

Mayor Bart Castleberry
Clerk/Treasurer Denise Hurd
City Attorney Charles Finkenbinder



City Council Members
Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Drew Spurgers
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Spencer Hawks
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

Tuesday, September 22nd, 2026

City Council Agenda

Conway Municipal Building, City Council Chambers
1111 Main Street, Conway, AR 72032

<u>5:30 pm Committee Meeting:</u>	No Committee Meeting
<u>6:00 pm Council Meeting:</u>	City Council Meeting
<u>Call to Order:</u>	Mayor Bart Castleberry
<u>Roll Call:</u>	Denise Hurd, Clerk/Treasurer
<u>Minutes Approval:</u>	August 19 th , 2026 September 8 th , 2026
<u>Monthly Financial Report:</u>	Month Ending August 31 st , 2026

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

1. Consideration to approve waiving all three readings for the ordinances on the September 22nd, 2026, City Council agenda.
2. Ordinance to clarify the terms of the Public Art Advisory Committee.
3. Resolution to approve the grant applicant for the Financial Empowerment Center (FEC) Academy Planning Grant program for the City.
4. Resolution to approve the 2026-2030 – 5 year Consolidated Plan for the Community Development Dept.
5. Ordinance appropriating funds received from the Department of Housing and Urban Development for the Community Development Department.

B. Public Safety Committee (Police, Fire, CEOC, District Court, & Information Technology)

1. Ordinance appropriating additional funding for the network upgrade at CEOC.

C. Old Business

1. Ordinance to rezone property located at 800 S. Donaghey Avenue from S-1 to C-2.
2. Consideration to approve a conditional use permit to allow an Automobile Wash Service for the property located at 800 S. Donaghey Ave.

D. New Business:

1. Consideration to approve the appeal from the Historic District Commission denial of a metal carport for the property located at 1419 College Ave.

Adjournment

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Wednesday, 5:00 pm
August 19, 2026

On this date the City Council of the City of Conway, Arkansas met in special session. The following members being a quorum were present and acting: Councilman Hawkins, Councilman Grimes, Councilwoman Mehl, Councilman Ledbetter, Councilman Hawks, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Charles Finkenbinder. City Clerk Denise Hurd, and Councilman Spurgers were not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Mayor Bart Castleberry

A. Personnel

1. Consideration to approve the nominations for the Historic District Commission.

Mayor Castleberry opened the meeting stating that the Historic District Commission lacked a quorum and was unable to conduct business. He said there were two positions to be filled, one, an at-large position, which means they do not have to live in the District, and the second is a Downtown Partnership position. He stated that Joanna Nabholtz was selected for the Downtown Partnership position and Brianna Wiggins was selected for the at-large position. He added that both terms would expire on December 31, 2026 and they both would be eligible to apply and serve a full term at that time. There was no further discussion. Councilman Hawkins made a motion to approve the nominations and Councilwoman Isby seconded the motion. A vote was called and the motion carried 7-0.

Mayor Castleberry asked if there were any comments from the floor. Jeri Hill addressed the Council and asked how the nominations were selected. Mayor Castleberry said it was his responsibility to select the nominations from the applications received. Ms. Hall asked if she could see the list of other applicants and Mayor Castleberry gave her his listing. Councilwoman Isby clarified that the Downtown Partnership has input into the selection of the position representing that organization. There was no further discussion.

Adjournment-----

PASSED this 19th day of August, 2026

APPROVED:

Mayor, Bart Castleberry

City Clerk, Denise Hurd

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

DRAFT

Conway, Arkansas
Tuesday, 6:00 pm
September 8, 2026

On this date the City Council of the City of Conway, Arkansas met in regular session. The following members being a quorum were present and acting: Councilman Hawkins, Councilman Grimes, Councilman Spurgers, Councilwoman Mehl, Councilman Ledbetter, Councilman Hawks, Councilman Jones and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Denise Hurd, and City Attorney Charles Finkenbinder.

Call to Order: Mayor Bart Castleberry

Roll Call: Denise Hurd, City Clerk

Minutes: August 25th, 2026 and September 3rd, 2026

Councilwoman Isby made a motion to approve the minutes of the City Council meetings on August 25th, 2026 and September 3rd, 2026 as submitted. Councilwoman Mehl seconded the motion. The motion to approve carried 8-0.

Report of Standing Committees:

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

1. Consideration to approve waiving all three readings for the ordinances on the September 8th, 2026 City Council agenda.

Mayor Castleberry presented Item A1 to the Council. Charles Finkenbinder stated that the only ordinance on the agenda that would be considered of a general and permanent nature, subjecting it to the three-reading statute is the ordinance to rezone property at 113 Conway Blvd. Councilwoman Mehl reminded the Council that this rezoning request had gone through Planning Commission and was presented at the last City Council meeting and tabled. Councilman Spurgers stated that in this case he was in favor of waiving the readings on this matter because it has been heard multiple times. Councilman Grimes made a motion to approve waiving the three readings and Councilman Hawkins seconded it. A vote was called and the motion carried 8-0.

2. Ordinance appropriating funds and accepting the low bid for Don Owen's Concession building for the Parks & Recreation Department.

O-26-54

Mayor Castleberry presented Item A2 to the Council. Andrew Thames told the Council the project is ready to begin and called their attention to the renderings of the building set up in the Council chambers. He said there were 11 bids submitted and asked for approval to enter into an agreement with Stephen Hay Construction as the low bidder with a quote of \$2,589,771.50. He added that he believed there would be an addendum to this. He said that \$2 million has already been appropriated so this ordinance would just be adding the remaining \$589,771.50 from the Advertising & Promotion fund balance. Councilman Ledbetter made a motion to amend the Ordinance to state the appropriation amount as \$589,771.50 and Councilwoman Mehl seconded it. A vote was called and the motion carried 8-0. Councilman Jones made a motion to adopt the Ordinance as amended and accepting the low bid from Stephen Hay Construction, and Councilwoman Isby seconded the motion. The Clerk called the roll with the following voting "Aye": Councilman Spurgers, Councilman Hawkins, Councilwoman Mehl, Councilman Jones, Councilman Hawks, Councilwoman Isby, Councilman Ledbetter, and Councilman Grimes. The Ordinance passed 8-0.

3. Ordinance appropriating funds for the replacement of an HVAC unit at District Court.

O-26-55

Mayor Castleberry presented Item A3 to the Council. Spencer Clawson told the Council his staff did all they could to find a solution outside of replacement but there was none. He said that they collected quotes and chose Jeremy Hayes' HVAC bid at \$21,790.89. He said the funds were to be appropriated and placed in the District Court Maintenance fund. Mayor Castleberry confirmed that he approved the purchase as an emergency situation had occurred. Councilman Jones made a motion to adopt the Ordinance with the emergency clause and Councilman Grimes seconded the motion. The Clerk called with the following voting "Aye": Councilman Grimes, Councilman Jones, Councilwoman Mehl, Councilman Ledbetter, Councilman Spurgers, Councilman Hawks, Councilwoman Isby, and Councilman Hawkins. The Ordinance with the emergency clause passed 8-0.

B. Public Safety Committee (Police, Fire, CEOC, District Court, & Information Technology)

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

O-26-56

Mayor Castleberry presented Item B1 to the Council. Chief Harris noted that the amount of \$113,574.25 is somewhat irregular for reimbursement for extra duty but explained that this was due to overtime for officers providing services for the recent Hendrix event. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Spurgers seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilman Grimes, Councilman Hawkins, Councilman Jones, Councilwoman Mehl, Councilwoman Isby, Councilman Hawks, and Councilman Spurgers. The Ordinance passed 8-0.

2. Ordinance accepting grant proceeds from the Homeland Security Grant Program for the Fire Department.

O-26-57

Mayor Castleberry presented Item B1 to the Council. Chief Winter told the Council that this is the annual Bomb Squad grant received from the Federal Government and it is 100% reimbursable. He added that the amount received this year is \$267,500. Councilman Hawkins made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll and the Ordinance passed 8-0. Chief Winter advised that there needed to be an emergency clause added to the Ordinance. Councilman Spurgers made a motion to revoke the previous vote, and Councilman Jones seconded it. A vote was called and the motion to revoke that vote was approved 8-0. Councilman Spurgers made a motion to amend the Ordinance to add the emergency clause, and Councilman Jones seconded the motion. A vote was called and the motion to amend carried 8-0. Councilman Hawkins made a motion to adopt the Ordinance as amended and Councilman Jones seconded the motion. The Clerk called the roll with the following voting "Aye": Councilman Hawks, Councilman Jones, Councilwoman Mehl, Councilman Hawkins, Councilman Grimes, Councilman Spurgers, Councilman Ledbetter and Councilwoman Isby. The Ordinance with the emergency clause passed 8-0.

3. Ordinance appropriating funds and insurance proceeds for the Fire Department.

O-26-58

Mayor Castleberry presented Item B1 to the Council. Chief Winter told the Council they had received two donation checks and a check for insurance proceeds and asked that the funds be appropriated back to their respective accounts. Councilman Hawkins made a motion to adopt the Ordinance and Councilman Jones seconded the motion. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Ledbetter, Councilman Jones, Councilman Grimes, Councilman Spurgers, Councilman Hawks, Councilwoman Isby and Councilwoman Mehl. The Ordinance passed 8-0.

4. Ordinance to approve the purchase of two fire engines for the Fire Department.

O-26-59

Mayor Castleberry presented Item B1 to the Council. Chief Winter explained that instead of the City going out and finding bids for the trucks, we go through HGACBuy Cooperative purchasing that has already negotiated the best price on the product. Mayor Castleberry confirmed that the funds are available and will not impact other things going forward because they will come out of the new sales tax. Chief Winter added that delivery would be in 28 to 32 months, and that they would be replacing a 2013 and a 2014 model. Councilwoman Mehl made a motion to amend the Ordinance to include an emergency clause and Councilwoman Isby seconded it. A vote was called and the motion carried 8-0. Councilwoman Mehl made a motion to adopt the Ordinance with the emergency clause and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Ledbetter, Councilman Grimes, Councilman Hawks, Councilman Spurgers, Councilman Hawkins, Councilman Jones, and Councilwoman Isby. The Ordinance with the emergency clause passed 8-0.

C. Old Business

1. Ordinance to rezone property located at 113 Conway Blvd from S-1 and R-2A to R-2.

O-26-60

Mayor Castleberry presented Item C1 to the Council. Anne Tucker told the Council that the applicant, Mr. Johnson was agreeable to rezoning the property to R-2A, if the Council would amend the Ordinance to read as such. Councilman Grimes referred to a map he had distributed showing the entire neighborhood was originally R-2A. He said that when Central Baptist College bought the properties, it was rezoned to S-1 for institutional use, but they have since sold the property and it will not be used institutionally. He added that while he felt there are places in Conway where R-2 is appropriate he did not feel it was appropriate in the Old Conway Overlay District. Councilman Spurgers made a motion to amend the Ordinance to rezone the S-1 portion of the property to R-2A and Councilwoman Mehl seconded the motion. A vote was called and the motion carried 8-0. Councilman Spurgers made a motion to adopt the Ordinance as amended and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Jones, Councilwoman Mehl, Councilman Hawkins, Councilman Grimes, Councilman Spurgers, Councilwoman Isby, Councilman Ledbetter and Councilman Hawks. The Ordinance as amended passed 8-0.

There was discussion regarding a conflict between the next City Council meeting and the Faulkner County Fair Parade. It was decided the Council would meet on the regularly scheduled date of September 22 but move the meeting time to 7:00 to avoid conflicting with traffic and road blockages for the parade.

Adjournment-----

PASSED this 8th day of September, 2026

APPROVED:

Mayor, Bart Castleberry

City Clerk, Denise Hurd



City of Conway, Arkansas
Monthly Financial Reports
August 31, 2026

City of Conway
Monthly Financial Report - General Fund
For the month ended August 31, 2026



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Property Tax	5,300,000	109,638	2,688,286		2,611,714	51%
Payments in Lieu of Tax	30,000	-	-		30,000	0%
State Tax Turnback	2,900,000	405,639	1,626,927		1,273,073	56%
Sales Tax	31,500,000	2,586,871	20,606,770		10,893,230	65%
Beverage Tax	650,000	-	265,571		384,429	41%
Franchise Fees	4,399,720	32,232	2,663,997		1,735,723	61%
Licenses and Permits	654,000	23,839	269,526		384,474	41%
Public Safety	4,387,064	326,720	2,605,711		1,781,354	59%
Community Center	2,428,427	201,871	1,113,559		1,314,868	46%
Parks & Recreation	1,087,400	106,370	986,265		101,135	91%
Interest Income	900,000	38,910	383,692		516,308	43%
Contributions and Donations	-	1,100	2,450		(2,450)	-
Grant Revenue	122,739	-	367,977		(245,239)	300%
Lease Revenue	70,000	-	42,029		27,971	60%
Proceeds from Sale of Assets	1,809	-	5,431		(3,621)	300%
Transfers In	770,000	-	703,397		66,603	91%
Insurance Proceeds	29,351	-	94,176		(64,825)	321%
Miscellaneous Revenues	25,000	92	32,169		(7,169)	129%
Total Revenues	55,255,510	3,833,283	34,457,933		20,797,577	62%
Expenditures						
Admin (Mayor, HR)	1,881,434	90,245	1,387,835	3,779	489,820	74%
Finance	555,736	40,576	350,951	756	204,029	63%
City Clerk/Treasurer	185,190	13,800	114,394	-	70,796	62%
City Council	115,114	8,612	52,219	-	62,895	45%
Planning	851,451	57,428	640,856	10,819	199,775	75%
Physical Plant	1,039,979	77,961	643,023	7,479	389,478	62%
Information Technology	1,819,792	345,972	1,154,561	48,019	617,212	63%
Permits and Inspections	665,877	71,984	422,287	1,043	242,547	63%
Community Center	4,774,584	349,995	2,696,648	101,907	1,976,029	56%
Nondepartmental	1,634,006	40,622	1,435,325	1,826	196,855	88%
Police	18,902,685	1,323,176	11,975,499	167,544	6,759,641	63%
CEOC	4,229,426	253,675	3,185,867	38,713	1,004,846	75%
Animal Welfare	623,055	55,924	398,549	4,605	219,902	64%
Municipal District Court	1,035,323	87,932	679,685	1,579	354,059	66%
City Attorney	685,268	53,842	445,719	2,023	237,526	65%
Fire	18,244,699	1,155,474	10,810,957	217,918	7,215,824	59%
Parks	4,742,988	406,368	3,042,174	67,431	1,633,384	64%
Total Expenditures	61,986,606	4,433,584	39,436,549	675,440	21,874,617	64%
Net Revenue/(Expense)	(6,731,096)		(4,978,615)			

*All figures are unaudited

Notes:

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

City of Conway
General Fund
2026

Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-25-112	12/9/25	Potential operating deficit for Community Center	600,000
O-26-20	3/24/26	Ballistic plates for police bulletproof vests	88,372
O-26-21	3/24/26	New vehicle leasing program	40,000
O-26-24	4/14/26	Furniture for new additional District Court space	25,000
O-26-26	4/28/26	Payoff airport loan	600,000
O-26-32	5/12/26	Purchase fire truck (to be reimbursed by new sales tax)	2,443,947
O-26-43	6/23/26	Employee pay adjustments	375,000
			<u>\$ 4,172,319</u>

City of Conway
Balance Sheet - General Fund
As of August 31, 2026



Cash - Operating	5,704,416
Cash - Reserve	2,013,581
Petty Cash	715
Taxes Receivable	5,631,898
Accounts Receivable	6,429,202
Lease Receivable	444,839
Due from Other Funds	256,707
Due from Street	69,980
Due from Component Unit	264,744
Due from Municipal Court	44,803
Fuel Inventory	(18,362)
General Inventory	585
<i>Assets</i>	<u>20,843,111</u>
Accounts Payable	-
Insurance and Benefits Payable	26,806
Event Deposits	11,150
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Deferred Revenue	5,370,318
Unearned Revenue	1,383,593
<i>Liabilities</i>	<u>6,802,063</u>
<i>Fund Balance</i>	<u>14,041,048</u>
<i>Total Liabilities & Fund Balance</i>	<u>20,843,111</u>

