



City of Conway, Arkansas  
CITY COUNCIL

Agenda • November 26<sup>th</sup>, 2024

[www.conwayarkansas.gov](http://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 – 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

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<u>5:30pm:</u>	No Committee Meeting
<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 12 <sup>th</sup> , 2024
<u>Monthly Financial Report:</u>	Month Ending October 31, 2024

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**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 November 26<sup>th</sup>, 2024 City Council agenda.
2. Resolution requesting the Faulkner County Tax Collector to place a lien on property located at 2600 Donaghey Ave. for expenses incurred by the City.
3. Consideration to approve equipment disposal for the Department of Public Works.
4. Ordinance to rezone property located at 805 4th Street from R-2A to C-3.
5. Ordinance to rezone property located at 333, 400, and 500 S East German Lane from A-1 to S-1.
6. Consideration to approve a conditional use permit to allow MF-2 density in the C-3 zone for the property located at 470 Harkrider Street.
7. Consideration to modify the current conditional use permit to allow Retail – General uses in O-1 Zone for property located at 2555 Prince Street.

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

1. Consideration to approve vehicle disposal for the Sanitation Department.
2. Ordinance appropriating funds for a hydraulic excavator for the Sanitation Department.

**C. Public Safety Committee (District Court, Department of Information Systems & Technology, Animal Welfare, CEOC (Communication Emergency Operations Center), Police, Fire, & Office of the City Attorney).**

1. Consideration to approve equipment disposal for the Department of Information Technology.

**D. Old Business**

1. Consideration to approve the settlement agreement in Linn vs. Conway.

*Adjournment*



City of Conway, Arkansas  
Monthly Financial Reports  
October 31, 2024

City of Conway  
 Monthly Financial Report - General Fund  
 For the month ended October 31, 2024



Revenues	Budget	Month	Year to Date	Encumbered	(Over)/Under	%
		Activity			Budget	Expend/Collect
Ad Valorem Tax	4,300,000	536,336	3,025,104		1,274,896	70%
Payments in Lieu of Tax	30,000	107,529	198,915		(168,915)	663%
State Tax Turnback	1,000,000	65,716	822,444		177,556	82%
Insurance Tax Turnback - LOPFI	1,400,000	308,563	1,564,258		(164,258)	112%
Sales Tax	29,600,000	2,419,734	24,890,348		4,709,652	84%
Beverage Tax	650,000	50,186	543,379		106,621	84%
Franchise Fees	3,880,400	318,220	3,312,814		567,586	85%
Office Space Leases	67,400	-	50,550		16,850	75%
Permits	667,000	41,025	526,383		140,617	79%
Public Safety	2,462,298	120,309	2,250,149		212,149	91%
Parks	645,500	78,579	916,720		(271,220)	142%
Federal Grant Revenues	-	-	225,683		(225,683)	-
Insurance Proceeds	420,926	2,996	426,028		(5,102)	101%
Interest Income	123,000	1,212	1,065,584		(942,584)	866%
Proceeds from Sale of Assets	-	15,824	28,739		(28,739)	-
Donations	31,484	2,377	39,310		(7,827)	125%
Miscellaneous Revenues	186,906	11,807	146,157		40,749	78%
Transfers from Other Funds	835,640	-	1,038,793		(203,153)	124%
<b>Total Revenues</b>	<b>46,300,553</b>	<b>4,080,414</b>	<b>41,071,360</b>		<b>5,229,193</b>	<b>89%</b>
<b>Expenditures</b>						
Admin (Mayor, HR)	1,214,280	168,373	848,122	8,849	357,309	70%
Finance	536,762	90,679	430,137	16,296	90,329	80%
City Clerk/Treasurer	174,666	13,992	141,066	-	33,600	81%
City Council	111,166	6,942	62,700	-	48,466	56%
Planning	732,226	(18,113)	575,626	15,962	140,638	79%
Physical Plant	991,977	106,324	776,097	8,441	207,439	78%
Information Technology	1,909,341	88,534	1,252,630	52,551	604,159	66%
Permits and Inspections	594,007	35,372	402,569	283	191,155	68%
Nondepartmental	1,489,621	61,279	1,458,953	6,740	23,928	98%
Police	18,109,872	1,254,679	14,074,466	288,219	3,747,187	78%
CEOC	1,756,231	118,492	1,220,681	126,143	409,407	70%
Animal Welfare	596,925	37,330	426,431	5,460	165,033	71%
Municipal District Court	950,972	76,053	819,828	-	131,145	86%
City Attorney	672,143	42,757	461,753	7,284	203,105	69%
Fire	14,907,291	939,564	11,804,654	217,149	2,885,488	79%
Parks	4,921,105	431,070	3,913,392	43,595	964,118	80%
<b>Total Expenditures</b>	<b>49,668,586</b>	<b>3,453,327</b>	<b>38,669,106</b>	<b>796,973</b>	<b>10,202,507</b>	<b>78%</b>
<b>Net Revenue/(Expense)</b>	<b>(3,368,033)</b>		<b>2,402,254</b>			

\*All figures are unaudited

Notes:

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

City of Conway  
General Fund  
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-24-17	2/27/24	Portable radios for IT department	29,085
O-24-21	3/12/24	Software for the Emergency Operations Center	11,245
O-24-24	3/26/24	General Fund portion of fire truck payments	128,525
O-24-31	4/9/24	New fire truck purchase	1,200,000
O-24-41	5/28/24	Create new position for 911 Director	60,000
O-24-42	5/28/24	Create new position for Victim Service Coordinator	32,450
O-24-55	8/27/24	Additional funds for Fire Department vehicle maintenance	140,000
O-24-57	8/27/24	Rabies vaccines for Animal Welfare	649
O-24-60	9/10/24	Additional software licenses for the CEOC	122,126
O-24-61	9/10/24	Create admin assistant position for the CEOC	18,000
O-24-67	9/24/24	Restructure personnel for the CEOC	120,833
O-24-71	10/8/24	Police department fuel	60,000
			<u>\$ 1,922,913</u>

City of Conway  
 Balance Sheet - General Fund  
 As of October 31, 2024



Cash - Operating	19,286,165
Cash - Reserve	2,028,086
Petty Cash	715
Taxes Receivable	5,662,504
Accounts Receivable	5,252,156
Lease Receivable	290,132
Due from Street	22,784
Due from Component Unit	233,169
Due from Municipal Court	69,589
Fuel Inventory	14,815
General Inventory	585
<b><i>Assets</i></b>	<b><u>32,860,701</u></b>
Accounts Payable	(1,561)
Insurance and Benefits Payable	(57,968)
Event Deposits	5,750
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Deferred Revenue	4,657,838
Unearned Revenue	1,230,132
<b><i>Liabilities</i></b>	<b><u>5,844,387</u></b>
<b><i>Fund Balance</i></b>	<b><u>27,016,314</u></b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>32,860,701</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Street Fund  
 For the month ended October 31, 2024



