



City of Conway, Arkansas
CITY COUNCIL
Agenda • January 9, 2024
www.conwayarkansas.gov

Elected Officials

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

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Woodrow Cummins
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Cindy Webb
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

5:30pm:

No Committee Meeting

6:00pm:

City Council Meeting • Conway Expo & Event Center • 2505 E. Oak Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

December 12th, 2023

A. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)

1. Resolution approving the grant submission for the City of Conway on behalf of Conway Corporation to apply for a Grid Resilience and Innovation Partnership Program (GRIP) grant.

B. 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 January 9th, 2024, City Council agenda.
2. Resolution approving the organizational rules and procedures for the City in FY2024.
3. Consideration to approve nominations for the Central Business Improvement District Commission.
4. Resolution authorizing the City to enter into an agreement and proceed with City Hall mitigation and repairs.
5. Resolution to approve the annual transportation services contract for 2024.
6. Ordinance appropriating funds for a mural project for the Public Art Advisory Committee.
7. Resolutions requesting the Faulkner County Tax Collector to place a lien on various properties for expenses incurred by the City.
8. Resolution authorizing the acquisition of property for the Lower Ridge Road Realignment Project for the Department of Transportation.
9. Consideration to approve a conditional use permit to allow eat-in and drive-through services in the O-2 zoning district for property located at 2885 Prince Street.
10. Ordinance to rezone property located at 1811 & 1813 Harkrider Street and 1152 Hunter Street, from R-2A and O-2 to PUD.

Adjournment



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

A RESOLUTION EXPRESSING THE SUPPORT OF THE CITY OF CONWAY FOR CONWAY CORPORATION'S APPLICATION FOR A GRID RESILIENCE AND INNOVATION PARTNERSHIP (GRIP) GRANT

Whereas, the U.S. Department of Energy Grid Deployment office recently introduced a funding opportunity for financial assistance for local governments to collaborate with electric sector owners and operations to deploy projects that use innovative approaches to transmission, storage, and distribution infrastructure to enhance grid resilience and reliability; and

Whereas, Conway Corporation operates the electric, water, wastewater and broadband utilities owned by the City of Conway; and

Whereas, the program will assist Conway Corporation in the construction of the first phase of a 69 kV loop, including 2 substations and 5 miles of 69 kV transmission lines on the east side of Conway, Arkansas; and

Whereas, a concept paper is due January 12, DOE Responses to concept papers are due February 2024 and the full application is due April 17, 2024; and

Whereas, as a small utility Conway Corporation will be applying for the grant that requires a one-third cost match; and

Whereas, Conway Corporation will provide the \$12,570,750 cost match for the \$50,000,000 grant.

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

Section 1. City of Conway is in full support of Conway Corporation's application for the Grid Resilience and Innovation Partnership Program Grant.

Section 2. If awarded, Conway Corporation will be the recipient of this award and responsible for ensuring the use of the award is eligible.

Section 3. Conway Mayor Bart Castleberry is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the above stated project, if awarded.

THIS RESOLUTION adopted this 9th day of January, 2024.

Approved:

Mayor Bart Castleberry

Attest:

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

City of Conway, Arkansas
Office of the Mayor

Memo:

To: Mayor Bart Castleberry
CC: City Council Members
From: Felicia Rogers
Date: January 4th, 2024
Re: January 9th, 2024

The following ordinances are included on the January 9th, 2024, agenda for consideration of waiving the three readings of each ordinance:

1. B-6 - Ordinance appropriating funds for a downtown mural for the Public Art Advisory Committee.
2. B-10 - Ordinance to rezone property located at 1811 & 1813 Harkrider Street and 1152 Hunter Street, from R-2A and O-2 to PUD.



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

**A RESOLUTION ADOPTING THE ORGANIZATIONAL RULES AND PROCEDURES FOR THE CONWAY,
ARKANSAS CITY COUNCIL FOR THE CALENDAR YEAR 2024**

Whereas, by state law city councils are charged with organizing their proceedings and setting their rules; and

Whereas, City councils are tasked to set their organizational rules and procedures at the first business meeting every year; and

Whereas, the City is required by law to have a majority of the elected members of the City Council vote on a particular issue in order to adopt or approve a measure presented for consideration; and

Whereas, if a state of emergency due to a public health concern is granted, the City of Conway maintains the the ability to provide electronic means which would permit a City Council Member to view a particular meeting as it is being held and also enable that Member to actively participate in the meeting despite the fact that they are not physically present in City Council Chambers, or such other location where a City Council meeting is being held; and

Whereas, the City would have the ability to broadcast/livestream City Council meetings so that the meetings may be viewed electronically without physical presence at the meeting and have a method for the public to present comments on the agenda items without physically attending the meeting during this period.

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

Section 1. The Conway City Council shall formally adopt the rules and procedures of its long standing traditions and its general adherence to Robert’s Rules of Order as written in the Rules & Procedures for Conway City Council, January 9th 2024.

Section 2. Special rules set forth in said Rules & Procedures for Conway City Council and regarding the conduct of City Council meetings during a pandemic emergency shall be included.

Approved:

Mayor Bart Castleberry

Attest:

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

RULES & PROCEDURES

City of Conway, Arkansas

Conway City Council

January 9th, 2024

Elected Officials

Mayor Bart Castleberry

City Clerk Michael O. Garrett

City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Woodrow
Cummins

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Mark Ledbetter

Ward 3 Position 2 – Cindy Webb

Ward 4 Position 1 – Theodore Jones Jr.

Ward 4 Position 2 – Shelia Isby

THE CONWAY CITY COUNCIL RULES AND PROCEDURES:

City Council Jurisdiction:

The City Council shall possess all legislative powers granted by state law to cities of the first class and other corporate powers of the city not prohibited in state law or by some ordinance of the city council made in pursuance of the provisions therein and conferred on some officer of the city. [A.C.A. 14-43-502(a)]

The City Council shall have the management and control of finances, and of all real and personal property belonging to the corporation. [A.C.A. 14-43-502(b)(1)]

City Council Meetings:

City Council meetings are always open to the public. [A.C.A. 14-43-502 (b)(2)(A)]

The City Council shall conduct regular business meetings at 6:00pm in the City of Conway Council Chambers building located at 1111 Main Street on the second and fourth Tuesdays of each month. If City Council meets in committee, it will start at @ 5:30pm. The City Council by majority vote may reschedule or cancel such meeting as it deems necessary on a meeting by meeting basis. [A.C.A. 14-43-502 (b)(2)(A)]

Special or emergency meetings of the City Council may be called by the Mayor or any three (3) alderman by signed submittal of time and place of the scheduled meeting and its agenda to the Mayor or Office of the Mayor, City Clerk or Office of the City Clerk, or the City Attorney, or the Office of the City Attorney in a timely manner to fully comply with the two hour notification requirement [A.C.A. 25-19-106(6)(2)] for all media and for the same notification of all elected city officials. The notification shall be deemed given when those to be notified have been contacted or when an attempt to contact them has been made by the proper time, by every means of instant communications they have submitted for notification purposes.

