



City of Conway, Arkansas
CITY COUNCIL
Agenda • December 10, 2024
www.conwayarkansas.gov

Elected Officials

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

City Council Members:

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Dr. Woodrow Cummins
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

<u>5:30pm:</u>	Entertainment District Update
<u>6:00pm:</u>	City Council Meeting • Conway Municipal Building • 1111 Main Street
<u>Call to Order:</u>	Bart Castleberry, Mayor
<u>Roll Call:</u>	Michael O. Garrett, Clerk/Treasurer
<u>Minutes Approval:</u>	November 26 th , 2024

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 December 10th, 2024 City Council agenda.
2. Consideration to approve the annual nominations for boards and commissions.
3. Resolution to approve the application for the FEMA “Assistance to Firefighters” Grant Program for the Fire Department.
4. Resolution requesting the city utilize federal aid funds for the Highway 65/Robins St. Improvements for the Transportation Department.
5. Ordinance to appropriate funds and accept the lowest bid from JCI Construction for the Prince St./Country Club Roundabout for the Transportation Department.
6. Ordinance to appropriate donation funds for the Conway Tree Board.
7. Ordinance to rezone property located at 377 Reedy Rd from R-1 to R-2A.
8. Consideration to approve a conditional use permit to allow MF-1 density in the R-2A zone for property located at 377 Reedy Rd.
9. Consideration to approve a major modification request for property located at 1301 E. Dave Ward Drive.
10. Ordinance to approve the creation of the Downtown Entertainment District.
11. Ordinance to approve the private club permit location for Chuy’s of Conway located at 500 S. Amity Road.

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

1. Ordinance to authorize all personnel positions for the Conway Community Center.

C. Finance

1. Ordinance approving the FY2025 City of Conway Budget.
2. Consideration to cancel the December 24th City Council Meeting.

Adjournment

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

MEMO

To: Mayor Castleberry
CC: City Council Members
From: Felicia Rogers
Date: December 5th, 2024
Re: Annual Boards/Commissions Appointments

Annual Boards and Commissions were advertised from October 1st – 31st, 2024. A total of 46 nominations were received and reviewed for openings on several boards and commissions for the City of Conway.

The following nominations are recommended for approval for the 2025 Boards and Commission season:

- Advertising and Promotion Commission – 4 year term
 - Mike Coats Term expires May 31, 2028
- Airport Advisory Committee – 4 year term
 - Robert Gunn Term expires December 31, 2028
 - Chris Tyler Term expires December 31, 2028
- Bicycle & Pedestrian Advisory Board – 3 year term
 - Beau Theriot Term expires December 31, 2027
 - Teresa Ann Garrett Term expires December 31, 2027
- Civil Service Commission – 6 year term
 - Courtney Kennedy Term expires April 1st, 2029
- Conway Tree Board – 3 year term
 - Robert Eric Bell Term expires December 31, 2027
 - Tyler Moses Term expires December 31, 2027

- Gabriella Stanford Term expires December 31, 2027
- Diversity Advisory Council – 4 year term
 - Meg Hawkins Term expires December 31, 2028
 - Karisa McAlister Term expires December 31, 2028
- Historic District Commission – 3 year term
 - Marilyn Moix Term expires December 31, 2027
 - Jason Covington Term expires December 31, 2027
- Oak Grove Cemetery – 5 year term
 - Van Lamar Term expires December 31, 2029
- Planning Commission – 5 year term
 - Kevin Gambrill Term expires December 31, 2029
 - Cassidy Cook Term expires December 31, 2029
- Public Art Advisory Committee – 2 year term
 - Kasey Jordan Term expires December 31, 2026
 - Morgan Lefler Term expires December 31, 2026
 - Christian Cutler Term expires December 31, 2026

Please advise if you have any questions

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Office of the Mayor
Mayor Bart Castleberry
1111 Main Street
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Please advise if you have any questions



**City of Conway, Arkansas
Resolution No. R-24-_____**

A RESOLUTION AUTHORIZING THE MAYOR TO OBTAIN A MATCHING GRANT FROM FEMA “ASSISTANCE TO FIREFIGHTERS” GRANT PROGRAM FOR THE PURCHASE OF FIRE DEPARTMENT PORTABLE RADIOS: AND FOR OTHER PURPOSES

Whereas, the City of Conway is seeking funding through the Assistance to Firefighters Grant (AFG) Program, which is intended to enhance the safety of the public and firefighters by providing critically needed resources that equip and train emergency personnel to respond to fire and fire-related hazards; and

Whereas, to complete this project, it is essential to obtain a matching grant through the FEMA Assistance to Firefighters Grant Program; and

Whereas, the total project cost is estimated to be up to \$1,320,000, based on current quotes, with the requested grant funding of \$1,000,000. The city will be responsible for anything over the maximum grant amount of \$1,000,000; and

Whereas, if awarded, the Assistance to Firefighters Grant would upgrade and replace 140 portable radios for the Fire Department.

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

Section 1: The Mayor is hereby authorized to submit an application to FEMA for the Assistance to Firefighters Grant for the city; and

Section 2: All Ordinances in conflict herewith are repealed to the extent of the conflict

THIS RESOLUTION adopted this 10th day of December 2024.

Approved:

Bart Castleberry

Attest:

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



**City of Conway, Arkansas
Resolution No. R-24-_____**

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY UTILIZE FEDERAL-AID MONIES FOR THE FOLLOWING PROJECT: HIGHWAY 65B/ROBINS STREET INTERSECTION IMPROVEMENTS

Whereas, The City of Conway understands Federal-Aid Surface Transportation Block Grant Program funds are available for certain local projects at the following Federal, State, and City participating ratios with a maximum of \$1,000,000 Federal-aid available per project; and

Type Work	Work Phase	Federal Share	State Share	City Share
Intersection Improvements	All Phases ¹	80%	10%	10% ³
Projects designed but never progressed to construction	All Right-of-Way & Utilities ²	0%	0%	100%

¹ Non-reimbursable utility relocation costs will be borne solely by the owner of the utility company.
² All utility (reimbursable and non-reimbursable) relocation costs will be borne by the City if the project does not proceed to construction.
³ The City share will be 10% unless the overall cost of the project exceeds \$1,250,000. If this occurs, 100% of the amount above \$1,250,000 will be the responsibility of the City.

Whereas, the Arkansas Department of Transportation has agreed to this arrangement and will provide funding for 10% of the project costs up to \$125,000 and will oversee all phases of the project; and

Whereas the City has agreed to expeditiously relocate affected City owned utilities and be responsible for associated costs.

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

SECTION I: The City will participate in accordance with its designated responsibility in this project, which includes providing electrical service, maintenance of the traffic signal and associated control equipment, all costs and coordination associated with maintenance of the railroad crossing and railroad signal, and 100% of any costs over the maximum available funds (\$1,000,000 Federal-aid and \$125,000 State match).

SECTION II: The Mayor, or their designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION III: The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

Adopted this 10th day of December, 2024

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. 0-24-_____**

AN ORDINANCE APPROPRIATING FUNDS, ACCEPTING THE LOWEST BID, AND ENTERING INTO AN AGREEMENT FOR PRINCE AND COUNTRY CLUB ROUNDABOUT FOR THE CONWAY TRANSPORTATION DEPARTMENT; AND OTHER PURPOSES

Whereas, The City of Conway solicited bids for the construction of a roundabout located at the intersection of Prince Street and Country Club Road in Conway, AR; and

Whereas, The City of Conway received one qualified bid from JCI Construction, Inc. for the amount of \$1,007,016.50; and

Whereas, The City of Conway recommends that Council approve the lowest bid from JCI Construction, Inc. and allow the City to enter into contract for the amount stated above; and

Whereas, Funds for this project are not included in the 2024 Transportation Department budget. The City of Conway requests Council appropriate Street Impact Fee Funds for this project.

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

Section 1: The City of Conway accepts the lowest bid and enter into an agreement with JCI Construction Inc. for the construction of a roundabout located at the intersection of Prince Street and Country Club Road in the amount of \$1,007,016.50.

Section 2. The City shall appropriate \$1,007,016.50 from the Street Impact Fee Fund Balance Appropriation Account 651-201-4900 into the Street Impact Fee CIP – Street Projects Account 651-201-5905. That this Resolution shall be in full force and effect from and after its passage and approval.

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

PASSED this 10th day of December 2024.

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATION FUNDS FOR THE CONWAY TREE BOARD; AND FOR OTHER PURPOSES

Whereas, donations in the amount of \$250 from Nativestate LLC have been received in support of the Conway Tree Board.

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

Section 1: The City of Conway, Arkansas, shall accept donation funds in the amount of \$250 and appropriate said funds from Donation Account (260-000-4705) to the Tree Board Expense Account (260-000-5430).