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Ad Valorem Tax	1,600,000	197,319	1,113,797		486,203	70%
Payments in Lieu of Tax	10,000	-	-		10,000	0%
State Tax Turnback	3,000,000	334,376	3,960,602		(960,602)	132%
State Tax Turnback - Other	1,800,000	5,510	71,822		1,728,178	4%
Severance Tax	200,000	6,207	51,444		148,556	26%
State Tax Turnback - Wholesale	400,000	28,592	346,325		53,675	87%
Sales Tax	400,000	33,905	348,759		51,241	87%
Engineering Fees	10,000	3,850	12,025		(2,025)	120%
Fees for Street Cuts	-	1,180	69,004		(69,004)	-
Interest Income	100,000	-	208,255		(108,255)	208%
Miscellaneous Revenues	-	33	81		(81)	-
<b>Total Revenues</b>	<b>7,520,000</b>	<b>610,972</b>	<b>6,182,113</b>	<b>-</b>	<b>1,337,887</b>	<b>82%</b>
<b>Expenditures</b>						
Personnel Costs	3,499,631	204,928	2,234,438	-	1,265,193	64%
Other Operating Costs	<u>4,225,679</u>	<u>119,932</u>	<u>2,979,932</u>	<u>27,490</u>	<u>1,218,257</u>	<u>71%</u>
Total Operating Costs	7,725,310	324,860	5,214,370	27,490	2,483,450	67%
Capital Outlay	<u>553,233</u>	<u>-</u>	<u>168,328</u>	<u>138,185</u>	<u>246,720</u>	<u>30%</u>
<b>Total Expenditures</b>	<b>8,278,543</b>	<b>324,860</b>	<b>5,382,698</b>	<b>165,675</b>	<b>2,730,170</b>	<b>65%</b>
<b>Net Revenue/(Expense)</b>	<b>(758,543)</b>		<b>799,416</b>			

\*All figures are unaudited

Notes:

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

City of Conway  
Street Fund  
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
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City of Conway  
Balance Sheet - Street Fund  
As of October 31, 2024



Cash - Operating	5,202,349
Taxes Receivable	79,342
Accounts Receivable	2,290,497
<b><i>Assets</i></b>	<b><u>7,572,187</u></b>
Insurance and Benefits Payable	1,929
Due to General	22,784
Deferred Revenue	1,713,799
<b><i>Liabilities</i></b>	<b><u>1,738,512</u></b>
<b><i>Fund Balance</i></b>	<b>5,833,675</b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>7,572,187</u></b>

\*All figures are unaudited



City of Conway  
 Monthly Financial Report - Sanitation  
 For the month ended October 31, 2024



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Sanitation Fee Rev-Residential	9,900,000	864,067	8,667,222		1,232,778	88%
Proceeds - Recycled Materials	375,000	17,494	537,098		(162,098)	143%
Landfill Fees - General	275,000	33,396	350,529		(75,529)	127%
Insurance Proceeds		-	11,341		(11,341)	-
Interest Income	300,000	-	949,360		(649,360)	316%
Proceeds from Sale of Assets	-	250	1,953		(1,953)	-
<b>Total Revenues</b>	<b>10,850,000</b>	<b>915,206</b>	<b>10,517,501</b>	<b>-</b>	<b>332,499</b>	<b>97%</b>
<b>Expenditures</b>						
Personnel Costs	6,095,938	418,307	4,801,281	-	1,294,657	79%
Other Operating Costs	3,480,000	223,793	2,388,881	240,579	850,540	69%
Total Operating Costs	9,575,938	642,100	7,190,162	240,579	2,145,197	75%
Capital Outlay	1,854,266	-	786,219	1,306,948	(238,900)	42%
<b>Total Expenditures</b>	<b>11,430,204</b>	<b>642,100</b>	<b>7,976,381</b>	<b>1,547,527</b>	<b>1,906,297</b>	<b>70%</b>
<b>Net Revenue/(Expense)</b>	<b>(580,204)</b>		<b>2,541,120</b>			

\*All figures are unaudited

Notes:

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

City of Conway  
Sanitation Fund  
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
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City of Conway  
 Balance Sheet - Sanitation  
 As of October 31, 2024



Cash - Operating	16,611,180
Petty Cash	200
Post Closure Cash Account	6,943,062
Due from Component Unit	908,053
General Inventory	2,122
Land & Buildings	2,245,592
Infrastructure	717,115
Machinery, Equipment & Vehicles	3,560,789
Deferred Outflows of Resources	1,311,646
Deferred Outflows of Resources-OPEB	221,321
<b><i>Assets</i></b>	<b><u>32,521,081</u></b>
Accounts Payable	7,603
Insurance and Benefits Payable	(4,689)
Compensated Absences	254,949
Net Pension Obligation	12,729,112
Deferred Inflows of Resources	2,971,317
Deferred Inflows of Resources-OPEB	337,672
Net OPEB Liability	855,277
Landfill Close/Post Close	8,962,183
<b><i>Liabilities</i></b>	<b><u>26,113,423</u></b>
<b><i>Net Position</i></b>	<b><u>6,407,657</u></b>
<b><i>Total Liabilities and Net Position</i></b>	<b><u>32,521,081</u></b>

\*All figures are unaudited

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

City of Conway  
 Monthly Financial Report - Airport  
 For the month ended October 31, 2024



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
<b>Revenues</b>						
Sales Tax	25,000	2,835	27,786		(2,786)	111%
Airport Fuel Sales	2,066,198	158,157	1,330,292		735,906	64%
T-Hangar Rent	183,780	7,935	164,897		18,883	90%
Community Hangar Rent	48,000	3,000	29,000		19,000	60%
Ground Leases	25,000	-	20,258		4,743	81%
Misc Revenue - Non air	10,000	-	9,067		933	91%
Miscellaneous Revenues	22,000	1,849	26,538		(4,538)	121%
<b>Total Revenues</b>	<b>2,379,978</b>	<b>173,777</b>	<b>1,607,838</b>	<b>-</b>	<b>772,140</b>	<b>68%</b>
<b>Expenditures</b>						
Personnel Costs	388,650	29,145	329,717	-	58,933	85%
Fuel for Resale	1,784,881	134,021	1,103,133	-	681,748	62%
Other Operating Costs	177,550	7,955	129,359	3,865	44,326	73%
Total Operating Costs	2,351,081	171,121	1,562,209	3,865	785,007	66%
Capital Outlay	28,897	-	13,897	-	15,000	48%
<b>Total Expenditures</b>	<b>2,379,978</b>	<b>171,121</b>	<b>1,576,106</b>	<b>3,865</b>	<b>800,006</b>	<b>66%</b>
<b>Net Revenue/(Expense)</b>	<b>-</b>		<b>31,732</b>			

\*All figures are unaudited

Notes:

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

City of Conway  
Airport Fund  
2024



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
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City of Conway  
 Balance Sheet - Airport  
 As of October 31, 2024



Cash - Operating	398,276
Taxes Receivable	4,799
Accounts Receivable - Fuel Vendor	39,537
Fuel Inventory	59,246
Land	1,254,473
Buildings	4,848,123
Machinery & Equipment	112,970
Infrastructure	21,055,056
Deferred Outflows of Resources-OPEB	9,059
<b><i>Assets</i></b>	<b><u>27,781,539</u></b>
Compensated Absences	37,133
Net OPEB Liability	35,008
Deferred Inflows of Resources-OPEB	13,822
Unearned Revenue	288,144
Note Payable	600,000
<b><i>Liabilities</i></b>	<b><u>974,107</u></b>
<b><i>Net Position</i></b>	<b><u>26,807,432</u></b>
<b><i>Total Liabilities &amp; Net Position</i></b>	<b><u>27,781,539</u></b>

\*All figures are unaudited

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

City of Conway  
Monthly Financial Report - Major Project Funds  
As of October 31, 2024



Parks and Rec A&P Tax

Balance, 9/30/24	2,621,527
Receipts	445,891
Payments	(187,194)
Balance, 10/31/24	\$ 2,880,225