Agenda for City Council Meetings:

Agenda items shall consist of all items of city business needing city council approval, judgment or review arising out of the city budget; city departments; City Council committees; city committees, boards, and commissions; and all city systems and processes submitted for the purpose of city council action according to the procedures herein described.

Agenda items may also be submitted by the Mayor or any Alderman following the procedures herein described for consideration at any city council meeting. Planning Commission items are automatically forwarded to the Office of the Mayor for inclusion on the agenda.

The Office of the Mayor prepares the agenda. All Agenda items for consideration at regular City Council meetings must be submitted to the Office of the Mayor by 12:00pm no later than seven days prior to the City Council meeting. Items may be submitted later with the Mayor's approval; however, the published agenda shall not include items submitted after 12:00pm the Friday before the Tuesday City Council meeting. All items should be submitted electronically (if applicable) with all necessary documentation, including ordinances and/or resolutions.

The City Council may, by a non-debatable two-thirds majority vote, add an item of business to any regular, special, or emergency City Council meeting.

Preparation of the Agenda packet for each regular City Council meeting should be completed and the agenda published before the close of business on Friday before the Tuesday City Council meeting. An electronic copy shall be sent to each Aldermen and made available on the city's website. This schedule may change for rescheduled meetings and does not apply to special meetings.

Conduct of the City Council Meeting:

The Mayor shall be the ex officio President of the City Council and shall preside at its meetings, regular and special. [A.C.A. 14-43-501 (b) (1) (A)]

A quorum is defined as a majority of all Aldermen on the City Council.

The City Council may as necessary compel the attendance of absent members in such a manner and under such penalties as they think fit to prescribe [A.C.A. 14-43-501 (a)(2)(C)(ii)]

The Mayor shall have a vote to establish a quorum at any regular meeting of the City council and when his or her vote is needed to pass any ordinance, by-law, resolution order, or motion. [A.C.A. 14-43-501 (b) (1) (B)]

In the absence of the Mayor, Alderman Andy Hawkins is elected president pro tempore to preside in his absence. If Alderman Hawkins is unavailable to preside in the Mayor's absence, the aldermen present at the meeting shall elect a temporary president pro tempore to preside for that one meeting. [A.C.A. 14-403-501 (b) (2)]

Business shall be conducted by Roberts Rules of Order. However, it is to be understood that parliamentary procedure is not the goal. The goal is respectful conduct of business in equitable order. It is also understood that formal parliamentary procedure is not well known. Therefore, an informal form of procedure can be used, provided that equity and order is maintained. If a question of order arises or if so, requested by an alderman, the Mayor may implement the formal parliamentary procedure.

A positive motion is encouraged to start consideration of each business item.

Ordinances by state law are required to be read at three separate council meetings before being considered for action unless the various readings are waived by Council. The Council can choose to waive any or all readings of an ordinance when it comes up on the agenda by a non-debatable two third majority voice vote. [A.C.A. 14-55-202]

Ordinances shall require a roll call vote. Emergency clauses associated with ordinances shall require an undebatable separate roll call vote and with a two-third majority approval. The City Clerk shall maintain a random roll call list of aldermen for each separate business item requiring a roll call vote (Ord. No. O-02-200).

Resolutions and all other motions of the Council may be approved by voice vote. A show of hands will be required on all non-unanimous votes to properly record the votes in the record.

Discussion and Citizen Commentary:

Debate on Agenda items appearing before the City Council is reserved for the City Council. Citizen commentary at council meetings is allowed in specific situations and under conditions allowed by the City Council herein described.

While the City Council generally wishes for public input and public participation and publishes their individual contact information through the City, this willingness does not constitute an unrestricted right to speak at meetings of the Council.

Petitioners and City Officials: Petitioners and city officials appearing before the City Council regarding items of business arising from the agenda or placed on the agenda are recognized by the Council as having a right to speak to their petition or report subject to restriction thereof.

City Council members and the Mayor may ask questions from time to time from petitioners, city officials, or the public. Those questioned will be allowed to answer subject to restrictions imposed.

General Citizenry: The City Council restricts citizen input at any regular or special meeting to germane commentary regarding items of business before the Council arising from the meeting agenda or from the Council's placement of an item on the agenda. Citizen commentary may only occur at such time as the item of business is before the Council and under consideration for action. It is the City Council's intention to allow public input in an informal format with due regard to the equity of allowing the various sides of issues to speak and, within reason, with due regard to the number of people wishing to address the Council.

The Mayor as ex-officio president of the Council may allow citizen input on a per business item basis provided that individual speakers are recognized in turn, identify themselves for the record and address the Council from a podium and/or position established for such. Unrecognized comments from the audience are prohibited. The City Council may at any time restrict such citizen input in any fashion including, but not limited to, the length of individual comments, the total number of speakers, and/or the total time allotted for public input.

At all times, an open conversation with or within the audience is strongly discouraged. The redundancy of commentary is strongly discouraged. More than one speaker at a time is prohibited.

Non Agenda Commentary: The City Council may suspend the rules of order and allow citizen input/commentary on matters not included on the agenda of the City Council meeting. Suspending the rules of order requires a non-debatable two-third majority vote.

Special Procedures During Pandemic Emergency:

If a public health emergency is declared by the State of Arkansas or Federal Government, below are the procedures that the City of Conway City Council will maintain:

- (a) During the Pandemic Emergency, City Council Members are authorized to attend, speak and vote using Zoom or other virtual electronic means of communication during City Council Meetings and Committee Meetings.
- (b) That a Council Member may appear by electronic means for the purpose of providing the requisite membership attendance for matters coming before the Council; provided that the Mayor, the City Clerk, and the City Attorney, or their designees, are physically present and located at the place where the Council Meeting is being held and conducted, and who confirm such electronic appearance by such Council Member upon roll call. Council Members appearing at meetings pursuant to this subsection shall be entitled to participate by electronic means in matters coming before the Council, including discussion, debate, and voting, as if they were physically present at such meeting.

- (c) Due to public health concerns regarding the COVID-19 virus, the public is encouraged to watch the video broadcast or live-streaming Internet broadcast of the City Council meetings rather than physically attending.
- (d) Members of the public may attend as set forth herein or as permitted by a plan approved by the Arkansas Department of Health for indoor gatherings.
- (e) Any member of the public may comment on any item of business on the published agenda of the meeting by delivering a written comment (no longer than 200 words) to the City Clerk/Treasurer no later than 4:30pm the day of the City Council meeting. These comments can be dropped off at 1111 Main Street, Suite 102 at the black mailbox located directly in front of City Hall. Electronic delivery to councilagenda@conwayarkanas.gov is encouraged. Written comments so delivered will be read at the meeting.

DRAFT

December 19, 2023

The Honorable Bart Castleberry
Mayor's Office
1201 Oak Street
Conway, AR 72032

Dear Mayor Castleberry:

Ordinance 0-13-116 as amended by 0-15-32 created the Central Business Improvement District #1 of Conway and the City Council confirmed the original members. Two members are serving partial terms.