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

PASSED this 10th day of December, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 377 REEDY ROAD, FROM R-1 TO R-2A:

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 **September 16th, 2024**, 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 **R-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

A TRACT OF LAND IN THE NE ¼ SE ¼ OF SECTION 9, T5N-R14W, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND A PK NAIL FOR THE NE CORNER OF SAID NE ¼ SE ¼; THENCE S00°28'16"W, 646.80 FEET ALONG THE EAST LINE OF SAID NE ¼ SE ¼; THENCE N89°31'44"W, 297.00 FEET TO A SET ½" REBAR; THENCE S00°28'16"W, 222.80 FEET PARALLEL WITH SAID EAST LINE OF NE ¼ SE ¼ TO A SET ½" REBAR; THENCE S89°31'44"E, 297.00 FEET TO A POINT ON SAID EAST LINE OF NE ¼ SE ¼; THENCE ALONG SAID EAST LINE N00°28'16"E, 222.80 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1.52 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS ON RECORD.

to those of **R-2A**, 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 10th day December, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
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: Rebekah Fincher, 2024 Planning Commission Chairwoman
Date: December 10, 2024

Re: Request to rezone property located at 377 Reedy Rd from R-1 to R-2A

Central Arkansas Professional Surveying has requested to rezone property located at 377 Reedy Rd from R-1 to R-2A, with the following legal description:

A TRACT OF LAND IN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 9, T5N-R14W, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND A PK NAIL FOR THE NE CORNER OF SAID NE $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE S00°28'16"W, 646.80 FEET ALONG THE EAST LINE OF SAID NE $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE N89°31'44"W, 297.00 FEET TO A SET $\frac{1}{2}$ " REBAR; THENCE S00°28'16"W, 222.80 FEET PARALLEL WITH SAID EAST LINE OF NE $\frac{1}{4}$ SE $\frac{1}{4}$ TO A SET $\frac{1}{2}$ " REBAR; THENCE S89°31'44"E, 297.00 FEET TO A POINT ON SAID EAST LINE OF NE $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE ALONG SAID EAST LINE N00°28'16"E, 222.80 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1.52 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS ON RECORD.

The R-2A zoning district is designed for a slightly higher population density while maintaining the basic restrictions as R-1 districts. Townhomes in this area are consistent with this type of zoning. The proposed rezoning is in conformance with the Comprehensive Plan, which calls for medium density residential in the area. There is a large utility easement that runs through this property (100' powerline). Allowing for a higher density is appropriate given the restricted building space allowed.

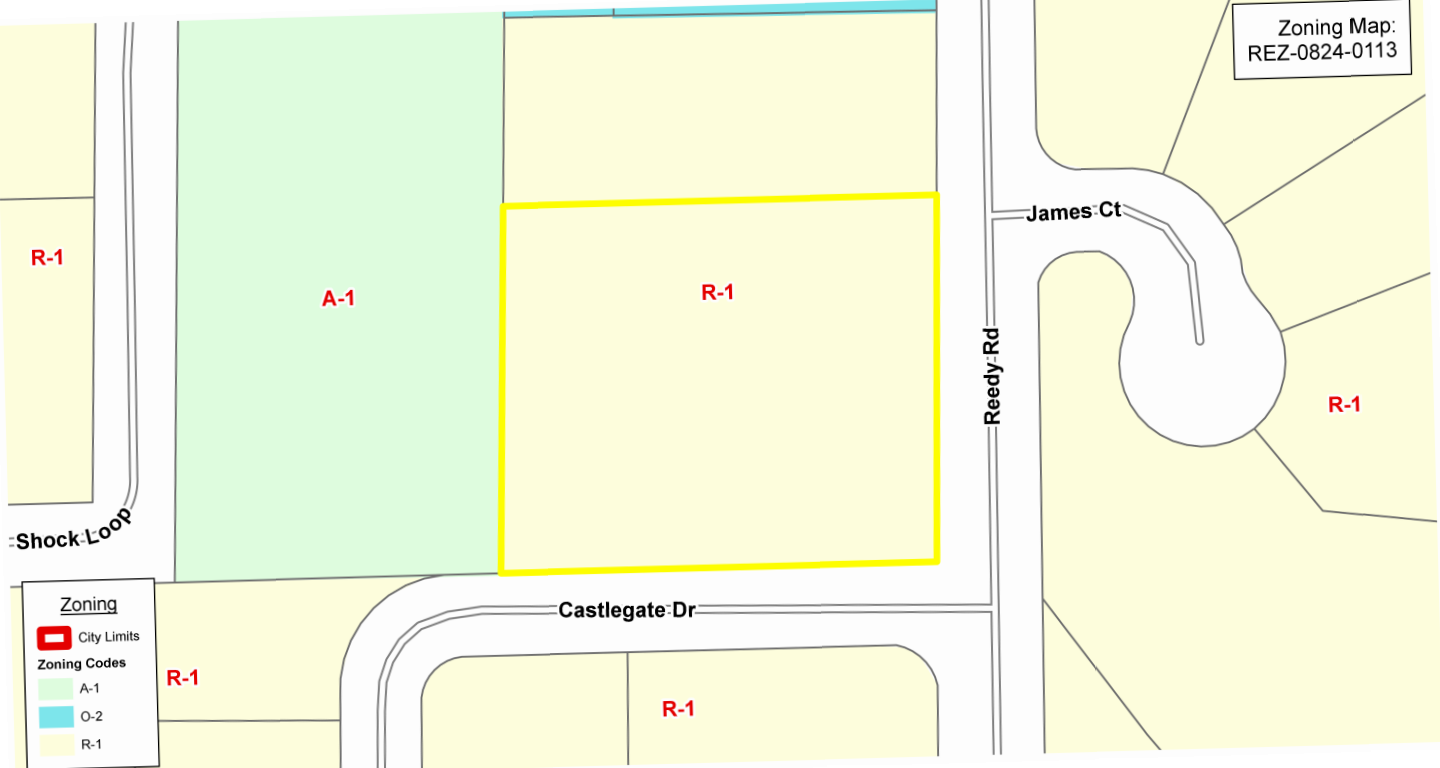
Staff recommendation: Staff recommends approval of the rezoning. The proposed zoning is consistent with the Comprehensive Plan and surrounding area and will likely not cause harm to surrounding properties.

The Planning Commission reviewed the request at its regular meeting on September 16, 2024, and voted 8-1 that the request be forwarded to the City Council with a recommendation for approval.

This item was heard at the September 24th City Council meeting and was tabled to be heard at a later date. The applicant requested the items be re-heard at the December 10th meeting.

Please advise if you have any questions.

Zoning Map:
REZ-0824-0113



R-1

A-1

R-1

R-1

R-1

R-1

Zoning

 City Limits

Zoning Codes

 A-1

 O-2

 R-1



1111 MAIN STREET • CONWAY, AR 72032
 (501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
 cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairman
 Date: December 10, 2024

Re: Conditional Use request to allow MF-1 density in the R-2A zone for property located at 377 Reedy Rd

Central Arkansas Professional Surveying has requested to allow MF-1 density in the R-2A zone for the property located at 377 Reedy Rd, with the following legal description:

A TRACT OF LAND IN THE NE ¼ SE ¼ OF SECTION 9, T5N-R14W, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND A PK NAIL FOR THE NE CORNER OF SAID NE ¼ SE ¼; THENCE S00°28'16"W, 646.80 FEET ALONG THE EAST LINE OF SAID NE ¼ SE ¼; THENCE N89°31'44"W, 297.00 FEET TO A SET ½" REBAR; THENCE S00°28'16"W, 222.80 FEET PARALLEL WITH SAID EAST LINE OF NE ¼ SE ¼ TO A SET ½" REBAR; THENCE S89°31'44"E, 297.00 FEET TO A POINT ON SAID EAST LINE OF NE ¼ SE ¼; THENCE ALONG SAID EAST LINE N00°28'16"E, 222.80 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1.52 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS ON RECORD.

This request is to allow MF-1 density (no more than 12 units per gross acre) in the R-2A zoning district. The applicant is proposing eight (8) single family townhomes. Development of this lot is limited due to a 100' utility easement that runs through the property. This request runs concurrently with the rezoning case, REZ-0824-0113.

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

1. The development is limited to a maximum of eight (8) total dwelling units in the form of townhomes.
2. Access shall be limited via a driveway from Reedy Rd.
3. The building's primary exterior shall be composed of brick, rock, or a cement fiber board product.
4. Vinyl siding as a primary cladding material shall be prohibited; vinyl siding/shingles may only be used on gables and dormers.
5. The development shall be subject to site development review in accordance with Article 10 of the Zoning Code.
6. The property shall be platted in accordance with the Subdivision Ordinance.
7. Enhanced landscaping shall be provided along all property lines at the ratio of 1 canopy tree every 20' (or understory tree every 10') and additional shrubs, installed in the form of

a hedgerow, shall be required to screen parking, mechanical equipment, and/or dumpster/trash enclosure.