Pay as you go Sales Tax

Balance, 9/30/24	9,237,409
Receipts	1,812,046
Payments	(1,540,471)
Balance, 10/31/24	\$ 9,508,984

Street Impact Fees

Balance, 9/30/24	2,268,249
Receipts	12,199
Payments	-
Balance, 10/31/24	\$ 2,280,448

Parks Impact Fees

Balance, 9/30/24	345,940
Receipts	4,873
Payments	-
Balance, 10/31/24	\$ 350,813

Street Sales Tax

Balance, 9/30/24	23,647,531
Receipts	97,965
Payments	(751,051)
Balance, 10/31/24	\$ 22,994,445

American Rescue Plan Act

Balance, 9/30/24	2,780,394
Receipts	134,605
Payments	(413,807)
Balance, 10/31/24	\$ 2,501,192

City of Conway, Arkansas  
Office of the Mayor

# Memo:

**To:** Mayor Bart Castleberry  
**CC:** City Council Members  
**From:** Felicia Rogers  
**Date:** November 21<sup>st</sup>, 2024  
**Re:** November 26<sup>th</sup>, 2024 City Council Agenda

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The following ordinances are included on the November 26<sup>th</sup> City Council Agenda for consideration of waiving the three readings of each ordinance:

1. A-4 Ordinance to rezone property located at 805 4th Street from R-2A to C-3.
2. A-5 Ordinance to rezone property located at 333, 400, and 500 S East German Lane from A-1 to S-1.
3. B-2 Ordinance appropriating funds for a hydraulic excavator for the Sanitation Department.





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 2600 Donaghey 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 \$160.64 (\$118.76 + Penalty \$11.88 + 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 **November 26<sup>th</sup>, 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 26<sup>th</sup> day of November, 2024.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
822 Locust Ave  
Conway, Arkansas 72034  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



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

North Market Plaza, LLC (Raof Kassissich)  
P.O. Box 241323  
Little Rock, AR 72223

Parcel # 710-08853-151

**RE: Nuisance Abatement at 2600 Donaghey Ave., Conway AR**  
**Cost of Clean-Up, Amount Due: \$118.76**

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 **November 26th, 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 72034** 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: OCTOBER 14TH, 2024

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

TO North Market Plaza, LLC (Raof Kassissich)  
P.O. Box 241323  
Little Rock, AR 72223

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
2600 Donaghey Ave., Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Michael Davis	710-08853-151		November 26th, 2024

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	49.60	49.60
	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
1	Certified Letter	5.60	5.60
	(10% penalty + \$30.00 filing fees= \$41.88)		

- **Total amount due after November 26th, 2024 includes collection penalty & filing fees**

TOTAL	\$118.76
TOTAL WITH PENALTY & FILING FEES	\$160.64

Make all checks payable to City of Conway Code Enforcement @ 822 Locust Ave. Conway Arkansas 72034



## CODE CASE HISTORY REPORT COMPROP-0924-1167 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
09/24/2024	Michael Davis	Code Case added			Code Case (COMPROP-0924-1167)
09/24/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
	Michael Davis	Code Case Workflow Step Start Date	[none]	9/24/2024	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	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)
09/24/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
10/01/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
	Michael Davis	Inspection Scheduled End Date	10/1/2024	10/8/2024	Inspection (ICODE-3846-2024)
	Michael Davis	Violation Compliance Date	10/1/2024	10/8/2024	Violation (3.2.4 Grass or Weeds)
10/01/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
10/08/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
	Michael Davis	Code Case Workflow Step Start Date	[none]	10/8/2024	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)
10/08/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
10/09/2024	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (COMPROP-0924-1167)
	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
10/09/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
10/14/2024	Michael Davis	Date Closed	[none]	10/14/2024	Code Case (COMPROP-0924-1167)
	Michael Davis	Code Case Status	Schedule City Clean up	Closed - Resolved	Code Case (COMPROP-0924-1167)
	Michael Davis	Complete	No	Yes	Code Case (COMPROP-0924-1167)
	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
10/14/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)
	Michael Davis	Inspection Actual Arrival Date	10/8/2024	[none]	Inspection (ICODE-4072-2024)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-4072-2024)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Code Enforcement Final Investigation)
	Michael Davis	Inspection Actual Arrival Date	9/24/2024	[none]	Inspection (ICODE-3846-2024)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-3846-2024)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)

# CODE CASE HISTORY REPORT COMPROP-0924-1167

Changed On	User	Description	Before	After	Additional Info
	Michael Davis	Step Workflow Status	Started	Passed	Code Case Workflow Step (Violations)
	Michael Davis	Violation Resolved Date	[none]	10/14/2024	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)
10/14/2024	Michael Davis	Geo Rules Caller Type	None	Parcel	Code Case (COMPROP-0924-1167)

# MEMORANDUM

**TO:** City Council Members/Mayor Bart Castleberry  
**FROM:** Spencer Clawson  
**DATE:** November 18th, 2024  
**SUBJECT:** Request for disposal of assets

The Public Works has the following atv and mowers that are not being used:

- 2005 Cub Cadet                      VIN 17000
- 2007 Kubota Zero Radius      VIN 61040
- 2007 Kawasaki mule ATV      VIN 49409

I would like to request approval to remove these items from our inventory listing and to dispose of them. These items no longer work and will be disposed of.

Thank you for your consideration.



**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 805 4<sup>TH</sup> STREET, FROM R-2A TO C-3:**

**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 **November 18<sup>th</sup>, 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-2A** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

LOTS 7-14 & 19 AND THE NORTH 41' OF LOTS 17 & 18, BLK 14 HARKRIDER  
 ADDITION TO THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS.

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

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

**PASSED** this 26<sup>th</sup> day November 2024.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



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

## MEMO

To: Mayor Bart Castleberry  
Cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairwoman  
Date: November 26, 2024

Re: Request to rezone property located at 805 4<sup>th</sup> Street from R-2A to C-3

---

Davidson Engineering, on behalf of NewCo Land Dev LLC, has requested to rezone property located at 805 4<sup>th</sup> Street from R-2A to C-3, with the following legal description:

LOTS 7-14 & 19 AND THE NORTH 41' OF LOTS 17 & 18, BLK 14 HARKRIDER ADDITION TO THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS.

A rezoning to C-3 will allow for cohesive zoning and development at the corner of Harkrider Street and 4th Street. The comprehensive plan designates this area as a special study area. With the expansion of Harkrider Street, it is within reason to expect commercial and mixed-use growth along this corridor. The rezoning will not likely harm adjacent property.

The Planning Commission reviewed the request at its regular meeting on November 18, 2024, 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.



4th St

C-3

C-3

R-2A

R-2

R-2A

R-2

Zoning



City Limits

**Zoning Codes**



C-3



R-2



R-2A



**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 333 S EAST GERMAN LANE AND THE LOT ABUTTING IT TO THE SOUTH, AND 400 AND 500 S EAST GERMAN LANE AND THE LOT ABUTTING IT TO THE SOUTH, FROM A-1 TO S-1:**

**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 **November 18<sup>th</sup>, 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 **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

**400 and 500 East German Lane**

PART OF THE SW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; THENCE WEST 1293.67 FEET TO THE EAST RIGHT OF WAY OF STATE HIGHWAY #286; THENCE ALONG SAID RIGHT OF WAY TO A POINT N-5-23-50-W 161.70 FEET; THENCE TO A POINT N-518.0 FEET; (SAID POINT BEING 644.0 FEET SOUTH AND 19.0 FEET EAST OF THE NW CORNER OF SAID SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  ) THENCE LEAVING SAID RIGHT OF WAY N-89-54-00-E 201.30 FEET; THENCE NORTH 86.0 FEET; THENCE N-89-54-00-E 369.50 FEET; THENCE E-0-07010-W 459.0 FEET; THENCE N-88-48-20-E 43.20 FEET; THENCE N- 0-07-10-W 99.0 FEET; THENCE S088045-05-E 651.23 FEET TO THE NE CORNER OF SAID SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; THENCE S-0-47-05-E 1310.87 FEET TO THE POINT OF BEGINNING. CONTAINING 31.23 ACRES MORE OR LESS. SUBJECT TO ALL ROADWAYS, EASEMENTS AND RESERVATION THAT ARE OF RECORD OR PHYSICALLY IN PLACE. PROPERTY CORNERS ARE LOCATED IN ACCORDANCE WITH EXISTING MONUMENTS IN THE AREA.