The CBID Board of Commissioners voted on this day to recommend the appointment of Chris Crain and Joanna Nabholz to a full term of six years. Both persons have indicated a willingness to serve.

Please let me know if you need any other information.

Sincerely,



George Covington
CBID Commission-Chair



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

A RESOLUTION WAIVING BID REQUIREMENTS AND ALLOWING THE CITY OF CONWAY TO ENTER INTO AN AGREEMENT FOR THE CITY HALL BUILDING MITIGATION AND REPAIR.

Whereas, Conway City Hall Building recently suffered property damage from a broken water pipe and would like to repair the facility, and

Whereas, Cleanway Restoration was called out for emergency services when damage was found and is currently due \$45,000 for mitigation services and the City requests Council approve these services; and

Whereas The City of Conway received proposals for the remainder of mitigation and repair from Cleanway Restoration for \$314,574 and from Nabholz in the amount of \$372,043, and request Council use the lowest proposal and waive the bid process for emergency repairs.

Whereas The City of Conway estimates owner supplied furniture and fixture replacement to be \$100,000 and therefore the total current cost estimate is \$459,574. All costs are pending final mitigation and payout from Arkansas Municipal League. The deductible is \$10,000.

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

Section I: The City of Conway waive bid requirements and enter into an agreement with Cleanway Restoration for emergency mitigation and repair to Conway City Hall.

Section II: That this Resolution shall be in full force and effect from and after its passage and approval.

THIS Resolution passed this 9th day of January, 2024

Approved:

Mayor Bart Castleberry

Attest:

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



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

A RESOLUTION APPROVING THE FY2024 TRANSPORTATION SERVICE CONTRACTS FOR INDEPENDENT LIVING SERVICES, BOYS & GIRLS CLUB OF FAULKNER COUNTY, & FAULKNER COUNTY COUNCIL OF AGING TO PROVIDE TRANSPORTATION SERVICES WITHIN THE CITY OF CONWAY; AND FOR OTHER PURPOSES

Whereas, there is a need to support with funding different agencies that provide specific transportation throughout the City of Conway; and

Whereas, Independent Living Services, Boys & Girls Club of Faulkner County, & Faulkner County Council on Aging all provide a valuable service for the City that is beneficial for a wide variety of citizens throughout Conway.

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

Section 1. The City Council for the City of Conway shall hereby authorize the Mayor to enter into transportation services with the following agencies

\$30,000	Independent Living Services
\$80,000	Boys & Girls Club of Faulkner County
\$92,000	Faulkner County Council on Aging

Section 2. Transportation funding is approved in the 2024 Transportation Services Account in the FY2024 budget.

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

PASSED this 9th day of January, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDS FOR A DOWNTOWN MURAL ON THE CONWAY FIRE STATION #1 (CENTRAL FIRE STATION) BY THE PUBLIC ART ADVISORY COMMITTEE; AND FOR OTHER PURPOSES:

Whereas, the Public Art Advisory Committee and the City of Conway issued a Call for artists to provide original artwork several locations within the City of Conway; and

Whereas, Council approved proposals from three artists in September, 2023 for these projects.

Whereas, two locations were already selected and funded, with third location now being selected as Conway Fire Station #1, located in Downtown Conway.

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

Section 1. The City of Conway shall appropriate \$20,000 for the Conway Fire Station Mural Project plus mural supplies from the Parks & Recreation Voluntary Property Tax Fund Balance Appropriation Account (221.140.4900) to the Parks & Recreation – CIP Misc. Account (221.140.5990).

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

Passed this 9th day of January, 2024.

Approved:

Mayor Bart Castleberry

Attest:

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



MEMO

TO: Mayor Bart Castleberry
CC: City Council Members
FROM: Lily Couch
DATE: January 9th, 2024
SUBJECT: Certified Liens – Code Enforcement

The following resolutions are included for a request to the Faulkner County Tax collector to place a certified lien against real property as a result of incurred expenses by the City.

The properties & amount (plus a ten percent collection penalty) are as follows:

- | | |
|-----------------------------|----------|
| 1. 108 Fairway Dr | \$63.20 |
| 2. 1040 & 1060 Jeanette Dr. | \$106.26 |
| 3. 3955 College Ave | \$146.89 |

Please advise if you have any questions.

Thank you for your consideration.



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

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY, AND FOR OTHER PURPOSES.

Whereas, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 108 Fairway Dr., within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

Whereas, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount of \$99.52 (\$63.20 + Penalty \$6.32 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

Whereas, a hearing for the purpose of determining such lien has been set for **January 9th, 2024** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

Section 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 9th day of January, 2024.

Approved:

Mayor Bart Castleberry

Attest:

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

City of Conway
Code Enforcement &
Public Works
822 Locust Ave
Conway, Arkansas 72032
www.conwayarkansas.gov



Phone 501-450-6191
Fax 501-450-6144

Warrin D. Granbery
108 Fairway
Conway, AR 72034

Parcel # 710-02057-000

RE: Nuisance Abatement at 108 Fairway, Conway AR
Cost of Clean-Up, Amount Due: \$63.20

To whom it may concern:

Because you failed or refused to remove, abate, or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 9th, 2024 Meeting**, 6:00 p.m. located at 1111 Main Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **822 Locust Ave Conway Arkansas 72032** with the **attention** to **Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway
Code Enforcement

INVOICE

City of Conway
Code Enforcement &
Public Works Dept.

DATE: NOVEMBER 28, 2023

822 Locust Ave.
Conway, AR 72034
Phone: 501-450-6191
Fax 501-450-6144
Lily.couch@conwayarkansas.gov

TO Warrin D. Granberry
108 Fairway
Conway, Ar 72034

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
108 Fairway, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Michael Davis	710-02057-000		January 9th, 2024

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	31.50	31.50
	MAINTENANCE FEE (Mower/bush hog/ weed eat)	25.00	25.00
2	Regular Letter	.55	1.10
1	Certified Letter	5.60	5.60
	(10% penalty + \$30.00 filing fees= \$36.32)		

- **Total amount due after January 9th, 2024 includes collection penalty & filing fees**

TOTAL	\$63.20
TOTAL WITH PENALTY & FILING FEES	\$99.52

Make all checks payable to City of Conway Code Enforcement @ 822 Locust Ave. Conway Arkansas 72032