*All figures are unaudited

City of Conway
Monthly Financial Report - Street Fund
For the month ended August 31, 2026



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Revenues						
Ad Valorem Tax	1,800,000	40,304	990,258		809,742	55%
Payments in Lieu of Tax	10,000	-	-		10,000	0%
State Tax Turnback	5,000,000	429,689	3,241,587		1,758,413	65%
Severance Tax	100,000	1,850	83,115		16,885	83%
State Tax Turnback - Wholesale	420,000	36,570	267,146		152,854	64%
Sales Tax	420,000	35,663	285,235		134,765	68%
Sign Permits	-	-	540		(540)	-
Engineering Fees	10,000	-	3,100		6,900	31%
Fees for Street Cuts	225,000	6,265	43,482		181,518	19%
Insurance Proceeds	-	-	120		(120)	-
Interest Income	200,000	17,275	142,305		57,695	71%
Proceeds from Sale of Assets	-	-	31,472		(31,472)	-
Miscellaneous Revenues	-	-	42,363		(42,363)	-
Total Revenues	8,185,000	567,615	5,130,723	-	3,054,277	63%
Expenditures						
Personnel Costs	3,458,178	236,879	1,973,700	-	1,484,478	57%
Other Operating Costs	4,833,617	1,100,519	5,056,528	115,752	(338,662)	105%
Total Operating Costs	8,291,795	1,337,398	7,030,227	115,752	1,145,816	85%
Capital Outlay	868,309	-	400,765	-	467,544	46%
Total Expenditures	9,160,105	1,337,398	7,430,993	115,752	1,613,360	81%
Net Revenue/(Expense)	(975,105)		(2,300,269)			

*All figures are unaudited

Notes:

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

City of Conway

Street Fund

2026

Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-26-03	1/13/26	Settlement of lawsuit with Tom Watson Construction	71,000
O-26-21	3/24/26	New vehicle leasing program	20,000
O-26-42	6/23/26	Employee pay adjustments	150,000
			<u>\$ 241,000</u>

City of Conway
Balance Sheet - Street Fund
As of August 31, 2026



Cash - Operating	3,967,137
Taxes Receivable	78,913
Accounts Receivable	2,540,070
<i>Assets</i>	<u>6,586,120</u>
Insurance and Benefits Payable	2,011
Due to General Fund	69,980
Deferred Revenue	1,968,990
<i>Liabilities</i>	<u>2,040,981</u>
<i>Fund Balance</i>	<u>4,545,139</u>
<i>Total Liabilities & Fund Balance</i>	<u>6,586,120</u>

*All figures are unaudited

City of Conway
Monthly Financial Report - Sanitation
For the month ended August 31, 2026



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Revenues						
Sanitation Fee Rev-Residential	10,350,000	956,120	7,356,578		2,993,422	71%
Proceeds - Recycled Materials	450,000	40,273	322,530		127,470	72%
Landfill Fees - General	400,000	39,258	357,802		42,198	89%
Insurance Proceeds	-	2,807	17,348		(17,348)	-
Interest Income	950,000	72,598	568,869		381,131	60%
Proceeds from Sale of Assets	-	-	42,024		(42,024)	-
Miscellaneous Revenues	-	150	2,624		(2,624)	-
Total Revenues	12,150,000	1,111,206	8,667,775	-	3,482,225	71%
Expenditures						
Personnel Costs	6,359,725	521,677	4,184,923	-	2,174,802	66%
Other Operating Costs	3,633,000	330,542	2,769,241	304,945	558,813	76%
Total Operating Costs	9,992,725	852,219	6,954,164	304,945	2,733,615	70%
Capital Outlay	2,903,585	394,816	1,088,518	1,442,877	372,190	37%
Total Expenditures	12,896,310	1,247,036	8,042,683	1,747,822	3,105,805	62%
Net Revenue/(Expense)	(746,310)		625,092			

*All figures are unaudited

Notes:

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

City of Conway
Sanitation Fund
2026

Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-26-18	3/24/26	Purchase two refuse trucks	498,585

City of Conway
Balance Sheet - Sanitation
As of August 31, 2026



Cash - Operating	14,384,039
Petty Cash	200
Post Closure Cash Account	7,533,048
Accounts Receivable	32,500
Due from Component Unit	1,068,483
General Inventory	2,122
Land & Buildings	2,080,291
Infrastructure	921,553
Machinery, Equipment & Vehicles	4,043,664
Construction in Progress	134,555
Deferred Outflows of Resources	18,969
Deferred Outflows of Resources-OPEB	210,886
Assets	<u>30,430,310</u>
Accounts Payable	4,004
Insurance and Benefits Payable	(22,531)
Compensated Absences	356,761
Net Pension Obligation	8,723,931
Deferred Inflows of Resources	3,642,292
Deferred Inflows of Resources-OPEB	241,122
Net OPEB Liability	961,549
Due to Other Funds	5,215
Landfill Close/Post Close	9,309,171
Liabilities	<u>23,221,513</u>
Net Position	7,208,796
Total Liabilities and Net Position	<u>30,430,310</u>

*All figures are unaudited

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

City of Conway
Monthly Financial Report - Airport
For the month ended August 31, 2026



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Revenues						
Sales Tax	40,000	4,264	30,020		9,980	75%
Airport Fuel Sales	1,720,000	201,478	1,326,508		393,492	77%
T-Hangar Rent	270,000	6,505	154,479		115,521	57%
Community Hangar Rent	72,000	5,700	34,965		37,035	49%
Ground Leases	20,665	19,298	19,298		1,368	93%
Misc Revenue - Non air	10,000	-	12,576		(2,576)	126%
Miscellaneous Revenues	22,000	2,410	19,266		2,734	88%
Total Revenues	2,154,665	239,654	1,597,112	-	557,553	74%
Expenditures						
Personnel Costs	464,930	35,599	336,804	-	128,126	72%
Fuel for Resale	1,450,000	124,137	1,069,642	-	380,358	74%
Other Operating Costs	191,250	7,339	133,056	4,117	54,077	70%
Total Operating Costs	2,106,180	167,075	1,539,502	4,117	562,560	73%
Total Expenditures	2,106,180	167,075	1,539,502	4,117	562,560	73%
Net Revenue/(Expense)	48,485		57,610			

*All figures are unaudited

Notes:

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

City of Conway
Airport Fund
2026

Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-26-43	6/23/26	Employee pay adjustments	5,500

City of Conway
Balance Sheet - Airport
As of August 31, 2026



Cash - Operating	504,777
Taxes Receivable	7,381
Accounts Receivable - Fuel Vendor	76,916
Fuel Inventory	87,413
Land	1,254,473
Buildings	4,196,937
Machinery & Equipment	47,751
Infrastructure	19,150,222
Improvements	395,675
Construction in Progress	573,432
Deferred Outflows of Resources-OPEB	8,446
<i>Assets</i>	<u>26,303,422</u>
Compensated Absences	12,153
Deferred Inflows of Resources	38,509
Deferred Inflows of Resources-OPEB	9,657
Due to General Fund	1,493
Unearned Revenue	225,744
Note Payable	600,000
<i>Liabilities</i>	<u>887,556</u>
<i>Net Position</i>	<u>25,415,865</u>
<i>Total Liabilities & Net Position</i>	<u>26,303,422</u>

*All figures are unaudited

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

City of Conway

Monthly Financial Report - Major Project Funds

As of August 31, 2026

Parks and Rec A&P Tax

Balance, 7/31/26	2,304,547
Receipts	475,844
Payments	(187,446)
Balance, 8/31/26	\$ 2,592,945

Street Impact Fees

Balance, 7/31/26	1,824,313
Receipts	36,924
Payments	(227,709)
Balance, 8/31/26	\$ 1,633,528

Pay as you go Sales Tax

Balance, 7/31/26	14,059,963
Receipts	474,667
Payments	(457,128)
Balance, 8/31/26	\$ 14,077,502

Parks Impact Fees

Balance, 7/31/26	66,997
Receipts	4,107
Payments	-
Balance, 8/31/26	\$ 71,104

2018 Street Sales Tax

Balance, 7/31/26	19,058,885
Receipts	71,277
Payments	(32,167)
Balance, 8/31/26	\$ 19,097,995

Public Safety Sales Tax

Balance, 7/31/26	922,047
Receipts	469,330
Payments	(191,538)
Balance, 8/31/26	\$ 1,199,840

Streets & Drainage Sales Tax

Balance, 7/31/26	461,019
Receipts	234,676
Payments	-
Balance, 8/31/26	\$ 695,695

City of Conway, Arkansas

Office of the Mayor

www.conwayarkansas.gov

Memo:

To: Mayor Bart Castleberry
CC: City Council Members
From: Adrian Moore
Date: September 17, 2026
Re: September 22nd, 2026 City Council Agenda

I

The following ordinances are included on the September 22nd, 2026 City Council Agenda for consideration of waiving the three readings of each ordinance:

1. A-2 Ordinance to clarify the terms of the Public Art Advisory Committee.
2. A-5 Ordinance appropriating funds received from the Department of Housing and Urban Development for the Community Development Department.
3. B-1 Ordinance appropriating additional funding for the network upgrade at CEOC.
4. C-1 Ordinance to rezone property located at 800 S. Donaghey Avenue from S-1 to C-2.



City of Conway, Arkansas
Ordinance No. O-26-__

AN ORDINANCE AMENDING ORDINANCE NO. O-22-129 TO CLARIFY THE MEMBERSHIP, TERMS, AND STAGGERING OF TERMS OF THE PUBLIC ART ADVISORY COMMITTEE; AND FOR OTHER PURPOSES

Whereas, Ordinance No. O-22-129 established the Public Art Advisory Committee and set forth its membership, responsibilities, and terms of service; and

Whereas, the City Council desires to clarify the number of members serving on the Public Art Advisory Committee and establish four-year staggered terms for all members; and

Whereas, the City Council desires to add two additional members at large to the Public Art Advisory Committee, for a total of seven (7) members; and

Whereas, all other provisions of Ordinance No. O-22-129 are intended to remain unchanged;

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

Section 1: Section 3 of Ordinance No. O-22-129, establishing the Public Art Advisory Committee, is hereby amended to read as follows:

Section 3: The Public Art Advisory Committee:

The Public Art Advisory Committee is established and shall be composed of seven (7) members. These members shall include:

Three (3) members with expertise or experience in the field of art, either an art historian, gallery director, arts professor or instructor, or other arts professional.

Four (4) members of the community at large.

Members shall serve **four year terms**, with the terms of the members staggered so that the terms of the members do not expire at the same time. Any subsequent terms shall require reappointment by the Mayor and confirmation by the City Council.

All terms shall begin on January 1 and end on December 31 of the designated appointment term.

Members shall be appointed by the Mayor with approval by City Council.

The Public Art Advisory Committee shall be staffed by the Public Art Manager or their designee from the Office of the Mayor who shall manage all administration of the Public Art Program. The Office of the Mayor shall manage all financial records of the committee. Staff shall be responsible for convening all meetings of the Public Art Advisory Committee and setting the agendas for all meetings.

The three (3) existing members appointed for two years with terms expiring on December 31, 2026, shall be made members of the Public Art Advisory Committee with terms expiration being set by a draw for terms done at the first meeting in January, 2027.

Section 2: Except as specifically amended herein, all other provisions of Ordinance No. O-22-129 shall remain unchanged and in full force and effect.

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

Passed this 22nd day of September, 2026.

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-26-_____**

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO APPLY FOR THE FINANCIAL EMPOWERMENT CENTER (FEC) ACADEMY PLANNING GRANT PROGRAM; AND OTHER PURPOSES

Whereas, the FEC Academy is a planning opportunity for local governments interested in launching a local Financial Empowerment Center; and

Whereas, Financial Empowerment Centers are community-based programs that provide free, one-on-one financial counseling and coaching to residents, helping them improve their financial stability and build long-term financial well-being; and

Whereas, selected FEC Academy partners will participate in a structured 15-month planning process designed to help local governments understand the FEC model, build local partnerships, secure funding, and prepare for a successful program implementation; and

Whereas, if awarded, participating municipalities receive individualized technical assistance, access to planning resources and tools, opportunities to engage with peer local governments working to launch FECs, and a \$20,000 planning grant with no required match.

Whereas, municipalities that successfully complete the FEC Academy become eligible to apply for implementation funding to support the launch of a local Financial Empowerment Center program.

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

Section 1. The City Council does hereby express its support for the FEC Academy grant application and shall authorize the application submittal.

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

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

PASSED this 22nd day of September 2026.

Approved:

Mayor Bart Castleberry

Attest:

**Denise Hurd
City Clerk/Treasurer**



**City of Conway, Arkansas
Resolution No. R-26-_____**

A RESOLUTION ACCEPTING THE CITY OF CONWAY 2026–2030 FIVE-YEAR CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway, Arkansas, is an entitlement community eligible to receive Community Development Block Grant (“CDBG”) funding from the United States Department of Housing and Urban Development (“HUD”); and

Whereas, HUD requires entitlement communities to develop a Five-Year Consolidated Plan identifying housing, community development, and related needs, priorities, goals, and strategies for the use of federal Community Planning and Development funds; and

Whereas, the City of Conway prepared and submitted its 2026–2030 Five-Year Consolidated Plan to the United States Department of Housing and Urban Development in accordance with applicable federal requirements; and

Whereas the City of Conway’s 2026–2030 Five-Year Consolidated Plan has been reviewed and approved by HUD and establishes the City’s priorities and strategies for addressing identified housing and community development needs during the five-year planning period; and

Whereas, the approved Consolidated Plan provides the framework for the City’s Annual Action Plans and the administration and implementation of CDBG-funded activities during the 2026–2030 planning period; and

WHEREAS, the City Council desires to formally accept the approved 2026–2030 Five-Year Consolidated Plan and recognize it as the City’s guiding document for CDBG activities during the applicable planning period.

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

Section 1. The City Council of the City of Conway hereby accepts and adopts the approved 2026–2030 Five-Year Consolidated Plan, as approved by the United States Department of Housing and Urban Development, as the City’s five-year framework for addressing identified housing and community development needs and priorities.

The major priorities are as follows:

- **Streets and sidewalks:** Repairing and maintaining streets and sidewalks, particularly where improvements benefit low- and moderate-income neighborhoods.
- **Drainage and stormwater:** Improving the City’s drainage and stormwater infrastructure and capacity in low to moderate areas.
- **Affordable & Suitable Housing | Housing Rehabilitation:** Increasing the supply of safe, suitable, and affordable housing. Preserving existing housing by helping low and moderate-income homeowners make necessary repairs. The plan identifies housing rehabilitation as an important way to maintain the existing housing stock. The plan specifically recognizes the continuing affordability challenge for low- and extremely-low-income residents.

- **Additional Community facilities and public services:** Expanding facilities and services that benefit low- and moderate-income residents. Transportation is specifically identified as an ongoing need, including transportation provided through nonprofit service agencies.
- **Economic development:** Supporting economic opportunities for low- and moderate-income residents, including small-business assistance, job creation and retention, and homeownership opportunities.

Section 2. The approved 2026–2030 Five-Year Consolidated Plan shall serve as the framework for the City’s Annual Action Plans and CDBG-funded activities during the 2026–2030 planning period, subject to applicable federal requirements and available funding.

Section 3. The Mayor and/or Director of Community Development are authorized to take such actions and execute such documents as may be necessary to implement the approved 2026–2030 Five-Year Consolidated Plan and administer the City’s CDBG program in accordance with applicable federal, state, and local requirements.

Section 4. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent of such conflict.