**333 S E. German Lane**

PART OF THE SE  $\frac{1}{4}$  - NE  $\frac{1}{4}$ , SECTION 17, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT ON THE WEST RIGHT OF WAY OF STATE HIGHWAY 286, 61.4' WEST AND 496.7' SOUTH OF THE NE CORNER OF SAID SE  $\frac{1}{4}$  - NE  $\frac{1}{4}$ , THENCE RUN WEST 603.1'; THENCE SOUTH 388.0'M THENCE EAST 602.72' TO THE WEST RIGHT OF WAY OF STATE HIGHWAY 286, THENCE N 0° 03' 22" E, ALONG SAID RIGHT OF WAY, 388.0 TO THE POINT OF BEGINNING, CONTAINING 5.37 ACRES, MORE OR LESS. THIS TRACT IS SUBJECT TO A ROAD EASEMENT IN THE NE CORNER, DESCRIBED AS BEGINNING AT THE NE CORNER OF THE ABOVE-

DESCRIBED TRACT; THENCE RUN S 0° 03' 22" W; THENCE WEST 40.0'; THENCE N 10°58' 35" W, 52.26'; THENCE EAST 50.0' TO THE POINT OF BEGINNING. LESS AND EXCEPT: BEGINNING AT THE NE CORNER OF THE ABOVE-DESCRIBED TRACT; THENCE RUN S 0° 03'22" W 150'; THENCE WEST 280.0', THENCE NORTH 150', THENCE EAST 280.0' TO THE POINT OF BEGINNING.

**S17-T05N-R13W; A 6-acre tract of land abutting the south of 333 E. German Lane**

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT, SAID POINT BEING AT THE NORTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE N88°41'47"W A DISTANCE OF 61.40 FEET TO A POINT; THENCE S1°18'13"W A DISTANCE OF 496.70 FEET TO A POINT; THENCE S 1°21'35"W A DISTANCE OF 388.00 FEET TO A SET REBAR, SAID POINT BEING AT THE POINT OF BEGINNING AND ON THE WESTERLY RIGHT OF WAY LINE OF GERMAN LANE; THENCE ALONG SAID RIGHT OF WAY LINE, S 1°23'20"W A DISTANCE OF 287.38 FEET TO A SET REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, S3°47'12"E A DISTANCE OF 150.50 FEET TO A FOUND REBAR; THENCE LEAVING SAID RIGHT OF WAY LINE, N87°51'18"W A DISTANCE OF 615.71 FEET TO A FOUND MAG NAIL; THENCE N1018'14"E A DISTANCE OF 428.25 FEET TO A FOUND REBAR; THENCE S88°41 '46"E A DISTANCE OF 602.72 FEET TO THE POINT OF BEGINNING, AS SHOWN ON THE SURVEY DATED OCTOBER 21, 2022, BY NICHOLAS B. TUCKER, PLS NO. 1755.

**S16-T05N-R13W; 1.26-acre tract of land abutting the south of 400 and 500 East German Lane, just south of Conway Christian School, fronting on S East German Lane**

PART OF THE NW 1/4 SW 1/4, SECTION 16, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1067.0 FEET WEST OF THE NE CORNER OF SAID NW 1/4 SW 1/4 AND RUN FROM THENCE WEST 227.5 FEET TO THE NORTH-EASTERLY RIGHT OF WAY OF STATE HIGHWAY, #286; THENCE SOUTHEASTWARDLY ALONG SAID RIGHT OF WAY TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 389.0 FEET TO THE POINT OF BEGINNING, CONTAINING 1.26 ACRES, MORE OR LESS.

to those of **S-1**, 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 26<sup>th</sup> day of November 2024.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



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

## MEMO

To: Mayor Bart Castleberry  
Cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairwoman  
Date: November 26, 2024

Re: Request to rezone properties located at and abutting 333, 400, and 500 S East German Lane from A-1 to S-1

---

James Lacy with RE/MAX Elite, on behalf of Conway Christian School, has requested to rezone property located at 333 S East German Lane and the lot abutting it to the South, and 400 and 500 S East German Lane and the lot abutting it to the South, from A-1 to S-1, with the following legal descriptions:

### **400 and 500 East German Lane**

PART OF THE SW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; THENCE WEST 1293.67 FEET TO THE EAST RIGHT OF WAY OF STATE HIGHWAY #286; THENCE ALONG SAID RIGHT OF WAY TO A POINT N-5-23-50-W 161.70 FEET; THENCE TO A POINT N-518.0 FEET; (SAID POINT BEING 644.0 FEET SOUTH AND 19.0 FEET EAST OF THE NW CORNER OF SAID SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  ) THENCE LEAVING SAID RIGHT OF WAY N-89-54-00-E 201.30 FEET; THENCE NORTH 86.0 FEET; THENCE N-89-54-00-E 369.50 FEET; THENCE E-0-07010-W 459.0 FEET; THENCE N-88-48-20-E 43.20 FEET; THENCE N- 0-07-10-W 99.0 FEET; THENCE S088045-05-E 651.23 FEET TO THE NE CORNER OF SAID SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; THENCE S-0-47-05-E 1310.87 FEET TO THE POINT OF BEGINNING. CONTAINING 31.23 ACRES MORE OR LESS. SUBJECT TO ALL ROADWAYS, EASEMENTS AND RESERVATION THAT ARE OF RECORD OR PHYSICALLY IN PLACE. PROPERTY CORNERS ARE LOCATED IN ACCORDANCE WITH EXISTING MONUMENTS IN THE AREA.

### **333 S E. German Lane**

PART OF THE SE  $\frac{1}{4}$  - NE  $\frac{1}{4}$ , SECTION 17, T-5-N, R-13-W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT ON THE WEST RIGHT OF WAY OF STATE HIGHWAY 286, 61.4' WEST AND 496.7' SOUTH OF THE NE CORNER OF SAID SE  $\frac{1}{4}$  - NE  $\frac{1}{4}$ , THENCE RUN WEST 603.1'; THENCE SOUTH 388.0' M THENCE EAST 602.72' TO THE WEST RIGHT OF WAY OF STATE HIGHWAY 286, THENCE N 0° 03' 22" E, ALONG SAID RIGHT OF WAY, 388.0 TO THE POINT OF BEGINNING, CONTAINING 5.37 ACRES, MORE OR LESS. THIS TRACT IS SUBJECT TO A ROAD EASEMENT IN THE NE CORNER, DESCRIBED AS BEGINNING AT THE NE CORNER OF THE ABOVE-DESCRIBED TRACT; THENCE RUN S 0° 03' 22" W; THENCE WEST 40.0'; THENCE N 10°58' 35" W, 52.26'; THENCE EAST 50.0' TO THE POINT OF BEGINNING. LESS AND EXCEPT: BEGINNING AT THE NE CORNER OF THE ABOVE-DESCRIBED TRACT; THENCE RUN S 0° 03'22" W 150'; THENCE WEST 280.0', THENCE NORTH 150', THENCE EAST 280.0' TO THE POINT OF BEGINNING.