CODE CASE HISTORY REPORT RESPROP-1023-0825 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
10/31/2023	Michael Davis	Code Case added			Code Case (RESPROP-1023-0825)
10/31/2023	Michael Davis	Due Date	[none]	10/31/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.5.1 Accumulation of Rubbish or Garbage)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.5.4.1 No Trash or Garbage Container)
11/08/2023	Michael Davis	Due Date	[none]	10/31/2023	Code Case Workflow Step (Letter Phase)
	Michael Davis	Code Case Workflow Step Start Date	[none]	11/8/2023	Code Case Workflow Step (Letter Phase)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Letter Phase)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Code Enforcement Final Investigation)
	Michael Davis	Due Date	[none]	10/31/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Code Case Workflow Step Start Date	[none]	11/8/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Violation Compliance Date	11/7/2023	11/14/2023	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Violation Compliance Date	11/7/2023	11/14/2023	Violation (3.5.1 Accumulation of Rubbish or Garbage)
	Michael Davis	Violation Compliance Date	11/7/2023	11/14/2023	Violation (3.5.4.1 No Trash or Garbage Container)
11/27/2023	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (RESPROP-1023-0825)
	Michael Davis	Geo Rules Caller Type	None	Address	Code Case (RESPROP-1023-0825)
11/29/2023	Michael Davis	Date Closed	[none]	11/29/2023	Code Case (RESPROP-1023-0825)
	Michael Davis	Code Case Status	Schedule City Clean up	Closed - Resolved	Code Case (RESPROP-1023-0825)
	Michael Davis	Complete	No	Yes	Code Case (RESPROP-1023-0825)
	Michael Davis	Geo Rules Caller Type	None	Address	Code Case (RESPROP-1023-0825)
11/29/2023	Michael Davis	Geo Rules Caller Type	None	Address	Code Case (RESPROP-1023-0825)
	Michael Davis	Inspection Actual Arrival Date	11/8/2023	[none]	Inspection (ICODE-5080-2023)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-5080-2023)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Code Enforcement Final Investigation)
	Michael Davis	Inspection Actual Arrival Date	11/8/2023	[none]	Inspection (ICODE-5081-2023)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-5081-2023)

CODE CASE HISTORY REPORT RESPROP-1023-0825

Changed On	User	Description	Before	After	Additional Info
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Step Workflow Status	Started	Passed	Code Case Workflow Step (Violations)
	Michael Davis	Violation Resolved Date	[none]	11/29/2023	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.2.4 Grass or Weeds)
	Michael Davis	Violation Resolved Date	[none]	11/29/2023	Violation (3.5.1 Accumulation of Rubbish or Garbage)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.5.1 Accumulation of Rubbish or Garbage)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.5.1 Accumulation of Rubbish or Garbage)
	Michael Davis	Violation Resolved Date	[none]	11/29/2023	Violation (3.5.4.1 No Trash or Garbage Container)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.5.4.1 No Trash or Garbage Container)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.5.4.1 No Trash or Garbage Container)
11/29/2023	Michael Davis	Geo Rules Caller Type	None	Address	Code Case (RESPROP-1023-0825)



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

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY, AND FOR OTHER PURPOSES.

Whereas, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1040 & 1060 Jeanette Dr., within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

Whereas, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$146.89 (\$106.26 + Penalty \$10.63 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

Whereas a hearing for the purpose of determining such lien has been set for **January 9th, 2024** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

Section 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 9th day of January, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Code Enforcement &
Public Works
822 Locust Ave
Conway, Arkansas 72032
www.conwayarkansas.gov



Phone 501-450-6191
Fax 501-450-6144

SEAN EZELL
897 OAK PARK BLVD #67
PISMO BEACH, CA 93449

Parcel # 712-07139-010

RE: Nuisance Abatement at 1040 & 1060 Jeanette Dr., Conway AR
Cost of Clean-Up, Amount Due: \$106.26

To whom it may concern:

Because you failed or refused to remove, abate, or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 9th, 2024 Meeting**, 6:00 p.m. located at 1111 Main Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **822 Locust Ave Conway Arkansas 72032** with the **attention** to **Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway
Code Enforcement

INVOICE

City of Conway
Code Enforcement &
Public Works Dept.

DATE: NOVEMBER 28, 2023

822 Locust Ave.
Conway, AR 72034
Phone: 501-450-6191
Fax 501-450-6144
Lily.couch@conwayarkansas.gov

TO SEAN EZELL
897 OAK PARK BLVD #67
PISMO BEACH, CA 93449

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
1040 & 1060 Jeanette Dr., Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Charles Gann	712-07139-010		January 9th, 2024

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	31.50	31.50
	Maintenance Fee (Mower/bush hog/weed eat)	25.00	25.00
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$40.63)		

- **Total amount due after January 9th, 2024 includes collection penalty & filing fees**

TOTAL	\$106.26
TOTAL WITH PENALTY & FILING FEES	\$146.89

Make all checks payable to City of Conway Code Enforcement @ 822 Locust Ave. Conway Arkansas 72032



CODE CASE HISTORY REPORT COMPROP-1023-0728 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
10/02/2023	Charles Gann	Code Case added			Code Case (COMPROP-1023-0728)
10/02/2023	Charles Gann	Due Date	[none]	10/2/2023	Code Case Workflow Step (Violations)
	Charles Gann	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.5.1 Accumulation of Rubbish or Garbage)
10/16/2023	Charles Gann	Violation Compliance Date	10/9/2023	10/23/2023	Violation (3.5.1 Accumulation of Rubbish or Garbage)
	Charles Gann	Violation Compliance Date	10/9/2023	10/23/2023	Violation (3.2.4 Grass or Weeds)



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

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY, AND FOR OTHER PURPOSES.

Whereas, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 3955 College Ave, within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

Whereas, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$146.89 (\$106.26 + Penalty \$10.63 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

Whereas, a hearing for the purpose of determining such lien has been set for **January 9th, 2024** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

Section 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 9th day of January 2024.

Approved:

Mayor Bart Castleberry

Attest:

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

City of Conway
Code Enforcement &
Public Works
822 Locust Ave
Conway, Arkansas 72032
www.conwayarkansas.gov



Phone 501-450-6191
Fax 501-450-6144

Laura J. Hanlon
21 Belair Dr
Conway, AR 72034

Parcel # 712-12102-002

RE: Nuisance Abatement at 3955 College Ave., Conway AR
Cost of Clean-Up, Amount Due: \$106.26

To whom it may concern:

Because you failed or refused to remove, abate, or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 9th, 2024 Meeting**, 6:00 p.m. located at 1111 Main Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **822 Locust Ave Conway Arkansas 72032** with the **attention** to **Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway
Code Enforcement

INVOICE

City of Conway
Code Enforcement &
Public Works Dept.