8. The conditional use approval shall become null and void if construction for the use is not commenced within 18 months from the date of approval of this permit.
9. All signage shall be permitted and installed in accordance with the Conway Sign Code.
10. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
11. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
12. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.

13. Fencing must be installed, with materials as determined by Planning Department staff during Site Development Review.*

The Planning Commission reviewed the request at its regular meeting on September 16, 2024, and voted 6-3 that the request be forwarded to the City Council with a recommendation for approval.

This item was heard at the September 24th City Council meeting and was tabled to be heard at a later date. The applicant requested the items be re-heard at the December 10th meeting.

Please advise if you have any questions.

***Added by Planning Commission.**



BUILDING	NUMBER OF UNITS		TOTAL SF
	SF PER UNIT	# OF UNITS	
172' TOWNHOME	1,512	6	9,072
57' TOWNHOME	1,512	2	3,024

REEDY ROAD TOWNHOMES ARCHITECTURAL SITE PLAN

**Central
Arkansas
Professional
Surveying, LLC**

1021 Front Street
Conway, AR 72032
501.513.4800
501.513.0900-fax

August 16, 2024

Re: R T Real Estate
377 Reedy Road
Conway, AR 72034

To Whom It May Concern,

On behalf of R T Real Estate, LLC we are sending applications to rezone parcel 711-12097-000 aka 377 Reedy Road, Conway, AR 72034 with a conditional use.

The intent is to rezone from R1 to R2A with a conditional use to allow MF-1 density in R2A zoning.

If you have any questions, please call me at 501.513.4800.

Sincerely,



Robert French, PS 1363

Central Arkansas Professional Surveying, LLC



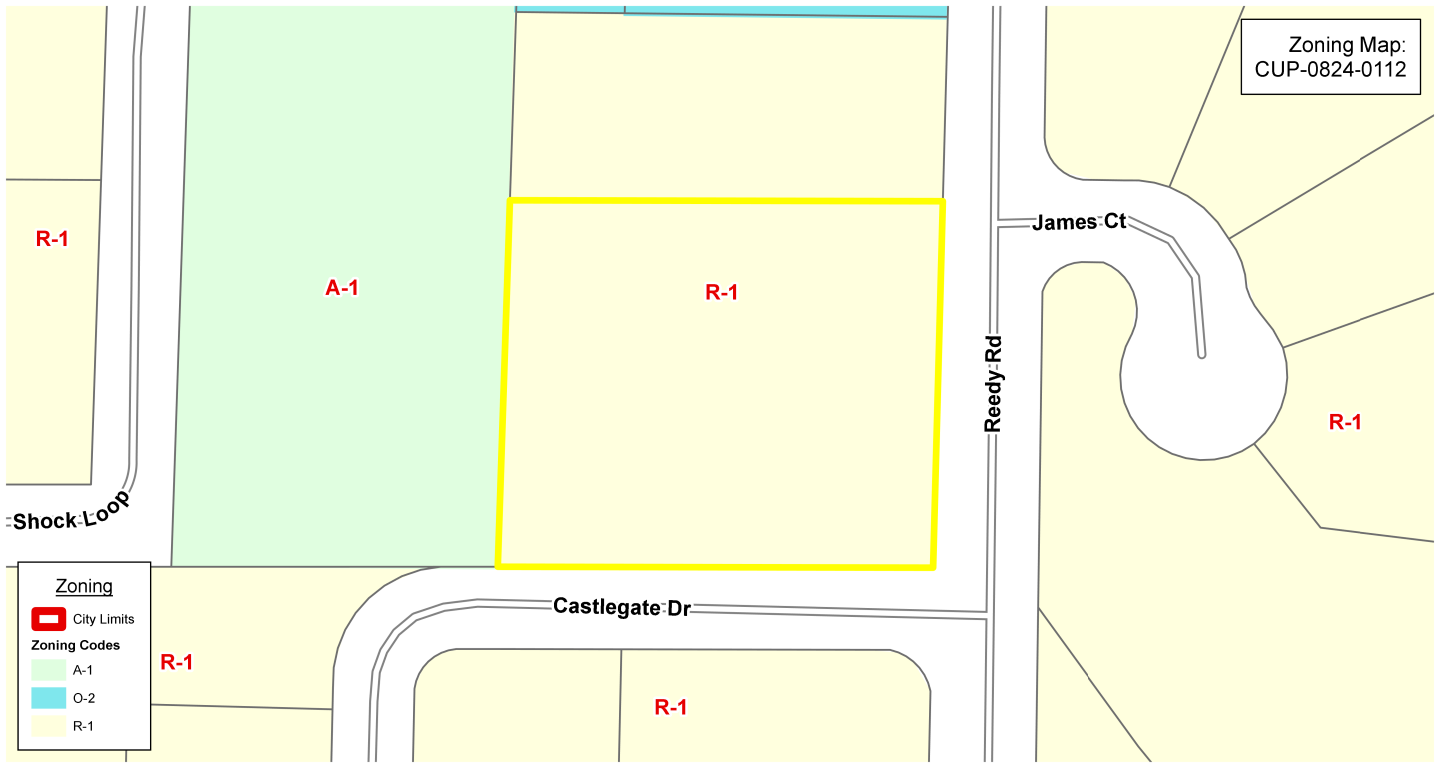


1
8
2
4



1920





R-1

A-1





R-1

R-1

R-1

R-1

Zoning

-  City Limits
- Zoning Codes**
-  A-1
-  O-2
-  R-1

Shock Loop

Castle Gate Dr

Reedy Rd

James Ct



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

December 6, 2024

Dr. James Thomas
Maly Farms, Inc.

Project No. SDR-0122-0186
Maly District – Marriott

CITY OF CONWAY
Planning and Development

EXCEPTION REPORT TO CITY COUNCIL PURSUANT TO PUD GOVERNING DOCUMENT

- 1) Applicant requested an **EXCEPTION** from ITEM 8 OF THE PUD FINAL DEVELOPMENT PLAN

Project Name: Marriott Hotel

The Director has **APPROVED** the following exceptions to the Governing Document:

- 1. **Requirement: 25% of all facades shall be masonry**
- 2. **Cement Board (Hardie) shall not be considered masonry.**

Exception: Granted to allow all facades to be constructed of primarily Exterior Insulation Finish System (EIFS) in keeping with design standards of Marriott. Additionally, cement fiber siding shall be classified as masonry as is outlined in the Zoning Code. The EIFS exception applies only to the Marriott development and Cement Fiber Board as masonry definition applies to any development in the PUD.

Refer to attachments provided.

Thank you,

Anne Tucker,
Director of Planning and Development



CITY OF CONWAY | 1111 Main Street
Planning and Development | Conway, AR 72032
T 501.450.6105
F 501.450.6144
www.conwayarkansas.gov

September 28, 2021

**MALY DISTRICT PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN
SE CORNER OF THE INTERSECTION OF EAST DAVE WARD DRIVE AND THOMAS G WILSON DRIVE
1301 E DAVE WARD DRIVE
CONWAY, AR 72032**

The Conway City Council approved the Maly District Planned Unit Development on September 28, 2021 (#O-21-00)

Applicant:

Holloway Engineering, Surveying, & Civil Design, PLLC
200 Casey Drive
Maumelle, AR 72113

Legal Description:

Lands lying in the Northwest and Southwest Quarter of the Southeast Quarter of Section 17, Township 5 North, Range 13 West, Faulkner County, Arkansas more particularly described as Follows:
beginning at a found 1 inch pipe at the Southeast corner of the said Southwest Quarter of the Southeast Quarter along the South line of the said Southwest Quarter of the southeast Quarter; thence N86°59'39"W, 1384.84 feet to a 1 inch pipe at the Southwest corner of the said Southwest Quarter of the Southeast Quarter which is also a point on the East right-of-way line of Thomas G. Wilson drive; thence leaving said South line along said East right-of-way line and the West line of the Southwest Quarter of the Southeast Quarter N01°37'44"E, 1324.17 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter; thence continuing along said East right-of-way line and the West line of the Northwest Quarter of the Southeast Quarter N01°19'40"E, 211.87 feet to a point on the South right-of-way line of Arkansas Highway 285 (East Dave Ward Drive); thence leaving said East right-of-way line and East line along the said South right-of-way line N77°43'55"E, 125.34; thence N79°09'51"E, 200.06 feet; thence N75°09'20"E, 200.20 feet; thence N76°18'00"E, 200.06 feet; thence N72°52'25"E, 200.72 feet; thence N76°11'26"E, 250.01 feet; thence N82°52'29"E, 100.40 feet; thence N74°05'46"E, 158.45 feet to a point on the East line of the said Northwest Quarter of the Southeast Quarter; thence leaving said South right-of-way line S01°36'28"W, 596.60 feet to a found 1 inch pipe at the Southeast corner of the said Northwest Quarter of the Southeast Quarter; thence along the East line of the said Southwest Quarter of the Southeast Quarter S01°38'10"W, 1,341.27 feet to the point of beginning containing 55.161 acres more or less;

