing and distance of S46°51'14"W, 35.42 feet, radius of 25.00 feet, and arc length of 39.36 feet; thence N88°14'58"W, 946.28 feet; thence along an arc to the right having a chord bearing and distance of N43°06'29"W, 521.86 feet, radius of 370.00 feet, and arc length of 579.22 feet; thence N02°02'00"E, 14.56 feet to the point of beginning. Said Tract contains 11.55 acres more or less.

TRACT 4:

A part of the N½ SE¼ of Section 14, Township 5 North, Range 14 West and a part 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 the NW¼ SE¼ of said Section 14 and running thence S15°48'28"W, 538.02 feet to a point on the West right of way of Moix Boulevard, said point being the point of beginning; thence run along said right of way the following: S02°02'00"W, 14.78 feet; thence along an arc to the left having a chord bearing and distance of S26°58'37"E, 413.49 feet, radius of 430.00 feet, and arc length of 431.35 feet to the corner of Lot 5 of said subdivision; thence run along the boundary of said Lot 5 the following: S34°06'49"W, 79.89 feet; thence N88°14'58"W, 314.50 feet; thence leaving said boundary run N22°33'35"W, 16.36 feet; thence N28°01'51"W, 184.12 feet; thence N31°19'19"W, 182.22 feet; thence N17°12'12"W, 126.78 feet; thence S87°53'44"E, 397.40 feet to the point of beginning. Said Tract contains 3.69 acres more or less.

to those of **MF-3**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

PASSED this 25th day of November, 2008.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

November 18, 2008

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from O-1 to MF-3 for property located on the northwest corner of the intersection of South Donaghey Avenue and Moix Boulevard, extending west about 1,600 feet to Stone Dam Creek, crossing the sweeping northward bend of Moix Boulevard with the legal description:

TRACT 3:

A part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, Township 5 North, Range 14 West and all of Lots 1 and 6 of Moix Meadows Subdivision as shown in Plat Book K, on Page 34, Records of Faulkner County, Arkansas being more particularly described as beginning at the Northwest Corner of said Lot 6 and running thence S87°53'44"E, 1340.69 feet to the West right of way of South Donaghey Avenue; thence run along said right of way S01°57'27"W, 351.21 feet; thence run along the right of way of Moix Boulevard the following: along an arc to the right having a chord bearing and distance of S46°51'14"W, 35.42 feet, radius of 25.00 feet, and arc length of 39.36 feet; thence N88°14'58"W, 946.28 feet; thence along an arc to the right having a chord bearing and distance of N43°06'29"W, 521.86 feet, radius of 370.00 feet, and arc length of 579.22 feet; thence N02°02'00"E, 14.56 feet to the point of beginning. Said Tract contains 11.55 acres more or less.