DATE: NOVEMBER 27, 2023

822 Locust Ave.
Conway, AR 72034
Phone: 501-450-6191
Fax 501-450-6144
Lily.couch@conwayarkansas.gov

TO Laura J. Hanlon
21 Belair Dr
Conway, AR 72034

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
3955 College Ave, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Michael Davis	712-12102-002		January 9th, 2024

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	31.50	31.50
	Maintenance Fee (Mower/bush hog/weed eat)	25.00	25.00
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$40.63)		

- **Total amount due after January 9th, 2024 includes collection penalty & filing fees**

TOTAL	\$106.26
TOTAL WITH PENALTY & FILING FEES	\$146.89

Make all checks payable to City of Conway Code Enforcement @ 822 Locust Ave. Conway Arkansas 72032



CODE CASE HISTORY REPORT RESPROP-1023-0811 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
10/24/2023	Michael Davis	Code Case added			Code Case (RESPROP-1023-0811)
10/24/2023	Michael Davis Michael Davis	Due Date Code Case Workflow Step Action added	[none]	10/24/2023	Code Case Workflow Step (Violations) Code Case Workflow Step Action (3.2.4 Grass or Weeds)
10/24/2023	Michael Davis Michael Davis Michael Davis Michael Davis	Due Date Step Workflow Status Violation added Action Workflow Status	10/24/2023 Not Started	10/24/2023 Started	Code Case Workflow Step (Violations) Code Case Workflow Step (Violations) Violation (3.2.4 Grass or Weeds) Code Case Workflow Step Action (3.2.4 Grass or Weeds)
10/31/2023	Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis	Due Date Code Case Workflow Step Start Date Step Workflow Status Inspection added Action Workflow Status Due Date Code Case Workflow Step Start Date Step Workflow Status Inspection added Action Workflow Status Violation Compliance Date	[none] [none] Not Started	10/24/2023 10/31/2023 Started Failed	Code Case Workflow Step (Letter Phase) Code Case Workflow Step (Letter Phase) Code Case Workflow Step (Letter Phase) Inspection ([Auto]) Code Case Workflow Step Action (Code Enforcement Final Investigation)
	Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis	Due Date Code Case Workflow Step Start Date Step Workflow Status Inspection added Action Workflow Status Violation Compliance Date	[none] [none] Not Started	10/24/2023 10/31/2023 Started Failed	Code Case Workflow Step (Notice of Violation) Code Case Workflow Step (Notice of Violation) Code Case Workflow Step (Notice of Violation) Inspection ([Auto]) Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
11/08/2023	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (RESPROP-1023-0811)
11/27/2023	Michael Davis Michael Davis Michael Davis Michael Davis	Date Closed Code Case Status Complete Geo Rules Caller Type	[none] Schedule City Clean up No None	11/27/2023 Closed - Resolved Yes Parcel	Code Case (RESPROP-1023-0811) Code Case (RESPROP-1023-0811) Code Case (RESPROP-1023-0811) Code Case (RESPROP-1023-0811)
11/27/2023	Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis Michael Davis	Geo Rules Caller Type Inspection Actual Arrival Date Inspection Status Action Workflow Status Inspection Actual Arrival Date Inspection Status Action Workflow Status Step Workflow Status Violation Resolved Date Violation Status	None 10/31/2023 In Violation Failed	Parcel [none] City Cleanup Performed Started	Code Case (RESPROP-1023-0811) Inspection (ICODE-4974-2023) Inspection (ICODE-4974-2023) Code Case Workflow Step Action (Code Enforcement Final Investigation) Inspection (ICODE-4975-2023) Inspection (ICODE-4975-2023) Code Case Workflow Step Action (Property Maintenance Follow-up Investigation) Code Case Workflow Step (Violations) Violation (3.2.4 Grass or Weeds) Violation (3.2.4 Grass or Weeds)

CODE CASE HISTORY REPORT RESPROP-1023-0811

Changed On	User	Description	Before	After	Additional Info
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.2.4 Grass or Weeds)
11/27/2023	Michael Davis	Date Closed	11/27/2023	11/27/2023	Code Case (RESPROP-1023-0811)
	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (RESPROP-1023-0811)



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

A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE A CONSENT JUDGMENT TO ACQUIRE A PORTION OF PROPERTY LOCATED AT CONWAY TOWNE CENTER, AS BEING NECESSARY FOR THE LOWER RIDGE ROAD REALIGNMENT PROJECT.

Whereas, it has been determined that acquisition of a portion of the property located at Conway Towne Center, Conway, AR 72032, owned by Conway Realty, LLC and Conway Nassim, LLC, is necessary in order for the Conway Department of Transportation to begin and complete the Lower Ridge Road Realignment Project, and that it is in the best interest of the City to purchase that portion of the property needed to complete the project, said project being illustrated in the attached diagram.

Whereas, Resolution R-22-63 authorized the City Attorney’s Office to file condemnation proceedings in reference to the below further described property in order to acquire a portion of Conway Towne Center necessary for the Lower Ridge Realignment Project. A condemnation lawsuit was filed, see case 23CV-22-1722.

Whereas, the consent judgment will resolve the pending condemnation lawsuit and allow the parties to enter an agreement.

Whereas, the property is further described as:

LEGAL DESCRIPTION

TRACT 1: (710-08185-004C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 441.10' TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST LINE OF PARCEL NO. 710-08185- 004C; THENCE CONTINUE S01°41'47"W A DISTANCE OF 16.28' TO A FOUND 1/2" REBAR FOR THE SE CORNER OF SAID PARCEL; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID PARCEL N88°23'01"W A DISTANCE OF 77.84'; THENCE LEAVING SAID SOUTH LINE N79°48'22"E A DISTANCE OF 79.55' TO THE POINT OF BEGINNING, CONTAINING 633.69 SQUARE FEET (0.0145 ACRES), MORE OR LESS.

TRACT 2: (710-08185-004C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4, THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 457.38' TO A FOUND 1/2" REBAR FOR THE SE CORNER OF PARCEL NO. 710-08185-004C; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID PARCEL N88°23'01"W A DISTANCE OF 335.16' TO A FOUND 1/2" REBAR; THENCE CONTINUE ALONG SAID SOUTH LINE S01°34'14"W A DISTANCE OF 12.29' TO THE POINT OF BEGINNING; THENCE

CONTINUE S01°34'14"W A DISTANCE OF 5.76' TO A FOUND RR-SPIKE; THENCE N88°23'01"W A DISTANCE OF 120.12'; THENCE LEAVING SAID SOUTH LINE N02°02'04"E A DISTANCE OF 6.64'; THENCE S87°57'56"E A DISTANCE OF 120.07' TO THE POINT OF BEGINNING, CONTAINING 744.36 SQUARE FEET (0.0171 ACRES), MORE OR LESS.

PARCEL: (710-08185-000C)

A PART OF THE NE1/4 SW1/4, SECTION 31, T-06-N, R-13-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND STONE FOR THE NE CORNER OF SAID NE1/4 SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 S01°41'47"W A DISTANCE OF 457.38' TO A FOUND 1/2" REBAR FOR THE POINT OF BEGINNING, SAID POINT BEING THE NE CORNER OF PARCEL NO. 710-08185-000C; THENCE CONTINUE S01°41'47"W A DISTANCE OF 45.23'; THENCE LEAVING SAID EAST LINE S88°05'47"W A DISTANCE OF 247.63'; THENCE N87°57'56"W A DISTANCE OF 208.34'; THENCE N02°02'04"E A DISTANCE OF 8.16'; THENCE N88°06'43"W A DISTANCE OF 233.42' TO A FOUND PK NAIL BEING ON THE BOUNDARY LINE OF SAID PARCEL; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING CALLS: N88°59'15"W A DISTANCE OF 22.04' TO A FOUND PK NAIL; THENCE N01°33'01"E A DISTANCE OF 98.66'; THENCE N83°52'20"E A DISTANCE OF 29.64'; THENCE S01°33'01"W A DISTANCE OF 45.86'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 39.24', WITH A RADIUS OF 25.00', WITH A CHORD BEARING OF S43°25'00"E, WITH A CHORD LENGTH OF 35.33'; THENCE S88°23'01"E A DISTANCE OF 321.50' TO A FOUND RR-SPIKE; THENCE N01°34'14"E A DISTANCE OF 5.76'; THENCE LEAVING SAID BOUNDARY LINE S87°57'56"E A DISTANCE OF 113.30'; THENCE N86°24'39"E A DISTANCE OF 144.60' TO THE NORTH LINE OF SAID PARCEL; THENCE ALONG SAID NORTH LINE S88°23'01"E A DISTANCE OF 77.84' TO THE POINT OF BEGINNING, CONTAINING 31,290.68 SQUARE FEET (0.7183 ACRES), MORE OR LESS.