PASSED this 22nd day of September, 2026

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-26-_____

AN ORDINANCE ACCEPTING FEDERAL FUNDING, APPROPRIATING GRANT REVENUE, & APPROVING CONTRACTS FOR PUBLIC SERVICES FOR THE CITY OF CONWAY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND FOR OTHER PURPOSES:

Whereas, the Department of Housing and Urban Development (“HUD”) has awarded grant funds to the City of Conway Community Development Block Grant (“CDBG”) program in the amount of \$530,479 for Program Year 2026 (July 1, 2026 – June 30, 2027) funding; and

Whereas, this funding shall be used for eligible activities that principally benefit low- and moderate-income persons, prevent or eliminate slum and blight, or address other eligible community development needs in accordance with applicable federal CDBG regulations and the approved Program Year 2026 Action Plan; and

Whereas, each nonprofit agency that awards funding through the public services category must enter into a subrecipient agreement with the CDBG Program.

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

Section 1. The City of Conway shall accept grant proceeds from the Department of Housing and Urban Development (HUD) in the amount of \$530,479 for Community Development Block Grant program activities that will be used to support eligible public improvements, economic development initiatives, administrative activities, and public services that meet applicable CDBG program requirements and are consistent with the approved Program Year 2026 Action Plan and the 2026-2030 Consolidated Plan.

Section 2. The City of Conway shall appropriate \$530,479 in the Community Development Accounts to the following projects:

<u>Amount:</u>	<u>Purpose/Subrecipient:</u>
\$317,979	Airport Park Improvement Project (Public Improvement Project)
\$95,000	Administration (Staffing, Education/Training, Fair Housing)
\$50,000	Small Business Grant Program (Economic Development)
\$15,000	Services - Independent Living Services – Transportation
\$12,000	Services - Faulkner County Council on Aging – Transportation
\$10,000	Services - Milestones – Transportation
\$10,000	Services – Community Development Dept.– Emerg. Utility Assistance Program
\$8,500	Services – Boys and Girls Club – Transportation
\$7,000	Services – Bethlehem House – Transportation
\$5,000	Services – Dream Foundation – Food Bank Services

Section 3. The Mayor is hereby authorized to execute agreements and other documents necessary to implement the approved Program Year 2026 projects and programs and to enter into subrecipient agreements with the nonprofit agencies receiving CDBG public service funding, in accordance with applicable federal requirements and the approved CDBG program.

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

PASSED this 22nd day of September, 2026

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-25-_____

ORDINANCE APPROPRIATING FUNDS FOR THE REMAINING BALANCE FOR THE P25 PUBLIC SAFETY RADIO SYSTEM NETWORK AND CORE UPGRADE; AND FOR OTHER PURPOSES

Whereas, the City of Conway, Arkansas, previously adopted an ordinance (O-25-55) authorizing the upgrade to the P25 Public Safety Radio System Network and Core for the Conway Emergency Operations Center; and

Whereas, the City has determined that additional funding in the amount of \$148,260 is necessary to complete the upgrade for the network upgrade; and

Whereas, the necessary funding was not included in the original loan for the network upgrade.

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

Section 1. The City of Conway shall appropriate funding in the amount of \$148,260 from the General Fund –Balance Appropriation Account (001.119.4900) to Computer Equipment Software (001.125.5930) for the remaining balance of the P25 Public Safety Radio System Network and Core upgrade for the Conway Emergency Operations Center.

Section 2. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

PASSED this 22nd day of September, 2026.

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-26- _____

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE 800 S Donaghey Avenue FROM S-1 TO C-2:

Whereas, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on July 20, 2026, and adopted the amendments.

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

A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 14 WEST OF THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, THENCE SOUTH 460 FEET TO A POINT; THENCE SOUTH 88 DEGREES 14 MINUTES 36 SECONDS EAST 40 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND DESCRIBED HEREIN. THENCE, ALONG THE EAST LINE OF SOUTH DONAGHEY AVENUE, A PUBLIC ROADWAY, NORTH 02 DEGREES 03 MINUTES 17 SECONDS EAST 347.64 FEET TO A POINT; THENCE NORTH 46 DEGREES 17 MINUTES 08 SECONDS EAST 55.85 FEET TO A FOUND IRON ROD ON THE SOUTH LINE OF DAVE WARD DRIVE, A PUBLIC ROADWAY, NORTH 89 DEGREES 01 MINUTES 48 SECONDS EAST 190.28 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 69 DEGREES 37 MINUTES 19 SECONDS EAST 31.55 FEET TO A FOUND MAG NAIL; THENCE NORTH 89 DEGREES 11 MINUTES 20 SECONDS EAST 201.88 FEET TO A FOUND IRON ROD, SAID IRON ROD BEING ON THE WEST LINE OF PARCEL NUMBER 711-12138-000E OF THE CITY OF CONWAY; THENCE ALONG SAID WEST LINE, SOUTH 02 DEGREES 06 MINUTES 53 SECONDS WEST 395.35 FEET TO A FOUND IRON ROD ON THE AFOREMENTIONED NORTH LINE OF SILVER SPRINGS CIRCLE; THENCE ALONG SAID NORTH LINE, NORTH 88 DEGREES 15 MINUTES 39 SECONDS WEST 460.14 FEET BACK TO THE POINT OF BEGINNING, AND THIS TRACT OF LAND CONTAINING 179,244 SQUARE FEET OR 4.11 ACRES.

to those of **C-2**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

PASSED this 22nd of September, 2026

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



1111 Main Street • Conway, AR 72032
(501) 450-6105 • planning@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Ethan Reed, 2026 Planning Commission Chairman
Date: July 20, 2026

Re: Request to rezone the property located at 800 S. Donaghey Ave from S-1 to C-2

Justin Barnes, with Club Car Wash, has requested to rezone property located at 800 S. Donaghey Ave from S-1 to C-2 with the following legal description:

A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 14 WEST OF THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

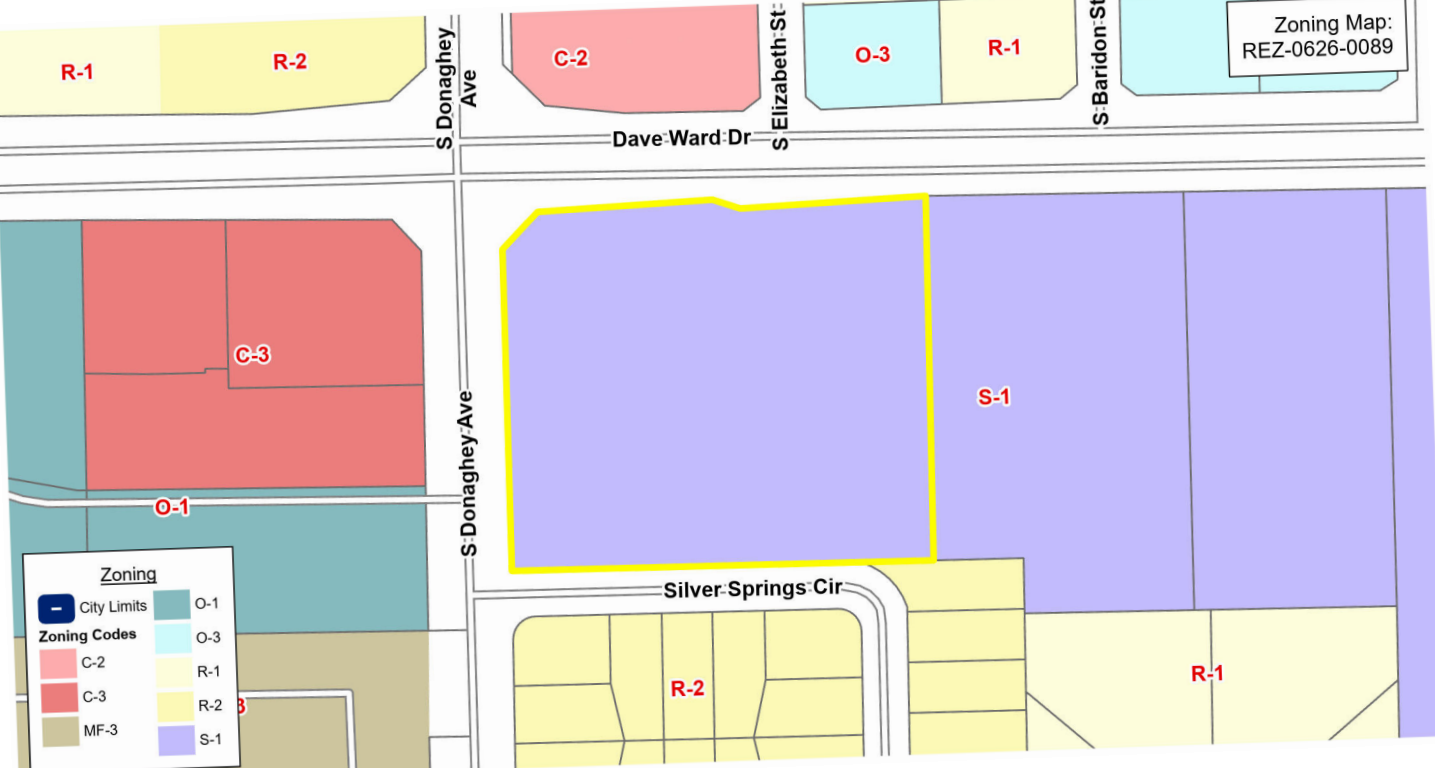
COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, THENCE SOUTH 460 FEET TO A POINT; THENCE SOUTH 88 DEGREES 14 MINUTES 36 SECONDS EAST 40 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND DESCRIBED HEREIN. THENCE, ALONG THE EAST LINE OF SOUTH DONAGHEY AVENUE, A PUBLIC ROADWAY, NORTH 02 DEGREES 03 MINUTES 17 SECONDS EAST 347.64 FEET TO A POINT; THENCE NORTH 46 DEGREES 17 MINUTES 08 SECONDS EAST 55.85 FEET TO A FOUND IRON ROD ON THE SOUTH LINE OF DAVE WARD DRIVE, A PUBLIC ROADWAY, NORTH 89 DEGREES 01 MINUTES 48 SECONDS EAST 190.28 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 69 DEGREES 37 MINUTES 19 SECONDS EAST 31.55 FEET TO A FOUND MAG NAIL; THENCE NORTH 89 DEGREES 11 MINUTES 20 SECONDS EAST 201.88 FEET TO A FOUND IRON ROD, SAID IRON ROD BEING ON THE WEST LINE OF PARCEL NUMBER 711-12138-000E OF THE CITY OF CONWAY; THENCE ALONG SAID WEST LINE, SOUTH 02 DEGREES 06 MINUTES 53 SECONDS WEST 395.35 FEET TO A FOUND IRON ROD ON THE AFOREMENTIONED NORTH LINE OF SILVER SPRINGS CIRCLE; THENCE ALONG SAID NORTH LINE, NORTH 88 DEGREES 15 MINUTES 39 SECONDS WEST 460.14 FEET BACK TO THE POINT OF BEGINNING, AND THIS TRACT OF LAND CONTAINING 179,244 SQUARE FEET OR 4.11 ACRES.

It is the intent of the applicant to rezone this parcel of land from S-1 to C-2. There is a concurrent subdivision review application (SUB-0626-0087) with a proposal to split the parcel into two lots. There is also a concurrent conditional use permit application (CUP-0626-0090) to allow an Automobile Wash Service in a C-2 district on proposed Lot 1 of the above subdivision.

Abutting land uses today are North (across Dave Ward Dr): C-2 & O-3 (Restricted Office); East: S-1; South (across Silver Springs Cir): R-2 (Low Density Residential District); West (across S Donaghey Ave): C-3 (Highway Commercial) & O-1 (General Office).

The Planning Commission reviewed the request at its regular meeting on July 20, 2026, and voted 6-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Ethan Reed, 2026 Planning Commission Chairman
Date: August 17th, 2026

Re: Conditional Use request to allow Automobile Wash Service, including self-service in the C-2 zone for property located at 800 Donaghey Avenue

Justin Barnes, with Club Carwash has requested to allow Automobile Wash Service, including self-service in the C-2 zone for property located at 800 Donaghey Avenue, with the following legal description:

800 Donaghey Avenue in Conway, of which the Legal Description is as follows:
All of Lot 1 of the Club Car Wash Subdivision Plat of Faulkner County, Arkansas

- The intent of this project is to construct a fully automated carwash with vacuum bays. The carwash will only occupy the western approximately 1.5 acre of the project site, which the remaining property will be made available for other businesses to occupy. There are no other users identified for the remaining property.

Staff proposes the following conditions:

Should the Planning Commission approve the requested use, Planning staff propose the following conditions:

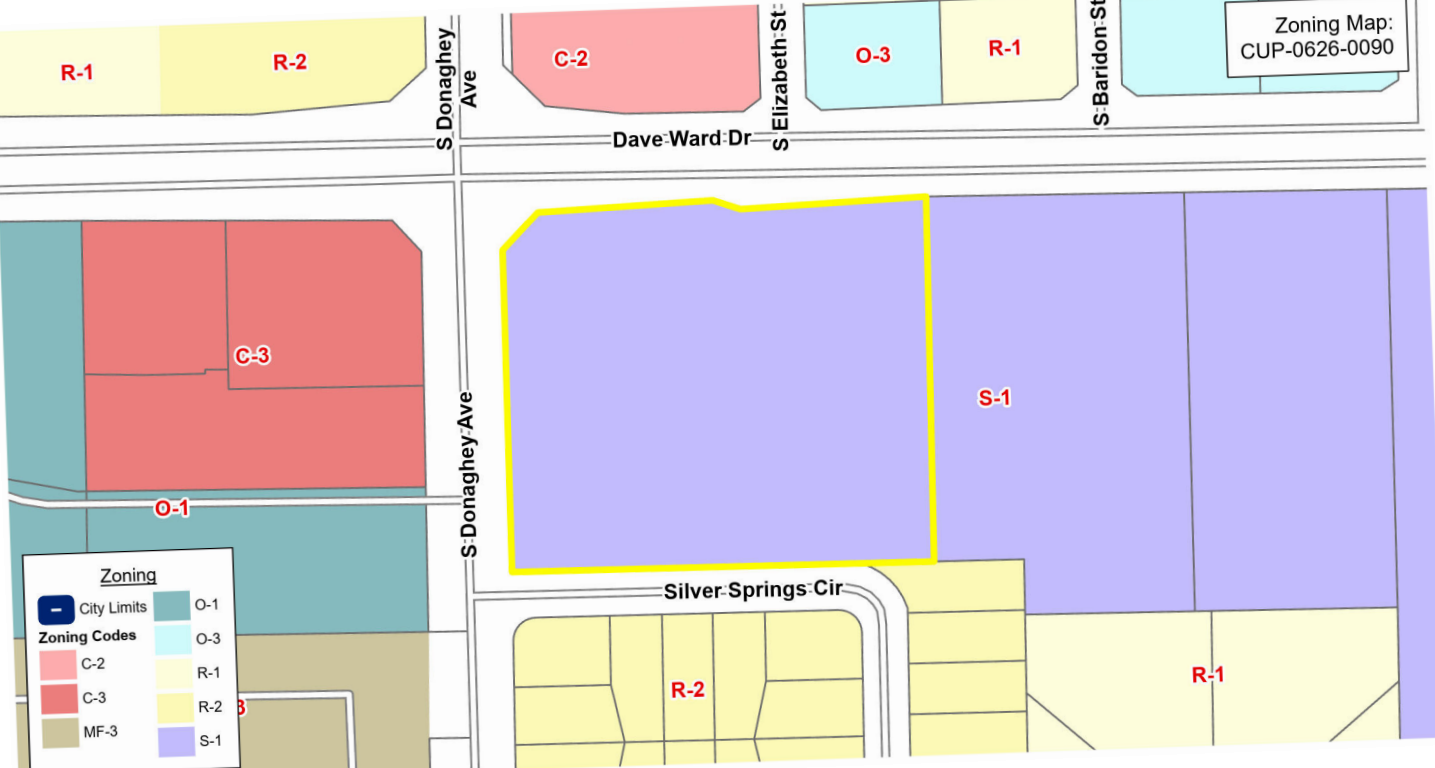
Should the Commission choose to approve the requested use, Planning Staff propose the following conditions:

1. Development is limited to an automated Automobile Wash Service.
2. Hours of operations shall be from 7 a.m. to 8 p.m. Monday through Saturday and 8 a.m. to 8 p.m. on Sundays.
3. The carwash and vacuums shall only operate during business hours while employees are present.
4. The property shall be platted in accordance with the Conway Zoning Code and the Subdivision Ordinance.
5. An access easement shall be recorded from the existing curb cut along DWD on Lot 2 of SUB-0626-0087. It shall connect and provide access to Lot 1. This shall be shown on the final plat.
6. There shall be a joint access cross-access easement along the southern property lines portion of Lot 1 and Lot 2 to provide additional access to Lot 2 and mitigate the need for any further curb cuts along Silver Springs Circle. This shall be shown on the final plat.
7. The existing curb cut on S Donaghey Ave shall be closed.
8. The existing curb cut on Silver Springs Cir shall be closed.
9. All signage shall conform to the Conway Sign Code.
10. A DWD Access Management amendment for access from DWD must be approved prior to issuance of building permits.
11. Vacuum bays and parking shall face the interior of the site (east) and the carwash building shall face the public streets (west & north).