**S17-T05N-R13W; A 6-acre tract of land abutting the south of 333 E. German Lane**

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT, SAID POINT BEING AT THE NORTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE N88°41'47"W A DISTANCE OF 61.40 FEET TO A POINT; THENCE S1°18'13"W A DISTANCE OF 496.70 FEET TO A POINT; THENCE S 1°21'35"W A DISTANCE OF 388.00 FEET TO A SET REBAR, SAID POINT BEING AT THE POINT OF BEGINNING AND ON THE WESTERLY RIGHT OF WAY LINE OF GERMAN LANE; THENCE ALONG SAID RIGHT OF WAY LINE, S 1°23'20"W A DISTANCE OF 287.38 FEET TO A SET REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, S3°47'12"E A DISTANCE OF 150.50 FEET TO A FOUND REBAR; THENCE LEAVING SAID RIGHT OF WAY LINE, N87°51'18"W A DISTANCE OF 615.71 FEET TO A FOUND MAG NAIL; THENCE N1018'14"E A DISTANCE OF 428.25 FEET TO A FOUND REBAR; THENCE S88°41'46"E A DISTANCE OF 602.72 FEET TO THE POINT OF BEGINNING, AS SHOWN ON THE SURVEY DATED OCTOBER 21, 2022, BY NICHOLAS B. TUCKER, PLS NO. 1755.

**S16-T05N-R13W; 1.26-acre tract of land abutting the south of 400 and 500 East German Lane, just south of Conway Christian School, fronting on S East German Lane**












PART OF THE NW 1/4 SW 1/4, SECTION 16, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1067.0 FEET WEST OF THE NE CORNER OF SAID NW 1/4 SW 1/4 AND RUN FROM THENCE WEST 227.5 FEET TO THE NORTH-EASTERLY RIGHT OF WAY OF STATE HIGHWAY, #286; THENCE SOUTHEASTWARDLY ALONG SAID RIGHT OF WAY TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 389.0 FEET TO THE POINT OF BEGINNING, CONTAINING 1.26 ACRES, MORE OR LESS.

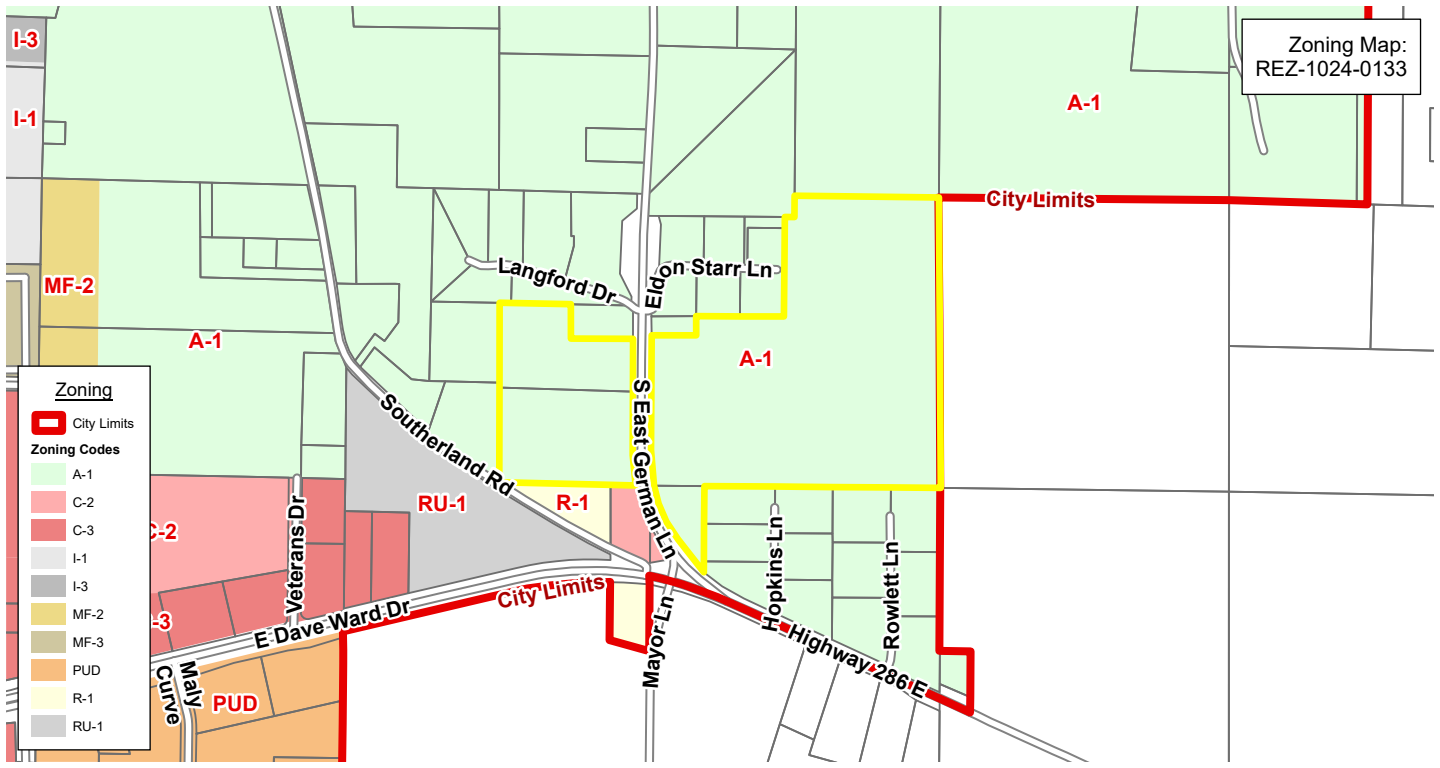
There is an existing conditional use permit (No.1138), issued 9/12/2000, granting School use in the A-1 zoning district, that will be repealed with rezoning approval. It is the intent of the applicant is to rezone all 4 lots to S-1 for future development related to Conway Christian School. The property at 333 S E German Ln is to retain the single-family home, and A-1 zoning designation. The Comprehensive Plan designates the area as Institution, Single-Family, and Multi-Family. Abutting area uses are agricultural, commercial, residential, and institutional and consist of a rural, 6 lot, A-1 zoned subdivision to the north, large lot single-family uses to the west and south, a fueling station at the intersection of E Dave Ward Dr and S East German Ln, and single-family homes and Conway Christian Schools to the east across S East German Ln. All 4 sites are currently unplatted and will have to undergo both site development and subdivision review prior to the issuance of building permits at the time of new development. New addresses will be assigned at the time of site development and subdivision review.

The Planning Commission reviewed the request at its regular meeting on November 18, 2024, 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.

**Zoning**

-  City Limits
- Zoning Codes**
-  A-1
-  C-2
-  C-3
-  I-1
-  I-3
-  MF-2
-  MF-3
-  PUD
-  R-1
-  RU-1





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

## MEMO

To: Mayor Bart Castleberry  
 Cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairman  
 Date: November 26, 2024

Re: Conditional Use request to allow MF-2 density in the C-3 zone for property located at 470 Harkrider Street

Davidson Engineering, on behalf of NewCo Land Dev LLC, has requested to allow MF-2 density in the C-3 zone for the property located at 470 Harkrider Street, with the following legal description:

LOTS 7-14 & 19 AND THE NORTH 41' OF LOTS 17 & 18, BLK 14 HARKRIDER ADDITION TO THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS.