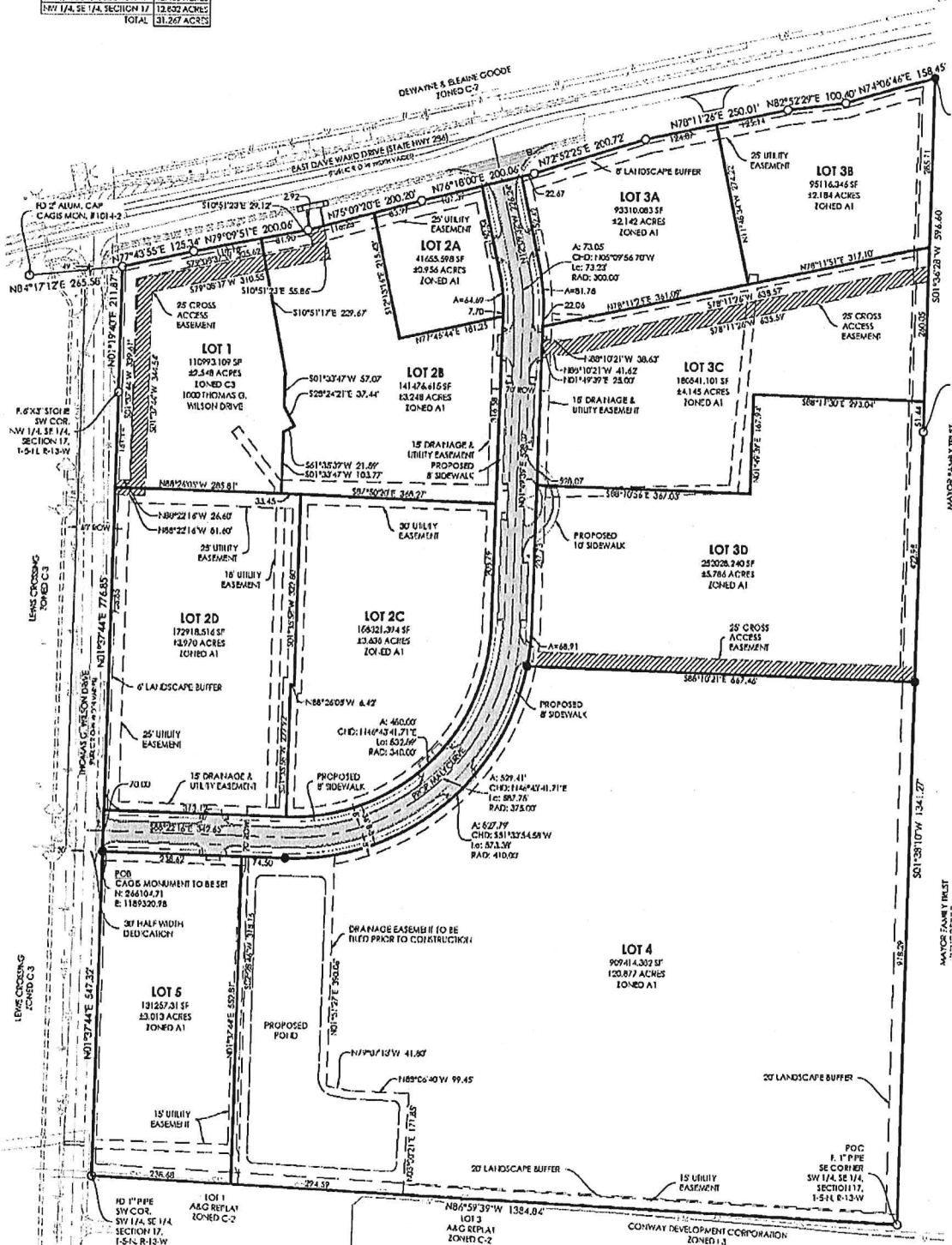
Maly District PUD Final Development Plan Conditions:

1. The development shall be constructed in a manner consistent with the proposed sketch plan with regard to the general location of buildings.
2. The height of structures on Lots 2A-D and 3A-D, and any subsequent future subdivision of those lots, shall have a maximum building height of 45 feet; Lots 1, 4, and 5 shall not be developed with structures that exceed the ability of the fire department's apparatus to effectively provide fire

protection.

3. Except where explicitly permitted as a condition of approval, the zoning, landscaping, and signage requirements of the C-3 district shall apply to lots 1, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 5, and any subsequent subdivision of these lots.
4. Except where explicitly permitted as a condition of approval, the zoning, landscaping, and signage requirements of the MF-3 district shall apply to Lot 4 and any subsequent subdivision of this lot.
5. The development shall be recognized as a regional scale development and permitted up to 2 ground-mounted multi-tenant signs in addition to other permitted signage. Such signs shall not exceed 40' in height or 550 sf in total area for each sign, shall have a design consistent to the theme of the development, and shall require approval of the Planning Director.
6. With exception of design standards for building facades, the development shall meet all applicable standards for Article 1101.
7. Design standards for building facades for Lot 1 shall be governed by the development review plans approved on March 31st, 2021.
8. Design standards for building facades for Lots 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 5, and any subsequent subdivision of these lots will be as described below: Architecture shall be modern with sharp, clean lines; Predominant exterior finishes shall be Exterior Insulation Finish System (EIFS); Color schemes shall be mainly white mixed with smaller percentages of grays; Architectural metal cladding and brick and/or EIFS brick to be used as accents; No structure may have less than 25% of its exterior covered in masonry – EIFS or cement fiber siding in any form shall not be considered masonry; Other products may be approved by the Planning Director when complementing the overall development theme; Painted CMU or Economy or industrial style metal wall panels similar to standard R-Panel shall be prohibited.
9. Design standards for building facades for Lot 4 and any subsequent subdivision of this lot will be as described below: Architecture shall be modern with sharp, clean lines; Color schemes shall be mainly white mixed with smaller percentages of grays; Architectural metal cladding to be used as accents; Other products may be approved by the Planning Director when complementing the overall development theme; All facades shall fully comply with the standards of Article 1101.
10. Articles 4 and 7 of the Declaration of the Covenants, Conditions, and Restrictions for Maly District shall become a part of the requirements of this PUD and may not be modified without approval of the Planning Director.
11. All proposed site improvements shall be subject to Development Review as handled within Article 1101 of the Zoning Code.
12. Uses shall be restricted to the uses indicated on the submitted plan except that for lots 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 5, and any subsequent subdivision of these lots; any use permitted in C-3 shall be permitted by right with exception of any use involving the outdoor display of goods, aircraft sales or service, auto glass or muffler shop, tire shop, auto auction, boat sales or storage, lumber yard, bus garage, bus sales or service, mini-storage, cesspool cleaning, cold storage plant, construction equipment sales, contractor yard, manufacturing, diaper service, exterminator, glass sales or service, industrial hardware sales, machinery sales or service, manufactured home sales, automotive or motorcycle sales or service, oil field equipment sales or service, packing or crating, pawn shop, plumbing or air conditioning sales or service, secondhand auto parts dealer, taxi garage, taxidermist, tire recapping, tool and equipment rental with outside storage, truck terminal, vehicle sales, large animal veterinary clinic, or warehousing.
13. Uses on each lot and any subsequent future subdivision of those lots except Lot 1 shall be restricted to those uses permitted by right in A-1 until a building permit is obtained for construction of a structure on the lot consistent with the provisions of this PUD.
14. Lots 2B, 2C & 3C and any subsequent future subdivision of those lots shall additionally allow mixed use commercial and residential use with upper story residential at a maximum density of 18 units per acre.

