



City of Conway, Arkansas
CITY COUNCIL
Agenda • May 10th, 2022

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 – Anne Tucker
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

5:30pm:

Public Art Master Plan & Building Design Standards

6:30pm:

City Council Meeting • City Council Chambers • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

April 26, 2022

A. Public Hearing

1. Public hearing to discuss the Municipal Property Owner's Multipurpose Improvement District No. 15.

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

1. Ordinance to establish the Municipal Property Owner's Multipurpose Improvement District No. 15.
2. Consideration to approve the request to waive the twelve-month waiting period to reapply with the Planning Commission for a rezoning for property located at the northwest corner of the intersection of Dave Ward Drive & South Country Club.

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

1. Resolution to approve the City intent to lease a portion of Centennial Soccer Park to Central Baptist College.

Adjournment

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PH/A-1

NOTICE

YOUR SIGNATURE HEREON SHOWS THAT YOU FAVOR THE ESTABLISHMENT OF AN IMPROVEMENT DISTRICT. IF THE DISTRICT IS FORMED, YOU MAY BE CHARGED FOR THE COST OF THE IMPROVEMENTS.

PETITION TO FORM THE CITY OF CONWAY MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. _____ (THE ESTATES SUBDIVISION)

For its Petition to form The City of Conway Municipal Property Owners' Multipurpose Improvement District No. _____ (The Estates Subdivision), the undersigned petitioners state:

1. Petitioners are the record title owners to all of the real property described in Exhibit "A" attached hereto and made a part hereof as reflected by the deed records in the Office of the Circuit Clerk and Ex-Officio Recorder of Faulkner County, Arkansas. All of said property is located within the corporate limits of the City of Conway, Arkansas.

2. Petitioners desire that the real property described in Exhibit "A" attached hereto and made a part hereof be laid off into a Municipal Property Owners' Improvement District ("District") pursuant to Ark. Code Ann. Sections 14-94-101 et seq. for the purpose

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of (a) maintaining the drainage areas and detention ponds in the subdivision, (b) constructing waterworks, sewers, recreational facilities and systems of gas pipelines, and (c) grading, draining, paving, curbing, and guttering street and laying sidewalks, together with facilities related to any of the foregoing within said district, and for all other purposes permitted by law.

3. Petitioners name the following three individuals to be appointed as commissioners of the district: Timothy Files, Drew Files and Samuel Hayes.

4. Petitioners propose that the name of the district be The City of Conway Municipal Property Owners' Multipurpose Improvement District No. _____ (The Estates Subdivision).

5. Petitioner states that there is outstanding debt owed by Files Development LLC to First Service Bank, Little Rock, Arkansas, which is secured by the property described in Exhibit "A."

WHEREFORE, the undersigned petition the City Council of Conway, Arkansas, to enact an ordinance establishing and laying off the real property described in Exhibit "A" attached hereto and made a part hereof into The City of Conway Municipal Property Owners' Multipurpose Improvement District No. _____ (The Estates Subdivision) for the purpose of (a) constructing waterworks, sewers, recreational facilities, and systems of gas pipelines, and (b) grading, draining, paving, curbing and guttering streets and laying sidewalks, together with facilities related to any of the foregoing within said district.



RECEIVED APR 20 2022
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ABTRACTOR'S CERTIFICATE OF PROPERTY OWNERSHIP

National Title & Escrow hereby certifies that the last deeds of the real estate records in the office of the Circuit Clerk and Ex-Officio Recorder of Faulkner County, Arkansas, reflect that:

1. Files Development LLC is the record title owner of all the real property described in Exhibit "A" to the Petition to Form The City of Conway Municipal Property Owners' Multipurpose Improvement District No. _____ (The Estates Subdivision), a copy of which is attached hereto and made a part hereof.

2. First Service Bank, Little Rock, Arkansas holds a first mortgage lien on more than ten percent (10%) of the real property described in Exhibit A.

DATED this 31ST day of March 2022.

NATIONAL TITLE & ESCROW:

By:


Carrie Draper

EXHIBIT A

Legal Description

Being a part of the E1/2 NW1/4 of Section 27, T-5-N, R-14-W, and also Lots 19 and 20 Ridgedale Subdivision, and unrecorded plat, being a part of the W1/2 NW1/4 of Section 27, T-5-N, R-14-W, Faulkner County, Arkansas; more particularly described as: Commencing at the SW corner of said E1/2 NW1/4, said point being the Point of Beginning; thence along the West line of said E1/2 NW1/4 N01°43'54"E 805.13 feet to the SE corner of said Lot 20; thence leaving said West line N87°39'59"W 350.43 feet to the SW corner of said Lot 20, said point being in the centerline of Ridgedale Circle; thence along said centerline N02°19'22"E 284.16 feet; thence continue along said centerline N08°07'50"W 113.68 feet to the NW corner of said Lot 19; thence leaving said centerline S87°32'12"E 366.98 feet to the NE corner of said Lot 19, said point being on the West line of said E1/2 NW1/4; thence along said West line N01°43'54"E 895.62 feet; thence leaving said West line S87°17'35"E 531.80 feet; thence N01°19'09"E 20.75 feet; thence S83°22'32"E 794.28 feet to the East line of said E1/2 NW1/4; thence along said East line S01°47'08"W 2075.08 feet to the SE corner of said E1/2 NW1/4; thence leaving said East line, along the South line of said E1/2 NW1/4 N86°44'25"W 1321.47 feet to the Point of Beginning, containing 66.87 acres more or less.

ORDINANCE NO. _____

**AN ORDINANCE TO ESTABLISH AND LAY OFF CONWAY MUNICIPAL
PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO.
15 (THE ESTATES SUBDIVISION)**

WHEREAS, a Petition to form Conway Municipal Property Owners' Multipurpose Improvement District No. 15 (The Estates Subdivision) has been filed with the Conway City Clerk; and

WHEREAS, the City Clerk has presented the petition to the Mayor; and

WHEREAS, the Mayor has set May 10, 2022, at 6:30 P.m. as the date and time for a hearing before the Conway City Council for consideration of the petition; and

WHEREAS, the Conway City Council has determined from an abstractor's certificate of property ownership that those signing the petition constitute all the owners of the real property to be located in said district; and

WHEREAS, the Arkansas Municipal Property Owners' Improvement District Law provides that if the governing body determines that all the owners of the real property to be located in the district have petitioned for the improvements, it shall then be its duty by ordinance to establish and lay off the district as defined in the petition and to appoint the commissioners named in the petition.

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

Section 1. That the real property described in Exhibit "A" attached hereto and made a part hereof is hereby established and laid off as Conway Municipal Property Owners' Multipurpose Improvement District No. 15 (The Estates Subdivision) for the purpose of (a) maintaining the drainage areas and detention ponds in the subdivision, (b) constructing waterworks, sewers, recreational facilities and systems of gas pipelines, and (c) grading, draining, paving, curbing, and guttering street and laying sidewalks, together with facilities related to any of the foregoing within said district, and for all other purposes permitted by law.

Section 2. The following three individuals are hereby appointed as commissioners of said improvement district: Timothy Files, Drew Files and Samuel Hayes

Section 3. The name of improvement district shall be Conway Municipal Property Owners' Multipurpose Improvement District No. 15 (The Estates Subdivision).

Section 4. The City Council hereby determines that there is a need for additional infrastructure within the City and hereby determines that the passage of this ordinance will facilitate construction of additional infrastructure within the City. Therefore, an emergency is hereby declared to exist, and this ordinance being necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 10 day of May, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)

May 3, 2022

Conway City Council
City of Conway, Arkansas
111 Main Street
Conway, AR 72032

RE: Request to Reapply for Rezoning
Dave Ward Drive / S. Country Club Road

City Council Members,

On April 14 we submitted a request to rezone 5.56 acres at the northwest corner of the intersection of Dave Ward Drive with S. Country Club Road owned by Paladino Real Properties, LLC. We requested to rezone it from O-1 General Office zoning district to the C-3 Highway Service and Open Display District.

Subsequently, we have been notified by City staff of a previous rezoning application submitted for this property last year which was denied by the Planning Commission. Applicant's appeal of the decision to City Council was also denied. By code, City Council approval is required to reapply to rezone the property within twelve months of denial of a previous request.

The property is currently under contract to be sold to developer pending the rezoning decision. A seven month delay to submit a rezoning application would be a significant departure from the developer's anticipated timeframe.

Therefore, on behalf of our client and the property owner, we hereby request City Council waive the twelve month waiting period to reapply to rezone this property.

The original application denied by Planning Commission and City Council was for multi-family residential development. The new rezoning application is substantially different in that it requests a commercial zoning district for a proposed commercial development, and the proposed zoning appears to be appropriate for this location.

Thank you for your consideration of this request.

Sincerely,



Daniel Lazenby



City of Conway, Arkansas
Resolution No. R-22-

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CONWAY TO LEASE A PORTION OF THE CENTENNIAL SOCCER PARK LOCATED AT 5200 JOHN W. ALLISON ROAD TO CENTRAL BAPTIST COLLEGE, AND FOR OTHER PURPOSES

WHEREAS, the City of Conway owns the Centennial Soccer Park, 51.5 acres, located at 5200 John W. Allison Road which features 10 full-size fields and 2 U10 size fields; and

WHEREAS, the City of Conway is currently in the process of building a new soccer complex to be located off Museum Road and be completed in early 2024; and

WHEREAS, the Central Baptist College has expressed a need for additional space for their collegiate sports to continue to service the needs of their students in the City of Conway; and

WHEREAS, this property provides a long term solution for Central Baptist College to obtain enough acreage for additional sports programs.