Whereas, the property owner has agreed to sell the property/right of way for the sum of \$300,000 which represents a per square foot price of \$9.18.

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

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to approve a consent judgment to acquire a portion of the property at Conway Towne Center, Conway, AR 72032 being necessary for completion of the Lower Ridge Road Realignment Project.

Section 2. That this resolution shall be in full force and effect from and after its passage and approval.

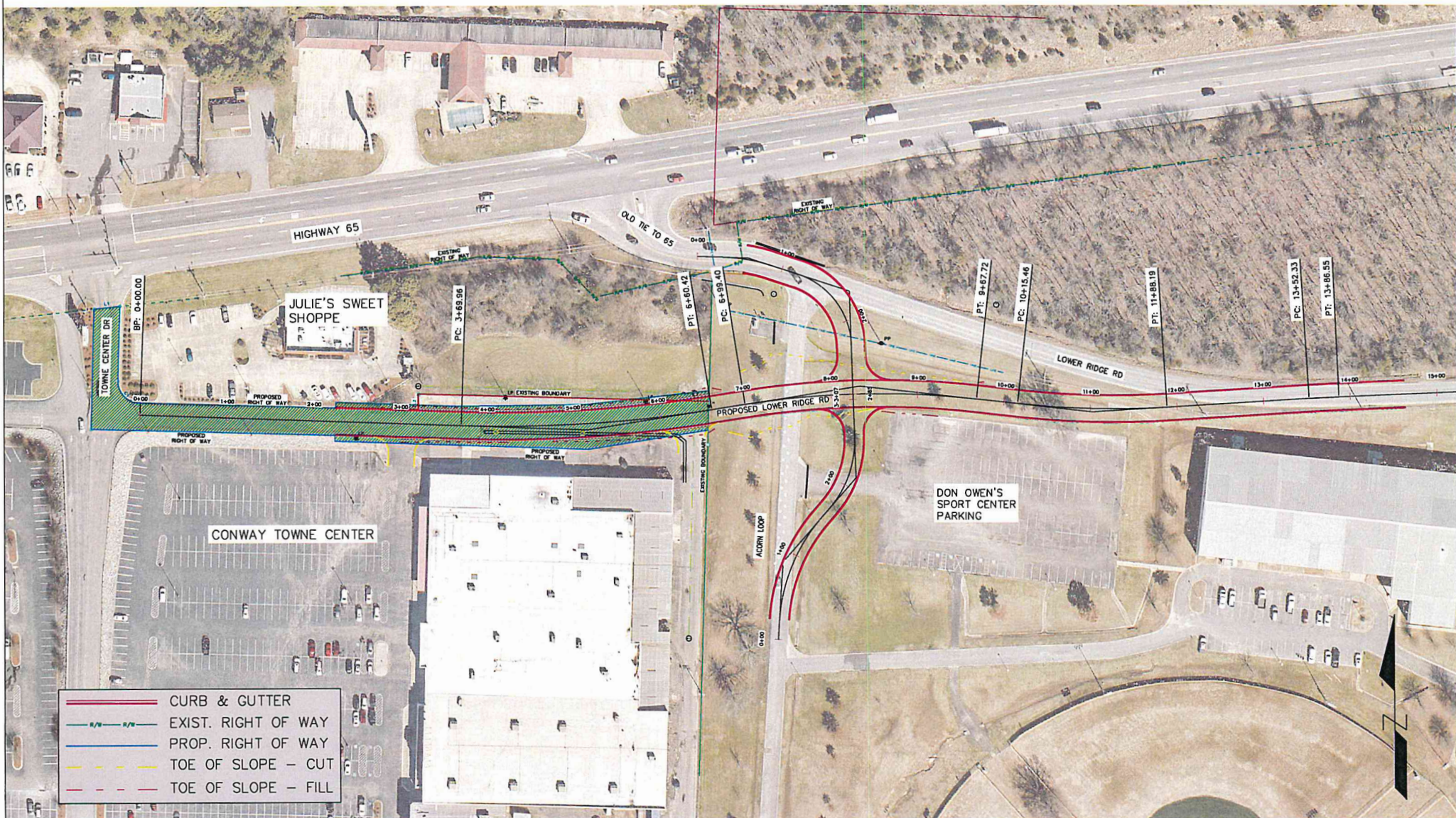
PASSED this 9th day of January, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



LAYOUT OPTION B



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 Chairman
Date: January 9, 2024

Re: Conditional use request to allow an *Eating Place with Drive-Through Service* in the O-2 zoning district for property located at 2885 Prince Street

Streamline Development Partners, has requested to allow an *Eating Place with Drive-Through Service* in the O-2 zoning district for property located at 2885 Prince Street, with the legal description:

PT LOTS 3 & 4 WESTHAVEN SUB L & E 2559 SQ FT TO THE CITY OF CONWAY

The applicant is requesting conditional use approval to allow an eating place with drive-through service. The applicant intends to develop a fast casual restaurant with a pickup window that will be used to distribute food from mobile orders. The Comprehensive Plan designates this area as single-family, however, recent growth has been trending away from single-family use in this area and toward a commercial corridor. The Prince St corridor improvement to a divided boulevard, completed in 2013/2014, favors this transition.

Staff recommendation: Staff recommends approval of the conditional use permit, with the following 12 conditions:

1. Operating hours are limited to 10:00 am – 11:00 pm.
2. Approved uses are limited to eating place with drive-through service.
3. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
4. Redevelopment of the site is subject to site development review [in accordance with Article 10 of the Conway Zoning Code] prior to the issuance of building permits.
5. Landscaping abutting residential areas should consist of trees, bushes, etc of evergreen species to provide additional buffering/screening to the neighboring residence. An installation diagram and list of proposed species shall be submitted for approval by the Planning staff prior to installation. The Planning & Development Director may require additional screening along shared boundaries with adjacent residential areas to reduce the impact of the proposed use.
6. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent property and shall comply with Article 10, Development Review Standards, of the Zoning Code. Extra caution shall be taken for lighting around boundaries adjacent to residential uses.
7. Any new fencing shall comply with Article 10, Development Review Standards, of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
8. The property shall be replatted in accordance with the Subdivision Regulations.
9. No zoning variance, required as a result of the commencement of the conditional use, may be requested/granted.