ACREAGE PER 40	
SW 1/4, SE 1/4, SECTION 17	18.445 ACRES
NW 1/4, SE 1/4, SECTION 17	12.632 ACRES
TOTAL	31.077 ACRES

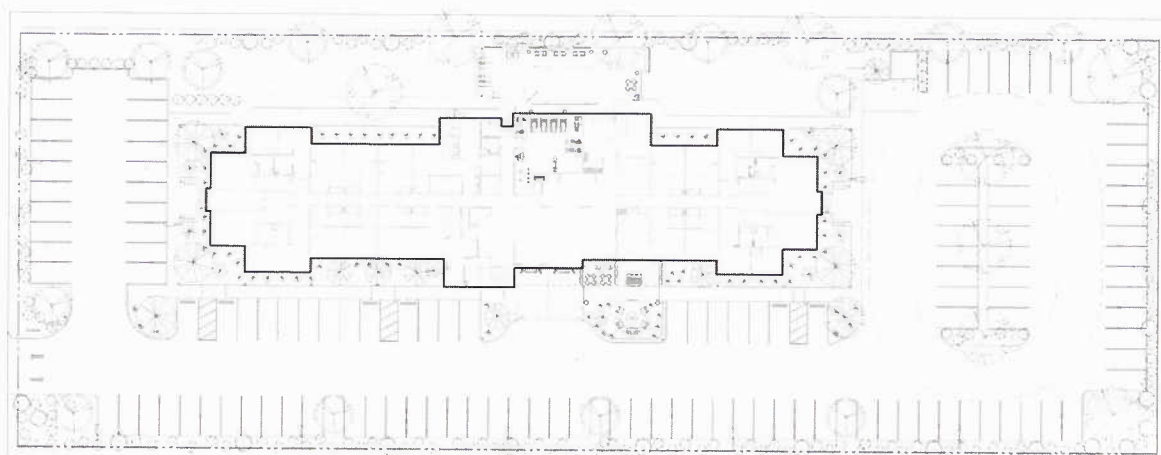


James Walden, AICP
 Director of Planning & Development

Maly District PUD Final Development Plan



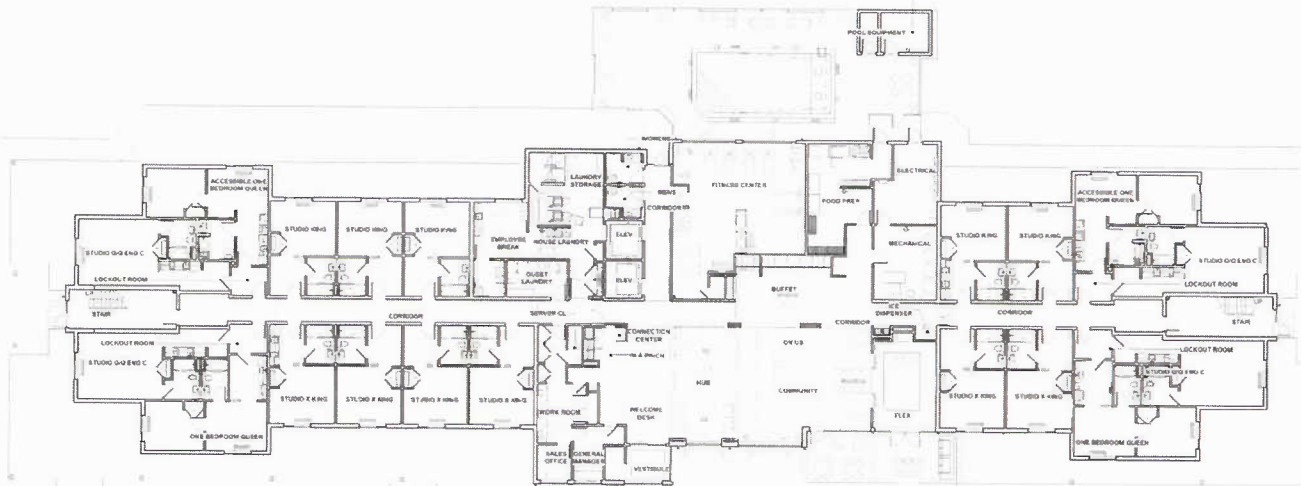
FRONT ELEVATION



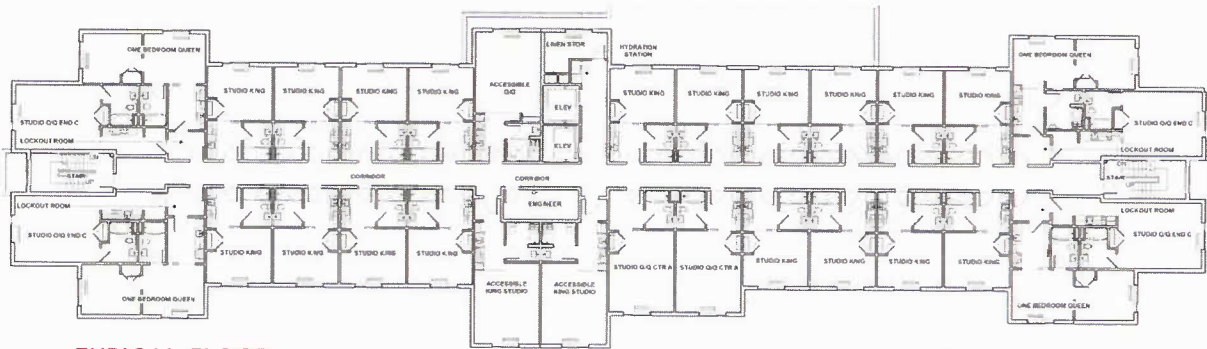
SITE PLAN

AREA SUMMARY

Building Length	Building Depth	Land	Parking
271 feet	77 feet	2.08 acres	122 spaces

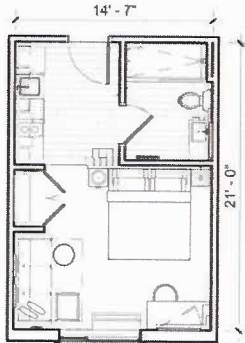


GROUND FLOOR

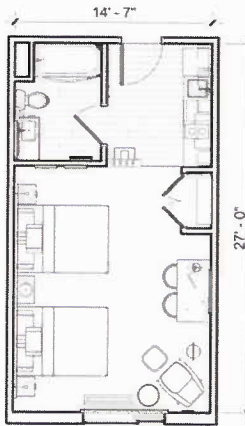


TYPICAL FLOOR

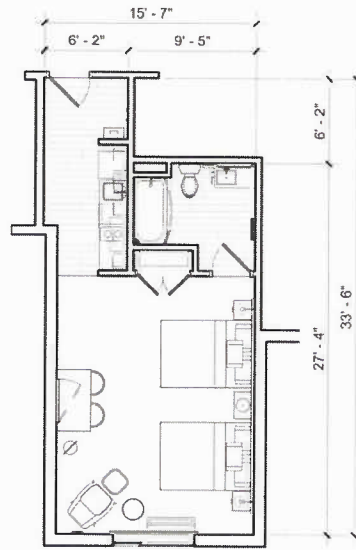




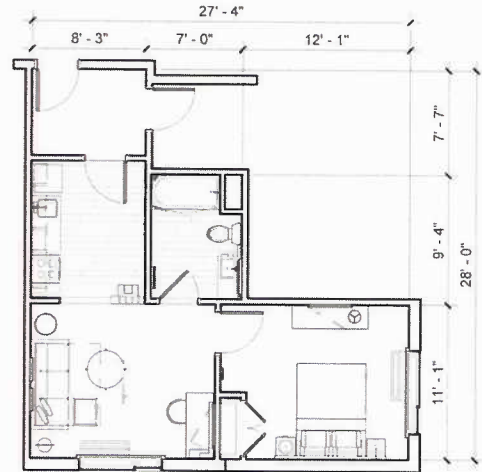
STUDIO KING



**STUDIO QUEEN/QUEEN
CENTER A**



**STUDIO QUEEN/QUEEN
END C**



ONE BEDROOM QUEEN

TYPICAL UNIT MIX

Studio King	60-65%
Queen/Queen	20-25%
One Bedroom Queen	10-15%

Data is based on a, 112-room proto-model.



Area Program

GUEST SPACES	QUANTITY	PERCENTAGE	UNIT AREA	TOTAL (SF)
Lobby Areas				
Vestibule				
Carts				
Community & "On Us"				
Welcome Desk				
Hub				
Public Restrooms				
Total Lobby Areas				1,507
Food & Beverage Front-of-House				
Buffet				225
High Chairs				7
Total Food & Beverage Front-of-House				232
Recreation Facilities				
Fitness Center				821
Fitness Storage				17
Swimming Pool (Outdoor - Not Included)				
Total Recreation Facilities				838
Retail				
Connection Center				31
In A Pinch Storage				47
Total Retail				78
Meeting Spaces				
Flex				278
Guestrooms				
Studio King	59		305	17,995
Studio King X	6	60-65%	318	1,908
*Accessible King Studio	6		424	2,544
Studio Queen/Queen A	6		389	2,334
Studio Queen/Queen C	16	20-25%	430	6,880
*Accessible Queen/Queen	3		423	1,269
One Bedroom Queen	14		442	6,186
*Accessible One Bedroom	2	10-15%	442	884
Total Guestrooms	112			40,002
Guestroom Corridors & Support				
Guestroom Vestibule				
Corridors/Elevator Lobby				
Stairs				
Guest Laundry				
Ice Machine (Ground Floor)				
Hydration Station				
Total Guestroom Corridors & Support				7,944
TOTAL GUEST SPACES				50,879