This applicant is requesting mixed use/multi-family use in a C-3 zoning district and proposes a four-story building with retail on the first floor and a total of 21 apartments spanning the three remaining floors. This request runs concurrently with the rezoning case, REZ-1024-0134. The proposed four-story building is allowed by right in C-3 zoning with a maximum height of 45'.

Planning staff recommended approval of the conditional use permit with the following conditions:

1. The development is limited to retail on the first floor and a maximum of 21 total apartment units in floors 2-4. No retail shall expand beyond the first floor and no apartment units shall be placed below the second floor.
2. Access shall be limited via a driveway from 4th St.
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. All structures are subject to historic design review.
6. The development shall be subject to site development review in accordance with Article 10 of the Zoning Code.
7. The property shall be platted in accordance with the Subdivision Ordinance.
8. Enhanced landscaping shall be provided along all parking areas with additional shrubs, installed in the form of a hedgerow, required to screen parking, mechanical equipment, and/or dumpster/trash enclosure.
9. 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.
10. All signage shall be permitted and installed in accordance with the Conway Sign Code.
11. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
12. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.

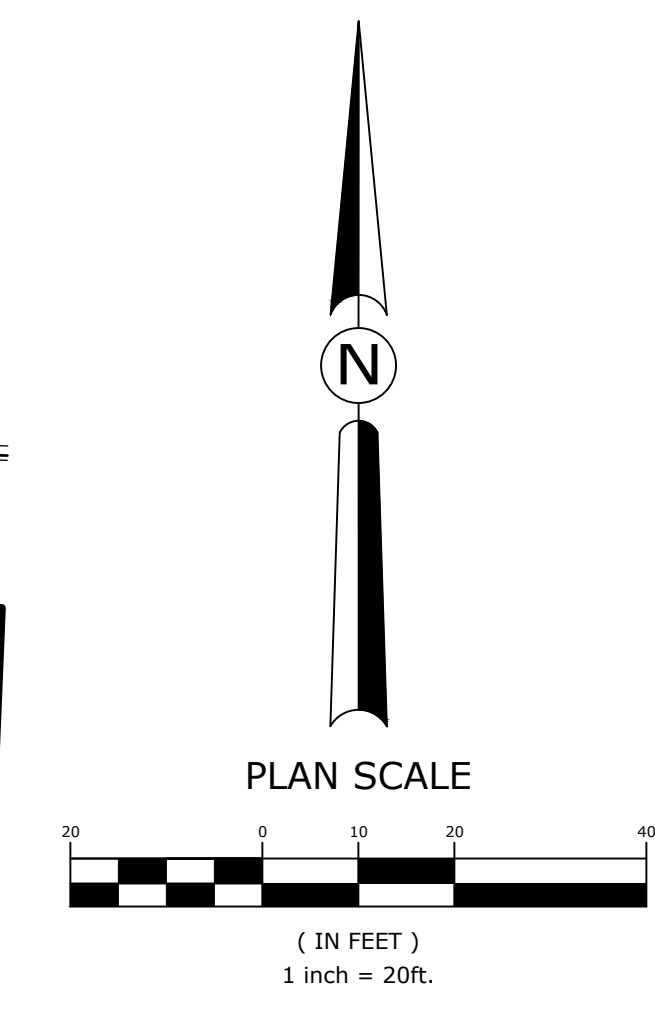
13. The conditional use permit shall expire if the use ceases for a consecutive period of greater than 18 months.

The Planning Commission reviewed the request at its regular meeting on November 18, 2024, 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.



Z:\24-00\24-02 - Harkrider Development, Conway\Preliminary\24-02 preliminary 5 - ES.dwg 10/21/24 at 9:53am



ROW PER ARDOT ROW PLANS JOB #080364

CONSTRUCTION CENTERLINE PER ARDOT ROW PLANS JOB #080364

EXISTING CURB & GUTTER (ARDOT TO RELOCATE PER ARDOT JOB#080364)

HARKRIDER STREET (ROW VARIES)

FOURTH STREET (50' ROW)

FIFTH STREET (50' ROW)

4-STORY MIXED USE BUILDING (29,663 SF)  
1ST FLOOR - RETAIL (7,577 SF)  
2 - 4th FLOORS - APARTMENTS (7,362 SF)

1.39± AC PROPOSED CUP TO ALLOW MF-2

0.54± AC (NOT INCLUDED IN CUP)

40' SHARED ACCESS EASEMENT

- DEVELOPMENT NOTES:**
- PROPOSED RETAIL HOURS OF OPERATION: 8:00 AM - 12:00 AM (ACTUAL STORE HOURS TO BE DETERMINED BY BUSINESS)
  - PROPOSED RESIDENTIAL DENSITY
    - A. PROPERTY ACREAGE BEFORE ROW DEDICATION = 2.0±
    - B. PROPERTY ACREAGE AFTER ROW DEDICATION = 1.39±
    - C. RESIDENTIAL UNITS = 21 (7 UNITS PER FLOOR x 3 FLOORS)
      - 21 UNITS / 1.42 = 14.78 du/a BEFORE DEDICATION
      - 21 UNITS / 1.39 = 15.10 du/a AFTER ROW DEDICATION
  - MIN. PARKING REQUIREMENTS
    - A. RESIDENTIAL (1.5 PER DWELLING)
      - TOTAL DWELLINGS = 21
      - 21 x 1.5 = 31.5 = 32 PARKING SPACES
    - B. RETAIL (1 PER 250 SF)
      - TOTAL SQUARE FEET = 7,416
      - 7,416 / 250 = 30.3 = 30 PARKING SPACES
    - C. SHARED PARKING CALCULATION PER DESIGN STANDARDS PATTERN BOOK
      - PARKING TOTAL = 62
      - GENERAL SHARING FACTOR FROM FIGURE 4-8 OF DESIGN STANDARDS PATTERN BOOK = 1.2
      - 62 / 1.2 = 51.6 = 52 PARKING SPACES
  - BICYCLE PARKING REQUIREMENTS:
    - A. RESIDENTIAL (1 PER DWELLING)
      - 21 DWELLINGS = 21 SPACES
    - B. RETAIL (1 PER 15 PARKING SPACES)
      - 62 PARKING SPACES / 15 = 4.1 = 4 SPACES
    - C. TOTAL BICYCLE PARKING SPACES = 25
  - PROPOSED GREEN SPACE = 18,113.26 (29.92%)
    - MIN. REQUIRED = 20%