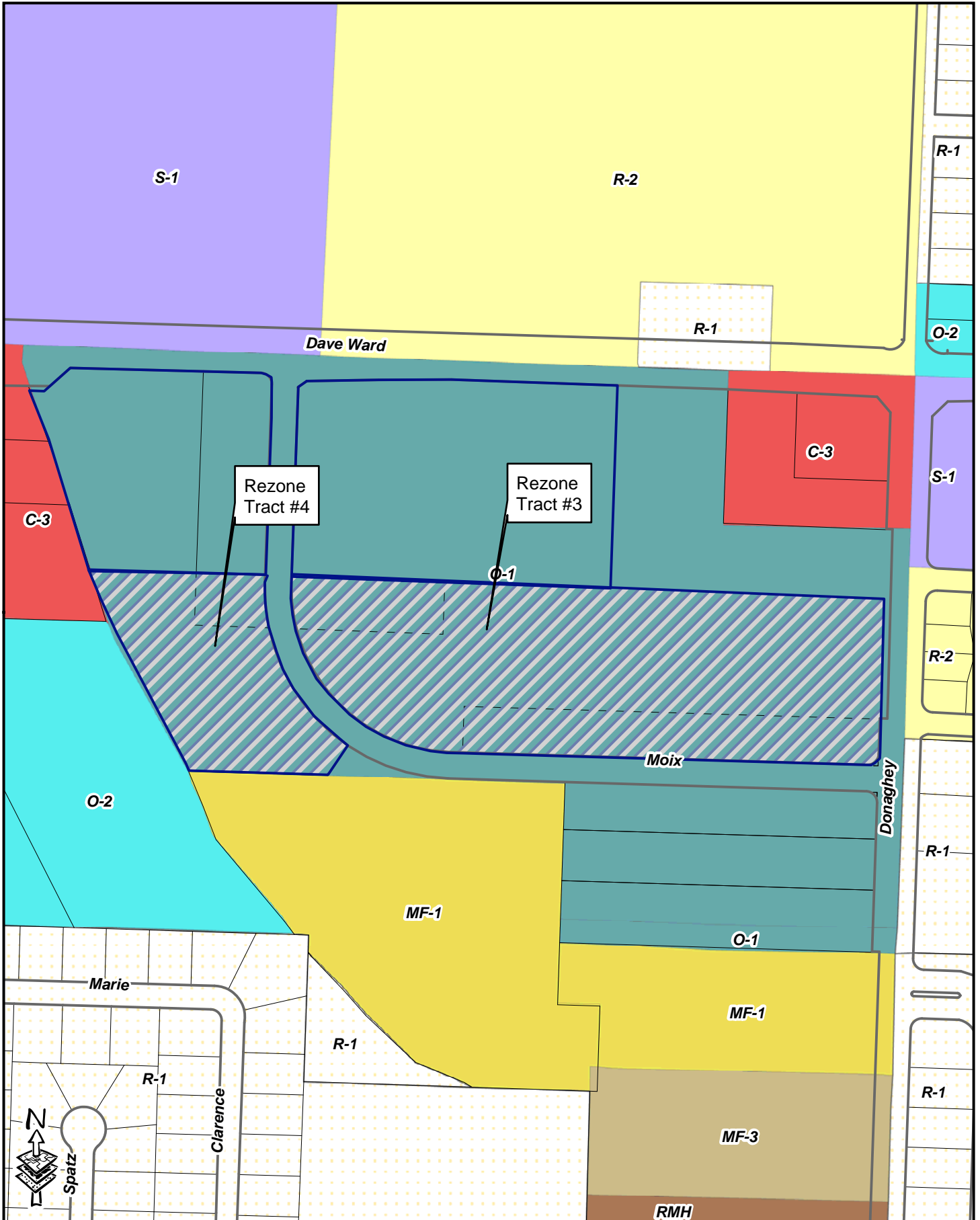
TRACT 4:

A part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, Township 5 North, Range 14 West and a part 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 the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14 and running thence S15°48'28"W, 538.02 feet to a point on the West right of way of Moix Boulevard, said point being the point of beginning; thence run along said right of way the following: S02°02'00"W, 14.78 feet; thence along an arc to the left having a chord bearing and distance of S26°58'37"E, 413.49 feet, radius of 430.00 feet, and arc length of 431.35 feet to the corner of Lot 5 of said subdivision; thence run along the boundary of said Lot 5 the following: S34°06'49"W, 79.89 feet; thence N88°14'58"W, 314.50 feet; thence leaving said boundary run N22°33'35"W, 16.36 feet; thence N28°01'51"W, 184.12 feet; thence N31°19'19"W, 182.22 feet; thence N17°12'12"W, 126.78 feet; thence S87°53'44"E, 397.40 feet to the point of beginning. Said Tract contains 3.69 acres more or less.

was reviewed by the Planning Commission at its regular meeting on November 17, 2008. The Planning Commission voted 6 – 2 that the request be sent to the City Council with a recommendation for approval. Commissioners Kim Gardner and Richard Kirkman voted against the motion to approve the rezoning request.

Submitted by,

Junior Storie, Chairman
Planning Commission



**Salter Acquisitions Rezone
O-1 to MF-3**



CONWAY PLANNING COMMISSION

1201 OAK STREET

CONWAY AR 72032

PHONE 501.450.6105

October 21, 2008

Council Members
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow **Retail – General** and **Hotel** 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, 30.44 feet; thence N48°25'20"E, 79.01 feet; thence S88°31'37"E, 450.46 feet to the point of beginning. Said Tract contains 4.91 acres more or less.