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

Section 1: The City of Conway, Arkansas intent is to lease a portion of Centennial Soccer Park located at 5200 John W. Allison Road to Central Baptist College to be used as a sports complex after the completion of the new Conway Soccer Complex that should be finished by early 2024.

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

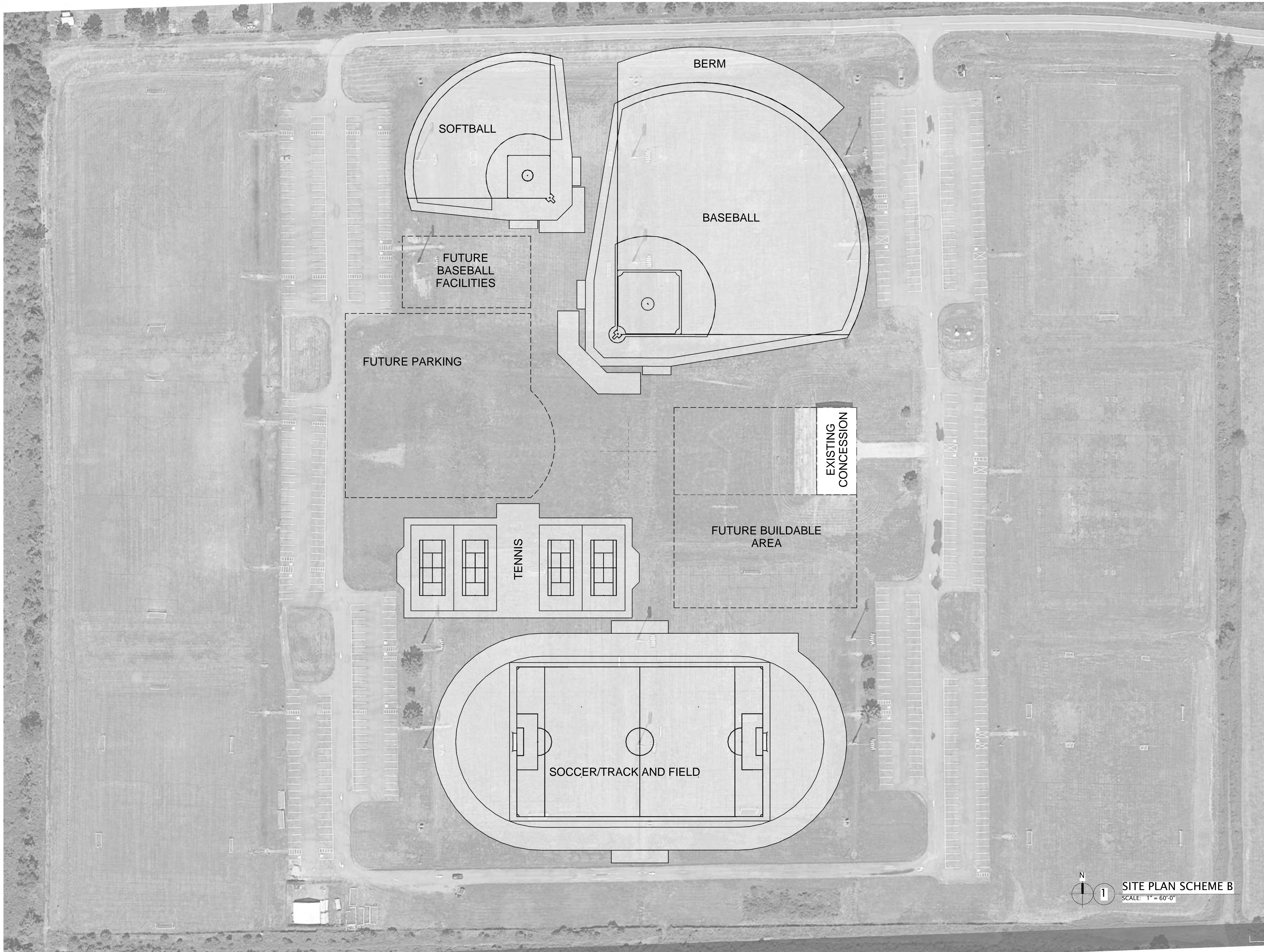
PASSED this 10th day of May 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer




SITE PLAN SCHEME B
 SCALE: 1" = 60'-0"

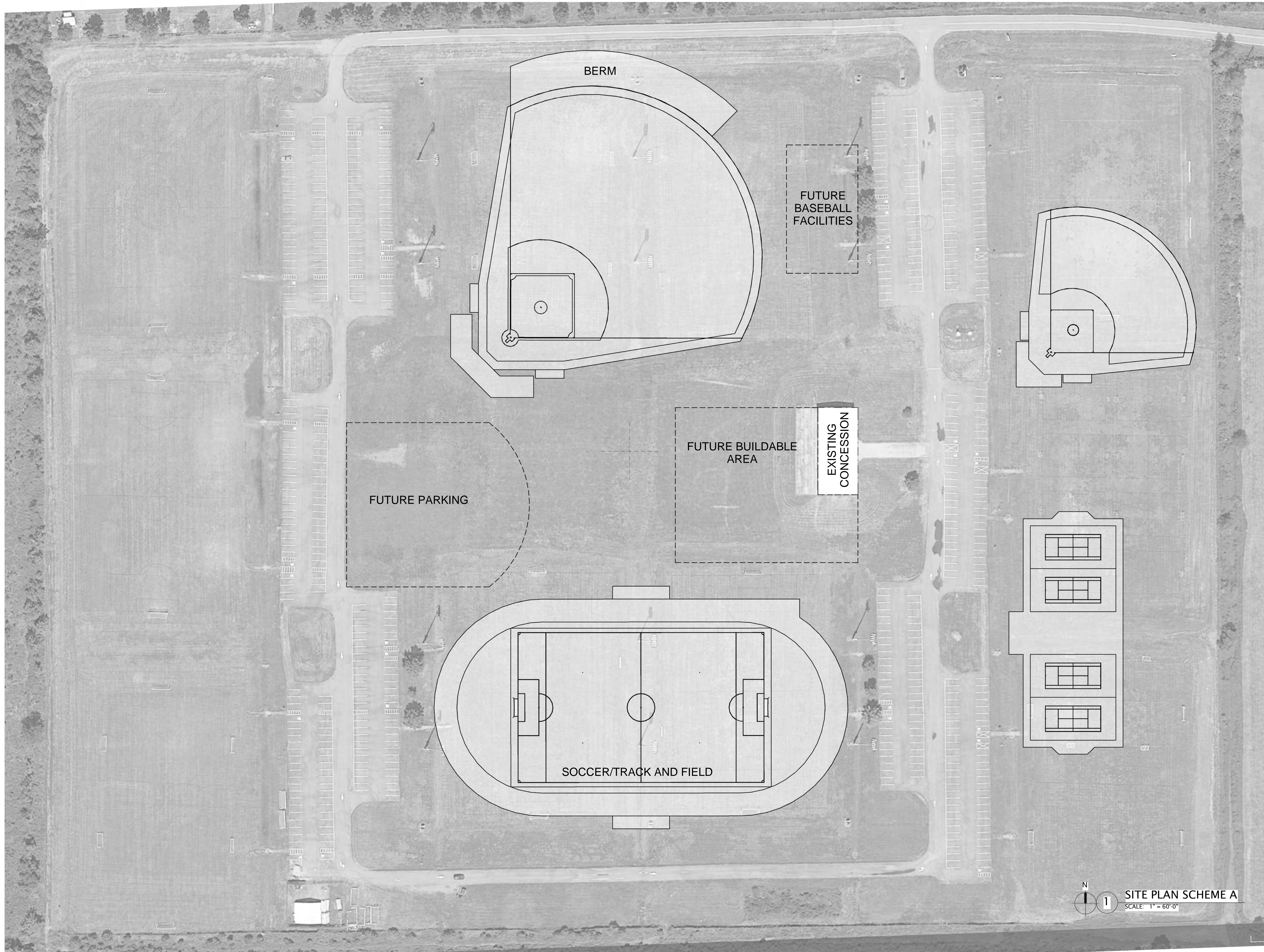
CENTRAL BAPTIST COLLEGE
OUTDOOR SPORTS COMPLEX
 CONWAY, ARKANSAS

VERIFY SCALE
 INCH ON ORIGINAL DRAWING
 0 1"



Date: 4/28/22
 Title: PRESENTATION VIEWS
 Sheet Number:
TO.01
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#	Date	Description
		Revision History




1 SITE PLAN SCHEME A
 SCALE: 1" = 60'-0"

**CENTRAL BAPTIST COLLEGE
 OUTDOOR SPORTS COMPLEX**
 CONWAY, ARKANSAS

VERIFY SCALE
 INCH ON ORIGINAL DRAWING
 0 1"



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