**DAVIDSON ENGINEERING**  
210 W. ARCH AVE., STE. D  
SEARCY, AR 72143  
TEL: 501-388-2178

**HARKRIDER DEVELOPMENT**  
ADAM HART  
CONWAY, ARKANSAS

NO.	DATE	REVISIONS DESCRIPTION

ORIGINAL SIGNATURE ON FILE

**PRELIMINARY SITE PLAN**

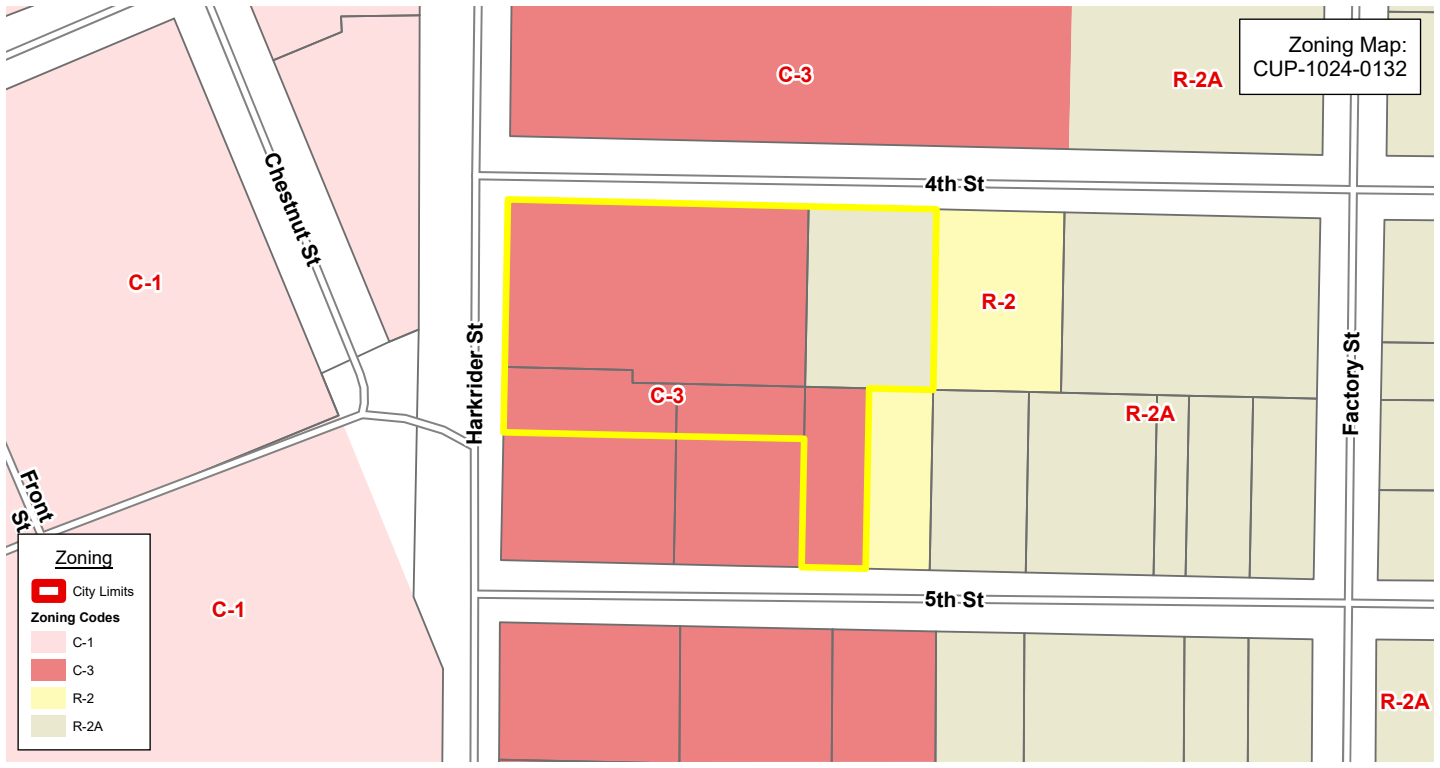
PROJECT ENG: **BCD** DRAWN BY: **JGB**

DATE: **AUGUST 19, 2023**






SCALE: **1" = 20'** JOB NUMBER: **DE24-92**

**PSP**

Zoning Map:  
CUP-1024-0132



**Zoning**

-  City Limits
- Zoning Codes**
-  C-1
-  C-3
-  R-2
-  R-2A

C-1

C-3

R-2A

Chestnut St

Front St

Harkrider St

4th St

5th St

Factory St

C-3

R-2

R-2A

C-1

R-2A



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

## MEMO

To: Mayor Bart Castleberry  
Cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairman  
Date: November 26, 2024

Re: Request to replace existing Conditional Use Permit to allow Retail – General uses in O-1 Zone for property located at 2555 Prince Street

Blue Whale Development, LLC, has requested to allow Retail – General uses in the O-1 zone for the property located at 2555 Prince Street, with the following legal description:

BEING A PART OF THE NE 1/4 NW 1/4 OF SECTION 11, T-5-N, R-14-W, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NW CORNER OF SAID NE 1/4 NW 1/4; THENCE S01°12'55"W 36.60 FEET (DEEDED 26.50 FEET); THENCE S88°47'05"E 507.84 FEET (DEEDED 495.00 FEET) TO A SET P.K. NAIL, FOR THE POINT OF BEGINNING; THENCE ALONG THE NORTH RIGHT OF WAY OF PRINCE STREET S88°47'05"E 113.50 FEET TO A FOUND CHISELED X IN CONE, THENCE LEAVING SAID RIGHT OF WAY S09°28'59"W 316.30 FEET (DEEDED 315.00 FEET) TO A FOUND 1/2" REBAR; THENCE S02°38'02"W 190.70 FEET (DEEDED 192.50 FEET) TO A FOUND 1/2" REBAR (APLS #1363) ON THE NORTH LINE OF ADAMSBROOKE SUBDIVISION; THENCE ALONG SAID NORTH LINE N88°07'59"W 277.50 FEET TO A SET P.K. NAIL ON THE EAST BANK OF TUCKER CREEK; THENCE LEAVING SAID NORTH LINE, ALONG SAID EAST BANK N24°22'55"E 544.46 FEET (DEEDED 538.00 FEET) TO THE POINT OF BEGINNING, CONTAINING 2.18 ACRES, MORE OR LESS.

The applicant is requesting to repeal CUP No.1227REV granting Retail - Restricted uses at this site. Although Retail - Restricted allows Restaurant as an approved use, the applicant finds the original CUP conditions not applicable to this development as the founding CUP permit is no longer linking this site and the 3 adjacent sites to the east all under one developable CUP. In addition to Retail – General use, the applicant is asking for a reduced floodway buffer from the original permit from 30' to 20' and to not have to install the masonry wall as proposed on the founding CUP to restore uniformity amongst all properties. The construction of a 4,500-sf restaurant with exterior patio and rear green space and trail buffering is being proposed.

Planning staff recommended approval of the conditional use permit with the following conditions:

1. Retail-General use shall be allowed.
2. \*Operating hours are limited to daily, ~~11:00am—10:00pm~~. **5:00am - 12:00am.**
3. Access to the site from Prince St shall be shared with the property owner to the east at 2545 Prince St as indicated on the site plan. Both parties shall enter into a joint-access agreement.