BACK-OF-HOUSE	TOTAL NET (SF)
Administration	
General Manager Office	
Sales Office	
Work Room	
Closet	
Lending Closet	
Employee Areas	
Break Room	
Employee Restroom	
Engineering & Maintenance	
Engineer Maintenance Office	
General Storage	
Food & Beverage Back-of-House	
Food Preparation	
Busing Station	
Laundry	
Laundry Room	
Housekeeping	
Linen and Linen Chute Rooms	
Storage	
Elevators	
Elevators	
Elevator Equipment Room	
Property Technology	
Server Closet	
Mechanical, Plumbing & Electrical	
Mechanical	
Electrical	
Back-of-House Circulation	
TOTAL BACK-OF-HOUSE SPACES	3,170

SUMMARY	QUANTITY	TOTAL (SF)
Total Number of Guestroom Room Floors	4	
Total Number of Floors	4	
Guest Spaces		50,877
Back-of-House		3,170
Total Net Building Area		54,049
Walls and Shafts (Estimated)		5,861
Total Gross Building Area		59,910
Total Square Feet per Room		535

The information released by Marriott* International in this communication with respect to the TownePlace Suites by Marriott project is provided to the owner and franchise community merely as a guide and all information and supporting documentation serves solely as guidelines and is not, and should not be considered final. All plans regarding this project are routinely updated and remain subject to revision and clarification. *Comply with all governing regulations for size, percentage and quantity of accessible guestrooms. October 2021



TownePlace Suites by Marriott®

TownePlace Suites® is designed for extended stay travelers who want to feel at home and stay productive. With thoughtful service, comfortable spaces and local know-how, TownePlace makes the new feel familiar. With over 470 locations, hotels offer extraordinary value, including modern spacious suites with full kitchens and enhanced organization and productivity with the home office and elfa® closets from The Container Store®.

KEY FEATURES INCLUDE:

- Exterior featuring the beacon light element providing better visibility of the property
- Expansive public space with soft seating and areas to collaborate and enjoy meals
- Larger layout of the fitness center
- Decor package, Real Living, in suites and public spaces featuring warm tones and feature accents throughout
- Prep kitchen located behind the buffet allowing for easy access for service and replenishment
- Partnership with The Container Store providing Elfa® closets in all suites
- Partnership with Weber® featuring grills in the front BBQ patio along with Weber tools and spices available for guests to use

The brand's efficient cost model works in every market, from urban to tertiary with flexible spaces that can be sized to meet the market needs. By developing with Marriott, owners and franchisees harness the power of our industry leading sales, marketing, and loyalty engines.

MORE POWER TODAY. MORE VALUE TOMORROW. OWN THE FUTURE.
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City of Conway, Arkansas
Ordinance No. O-24-___

AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DISTRICT IN DOWNTOWN CONWAY, ARKANSAS; ESTABLISHING THE GEOGRAPHIC BOUNDARIES OF SAID DISTRICT THROUGH DESCRIPTION AND MAPPING; AND ESTABLISHING RULES AND REGULATIONS OF SAID DISTRICT TO INCLUDE PENALTIES; AND FOR OTHER PURPOSES:

Whereas, the State of Arkansas passed Act 812 of 2019, hereinafter referred to as Act 812, to promote hospitality and tourism, to establish areas of a City or town that highlight restaurants, entertainment, and hospitality options; to establish temporary or permanent designated entertainment districts; and for other purposes; and

Whereas, the State of Arkansas passed into law Act 874 of 2021, hereinafter referred to as "Act 874," which amended the definition concerning the creation of a designated entertainment district to read "contains any number and any combination of restaurants, taprooms, taverns, entertainment establishments, hospitality establishments, music venues, theaters, bars, private clubs, art galleries, art studios, tourist destinations, distilleries, dance clubs, cinemas, or concert halls; and

Whereas, the City of Conway has previously established the City of Conway Advertising & Promotion Commission and currently collects a gross receipts tax on hotel and motel accommodations: and

Whereas, there currently exists within the proposed entertainment district, multiple local businesses with active on premise alcoholic consumption permits to sell alcoholic beverages; and

Whereas, "Act 812" together with "Act 874" allows the Council to establish an entertainment district within the corporate limits of the City of Conway, Arkansas; and

Whereas, the City Council has determined that the creation of an entertainment district in Downtown Conway will help ensure long-term economic and social sustainability by promoting an atmosphere that highlights restaurant, entertainment, and hospitality options; and

Whereas, the City Council finds that it is in the best interests of the City of Conway and its residents to create an entertainment district, subject to the regulations set forth in this ordinance.

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

Section 1. *Title_* The Ordinance shall be known and titled as the "Downtown Conway Entertainment District Ordinance".

Section 2. Definitions. For the purpose of interpreting this Ordinance, certain words or terms are herein defined.

- 1) *Alcoholic beverages* mean beer, controlled beverages, hard cider, wine, light wine, malt liquor, native beverage or spirituous or vinous beverages as defined by the Alcoholic Beverage Control Division Rules.
- 2) *Alcoholic Beverage Control Division* means a government section within the Arkansas Department of Finance and Administration with the powers and duties of regulation, supervision, and control of the manufacture, distribution, and sale of all alcoholic beverages and the issuance of permits, and the regulation thereof, in pursuit of those duties and powers, within the State of Arkansas.
- 3) *Authorized agent* means a person who is employed by the City of Conway which the Mayor of the City of Conway appoints the authority to issue Temporary Entertainment District Permits.
- 4) *Area Boundary* or *Permanent Boundary* means border of the approved overall entertainment district which limits the area of public consumption of alcoholic beverages throughout the district.
- 5) *Area Boundary Markers* mean any City of Conway Downtown Entertainment District permanent paint, sign, wayfinding symbol, or other visual device indicating the physical area boundary.
- 6) *City* means within this ordinance the City of Conway, Arkansas and may also be referred to as City, City of Conway, or City of Conway, AR.
- 7) *Closed establishment* means any establishment within the Conway Downtown Entertainment District which prohibits entry with alcoholic beverages, and shall include, but is not limited to City Hall, the Police Department, the United States Postal Service, District Court, and any government offices.
- 8) *Conditions of Approval* means any requirements placed on a temporary permit by an authorized agent of the City of Conway intended to protect the safety and welfare of the citizens, property, or other reason which a permit holder shall adhere to in order for said temporary Permit to be issued and remain valid.
- 9) *Customer* means patron, guest or member of a permittee authorized by the Alcoholic Beverage Control Division by Permit to serve for retail sale to the public alcoholic beverages for on premise consumption.
- 10) *District* or *Entertainment District* shall mean the Downtown Conway Entertainment District as identified in Exhibit A and Exhibit B.
- 11) *District Container & Wrist Band* shall mean the standard, City-issued clear disposable cup from the City that is used for off premises consumption of an alcoholic beverage within the boundaries of the entertainment district, and the official Downtown Conway Entertainment District wristband.
- 12) *Entertainment district* means a physical area within the City of Conway, Arkansas, designated by ordinance to allow for permitting of temporary consumption of alcoholic

beverages within the designated district parameters subject to City regulations as allowed by Act 812 of 2019, Act 874 of 2021, A.C.A 553-2-206(f), 5-71-212(e) and 14-54-1412.

- 13) *Motor vehicle* means a self-propelled device or automobile in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
- 14) *Permanent Boundary* (see *Area Boundary*).
- 15) *Permit Holder*. Any person, business, establishment, vendor, or other entity issued and responsible for a Temporary Entertainment District Permit.
- 16) *Permittee or permitted premises* means a business establishment which holds or has been issued a permit from the Alcoholic Beverage Control Division that allows the establishment to sell alcoholic beverages to the public and holds a City of Conway Supplemental Beverage Permit.
- 17) *Person* means an individual, firm, partnership, domestic or foreign corporation, company, association or joint stock association, trust, limited liability company or other legal entity, and includes a trustee, receiver, assignee, or similar representative thereof, but does not include a governmental body.
- 18) *Public consumption* means carrying open containers or consuming alcoholic beverages in areas other than within the inside of a structure permitted by the Alcoholic Beverage Control Division to legally sell alcohol to customers.
- 19) *Sub-Area Boundary* means an area within the approved entertainment district which may limit the area of public consumption of alcoholic beverages throughout the district on a case-by-case basis to a more controlled area within the overall district.
- 20) *Sub-Area Boundary Markers* mean any City of Conway Downtown Entertainment District temporary flag, sign, or other visual device indicating a sub-area boundary.
- 21) *Temporary Entertainment District Permit* means a type of Special Event Permit issued by an agent authorized by the Mayor of the City of Conway which allows a sub-area of the entertainment district with boundaries that shall be identified in the Permit's condition of approvals to allow the consumption of alcoholic beverages within the designated district parameters subject to City regulations as allowed by Act 812 of 2019, Act 874 of 2021, A.C.A 553-2-206(f), 5-71-212(e) and 14-54-1412 and shall include times in which such activities are permitted and an expiration date and time.

Section 3. *Establishment of Permits.* The consumption of alcoholic beverages or possession of open containers of alcoholic beverages in public outdoor areas or sub-areas within the entertainment district shall only be allowed through a Temporary Entertainment District Permit:

Temporary Entertainment District Permit.