12. Existing mature, significant (trees over 8" in diameter at breast height) shall be incorporated into landscape plans to maintain the existing street canopy.
13. Screening measures shall be implemented between vacuum bays and the eastern property line.
14. Development standards not addressed through [CUP-0626-0087] review shall be governed by the City of Conway Zoning, Subdivision and Building Code regulations to the extent they are not in conflict with the intent or text of [CUP-0626-0087].
15. This CUP is associated with Lot 1 of SUB-0626-0087 (not yet recorded). Should SUB-0626-0087 not be filed, this CUP becomes null and void.
16. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.
17. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
18. The conditional use approval shall become null and void if construction for the use does not commence within 18 months from the date of approval of this permit.
19. 8 foot brick fence shall be constructed on the south property border at the 25 foot landscape buffer mark.

The Planning Commission reviewed the request at its regular meeting on August 17th, 2026 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.





CITY OF CONWAY
Planning and Development

1111 Main Street
Conway, AR 72032
T 501.450.6105
F 501.450.6144
www.conwayarkansas.gov

MEMO

To: City Council Members

From: Planning & Development

Date: September 18, 2026

Re: HDR-0526-0069 & HDR-0726-0110 (1419 College Ave); Beau and Alexandra Turner Appeal

Dear City Council Members,

On February 25, 2025, Mr. Turner reached out to Planning Staff requesting information regarding the installation of a carport on his property at 1419 College Ave. The property is in the Old Conway Design Overlay District, Suburban Zone. Tara Jackson, Planner, provided via e-mail information regarding the review process and a link to the Overlay District Regulations. Communication via e-mail and in person regarding the process continued until December 3, 2025. No application for Historic Design Review or building permits was made during this time.

Between December 3, 2025 and May 4, 2026, the carport was installed without the benefit of a permit. Tara Jackson sent a "Courtesy Notice of Violation" (not a citation) to Beau and Alexandra Turner reiterating that a Certificate of Appropriateness and a building permit are required.

On May 22, 2026, the Turners applied for Historic Design Review with the Historic District Commission (HDR-0526-0069). At the June 22, 2026 HDC meeting, the project failed. Two commissioners voted in favor of the project, three in opposition.

Pursuant to O-25-108, Section 6. Appeals, the applicants appealed the decision of the HDC to the Administrative Official (HDR-0726-0110). At the August 24, 2026 HDC meeting, the project failed 3/3.

Pursuant to O-25-108, Section 6. Appeals, the applicants are appealing to City Council the decision of the HDC.

Sincerely,

Planning & Development Staff

METAL CARPORT
1419 College Ave

Applicant/Owner

Beau & Alexandra Turner
1419 College Ave
Conway, AR 72034

SITE

Address: 1419 College Ave.

Present Zoning. R-2A (Two Family Residential District), Old
Conway Design Overlay Suburban District (OCDOD-SR).

Abutting Zoning. North/South/East/West: R-2A, OCDOD-SR.

Lot Area. 0.32 acres ±.

Surrounding Area Structures. The property is located in the
OCDOD-SR on the south side of College Ave between Conway
Blvd and Oliver St. Area structures consist of a mix of single-
family homes in Craftsman, Gable, Foursquare, Ranch, and
minimal traditional styles.

General Description of Property and Proposed Development.

The applicant is seeking after-the-fact approval for the
installation of a detached metal carport. The applicant reached
out to Permits and Planning staff in February of 2025 requesting
information regarding the installation of a carport near the
single-family residence. Planning and Permits staff explained the
process for approval as well as constraints regarding setbacks,
materials, design and lot coverage. The applicant was notified
that Historic District Commission review would be required.

In early May, it was brought to Planning Staff's attention that a
carport had been installed on site without benefit of permit.

The applicant is seeking approval for the installed carport.

OCDOD Submittal Guidelines

**Section 3. Application for Certificates from the Commission
and Administrative Official**

- A. **Considerations.** In passing upon cases involving new
construction, alterations, renovations or additions to
existing **structures**, the reviewing authority 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 building and structures in the vicinity, and the
reviewing authority may in appropriate cases impose
dimensional and setback requirements in addition to
those required by applicable ordinance or by-law.
- 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 a Certificate of Appropriateness has been issued
with respect to such construction or exterior renovation.

Section 8: Definitions

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 no limited to, electric and
cable television distribution and transmission lines, poles and
equipment, fire hydrants and wastewater collection manholes.

Zoning Code Guidelines:

Section 1302 – Definitions

Accessory Building: A non-attached building or structure which is
used in a subordinate and/or incidental manner to that of the
main building on the same lot. If an accessory building is
attached to the main building by a common wall or roof, it shall
be considered part of the main building.

Structure: Anything constructed or erected for human occupancy
and/or entrance, the use of which requires location on the
ground or attached to something having a location on the
ground.

Section 502.1 – Accessory Building Requirements

A. Detached

Accessory building must be detached from the main
structure or such accessory building shall be considered
as an addition to the main or principle building.

B. Setbacks

1. Accessory buildings shall be no closer than five (5) feet
to any interior lot line.
2. Accessory buildings shall be located behind the rear of
the main structure or no closer than sixty feet from the
front property line.
3. Accessory building located on a corner lot shall be no
closer than sixty (60) feet to one (1) of the two (2) front
lot lines. The setback from the other front lot line shall
no be closer than the established front setback of the
main structure.
4. Accessory buildings shall be no closer than ten (10) feet
to the principle building unless attached to and
considered part of the principle structure. Attachment to
the principle building shall be by means of the structural
attachment of abutting walls or by a roofed structure
with a minimum four (4) foot width.
5. Accessory buildings shall be no closer than ten (10) feet
from other accessory building on the lot unless the
accessory buildings are attached by means of the
structural attachment of the abutting walls or by a
roofed structure with a minimum four (4) foot width.

D. Area Limitations

2. Total area of residential accessory building(s) shall not be
larger than fifty percent (50%) of the covered roof area of the
main building.

E. Building Permit Requirement

A building permit is required for all accessory buildings, except
residential accessory buildings fifty (50) square feet or less in
area.

2021 International Residential Code

406.3.3.1 Carports

Carports shall be open on not fewer than two sides. Carports open on fewer than two sides shall be considered to be a garage and shall comply with the requirements for *private garages*.

406.3.3.1 Carport separation

A separation is not required between a Group R-3 and U carport, provided that the carport is entirely open on two or more sides and there are not enclosed areas above.

310.4 Residential Group R-3

Residential Group R-3 occupancies where the occupants are primarily permanent in nature...

312.1 General

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

- Barns
- Carports
- Sheds
- Etc.

Based upon the above information:

- The carport is a structure
- It is a structure that is not required to meet the minimum separation requirements per the International Residential Code, but should be required to meet minimum OCDOD setbacks
- It is a structure that requires a building permit
- Because it requires a building permit, a Certificate of Appropriateness is required for its construction/installation.

OCDOD Standards

Setbacks and Spacing.

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 deck (that align with the first story level) which are permitted to encroach on the setback.

Outbuilding Setbacks. Front: Rear of Principal Building or no closer than sixty (60) feet from the front property line; Side: 5 feet minimum; Rear: 5ft minimum

Planning Staff reached out to the Fire Marshal who explained that an open-air metal carport would not need to meet minimum setback requirements. Therefore, setback requirements are per the OCDOD ordinance.

The applicant has installed the carport 6ft from the primary residence, 5 ½ft from the side property line, 58ft from the front property line, and 30ft from a detached shop.

The carport is positioned at the eastern side of the single-family residence.

Lot Coverage. Lot coverage is the ratio of the occupied area (buildings, driveways, walks, garages, etc.) to the total area of a lot. Lot coverage for all impervious surfaces shall be less than 60%.

The lot coverage did not change because of the installation of the carport. It was placed on an existing driveway.
The total lot coverage of the site is approximately 30%.

Garages/Outbuildings. Garages should be placed at the rear of the lot. When lot depth prevents a rear placement, the garage may be placed at the side of the structure along the back half of the structure. Two and three car garages should be placed at the rear of the lot in a detached structure.

The carport is installed at the side of the residence and is visible from College Ave.

Driveway / Parking. Parking in the front yard is not permitted. Parking is to be placed at the rear or side. Driveways should be concrete, pavers, or permeable paving and sharing of driveways is encouraged.

The carport has been installed on an existing driveway. The applicant is using the carport to park vehicles, including a recreational vehicle.

Materials and Detailing

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 a detached garage/outbuilding shall be no more than 30% of the footprint of the primary structure.

The applicant has installed a 22'x30' metal carport visible from College Ave. The materials are not compatible with the residential structure. There are no architectural details. The applicant has indicated that the single-family residence is 2,122. At 30% of the footprint of the primary structure, the maximum square footage for outbuildings on site is 636sf. There is an existing shop on site that is 713sf. The site has already maximized the percentage of outbuildings on site without including the new metal carport.

Section 7: Standards. 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 Conway Historic District Commission 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.

Conditions

1. The carport shall be modified to structurally attach to the single-family residence to be considered an addition

and not an outbuilding.

2. The carport shall be modified to be composed of materials that are compatible with the single-family structure.
3. Any modifications must be submitted to Planning staff for review and may necessitate approval by the Historic District Commission.
4. Applicant must obtain all applicable building permits if/when a Certificate of Appropriateness is granted.
5. If the applicant cannot meet conditions 1-4, the carport must be removed in its entirety by August 7th, 2026.

Historic District Appeal Photos:

1412 College Avenue:



1415 College Avenue:



1418 College Avenue



1419 College Avenue:



1420 College Avenue:



1423 College Avenue



FORMAL APPEAL TO THE CONWAY CITY COUNCIL

APPLICANT: Beau and Alexandra Turner

PROPERTY: 1419 College Avenue, Conway, AR

HEARING DATE: August 24, 2026 (Second HDC Hearing / Appeal from HDC)

AUTHORITY: Old Conway Design Overlay District (OCDOD) Ordinance, HDC Standards and Bylaws, & Arkansas Code Annotated

RECORDED HISTORIC DISTRICT MEETINGS:

6.22.2026 <https://www.youtube.com/live/aafdB6gqus4>

8.24.2026 <https://www.youtube.com/watch?v=zsslNDeQuQs>

EXECUTIVE APPEAL SUMMARY

Beau and Alexandra Turner respectfully request the Conway City Council **OVERTURN** the Historic District Commission's (HDC) August 24, 2026 deadlock decision regarding a freestanding, open-air metal carport located over an existing concrete driveway at their long-term non-contributing residence 1419 College Avenue.

A 3–3 tie vote by the HDC resulted in a forced removal mandate without any written findings of fact explaining the denial. This decision represents a clear administrative failure under Arkansas law (Ark. Code Ann. § 25-15-212) for four primary reasons:

- **Procedural Unfairness, Shifting Standards & Staff Misdirection:** The City repeatedly failed to provide governing regulations, including Ordinance O-25-108, the 2025 Historic District Pattern Book, Historic District Standards, and additional ordinances until after installation, on the eve of hearings, or following appeal filings. Furthermore, city staff issued contradictory guidance by asserting unsupported Fire Code, incorrectly instructing applicants to attach the carport to the primary historic dwelling (which directly violates historic preservation standards requiring additions to remain detached), and maintaining a broken, confusing permit portal city appeal process.
- **Disregard of Statutory Discretion:** Opposing commissioners explicitly based their votes on personal views about enforcement and uncoded fears of future precedent, rather than applying the HDC's explicit authority under Section 7 standards to grant footprint exceptions.
- **Ignoring Uncontradicted Evidence:** The HDC disregarded complete architectural reversibility (0% damage to the historic home), 0% net increase in ground coverage over the existing concrete, a documented medical hardship, and established historic metal material use across the district.
- **Unanimous Neighborhood Support:** Every immediate neighbor attending the public hearings spoke in favor of keeping the structure.

PROCEDURAL, SUBSTANTIVE, & CONSTITUTIONAL ERRORS FOR CITY COUNCIL REVIEW

ARGUMENT 1: ADMINISTRATIVE LAW & DUE PROCESS VIOLATIONS **(MOVING-TARGET STANDARDS & LATE DISCLOSURES)**

Under Arkansas administrative law (*Ark. Code Ann. § 25-15-212*), an administrative action is made upon unlawful procedure, lacks written findings of fact, arbitrary, capricious, and a denial of procedural due process when a municipal board holds property owners to unpromulgated, late-disclosed, or shifting standards, preventing them from understanding compliance requirements prior to enforcement.

- **BELATED PROVISION OF GOVERNING GUIDELINES & MOVING TARGETS:** The Applicants purchased 1419 College Avenue in 2017 with no recorded overlay restrictions across 200+ closing documents. City Staff were assigned district education tasks internally in 2020. Referenced in the 2020 Conway Citywide Historic Preservation Plan and approved by City Council under Resolution No. R-21-22. Crucially, the 2025 Pattern Book was electronically delivered to the applicants *just one week prior* to their initial June 22, 2026 HDC meeting, and Ordinance O-25-108 (updating district rules and setback/footprint metrics) was provided *only after* the HDC formal appeal had already been initiated and completed enforcing unpromulgated or late-disclosed metrics violates basic procedural due process.

Exhibit A: Historic Precedent & Notice Disconnect

- PAGE 13 shows Historical Record (1419 College Ave) revealing that the original accessory outbuilding constructed under original owner Louise Nabholz Skelton featured a metal roof structure. Enforcing 2025 Pattern Book exclusions against metal roofing ignores the documented historic reality of this specific parcel.

Exhibit B: District-Wide Survey and Unobjectionable Precedence

- You will find a comprehensive photographic survey of Historic Districts confirming the presence of and operating without active HDC enforcement or citation:
 - Metal carports PAGE 18, 19, 20, 21, 31, 33
 - Detached metal accessory structures PAGE 16, 22, 24
 - Metal roofs PAGE 28
- **CONTRADICTORY AND MOVING PATTERN BOOKS:** District guidelines have continually shifted to restrict homeowner property rights without clear public notice. While the 2010 Pattern Book acknowledged that *"metal roofs, if kept painted, can last more than a century,"* subsequent revisions (2018 and 2025) introduced subjective language designed to restrict options yet simultaneously endorsed non-historic synthetic materials like LP Smart Siding (invented 1997) and Fiber Cement Board (invented 1980s) while penalizing painted structural steel. Holding homeowners accountable to shifting late-disclosed standards constitutes reversible legal error.
- **UNPROMULGATED DESIGN GUIDELINES & LACK OF STATUTORY AUTHORITY:** Procedural due process requires that regulatory standards be formally promulgated and clearly disclosed prior to enforcement. The Applicants repeatedly challenged the legal origin of the shifting Pattern Books, inquiring who authored these non-codified guidelines and under what statutory procedure they were adopted. Holding property owners accountable to shifting pattern books that were never delivered prior to construction and enforcing rules crafted without clear statutory ordinance backing constitutes reversible procedural error under *Ark. Code Ann. § 25-15-212*.