10. The conditional use permit shall expire if the use ceases for a consecutive period of greater than eighteen (18) months. The Director of Planning & Development shall be authorized herein to grant an extension of no more than 90 days beyond said 18-month period to accommodate the applicant's identified construction and engineering timeline if necessary.
11. Any new signage shall be permitted and installed in accordance with Article 12 of the Conway Zoning Code.
12. With the approval of this conditional use permit request all previously issued conditional use permits shall be revoked for 2885 Prince St and replaced by this new permit.

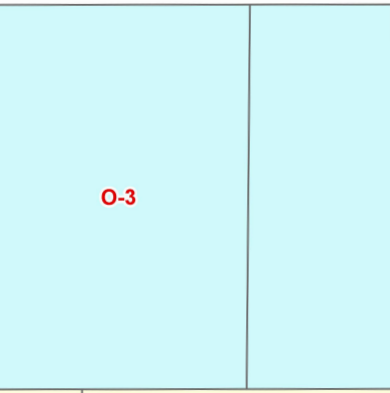
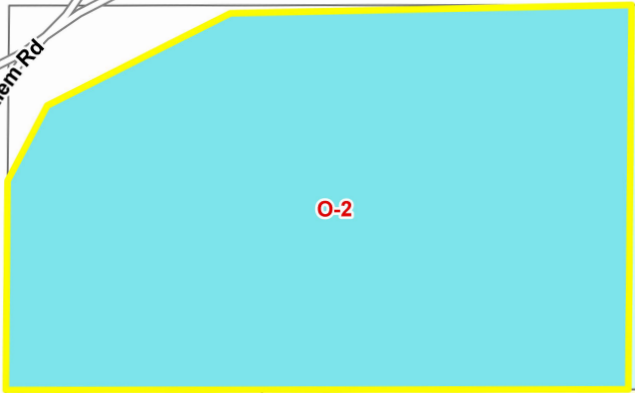
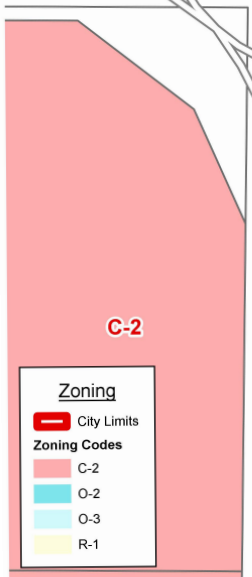
The Planning Commission reviewed the request at its regular meeting on December 18, 2023 and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.


Prince St

Prince St





Salem Rd



Zoning

 City Limits

Zoning Codes

-  C-2
-  O-2
-  O-3
-  R-1

R-1

C-2

O-2

O-3



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 1811 & 1813 HARKRIDER STREET AND 1152 HUNTER STREET, FROM R-2A AND O-2 TO PUD:

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 **December 18th, 2023**, 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-2A & O-2** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

LOTS 1, 2, 3 & 4, BLOCK 7, HENDRIX COLLEGE ADDITION, TO THE CITY OF CONWAY, ARKANSAS

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

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

PASSED this 9th day January, 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 Chairman
Date: January 9, 2024

Re: Request to rezone property located at 1811 & 1813 Harkrider Street and 1152 Hunter Street, from R-2A and O-2 to PUD

The Tyler Group, has requested to rezone property located at 1811 & 1813 Harkrider Street and 1152 Hunter Street, from R-2A and O-2 to PUD, with the legal description:

LOTS 1, 2, 3 & 4, BLOCK 7, HENDRIX COLLEGE ADDITION, TO THE CITY OF CONWAY, ARKANSAS

The applicant is seeking rezoning to construct four, 2-family residential buildings with rear loading 2-car garages. No access will be taken off Harkrider St and all traffic will be routed to minimize congestion. The development will consist of 4 duplexes, totaling 8 dwelling units; with no non-residential component planned. The PUD is requested to achieve appropriate density in the area as Lots 1-4, Block 7 Hendrix College Addition, as platted, have a combined area of ~40,650 sf. For duplex development in R-2A, lots must be at least 10,000 sf in area, have a minimum of 100' of street frontage, and be a minimum of 100' deep. However, due to the property configuration, street frontage requirements cannot be met to create 4 separate, conforming lots. If the rezoning is approved, the site and structure design will be reviewed by the Historic District Commission to ensure compliance with the Old Conway Design Overlay District standards and subsequent Site Development Review process.

Staff recommendation: Staff recommended approval of the rezoning to PUD with the following conditions:

1. The development shall be constructed in a manner consistent with Historic District Commission guidelines for the Old Conway Design Overlay District.
2. The site shall be limited to the following uses: 8 residential dwelling units, not to exceed four 2-family structures.
3. The height of structures shall not exceed 30 feet and 2 stories.
4. Vehicular access shall only be taken from Hunter St and routed towards Gist St as one-way traffic.
5. A minimum of 16 on-site parking spaces are required.
6. The development shall meet all applicable standards for Article 10 of the Zoning Code.
7. Prior to issuance of Development Review approval for the site, the applicant shall replat the property.
8. All other zoning requirements not addressed via this approval shall be governed by the provisions of R-2A zoning.
9. The formation of a Property Owner's Association shall be required as part of the development plan approval.

The Planning Commission reviewed the request at its regular meeting on December 18, 2023, and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



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

January 9, 2024

LASKER PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN
1811 & 1813 HARKRIDER STREET AND 1152 HUNTER STREET
CONWAY, AR 72032

Applicant:

Gregory Lasker
28 Lakeview Drive
Conway, AR 72032

Legal Description:

LOTS 1, 2, 3 & 4, BLOCK 7, HENDRIX COLLEGE ADDITION, TO THE CITY OF CONWAY, ARKANSAS

Lasker PUD Final Development Plan Conditions:

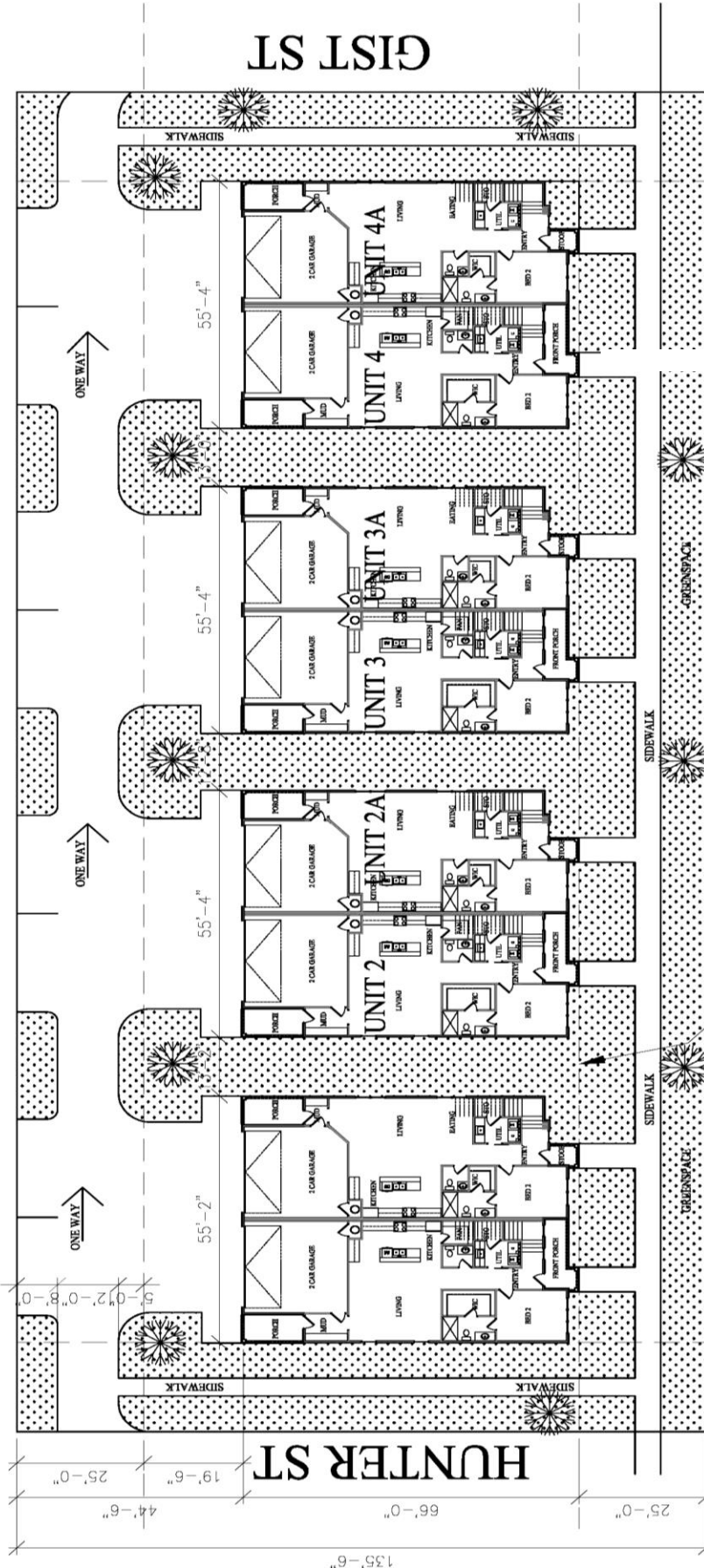
1. The development shall be constructed in a manner consistent with Historic District Commission guidelines for the Old Conway Design Overlay District.
2. The site shall be limited to the following uses: 8 residential dwelling units, not to exceed four 2-family structures.
3. The height of structures shall not exceed 30 feet and 2 stories.
4. Vehicular access shall only be taken from Hunter St and routed towards Gist St as one-way traffic.
5. A minimum of 16 on-site parking spaces are required.
6. The development shall meet all applicable standards for Article 10 of the Zoning Code.
7. Prior to issuance of Development Review approval for the site, the applicant shall replat the property.
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9. The formation of a Property Owner's Association shall be required as part of the development plan approval.

Applicant/Owner

Date

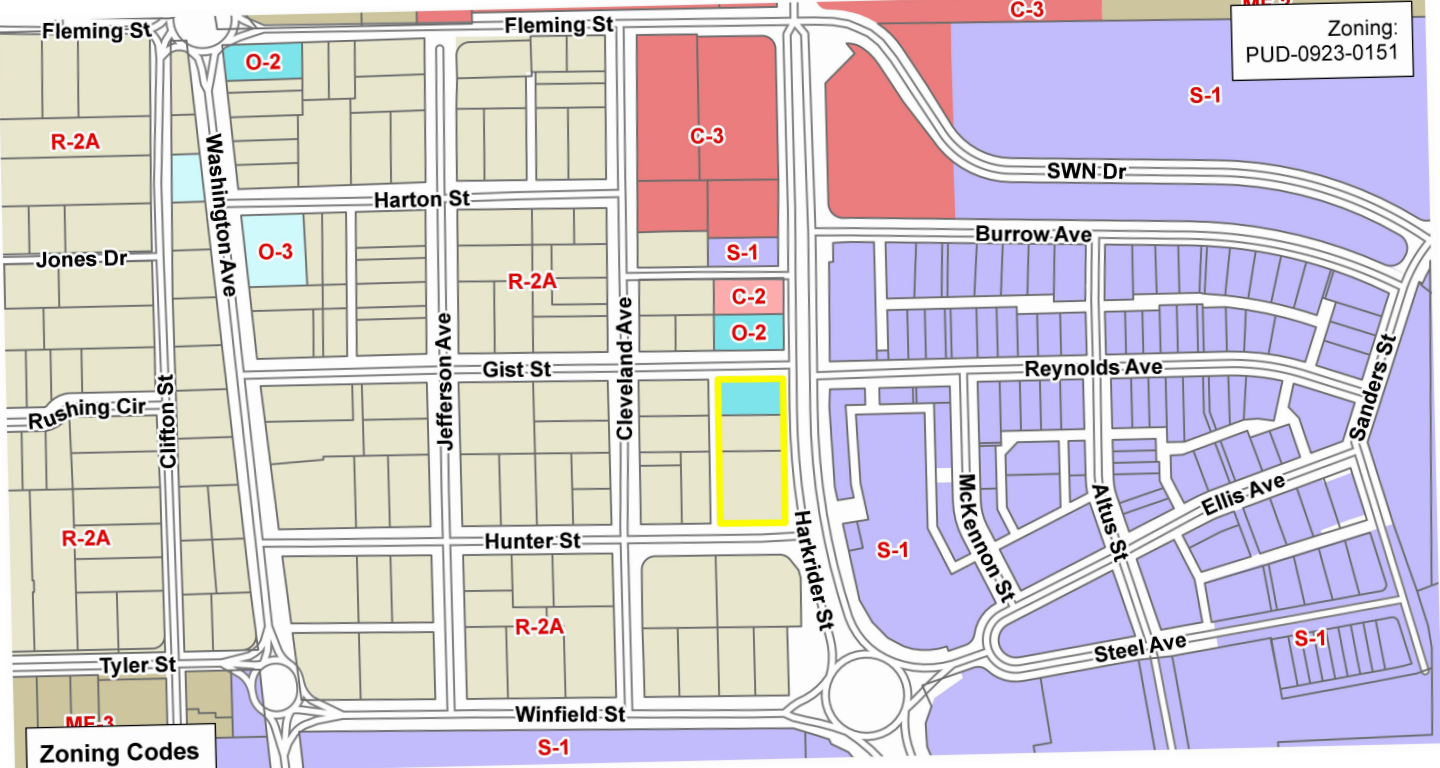
Anne Tucker
Director of Planning & Development


 12/8/2023 OPT B
 M23-078 Hendrix PUD
 SITE PLAN



HARKRIDER

NOTES:
 1. TRAFFIC IS ONE WAY FROM HUNTER TO GIST
 2. TRASH WILL BE ROLLING CAN FOR EACH UNIT



Zoning:
PUD-0923-0151

Zoning Codes