- A. *Establishment.* A Temporary Entertainment District Permit may be issued by an authorized agent of the City of Conway to allow the outdoor consumption of alcohol on public streets, sidewalks, rights-of-way, parking lots, parks, or outdoor public areas in certain areas and only during the times specified in the Permit.

- B. *Conditions of Approval of a Temporary Entertainment District Permit.* Conditions of approval may be placed on the permittee, the event, and any owner who wishes to allow customers to participate in the event as part of the authorization.
- C. *Required Conditions of Approval.* The Permit shall identify the boundaries of the event. If the event does not include the full district, the boundary shall be called a **sub-area boundary**. The sub-area boundary, parts of the sub-area boundary, or parts of the permanent boundary may be **closed to vehicular traffic upon review and approval, and such closures shall be identified as a condition of approval with adequate information for sub-area boundary markers to be placed.** The hours of operation as defined herein shall be listed as a condition of approval.
- D. *Application Process.* A restaurant, business, or similar establishment located within the district boundaries may apply for a **Temporary Entertainment District Permit** no less than 30 days prior to the event using the application provided by the City. The application shall be submitted to the authorized agent for review. The authorized agent shall distribute to the Mayor's office, Transportation Department, Fire Department, and the Police Department for review. All reviews should be completed within three business days to allow the applicant to modify the request if required.

Authorized representatives from each department may provide comments and reasonable conditions of approval requests to the authorized agent. Based on the size of the event, reasonable conditions may include, but are not limited to, event security approved by the Conway Police Department, additional signage, temporary lighting, physical security barriers, and more. All determinations will be made by the Mayor and/or Conway Police Department.

- E. *Hours of Operation.* Hours and days of operation for any permit issued shall be determined by the authorized agent on a case-by-case basis. The Mayor may at his/her discretion, place additional time limits and constraints on any permit issued.
- F. *Fees.* A Temporary Entertainment District Permit processing fee of \$100 shall be required and payable upon application. With the issuance of a permit, the permittee shall receive 100 District Containers and wristbands. Additional district containers and wristbands shall be available for an additional processing fee of \$100 per 100 district containers and wristbands.
- G. *Revocation or Alteration of a Permit.* The Mayor, the Chief of Police, the Fire Marshall, or their designee shall be authorized to suspend, close, alter conditions and/or boundaries, and take other actions at any time during the active period of a permit if said action is deemed to be in the interest of health and human safety. The Mayor must approve the revocation of any permit.

Section 4. District Regulations:

- A. *ABC.* Alcoholic beverages authorized for public consumption within the Downtown Conway Entertainment District shall be limited to sales from establishments or vendors which are legally permitted by the Alcoholic Beverage Control Division and hold a City of Conway Supplemental Beverage Permit. All vendors must be update on all permits held with the City of Conway.
- B. *Legal Age Verification.* District containers and wristbands shall only be sold by permittees to customers of legal age to consume alcoholic beverages and older, regardless of the

content of the container. It shall be a violation of this ordinance for anyone under the age of 21 to have in their possession a district container or wrist band regardless of the content of the container. The sale of a district container and wristband shall require a state issued photo identification for all customers. It shall be a violation of this ordinance for anyone without an authorized wrist band to be in possession of a district container.

- C. *Permit Required.* No customer shall be permitted to have an open alcoholic beverage for public consumption unless an active Temporary Entertainment District Permit is issued, and activities shall be limited by the terms of the Permit.
- D. *Area Boundary Markers.* The Permanent Boundaries, or Sub-area Boundaries, of the District shall be marked as defined herein.
- E. *Sub-area Boundary Markers.* The Sub-area Boundaries identified in temporary permits shall be marked as defined. Sub-area boundary markers shall be used to identify the geographic limits of the temporary sub-area as defined in a Temporary Entertainment District Permit condition of approval. Any person or persons causing the disturbance, removal, damage, tampering, covering, altering, moving, or any other action which causes a sub-area boundary marker to be ineffective in identifying the approved sub-area boundary shall be in violation of this ordinance.
- F. *Restrict Permanent Boundaries.* No customer shall be permitted to remove an open alcoholic beverage nor a district container from the Entertainment District.
- G. *Restrict Sub-Area Boundaries.* No customer shall be permitted to remove an open alcoholic beverage nor a district container from an area defined as a sub-area boundary within a Temporary Entertainment District Permit.
- H. *Permitting District Access.* Any permit holder within the district may allow a customer wearing a district wristband to exit the premises during the hours defined in the Permit with no more than one (1) District Container.
- I. *District Containers.* District Containers and wristbands that will be used within the Conway Downtown Entertainment District for the commercial sale of drinks within the district shall only be available for purchase from permit holders and participating businesses which are legally permitted to sell alcohol for immediate consumption by the Alcoholic Beverage Control Division and the City of Conway. Sale of alcohol in district containers outside of times and locations approved within the Permit shall be considered a violation of this code.
- J. *District Container Identification.* District containers shall not be altered, concealed, or covered in any way which blocks the view of either the logo or contents within the container.
- K. *Counterfeit District Containers and wristbands.* Copying, replicating, falsifying, or forging a district container or wristband shall be considered a violation of this code.
- L. *Prohibit Unauthorized Containers.* Permit holders shall not allow alcoholic beverages to be removed from the premises in unapproved containers, including, but not limited to, cans, glasses, cups, or bottles. All permit holders shall serve alcoholic beverages for off-premises consumption in official district containers provided by the City. District containers shall be clear plastic cups, easily identifiable with a Conway Downtown

Entertainment District logo, may not exceed 16 fluid ounces in volume, and shall be the only container approved for district use.

- M. *Damaging Ingredients.* District containers shall not be used for any drink which contains fire or any other materials which may damage the physical integrity of the district container.
- N. *Non-District Drinks.* No alcoholic beverages purchased outside the district shall be allowed in district containers. Customers shall not place any drink within a district container. Only permit holders shall be authorized to fill district containers.
- O. *Drink Maximum.* No person shall be in possession of more than one (1) alcoholic beverage at any time while in the entertainment district unless within the interior of a permitted premises.
- P. *Refills.* Refilling district containers shall only be permitted by establishments or vendors which are legally permitted by the Alcoholic Beverage Control Division and the City and are within the boundary identified by the Permit. Leaving a sub-area boundary to refill at an establishment outside of an area identified within the active Permit shall be a violation of this ordinance.
- Q. *Proper Disposal.* All unfinished quantities of alcoholic beverages must be properly disposed of prior to the customer leaving the district or a defined sub-area.
- R. *Trash & Recycling.* Proper waste receptacles shall be placed at the permanent boundaries or sub-area boundaries prior to the event's time and date to open and shall remain in place until the event has concluded.
- S. *Motor Vehicles.* Nothing in this ordinance shall be construed to allow any person to possess open containers of alcoholic beverages or to consume alcoholic beverages in a motor vehicle, nor operate a motor vehicle while intoxicated. It shall be unlawful for any person to operate a motor vehicle while intoxicated or to consume alcoholic beverages or possess an open container of any alcoholic beverages while in the confines of a motor vehicle.
- T. *Restricted Traffic Areas.* Public consumption in public streets, roads, or alleyways shall be prohibited unless said street, road, or alleyway is 1) identified within the boundary of the Permit and 2) closed for the purpose of the event as identified within the Permit.
- U. *Banned Customers.* Customers banned for previous repeat violations shall not purchase district containers and wristbands. Permit holders shall not authorize the sale of a wrist band to banned customers. All temporary permit holders shall be provided a list of customers banned from purchase of district containers and wristbands.
- V. *Limitations of Permits.* A Temporary Entertainment District Permit shall not have the authority to authorize any activities outside of the defined boundaries herein. It shall be a violation of this ordinance for any customer to take a district container outside of the boundaries identified within the permit holder's Permit. Any conflict in an issued permit which shall violate any requirements from the Alcoholic Beverage Control Division requirements shall be considered void.
- W. *Participating Businesses.* Participation within the district is optional. Participating Businesses within the boundaries of the entertainment district, including those that do

not serve alcoholic beverages, shall clearly indicate the participation in the entertainment district with an official "Downtown Conway Entertainment District Participant" sticker. No person in possession of an alcoholic beverage shall enter an establishment that does not indicate its participation in the entertainment district. By failing to display window signage indicating participation, a business within the boundaries of the entertainment district is acknowledging to all persons within the entertainment district that it does not allow entertainment district beverages within its premises.