- **ABSENCE OF ADMINISTRATIVE INITIATION RECORD & EX PARTE DEFECTS:** Under basic principles of administrative law, municipal enforcement actions must be supported by a transparent, verifiable administrative record. During public proceedings, Assistant Director Tara Jackson explicitly stated that "*In early May, it was brought to planning staff's attention that a carport had been installed on site without benefit of permit. And the applicant is now seeking approval for the already installed metal carport.*"

However, in response to a formal Arkansas Freedom of Information Act (FOIA) request seeking all written complaints, code enforcement logs, or intake records establishing how, when, and by whom the structure was reported the City produced zero documentation.

FOIA Submitted Your request reference number is FOIA-2026-269

SUBMITTED 9/6/2026 AT 10:54PM

4. Record of Complaints, Enforcement Origin, & Hearing Conduct:

A. Complaint Audit: Any and all written complaints, email submissions, phone call transcripts/notes, code enforcement logs, or citizen reports regarding the carport structure or property at 1419 College Avenue.)

Lack of Administrative Record: Basing regulatory action or enforcement on off-the-record, unwritten inputs prevent property owners from examining or rebutting the underlying claims, depriving them of procedural due process under Ark. Code Ann. § 25-15-212.

Violation of Public Record Mandates: Section 1.02 of the Standard Commission Bylaws mandates that all records, applications, and reports governing board and commission activities must be open, maintained, and accessible under the Arkansas FOIA.

Bylaw Prohibition on Unrecorded Directives: Section 1.05(b)(iii) of the Standard Commission Bylaws explicitly states that "No member of the Board, Committee, or Commission shall direct nor instruct staff in any action, activity, or order." Initiating enforcement through unrecorded ex parte communications or unwritten discretion—rather than a documented, neutral intake process—renders the resulting enforcement action arbitrary, capricious, and procedurally invalid.

- **VIOLATION OF SECTION 11.A & PROCEDURAL DUE PROCESS: FAILURE TO RECORD MANDATORY FINDINGS OF FACT AND UNEXPLAINED COMMISSION VOTES**

1. Section 11.A of the Conway Historic District Commission (HDC) Enabling Standards explicitly mandates that upon denying a Certificate of Appropriateness (COA), the Commission "shall place upon its records the reasons for such determination and shall promptly furnish the applicant, property owner, and Building Official with a copy thereof."
2. The HDC failed to comply with Section 11.A during the August 24, 2026 meeting. The record reflects general verbal statements of disapproval and informal commentary rather than clear, structured findings of fact rooted in the applicable ordinance standards.
3. This failure is further compounded by the transcript/recording of the August 24, 2026 meeting, which reveals that Commissioner Wiggins cast a decisive negative vote without stating any rationale, findings of fact, or specific ordinance basis on the record.
4. Under established municipal and administrative law, a commissioner exercising quasi-judicial authority cannot issue a vote of denial without stating an objective, record-backed justification. Commissioner Wiggins' failure to provide any reason on the record directly violates the mandatory duty imposed by Section 11.A.
5. Because the Commission failed to formally adopt explicit findings of fact and because a deciding member failed to articulate any basis for denial, the decision is procedurally flawed, arbitrary, and capricious, and legally insufficient under Section 11.A thus depriving the applicant of state administrative constitutional due process.

- **PROCEDURAL INSTABILITY & ADMINISTRATIVE TURNOVER (AUGUST 24, 2026 HEARING**

The 3–3 deadlock vote on August 24, 2026, is an administrative artifact of severe board instability and onboarding gaps rather than an objective consensus on aesthetic merits:

- **Abrupt Leadership Departures:** Following the June 22, 2026 hearing, Chairman Joshua Hamilton and Vice Chairman Corey Parks both resigned. Vice Chairman Parks presided over the June hearing, taking public testimony and acknowledging established district precedents. Removing this experienced leadership stripped the body of institutional memory.
- **Five-Day Appointee Onboarding Gap:** Newly appointed Commissioners Joanna Nabholz and Brianna Wiggins were confirmed by City Council on August 19, 2026—just three business days prior to the August 24 vote. Forcing brand-new appointees to adjudicate a complex, carryover file without adequate time to review prior neighbor testimony or site context violates basic procedural due process under the Fourteenth Amendment and Ark. Const. art. 2, § 8.
- **Unreasoned Decisive Negative Vote:** Newly seated Commissioner Wiggins cast a deciding negative vote resulting in the 3–3 tie without stating any findings of fact or ordinance-based justification on the record. Under Ark. Code Ann. § 25-15-210(b)(1)-(2), administrative decisions must be supported by explicit, record-backed findings of fact. Silent negative votes from newly appointed members render the decision arbitrary, capricious, and procedurally invalid under Ark. Code Ann. § 25-15-212(h)(3) & (6) and Ark. Code Ann. § 14-172-206(d).
- **Fractured Board Structure:** Operating with an under-constituted, six-member board created an inherently unstable environment where a split vote yielded an automatic tie, depriving the applicant of a decision by a fully constituted 7-member body.

- **FAILURE TO ENGAGE SECTION 13 MANDATORY ECONOMIC HARDSHIP:** Section 13 establishes a mandatory administrative framework requiring the HDC to evaluate economic feasibility and actively engage with applicants to propose viable, cost-effective alternatives when rigid enforcement creates significant financial constraints. Across both public hearings (June 22, 2026, and August 24, 2026), the Commission completely bypassed this statutory duty.

Rather than initiating the structured alternative dialogue or 90-day review period mandated under Section 13.B, former Vice Chairperson Corey Parks summarily dismissed the issue during the June 22, 2026 hearing, stating in substance that had the applicants applied prior to installation, financial hardship would not even be an issue. Dismissing a codified hardship remedy as a punitive reaction to an after-the-fact application conflates design review with disciplinary code enforcement, violates Section 13 procedural mandates, and constitutes reversible administrative error.

ARGUMENT 2: ULTRA VIRES & MISAPPLICATION OF STATUTORY AUTHORITY

An administrative commission acts ultra vires (beyond its legal power) when it substitutes personal ethics for codified design metrics, regulates land use instead of visual aesthetics, or invades the statutory jurisdiction of other municipal departments.

- **IMPERMISSIBLE "RULE FOLLOWING" ANIMUS:** Opposing commissioners openly admitted on record that their negative votes were driven by punitive desires to penalize an unpermitted installation rather than assessing objective compatibility.

Statements by Commissioner Marilyn Moix ("*I'm a mom... and I'm a rule follower...*") and Commissioner Ali Dyer ("*It was done anyway... that's my issue*") prove the commission acted as an improper code enforcement court rather than an aesthetic review panel.

- **REJECTION OF SECTION 7 EXCEPTION AUTHORITY:** City Staff explicitly confirmed on record that under **Section 7 Standards**, all specific numerical thresholds (footprints, setbacks, coverage) are "*minimal guidelines*" and that "*the HDC 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*".

Despite this explicit legal mechanism, opposing Commissioner Ali Dyer voted to deny solely based on rigid numerical math regarding outbuilding coverage (64.7% total with the shop), stating: "*making 1,373 square feet between the carport and the shop... where the regulation states it should be under 30... I would not be in favor*". Rigidly enforcing a non-binding 30% guideline while deliberately ignoring Section 7 exception authority constitutes an arbitrary abuse of discretion.

Exhibit C: Total Lot Utilization and Comparables

- PAGE 30 and 31 shows how our total unattached impervious surface percentage is significantly below other HDC approved attached additions. Commissioners would not respond to our request for clarification of the 30% total outbuilding footprint cap.

-1419 College Ave: DENIED: 30.32% total lot utilized (0% net increase in impervious surface due carport being directly over an existing driveway).

-344 Conway Blvd: (APPROVED-HDR-0125-0002): 34.88% total lot utilized (HDC Approved).

-713 1st St: (APPROVED-HDR-0923-0163): 44.12% total lot utilized (HDC Approved).

- **ARBITRARY RELIANCE ON UNSUBSTANTIATED NUMERICAL METRICS & IMPERVIOUS DISCONNECT:** The Commission's rigid enforcement of the 30% outbuilding footprint cap is legally flawed and arbitrarily applied. (Q10) When questioned regarding the statutory origin of the 30% metric and why an unattached open-air carport is penalized while an attached structure of identical square footage is treated differently, City Staff and the Commission provided no rational basis. Because both configurations yield the exact same 0% net increase in impervious lot coverage over the existing driveway, drawing an arbitrary enforcement line between attached and unattached open-air structures constitutes an abuse of discretion and an *ultra vires* regulation of property use under Section 6.

- **UNREALISTIC DESIGN METRICS VS. MODERN FUNCTIONAL SIZING:** When evaluating the 30% outbuilding cap, the Commission refused to acknowledge basic functional vehicle dimensions or the physical realities of modern residential accessory structures. Standard two-car structures require a baseline functional footprint to shelter ordinary consumer vehicles. By enforcing a rigid 30% cap that penalizes standard, functional vehicle protection while simultaneously refusing to exercise Section 7 exception authority the HDC creates an impossible standard for property owners. Arbitrarily restricting footprint dimensions below practical utility transforms aesthetic guidance into an uncoded prohibition on land use.
- **OVERREACH ON REGULATORY AUTHORITY VS. LAND USE:** Section 6 of the city ordinance strictly limits HDC review authority to exterior architectural design aesthetics, explicitly prohibiting the Commission from regulating underlying land use or density. Insofar as the HDC's denial functioned as an absolute ban on an accessory structure rather than a constructive review specifying acceptable aesthetic adjustments (e.g., column wrapping or cladding), the Commission acted *ultra vires* outside its statutory mandate.

Exhibit D: Aesthetic Commitment and Districtwide Standards

- PAGE 29 applicants submitted formal commitment through elevation plans through City Staff to paint the support columns to match the home's siding/trim. This would mirror the primary home and meet accepted districtwide aesthetic standards.
- **ULTRA VIRES REVIEW OF STRUCTURAL MECHANICS & BUILDING CODE MATTERS (SECTION 10.C VIOLATION):** Section 10.C strictly limits the HDC's jurisdiction to exterior architectural design aesthetics, explicitly prohibiting the Commission from acting as a structural engineering board or evaluating non-exterior building code matters. During deliberations, Commissioner Nabholz engaged in improper engineering speculation regarding framing durability, joint tolerances, and hypothetical tree-limb impacts (*"light gauge aluminum frame is not durable... it's the joints, and if a limb falls on it, it'll dent..."*).
Inventing an unwritten standard that structures must be made of materials that "last forever" while evaluating structural mechanics causes the Commission to act *ultra vires* outside its statutory mandate under Section 10.C. Assessing structural mechanics falls under the sole purview of the City Building Inspector.

ARGUMENT 3: DENIAL BASED ON SPECULATIVE PRECEDENT

(FEAR OF "FLOODGATES")

An administrative body must judge an application solely on its individual merits and property record, not on hypothetical future scenarios.

- **ADMITTED RELIANCE ON UNCODIFIED PRECEDENT FEARS:** During deliberations, Chairperson Jason Covington explicitly admitted that fear of hypothetical future applicants dictated his opposition: *"If we approve it, is everyone in that district going to put up carports and then come ask for permission after?... I don't want to be on the next person's slideshow that we approve this one"*.

Commissioner JT Dixon echoed this sentiment: *"Unfortunately, like I said, people would probably continue to do this and maybe do the same thing"*.

Exhibit E: Factual Rebuttal to Speculative Floodgate Concerns

- Approving a setback-aligned, screened, painted structure along the rear-driveway does not establish unwanted precedent, but rather standardizes rules in an area where non-conforming structures are already prevalent.
- On PAGE 16, 18, 19, 20, 21, 22, 24, 31, 33 is precedential evidence showing existing carports in front/side yards and metal accessory structures.
- **LEGAL ARGUMENT:** The OCDOD standards explicitly grant the HDC authority to consider exceptions on a case-by-case basis without creating a binding precedent. Denying a property owner's application out of fear of hypothetical future violations by unknown neighbors across the street is a flagrant abuse of administrative discretion and flatly violates Section 7 of the City Ordinance.

ARGUMENT 4: CONSTITUTIONAL "CLASS OF ONE" EQUAL PROTECTION & PROPERTY RIGHTS

Under the Fourteenth Amendment to the U.S. Constitution, Article 2 § 18 of the Arkansas Constitution (Equal Privileges and Immunities), and Arkansas statutory property protections (*Ark. Code Ann. § 14-172-201 et seq.*), municipal regulatory boards must enforce zoning and design rules neutrally and without arbitrary discrimination.

- **CLASS OF ONE EQUAL PROTECTION VIOLATION (VILLAGE OF WILLOWBROOK V. OLECH):** Where a municipality intentionally treats a property owner differently from others similarly situated without any rational basis, it violates constitutional Equal Protection.

The Applicants presented dated before-and-after photographic evidence documenting over a dozen metal carports and accessory structures installed throughout the district between 2007 and 2025 all remaining undisturbed without city fine or enforcement. See PAGE 15, 16, 17 for more information.

Singling out 1419 College Avenue for forced removal while allowing identical district carports to exist unpunished indicates punitive animus and constitutes unconstitutional disparate treatment.

- **SELECTIVE ENFORCEMENT & UNANSWERED INQUIRIES ON DISTRICT PRECEDENT:** During public proceedings, the Applicants formally challenged the Commission regarding historical enforcement parity, specifically inquiring: (Q2) How many metal carports have been formally permitted or requested across the district? (Q3) Why do dozens of non-conforming, visually identical metal structures remain permitted and unpunished throughout the district? (Q9) Has the HDC approved accessory building footprint overages under Section 7 in the past?

The Commission's complete failure to address these factual inquiries or justify why 1419 College Avenue is being singled out for forced removal while identical structures are permitted or ignored violates the Equal Protection Clause of the Fourteenth Amendment and Article 2, § 18 of the Arkansas Constitution (*Village of Willowbrook v. Olech*).

- **COMMERCIAL VS. RESIDENTIAL MATERIAL DOUBLE STANDARD:** The HDC previously approved a massive, fully exposed commercial steel pavilion at **Stoby's Restaurant (805 Donaghey Ave)** featuring exposed, unpainted structural steel columns, as well as new metal structural renovations at **St. Joseph Catholic School & Church**. Declaring that metal structures are prohibited while legally sanctioning commercial steel pavilions in the same neighborhood is a legally fatal inconsistency.

Exhibit F: District Commercial & Institutional Metal Approvals

- Denying a screened, residential metal carport while approving large-scale commercial and institutional metal open-air structures within the same district constitutes unconstitutional disparate treatment.
- *PAGE 24 St. Joseph Catholic School (1115 College Ave / HDR-0426-0047): 2026 approval of a large, freestanding metal structure*
- *PAGE 22 Faulkner County Sheriff's Office, Emergency Squad Building, Faulkner County Extension Services permitted metal carport B17-0357*
- *PAGE 22 1405 Robinson Ave: Metal accessory structures installed adjacent to a 1937 contributing historic structure*
- *PAGE 25 O'Malley's (803 Harkrider / HDR-0824-0107) HDC APPROVAL without opposition to install a metal structure*
- *PAGE 23 Stoby's Restaurant (805 Donaghey / Permit B21-0127/ HDR-1121-0141) Administrative approval of metal structure and HDC approval to modify an existing canopy*

- **ADMISSIONS OF PRECEDENT BY COMMISSION LEADERSHIP:** Former Vice Chairperson Corey Parks openly admitted during prior deliberations that the district's guidelines actively accommodate non-original, utilitarian vehicle protections, pointing to existing structures on Faulkner Street (serving church van parking) and Donaghey Avenue.
- **PROTECTION OF PRIVATE PROPERTY RIGHTS & ZERO NET IMPERVIOUS IMPACT:** Arkansas courts disfavor administrative bodies enforcing total property destruction orders over subjective aesthetic disagreements when no physical harm is done. City Staff verified that because the carport was erected over an existing concrete driveway, it adds 0 sq ft of new impervious lot coverage. Forcing its removal infringes on basic private property rights without a valid public health, safety, or welfare justification.