TRACT 2:

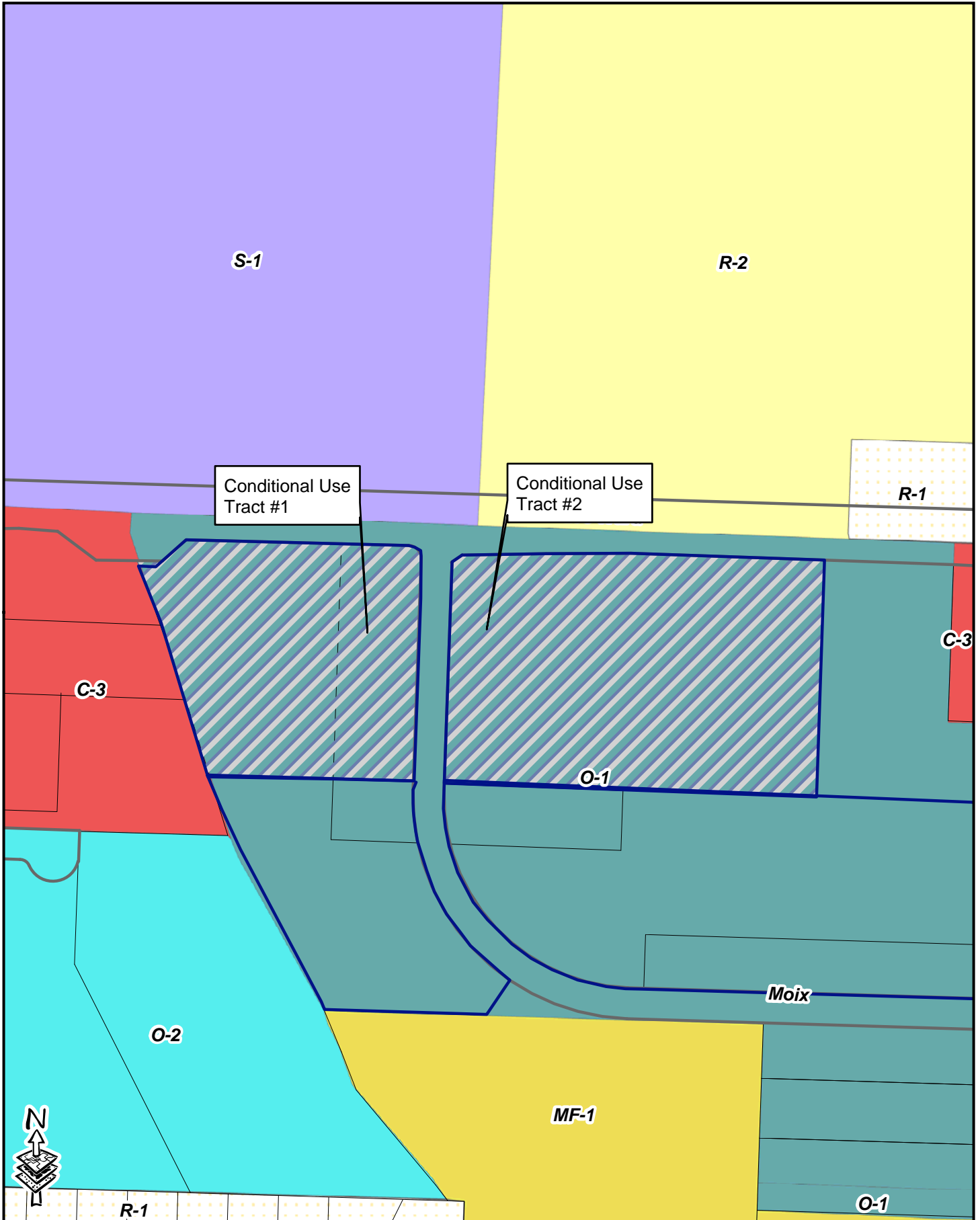
A part of the N½ SE¼ of Section 14, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as commencing at the Northeast Corner of the NW¼ SW¼ of said Section 14 and running thence S33°36'33"W, 94.21 feet to the North right of way of HWY #60 (now HWY 286 aka Dave 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°22'53"E, 23.39 feet to the point of beginning. Said tract contains 7.52 acres more or less.

was reviewed by the Planning Commission at its regular meeting on October 20, 2008. The Planning Commission voted 7 – 0 that this conditional use request be forwarded to the City Council with a recommendation for approval with the one condition as stated below.

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.

Submitted by,

Junior Storie, Chairman
Planning Commission



0 125 250 500 Feet

**Salter Acquisitions
Conditional Use**