- X. *Non-Participating Businesses.* Any owner of a property, either public or private, shall have the authority to restrict consumption of alcohol anywhere on property in which that entity legally owns or leases. This shall not include public properties defined within the Permit and otherwise not prohibited.
- Y. *State Permit Requirements.* If a permit holder's or permittee's state permit is revoked or suspended by the Alcoholic Beverage Control (ABC) Division, all remaining unused cups shall be returned to the City of Conway for proper disposal and shall not be used. Venues or businesses shall not be eligible for a refund once cups are purchased.
- Z. *District Logo.* The official logo for the district (Exhibit C) shall be visible on district containers and district wrist bands. The official logo may be altered or redesigned by the Mayor or their representative as needed to reduce costs or other reasons as needed. It shall be a violation of this ordinance to carry cups or wear wrist bands within the district that utilize the district logo or an image in its likeness other than those authorized.

Section 5. Adoption of Permanent Boundary. The permanent boundaries of the district shall be as shown in map Exhibit A as attached herein.

Section 6. ABC Controls. Nothing in this ordinance shall diminish the requirements of the Alcohol Beverage Control Division concerning permits issued within the designated entertainment district.

Section 7. Conflicting Ordinance. All ordinances in conflict herewith are repealed to the extent of the conflict.

Section 8. Enforcement. The City of Conway Police Department shall have authority to enforce all district regulations and any applicable law or ordinance within the Downtown Conway Entertainment District. The Mayor may authorize additional enforcement as needed for events on a case-by-case basis.

Section 9. Penalties.

- A. Violation of Section 4 of this Ordinance shall be an unclassified misdemeanor pursuant to the authority under A.C.A. § 14-55-501.
- B. Any person violating this ordinance shall, upon an adjudication of guilt or a plea of no contest, be fined according to the minimum schedule of fines. Each separate violation committed shall constitute a separate offense.

Section 10. Minimum Schedule of Fines.

Description	Fine	Other Penalties
Violation of any provision of this code by the <i>permit holder</i> or a <i>participating business</i> as defined herein	\$1,000 per violation (not to exceed \$5,000)	<ul style="list-style-type: none"> • First Offense: Unable to apply for a temporary permit nor purchase of district containers for twelve (12) months beyond the date of violation. Upon six (6) or more violations during first offense other penalties below may apply. • Second Offense or more than five (5) violations: Unable to apply for a temporary permit for five (5) years beyond the date of violation. • Any further penalties the business may be banned plus any additional penalties as so ordered by a court of competent jurisdiction.
Violation of any provision of this code by a <i>customer</i> as defined herein	\$100 per violation (not to exceed \$500)	<ul style="list-style-type: none"> • First Offense: No further action unless six (6) or more violations during the first offense. • Second Offense or more than five (5) violations: Banned from purchasing District Containers from permit holders for a period of five (5) years. • Any further penalties as so ordered by a court of competent jurisdiction.

Section 11. Compliance with ABC & DF&A. This ordinance does not diminish the requirements or authority of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district, including special event permits.

Section 12. Notice to ABC & DF&A. Pursuant to A.C.A. §14-54-1412(b)(4), the City Clerk-Treasurer shall, within ten (10) days from the passage of this ordinance provide notice of the creation of this Entertainment District to the Alcoholic Beverage Control Division of the Department of Finance and Administration.

PASSED this 10th day of December, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett

Exhibit A. Map of the Downtown Conway Entertainment District



<p>Date: 11/26/2024</p>  <p>1 inch = 300 feet</p> 	<p>City of Conway, Arkansas</p> <p>Proposed District For Temporary Entertainment Zones</p> 	<p><u>Legend</u></p> <ul style="list-style-type: none"> ● Park ● Event Space ● Restaurant Serving Alcohol District Area
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Exhibit B: Legal Description of the Downtown Conway Entertainment District

Legal Description will be added after approval

Exhibit C: Official District Logos for District Containers and Wrist Bands
(Subject to change in color, style, etc at discretion of the Mayor or their representative)

District Containers and Wristbands will be added after approval



City of Conway, Arkansas
Ordinance No. O-24-_____

AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR CHUY'S OF CONWAY, INC. AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED

Whereas, Chuy's of Conway Inc. has applied for a private club permit as required under Chapter 4.12.04 of the Conway City Code per Ordinance No. O-17-100 and A.C.A §3-9-222; and

Whereas, the application is limited and specific to Chuy's of Conway, Inc. located at 500 S. Amity, Conway AR 72032; and

Whereas, the applicant has provided all the information required in the permit application process and met all the standards set forth by the Conway City Council; and

Whereas, the City Council for the City of Conway hereby approves the application for a permit for the proposed location to operate a private club within the City limits of Conway; and

Whereas, this approval does not authorize the operation of a private club within the City of Conway but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A §3-9-222.

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

Section 1. That the application for private club permit location is hereby approved for Chuy's of Conway, Inc. located at 500 S. Amity Road, Conway AR 72032.

Section 2. That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

Section 3. That the approval and permit are subject to suspension or revocation by the City in the event the applicant violates Conway City Code or State law.

Passed this 10th of December, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-24-_____**

**AN ORDINANCE CREATING AND AUTHORIZING NEW POSITIONS AT THE CONWAY COMMUNITY CENTER;
AND FOR OTHER PURPOSES**

Whereas, the City of Conway Community Center is planned to open in 2025; and

Whereas, Council previously approved the Community Center Director in the Parks Department through O-22-98 and request this position be transferred into the new Community Center Department. The City request Council authorize the remaining 16 positions for this new department; and

Whereas, the salaries of these positions will be included in the City of Conway 2025 budget; and

Whereas, the newly created positions shall be effective January 1st, 2025.

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

Section 1. The City of Conway will create the Conway Community Center Department and the authorized staffing level will by seventeen (17) full-time positions:

<u>Job Title</u>	<u>Hourly Rate</u>	<u>Job Title</u>	<u>Hourly Rate</u>
		Facility Supervisor	\$ 20.7981
Aquatics Manager	\$ 33.6538	Desk Attendant	\$ 17.1590
Operations Manager	\$ 31.2500	Desk Attendant	\$ 17.1590
Marketing Coordinator	\$ 26.4423	Facility Monitor	\$ 16.2225
Maintenance Manager	\$ 24.0385	Facility Monitor	\$ 16.2225
Aquatics Coordinator	\$ 24.0385	Facility Monitor	\$ 16.2225
Administrative Assistant II	\$ 21.6227	Facility Monitor	\$ 16.2225
Administrative Assistant II	\$ 21.6227	Head Life Guard	\$ 16.2225
Facility Supervisor	\$ 20.7981		

Section 2. The Community Center Director position shall transfer from the Parks and Recreations Department to the Community Center Department.

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

PASSED this 10th day of December,2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
ORDINANCE NO. O-24-_____

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF CONWAY, ARKANSAS, FOR THE FISCAL YEAR JANUARY 1, 2025 THROUGH DECEMBER 31, 2025, AND PROVIDING THAT THE AMOUNTS STATED IN THE BUDGET DOCUMENT AS ADOPTED EXPENDITURES SHALL BECOME APPROPRIATED FOR THE VARIOUS FUNCTIONS AND ACTIVITIES SPECIFIED IN SAID BUDGET DOCUMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, the Mayor of the City of Conway has submitted to the City Council a budget for the fiscal year 2025;

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

SECTION 1. A Budget for the fiscal year 2025 for the City of Conway, Arkansas; providing a total appropriation for the following funds:

	<u>Revenue</u>	<u>Expenditures</u>
General	\$51,140,963	\$51,140,963
Street	8,229,631	8,229,631
Sanitation	11,450,000	11,450,000
Airport	2,041,265	2,041,265
Parks and Rec Ad Val	24,000	-0-
Animal Welfare Ad Val	14,000	-0-
Spay & Neuter Program	30,000	30,000
Court Automation	110,000	35,000
Franchise Fee Econ Dev	598,000	598,000
Parks and Rec A&P	5,485,200	5,401,625
Pay as You Go Sales Tax	5,600,000	5,600,000
Street Impact	520,000	-0-
Parks Impact	215,000	-0-
Non-Uniform Pension	<u>3,552,500</u>	<u>2,905,000</u>
Total Budget	\$89,010,559	\$87,431,484

SECTION 2. From the effective date of the budget, to wit: January 1, 2025, the several amounts as stated therein as adopted expenditures shall be and are hereby appropriated for the several purposes, functions and activities within the various departments, offices and agencies specified therein.

SECTION 3. The Mayor is directed to cause the proper accounting entries to be made in the books and records of the City so as to reflect the appropriations for the aforesaid fiscal year,

and he is further directed to file a certified copy of the adopted budget for the fiscal year with the City Clerk of the City of Conway, Arkansas.

SECTION 4. For those funds in which budgeted expenditures exceed revenues, City Council authorizes that Fund Balance (unrestricted reserves) will be utilized to pay for actual expenditures during the year that are in excess of actual revenues.

SECTION 5. All ordinances in conflict herewith are repealed to the extent of that conflict.

SECTION 6. This ordinance is necessary for the protection of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 10th day of December, 2024.

APPROVED:

Mayor Bart Castleberry

ATTEST:

Michael O. Garrett
City Clerk