ARGUMENT 5: HISTORIC MATERIAL PROOF, ABSOLUTE REVERSIBILITY, & NEIGHBOR ALIGNMENT

- **HISTORIC MATERIAL PROOF:** OCDOD guidelines state metal roofing is permitted if the applicant proves the historic nature of the material. The homeowners presented documented photographic evidence showing an original metal roof on 1419 College Avenue's accessory structure, alongside federal cultural resource documentation proving metal roofing dates beyond the 19th-century southern architecture.

Exhibit G: HISTORIC PROOF, REVERSIBILITY, & SCREENING

- PAGE 26 shows the National Park Service Cultural Resource data showing zinc/galvanized metal roofing was historically utilized on southern structures as early as the 1850s (e.g., 1857 U.S. Mint in New Orleans)
- PAGE 26 shows locally there was a tin roof on the Conway Jail built in 1895 and Conway Block constructed in 1950 also showing a metal roof.

Exhibit H: Site Massing, Sightline Mitigation, and Reversibility

- PAGE 14 demonstrates that the carport is positioned well behind the primary dwelling's front elevation. Screened by mature tree canopies and landscaping massing, the structure is visible along College Avenue for less than 20 total linear feet (representing under 10 seconds of visual exposure at standard vehicle speed). The structure is 100% reversible without altering, damaging, or removing any original historic fabric of the primary dwelling.
- **ABSOLUTE ARCHITECTURAL REVERSIBILITY & ADOPTION OF FEDERAL STANDARDS:** Section 14 of the city ordinance incorporates the Secretary of the Interior's Standards for Rehabilitation, which establish that non-permanent, fully reversible accessory structures are strongly favored because they leave historic fabric untouched. Standard 10 explicitly mandates that new additions and accessory structures be executed in a manner where, *"if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired"*. As Commissioners Dixon and Nabholz noted on record, this carport is 100% freestanding and anchored to an existing driveway. If unbolted, zero original historic fabric of the primary dwelling is altered or destroyed, fulfilling the core principle of federal preservation doctrine.
- **VERIFIED MEDICAL HARDSHIP MITIGATION:** The structure directly mitigates a verified medical hardship (the applicant's severe skin cancer diagnosis) by preventing acute UV exposure during residential property maintenance.
- **UNANIMOUS NEIGHBOR SUPPORT:** Up to 10 immediate surrounding property owners including long-term residents living on College Avenue for over 40 and 80 years testified in person at the June 22, 2026 and August 24, 2026 hearings. Every neighbor confirmed the structure is set back beyond the residence, heavily screened by mature trees and main house massing, visually obtrusive to no one, and requested that the Historic District Committee approve and allow it to remain.

PER FOIA-2026-269 REQUEST- TRANSCRIPT OF 6.22.2026

Former Vice Chairperson Corey Parks calls for anyone to speak for the proposed project

1) JD Gingrich, 1405 College Avenue – I live a couple of houses down from the applicant. Just want to say that in terms of their interest in the neighborhood we have had multiple conversations and they have reached out to all of us to ensure that anything they were doing was not contrary to our own thoughts about the neighborhood. They are also fully committed to the historic nature of our neighborhood and our street. Ironical to us is that our block is currently working very hard to deal with the City of putting 12' of concrete through our front yards with bicycles and lines on it knowing that this group has never had comment with regards to this project. Corey stops this narrative as it is not within the confines of the applicant request before this commission. Mr. Gingrich complies and **gives his full support for this carport to remain and work with the applicant.**

2) Vivian Lawson Hogue, College Avenue – She hasn't even noticed this carport until this issue came up. She doesn't see what the problem is with it. She states that old Conway homes have divided driveways, that went into a carport at some point and there was no regard as to where you had to put your carport. I kept thinking that "are they wanting them to put in a Craftsman carport"? Most homes had one or two spaces for cars, and she remembers that house does not have a carport. She states that her relative lives next door and didn't know the carport was built either. She acknowledges that she is not talking about the structure itself, but the carport and what they have gone through to build it means something. She thinks something needs to be done about the rules and help this applicant. **She has written 103 articles about old homes in Conway and has never heard of anything like this being a problem** and she wants to defend them and anyone else that wants to keep a car or anything else they have. **These carports are all over town.**

3) Randall Fortoni, 1418 College – Live across from the applicant. He sees them regularly walking their dogs, always trying to improve their lawn and keep it clear. He has tried to renovate his own home and driveway and keep it within the standards, and he can vouch these conditions in his opinion would make it more of an eyesore to remodel the carport to the structure and it is now not noticeable due to a tree on their property line. **He cannot see it now but believes that with these proposed conditions it would be visible and an eyesore to the City of Conway and he would think it would benefit the Old Conway district to leave it as is.**

4) Lori Ross, 1371 College Avenue – She wouldn't have even known it was there had it not been pointed out. **It is not noticeable to a neighbor that drives/walks past it all the time. It is not a problem at all.** Spaces here are really tight and she understands the need for cover there. The houses are old and we have to do what we can to make them fit in with our current lives, so I am not opposed to this at all.

5) Mike Rueff, 1455 College Avenue – Like others have said, I never even noticed it until I learned about this meeting. **I'm in favor of them keeping it as is. I don't believe it is an eyesore and it is not hurting anything.**

Former Vice Chair Corey Parks calls for **anyone to speak in opposition – No one**

FINDINGS OF FACT FOR CITY COUNCIL OVERTURN

<u>EVALUATION</u>	<u>RECORD FACT & HDC ADMISSION</u>	<u>LEGAL & ORDINANCE DEFECT</u>
Procedural Fairness	Core rules (O-25-108, 2025 Pattern Book) provided late or post-appeal.	Due Process Violation (Ark. Code Ann. § 25-15-212).
Written Findings	No written findings of fact adopted; Deciding vote cast silently.	Violation of Section 11.A Enabling Standards.
Hardship Framework	Commission flatly refused to evaluate financial alternatives.	Violation of Section 13 Mandatory Procedures.
Scope of Authority	Denied based on structural joint mechanics and limb damage fears.	Ultra Vires Encroachment on Sec. 10.C & Building Official.
Federal Reversibility	100% freestanding; zero historic dwelling material touched.	Violates Appendix A, Standard 10 (Sec. 14 Incorporation).
Impervious Impact	0% Net Increase; erected directly over existing concrete driveway.	Arbitrary Interference with Property Rights (Ark. Code Ann. § 14-172-201).
District Parity	40+ metal carports exist in district; commercial steel approved at Stoby's and others.	Class of One Equal Protection (Village of Willowbrook v. Olech).
Community Alignment	Unanimous, active support from all attending immediate neighbors.	Uncontradicted Factual Record.
Impervious Equity (Q10)	Attached vs. detached structures create identical lot coverage over existing concrete.	Arbitrary & Capricious Classification (Ark. Code Ann. § 25-15-212).
Selective Precedent (Q2, Q3, Q9)	HDC failed to document past metal carport approvals or Section 7 overage waivers.	Equal Protection Violation (U.S. Const. amend. XIV).
Enforcement Record	Staff claimed structure was "brought to attention," but FOIA yielded zero intake logs or complaint records.	Arbitrary Enforcement & Violation of Sec. 1.02 / Sec. 1.05(b)(iii) Bylaws.
Administrative Stability	Both Chairman Hamilton and Vice Chair Parks resigned post-June meeting; new members seated 3 business days before vote.	Violation of Procedural Due Process (U.S. Const. amend. XIV; Ark. Const. art. 2, § 8).
Record-Backed Voting	Appointed Commissioner Wiggins cast decisive tie-breaking negative vote silently.	Arbitrary & Capricious Action; Failure to record findings of fact (Ark. Code Ann. § 25-15-210(b); § 25-15-212(h)).

BELOW: The original homeowner of 1419 College Ave Louis Nabholz Skelton a College Avenue original.

As you can see the carport/garage located to the right of the house had a metal roof which is obviously different than the shingle roof of the house. The metal roof has been verified through discussion with her great granddaughter who also graciously provided these photos.

These serve as living proof metal was used during actual times and not the opinions of what some argue did not exist back then.

EXHIBIT A



1419 COLLEGE AVENUE

Owners: Beau & Alexandra Turner

1

BELOW: As you can tell the carport is substantially blocked by a large tree and our house. The limited visibility is for less than 20ft and for about 10 seconds while walking or even less while driving.

You will see the carport, blink once, then you won't see it again.

EXHIBIT H



1419
COLLEGE
AVENUE



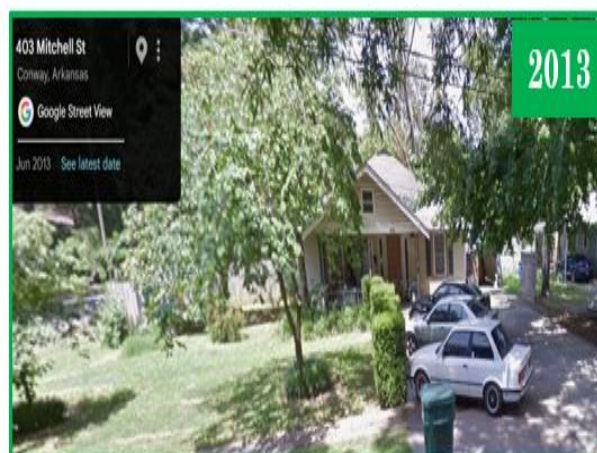
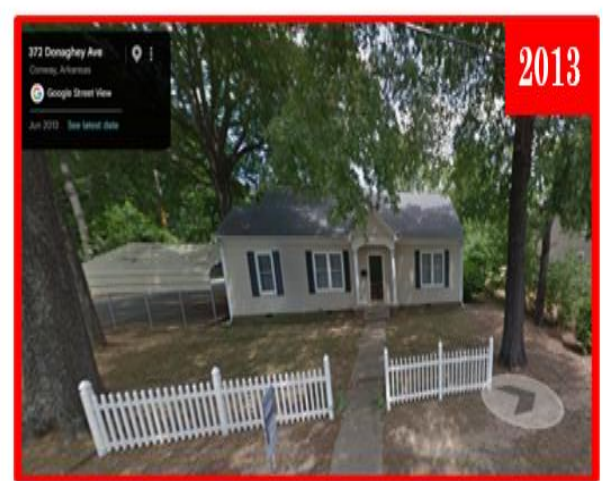
BELOW: These images were presented during HDC appeal 8.24.2026 and some of these were provided to city planning during discussions in 2025 and omitted during HDC meeting 6.22.2026

(OUTLINED IN BLUE) The homeowner informed us that they had their metal garage installed about 20 years ago that's top left image dated 2013 and have added their metal carport about 10 years ago that's top right image dated 2024.

REFERENCE
PAGE 8

BEFORE

AFTER

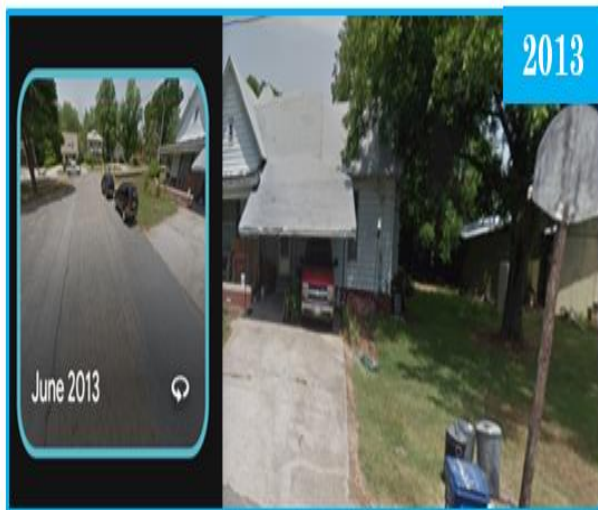
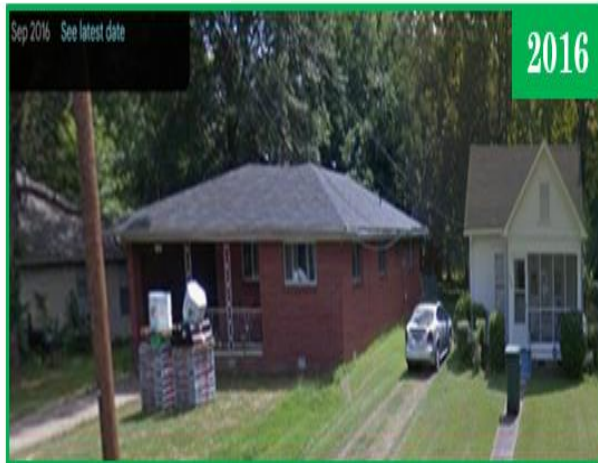


BELOW: The images at the bottom left outlined in red had a wood garage in 2013 and since then installed an all-metal garage as shown in the image dated 2024 on the bottom right which is directly next to a city employee home.

**REFERENCE
PAGE 8 AND
EXHIBIT B AND E**

BEFORE

AFTER

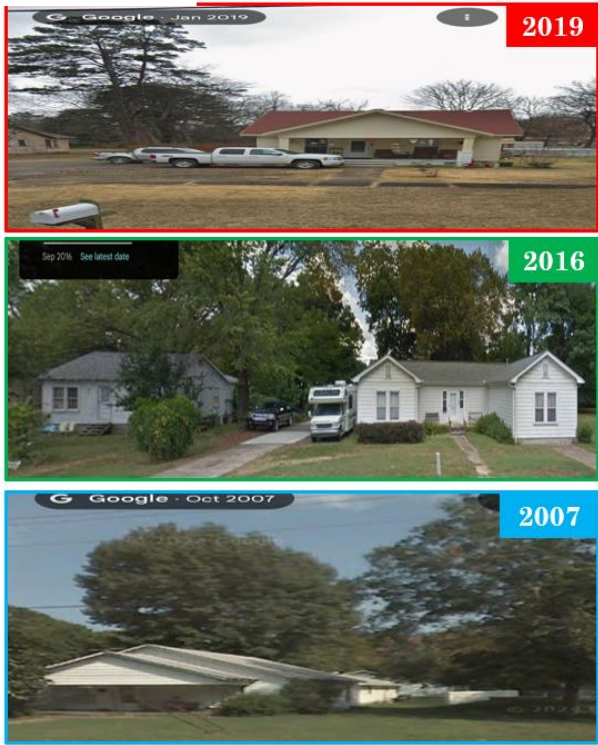


BELOW: Additional before and after photos of metal carports that have been erected over time and have remained without any city, code enforcement, or historic district intervention.

REFERENCE PAGE 8
EXHIBIT B AND E

BEFORE

AFTER



21



BELOW: Some of these we actually found by researching through old HDC meetings.

For example, the image on the top right was shown in an HDC meeting held 2021 and to answer your question it is still there.

ADDRESSING HDC CONCERN IT'S NOT ALLOWED ANYWHERE IN THE HISTORIC DISTRICT

The evidence we present demonstrates otherwise. We have documented numerous examples of: detached metal carports, metal-roofed accessory structures, standing seam metal roofs, historic buildings utilizing metal.

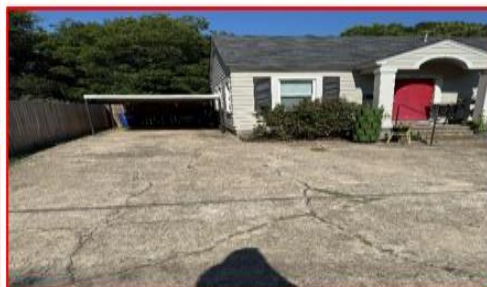
We will demonstrate that detached carports and metal construction are not foreign to the established character of Conway's historic districts.

Therefore, the commission's statement that these structures do not exist is inconsistent with the evidence contained within the record.

Even at the last meeting, former Vice Chair Corey Parks, talked about a similar carport he drove by and stated how it belongs there.

EXHIBIT B AND E

INSIDE H.D.C. ZONE R-2A CARPORTS

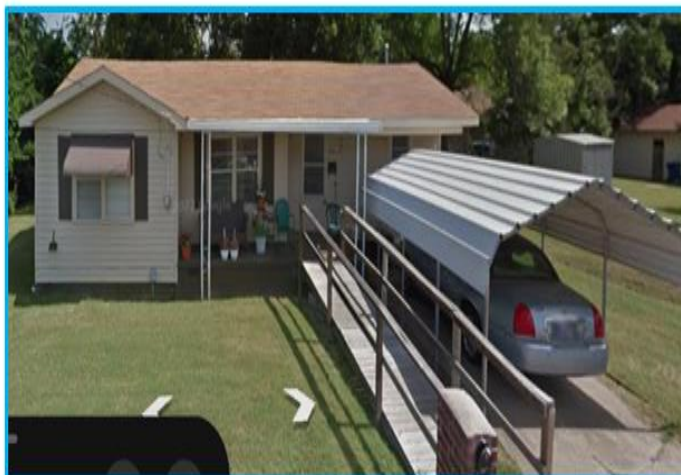
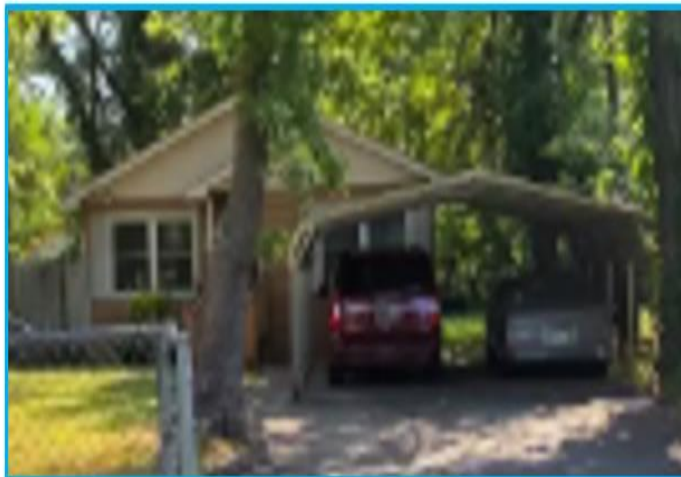


BELOW: HDC CONCERN THEY MAY PUT ONE RIGHT IN FRONT OF THE HOUSE

Parking is prohibited anywhere in the front yard. Yet that happens every day. for example: our old neighbor, who was a renter, parked in the front yard for an entire year and nothing was ever done by HDC or code enforcement.

Additionally, as the image above shows, a carport has been installed at the front of the home since 2024 and has set the precedence. Again no intervention from city, code enforcement, nor historic district.

EXHIBIT B AND E

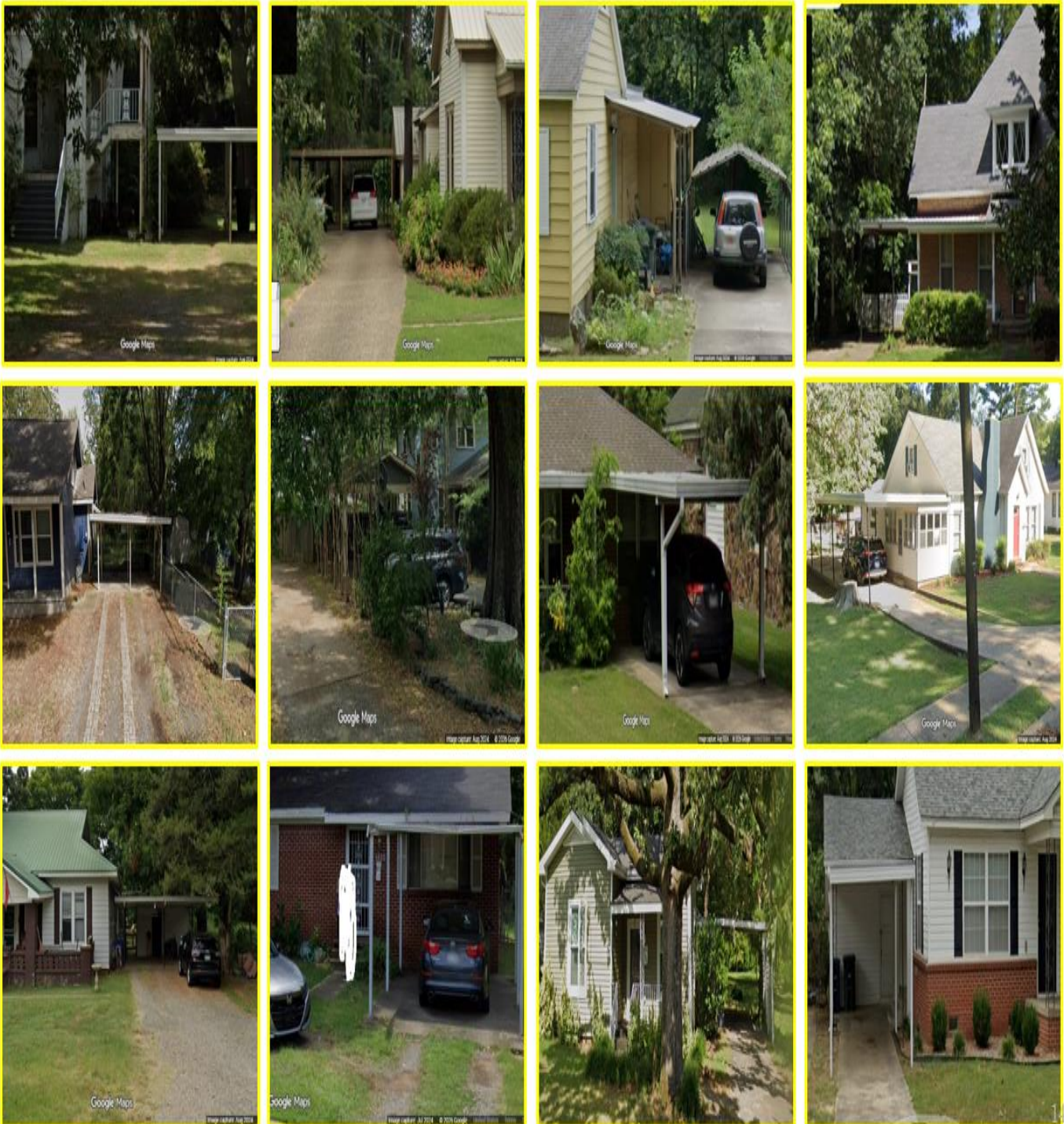


BELOW: CONCERN EVERYONE IN THAT DISTRICT IS GOING TO PUT UP CARPORTS

While understandable as a concern, speculation regarding what future applicants might request is not an adopted approval criterion contained within the historic district standards, the pattern book, the zoning ordinance, or the historic district commission bylaws.

Accordingly, concern over possible future applications is not substantial evidence that would support the denial of our application.

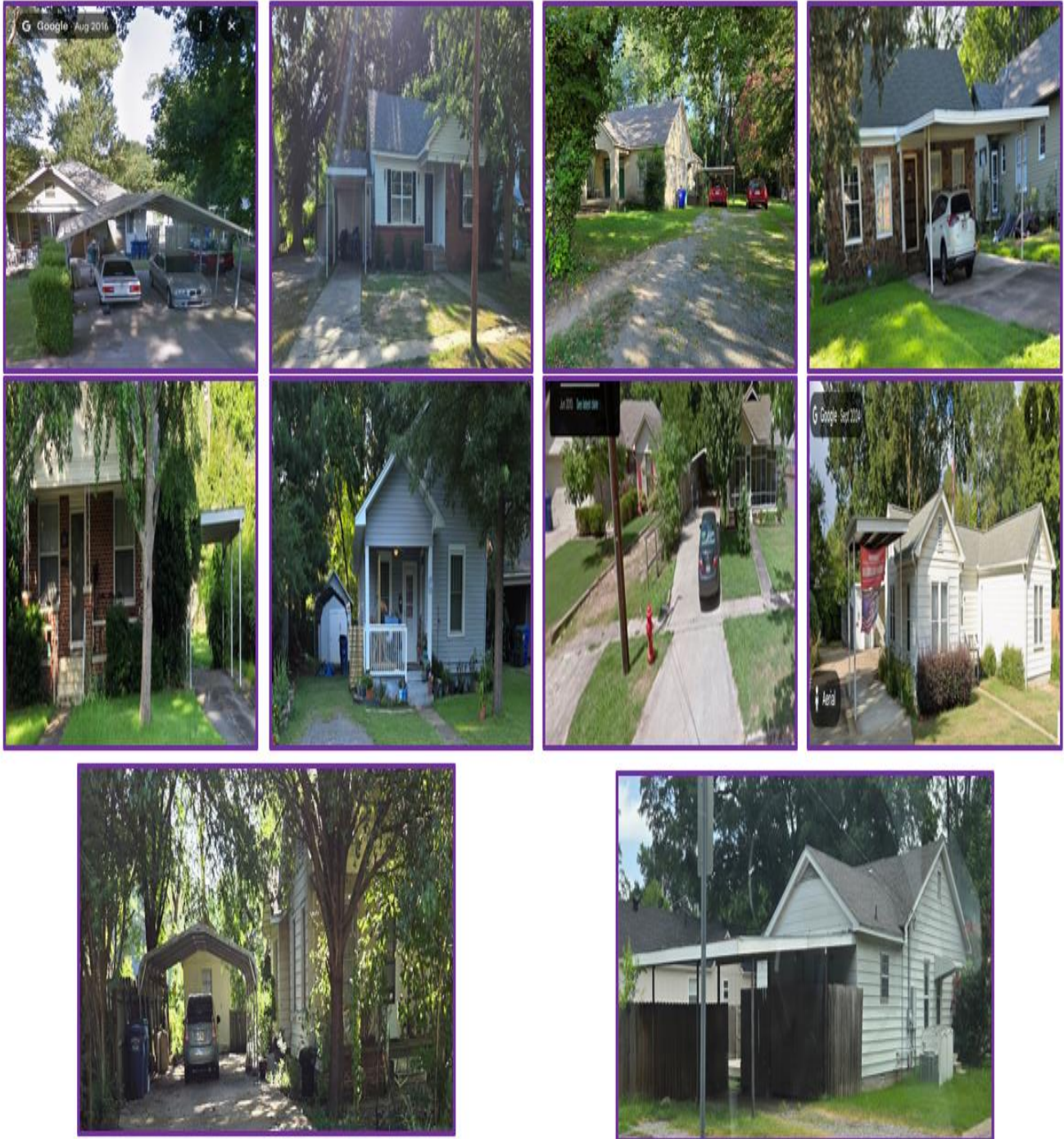
**EXHIBIT B
AND E** **INSIDE H.D.C. ZONE R-2A CARPORTS**



BELOW: CONCERN EVERYONE WILL CLAIM THEY DIDN'T KNOW

This is arbitrary at best and has no merit then nor does it today. The HDC committee should internally address this issue and find ways to further educate current and new homeowners. We purchased our home in 2017 and were unaware of any historic district until 2025. If you would like to read the 200+ pages that came with our home, we can provide them. Through our meticulous research this was assigned to city staff in 2020.

**EXHIBIT B
AND E** **INSIDE H.D.C. ZONE R-2A CARPORTS**

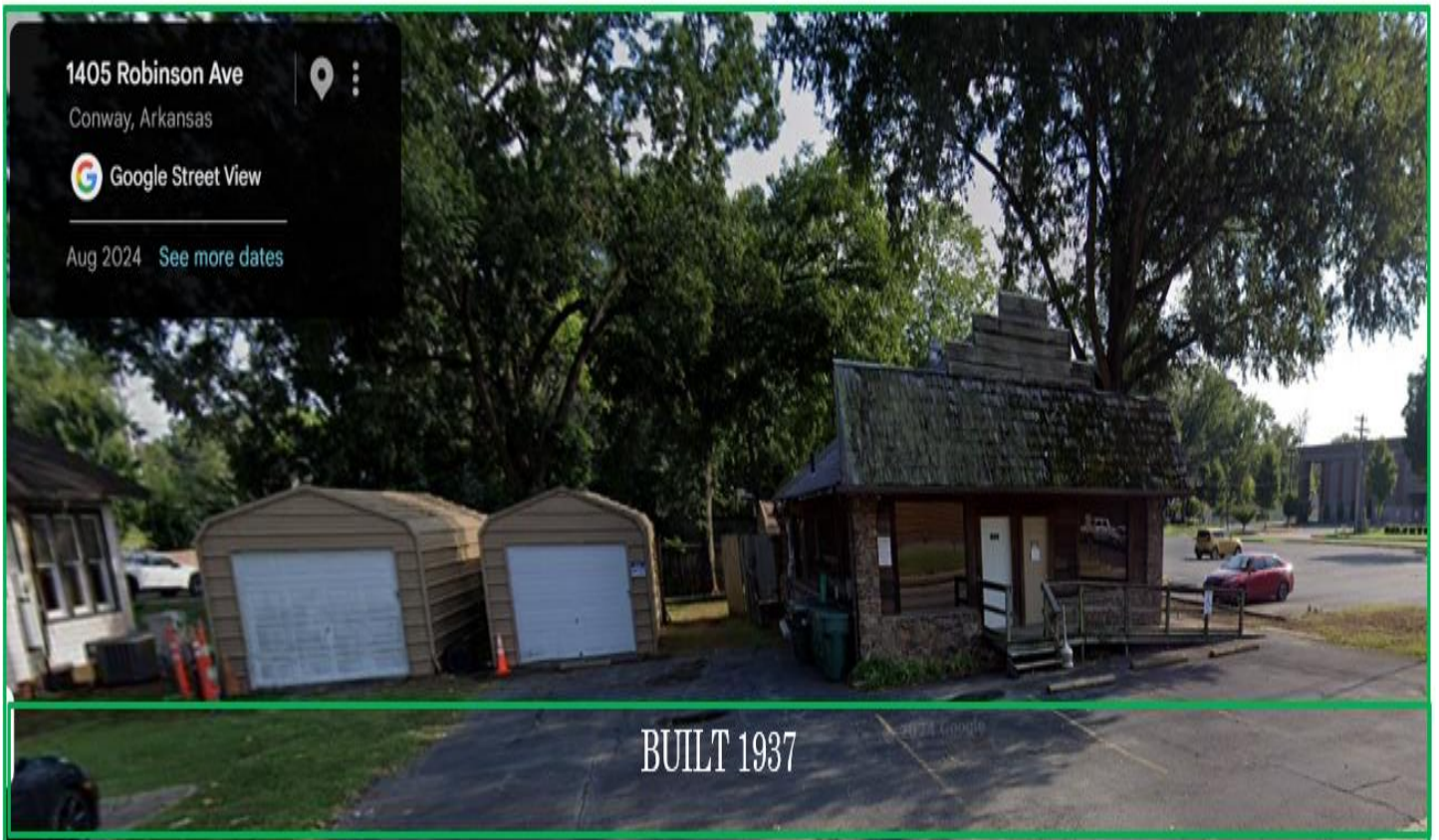
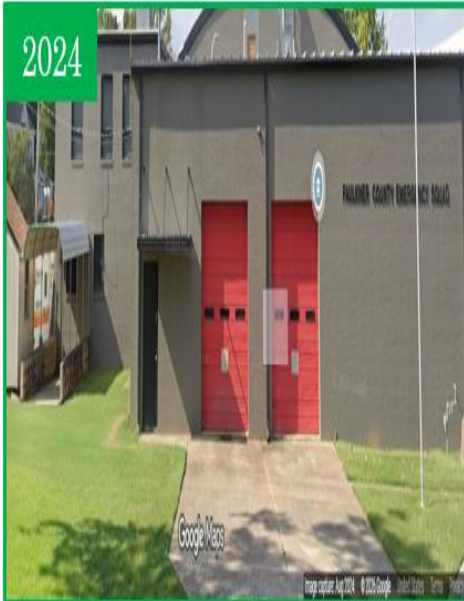


BELOW: The image outlined in red is the only carport ever permitted by the city of Conway and located inside the HDC. It was installed without the approval of Historic District Committee. It was installed prior to the recent administrative review process as it was installed in 2017.

Again, this committee says they've never allowed metal carports; however, they have also been installed at the Faulkner County emergency squad building, the Faulkner County sheriff's office, and two metal buildings have been built directly next to a contributing historic building built in 1937.

**EXHIBIT B
AND F**

INSIDE H.D.C. CARPORTS



BELOW: ADDRESSING HDC CONCERN WE WOULD NEVER APPROVE THEM.

That statement is false as outlined in blue is Stoby's restaurant.

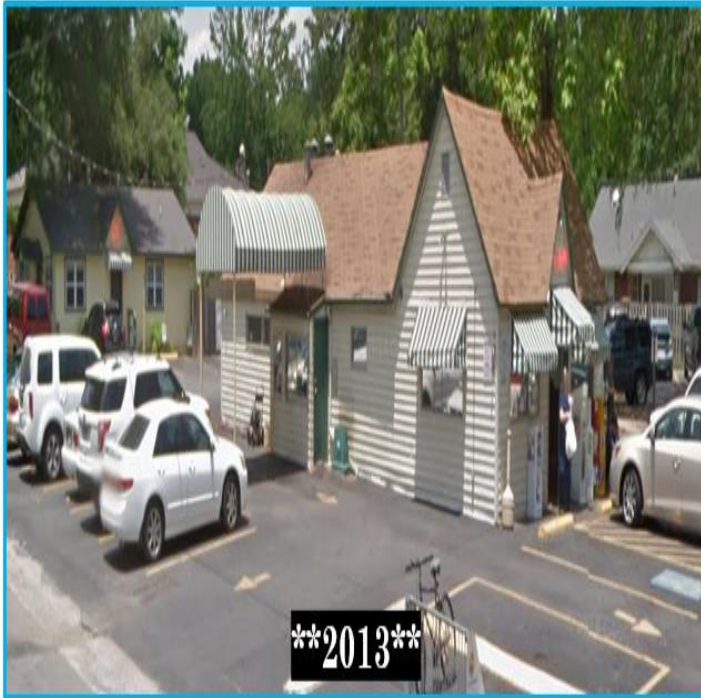
-If you do not know Stoby's had a fire in 2013 which caused them to go through the HDC process and through that process an all metal "pavilion" was approved which you can see in the image dated 2026.

Now we can talk about how it is different but it's not.

-Outlined in red are more examples of metal used and approved throughout HDC that we are in close proximity to.

EXHIBIT F

AROUND THE H.D.C. RESIDENTIAL



BELOW: The HDC approved this metal structure in 2026 and has also approved other metal renovations for the school/church. If this “pavilion” is considered a direct replacement, then our carport should be considered a replacement of our homes original garage.

No one from the church/school even came to speak to the HDC yet they went from one structure to an entirely different one while increasing concrete sqft and is exceedingly more visible to the public. This is a direct violation to HDC bylaws.

The bottom right image is of St. Joseph Flea Market which contains all metal structures and carports.

EXHIBIT B AND F ST. JOSEPH CATHOLIC SCHOOL



ESTABLISHED 1879
147 years old in 2026

THIS HDC HAS APPROVED THIS METAL STRUCTURE IN 2026



BELOW: O'Malley's at 803 Harkrider received **HDC APPROVAL HDR-0824-0107** without opposition to install a metal structure "pergola".

II.A 803 Harkrider St. - Addition (Patio) (HDR-0824-0107)

EXHIBIT F



U.S. Department of the Interior National Park Service Cultural Resources

EXHIBIT G

Galvanizing with zinc to protect the base metal from rust was developed in France in 1837.

By the 1850s the material was used on post offices and customhouses, as well as on train sheds and factories.

In 1857 one of the first metal roofs in the South was installed on the U.S. Mint in New Orleans.

Roofing for Historic Buildings >>>>

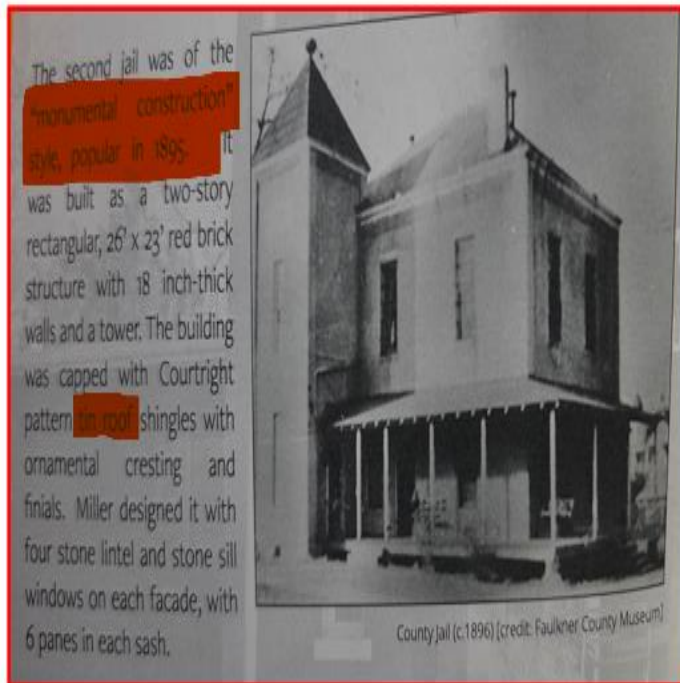
Repeated repair with asphalt, which cracks as it hardens, has created a blistered surface on this sheet-metal roof and built-in gutter



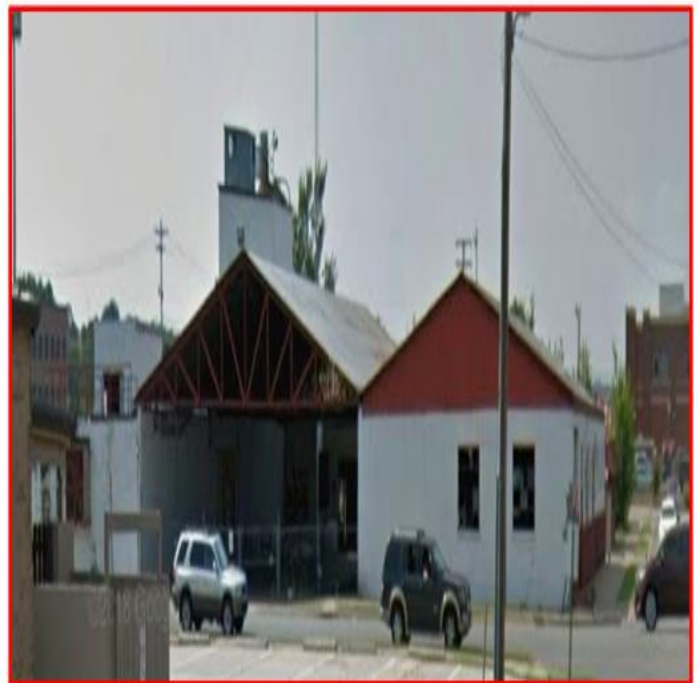
5

SIGNIFICANT HISTORIC STRUCTURES IN H.D.C. CONWAY

EXHIBIT G



1895 CONWAY JAIL WITH TIN ROOF



CONWAY BLOCK PRIOR TO BEING A PICKLE BALL COURT AND RESTAURANT

BELOW: Carports slowly earned their place in residential neighborhoods but truly gained momentum after World War II around the 1940s.

They may look a little different today than back then, but they offer significantly greater wind and snow ratings.

HISTORY OF CARPORTS



The Birth of the Carport: Mid-20th Century Modernism

The carport concept emerged in the early 20th century, but truly gained momentum during the post-World War II building boom of the 1940s and 1950s. Legendary architect Frank Lloyd Wright is often credited with popularizing and even naming the "carport," incorporating these open-air vehicle shelters into his influential Usonian home designs.

These mid-century modern homes featured carports that were fully integrated into the architectural design rather than treated as afterthoughts. Wright favored carports over garages, appreciating their openness, efficiency, and lower construction costs.

BELOW: Homes that surround us with metal just as the churches, colleges, and other carports we have presented do.

These houses were built in 1905, 1907, and 1957 as noted on images. We have witnessed several of these switch to metal roofs as they are on our daily commutes.

**EXHIBIT B
AND E**

METAL ROOFS



BELOW: ADDRESSING THE HDC CONCERN IT DOESN'T MATCH THE HOUSE

These images display the widely accepted painted metal support beams and what we have proposed to do. Additionally, our carport matches our gable roof style and home color.

It is a high-durability paint, color-matched to the primary home's vinyl siding or trim to visually blend the carport into the existing residential color scheme. This is the most widely accepted and universally utilized method found throughout all historic districts. This ensures the structure immediately aligns with established community precedents.

EXHIBIT D

CARPORTS WITH PAINTED METAL LEGS/POSTS



BELOW: ADDRESSING THE HDC CONCERN OVER 30% ACCESSORY AND STAFF COMMENTS
#4, #5, #6 PAGE 50 HDC AGENDA REGARDING SQFT AND IMPERVIOUS STRUCTURES

As we have established, no one is able to explain the 30% accessory structure percentage intent nor is it in writing in either the pattern book or city ordinances. Therefore, it is subjective.

However, utilizing the lot coverage equation that has been used by the HDC before then we get these results.

This shows how each property is covered with an impervious structure such as their home, outbuilding, or driveways.

For ease and understanding I have already broken it all down for our home and added two comparables.

Since our carport is over an existing driveway the carport does not increase our total utilized sqft and we remain well below the comparables that have gone through HDC approval.

The highlighted yellow label is the percentage of total lot utilized.

1419 College Ave is 30.32%

344 Conway blvd is 34.88% with HDC approval.

713 1st st is 44.12% with HDC approval.

TOTAL LOT UTILIZATION COMPARABLES

EXHIBIT C

1419 College Ave

14,000 sqft lot size

-4,245 sqft UTILIZED house, driveway, shop, carport

9,755 sqft of lot remaining

$14,000 \times 30.32\% = 4,244.8 \text{ sqft to nearest } \%$

30.32% OF TOTAL LOT UTILIZED

344 Conway Blvd HDC APPROVAL HDR-0125-0002

15,681.6 sqft lot size

-5469.74 sqft UTILIZED house, driveway

10,211.26 sqft of lot remaining

$15,681 \times 34.88\% = 5,469.53 \text{ sqft to nearest } \%$

34.88% OF TOTAL LOT UTILIZED

713 1st St. HDC APPROVAL HDR-0923-0163

13,068 sqft lot size

-5,766 sqft UTILIZED house, driveway, acc build 2, acc build 2

7,302 sqft of lot remaining

$13,068 \times 44.12\% = 5,765.6 \text{ sqft to nearest } \%$

44.12% OF TOTAL LOT UTILIZED

BELOW: Here are some examples of other structures over 30%

-Blue outline- over 30% and within 10ft- garage is around 34% of house sqft

-Yellow outline- over 30% and approved through HDC

-Purple outline- well over 30% and multiple structures

-Green outline- garage is over 30% and pretty close to being within setback of 10ft

-(not shown) 1704 College Ave - hdr-0624-0083 -over 30% with 2,080 sqft house, 575sqft carport with 391sqft storage (70% total compared to the house)

-Black outline- as mentioned earlier we aren't allowed to park in the front yard but in addition to it they have over 50% front yard paved.

-Red outline at the bottom are all within the setbacks and unattached.

EXHIBIT B AND C

OVER 30% ACCESSORY BUILDING



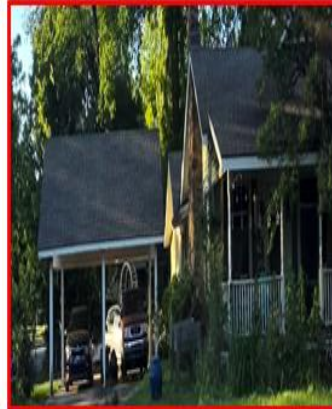
OVER 30% ACCESSORY BUILDING



OVER 50% PAVED



CARPORTS WITHIN SETBACKS AND DETACHED



BELOW: Now we are not here to put anyone on blast or make anyone feel bad with these, however, this is the current state of some homes throughout the historic districts.

However, most will agree that our carport is more suitable and does not negatively impact our neighborhood when compared to any of these.



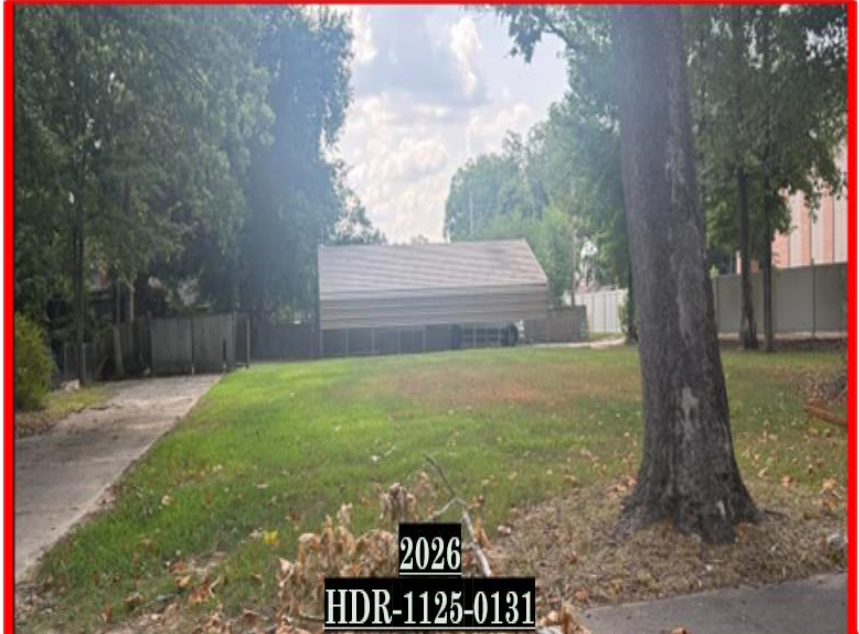
BELOW: Outlined in red is a historic home built around 1915 and recently demolished and an open lot with a metal carport remains.

**DON'T BE SO WORRIED ABOUT THE FUTURE THAT WE ARE
DEMOLISHING THE PAST WITH NO CLEAR PATH TOWARDS
REBUILDING HISTORY.**

EXHIBIT B AND E

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CONCLUSION & RELIEF SOUGHT

The HDC's August 24, 2026 deadlock was driven by late-provided regulatory moving targets, an illegal refusal to apply Section 7 exception authority, an uncoded fear of setting precedent, procedural bias, and constitutional equal protection defects. As you can tell we diligently researched, drove around and verified existing metal structures, took photos in order to provide accurate, meaningful, and unobjectionable information for the Historic District Commission as well as provided the same details for City Council to make an appropriate informed decision.

We have operated in total transparency, provided sufficient reasonings for our decision-making process, proved historic material compatibility, demonstrated zero net impervious expansion, established massive neighbor alignment, and agreed on record to paint all structural columns to match the primary residence and mirror districtwide aesthetics.

The applicants respectfully request that Conway City Council:

1. **Overturn** the HDC deadlock decision of August 24, 2026.
2. **Grant** the Certificate of Appropriateness (COA) for the detached metal carport at 1419 College Avenue under Section 7 authority.
3. **Approve** the structure subject to the sole, agreed-upon compromise condition: painting the support columns to match the primary house color scheme.

Respectfully Submitted,

Beau & Alexandra Turner

1419 College Avenue, Conway, AR