4. The development of the site will be generally constructed as shown on the submitted site plan.
5. The development shall be subject to platting review in accordance with the Subdivision Regulations and site development review in accordance with Article 10 of the Conway Zoning Code, prior to the issuance of any building permits.
6. A 20' vegetative buffer from the floodway of Tucker Creek shall be provided with no parking, structures, or drives. The buffer shall be shown on the landscape plan with species specified to ensure they are appropriate for the flood plain/riparian area. The existing trail and easement shall not be disturbed.
7. All exterior seating, eating, and drinking must conform to Article 10 standards of the Conway Zoning Code.
8. All exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent properties and shall comply with Article 10 of the Conway Zoning Code. Extra caution shall be taken for lighting around boundaries adjacent to residential uses.
9. A 30' undisturbed green space buffer (no parking structures) shall be required along the southern property line and shall be maintained by the property owner. Landscaping abutting residential areas should consist of trees of evergreen species to provide additional buffering/screening to the neighboring residences. An installation diagram and list of proposed species shall be submitted for approval by Planning Staff prior to installation. The Planning & Development Director may require additional screening along adjacent residential areas to reduce the impact of the proposed use.
10. All signage shall be permitted and installed in accordance with the Conway Sign Code.
11. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
12. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
13. \*The conditional use approval shall become null and void if the use is not commenced within ~~18~~ **24** months from the date of approval of this permit.
14. \*The conditional use permit shall expire if the use ceases for a consecutive period of greater than ~~18~~ **24** months.
15. With the approval of this Conditional Use request, conditional use permit (No. 1277REV) shall be revoked for 2555 Prince Street and replaced by this new permit.
16. **\*An 8ft wooden privacy fence along adjacent residential properties with location as determined by the Planning Director.**

The Planning Commission reviewed the request at its regular meeting on November 18, 2024, and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

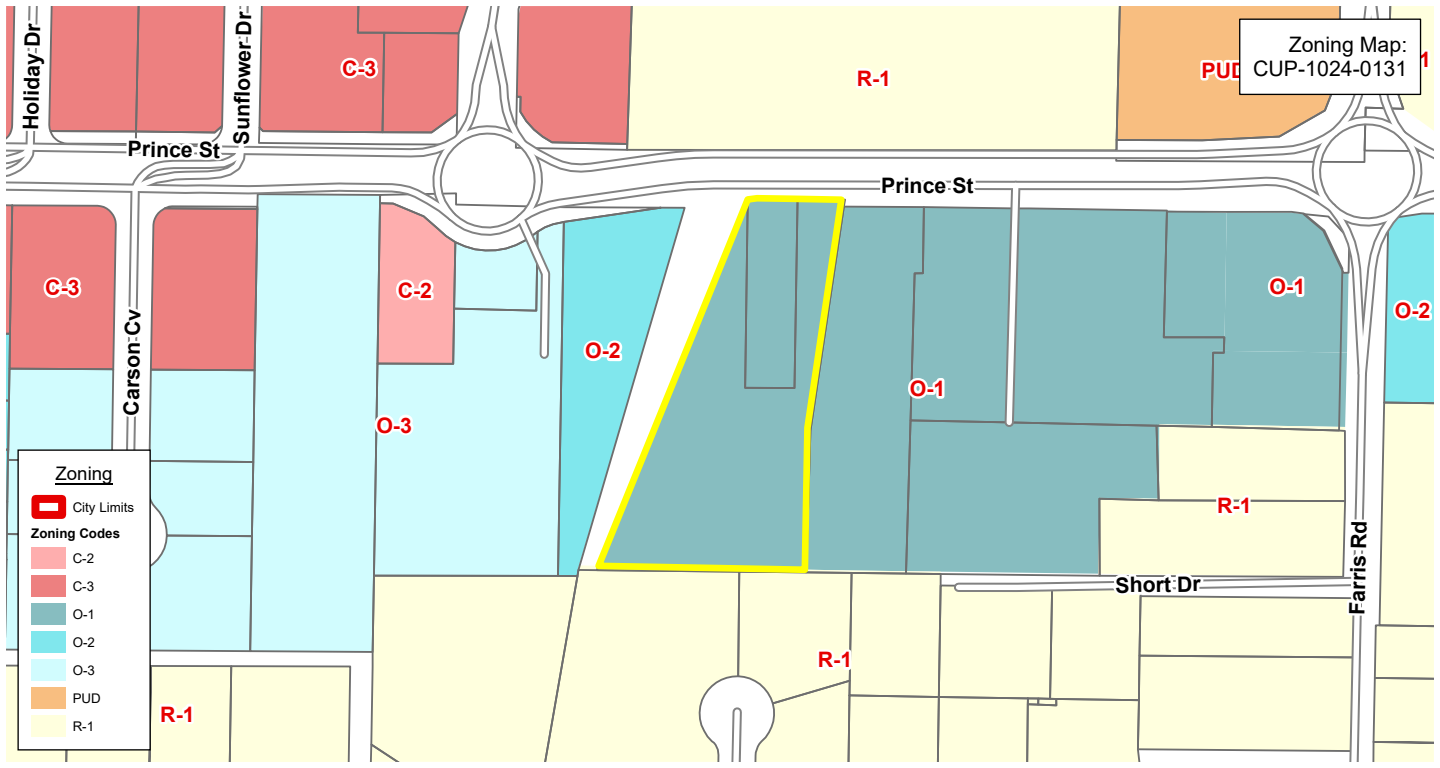
Please advise if you have any questions.

**\*Items amended and/or added by Planning Commission.**













Zoning Map:  
CUP-1024-0131



**Zoning**

 City Limits

**Zoning Codes**

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



To: Bart Castleberry, Mayor  
 From: Joseph Hopper, Director  
 Date: November 11, 2024  
 Re: Request to Remove and Dispose of Assets from Inventory

The Department of Sanitation has the following vehicles and equipment that are no longer being used or are ready to be cycled out:

Asset #	Year	Make	Model	Description	VIN/Serial Number
0266	2012	Doosan	DX300LC	Excavator	DHKECECAIE0001036
0287	2013	Freightliner	M2	Rear Load Refuse Truck	1FVHC5CYBDHFD5791
2689	2015	Mack	MRU613	Front Load Refuse Truck	1M2AV17C9FM010969
2784	2016	Peterbilt	PB320	Front Load Refuse Truck	3BPZL20X4GF107426

We formally request the removal of these items from the Department's fixed asset inventory for disposal. If approved, these items will be auctioned via an online auction, such as GovDeals.com or PublicSurplus.com, and/or sold as scrap.

Please let me know if you have any questions or concerns regarding this request.



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

**AN ORDINANCE APPROPRIATING FUNDS, WAIVING THE COMPETITIVE BID PROCESS, AND APPROVING THE PURCHASE OF A USED HYDRAULIC EXCAVATOR FOR THE DEPARTMENT OF SANITATION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway requires the use of hydraulic excavators in the operations of the City’s landfill; and

**Whereas**, the City of Conway currently has a 2012 Doosan DX300LC excavator with 11,010 hours that is in need of replacement; and

**Whereas**, the City of Conway has located a 2023 Volvo EC250EL excavator that would meet the department’s needs and have a significant cost savings when compared to purchasing new equipment; and

**Whereas**, the City of Conway Department of Sanitation has funds available to cover the cost of this equipment in the Sanitation Enterprise Fund Balance Appropriation Account.

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

**Section 1.** The City of Conway shall appropriate \$216,000 from the Sanitation Enterprise Fund Balance Appropriation Account (510-510-4900) to the Sanitation Enterprise Fund Machinery and Equipment Account (510-510-5910).

**Section 2.** The City of Conway shall waive the competitive bid process and approve the above purchase from Scott Equipment in the amount of \$216,000.

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

**Section 4.** 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 26<sup>th</sup> day of November, 2024.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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





## MEMORANDUM

**TO:** Mayor Bart Castleberry  
**FROM:** Kevin McCoy *Kevin McCoy*  
**DATE:** November 19, 2024  
**SUBJECT:** Removal of Items from Inventory

Attached to this memo is a list of computers the Information Technology Department wishes to remove from inventory. All items will either be auctioned on GovDeals or disposed of as e-waste. Please let me know if you have any questions.



Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series DP	None	None	Auction
Dock	Microsoft	Surface Series TB	None	5406	Auction
Dock	Microsoft	Surface Series TB	None	5329	Auction
Laptop	Dell	Latitude 5580	G9LL9H2	4380	Auction
Laptop	Dell	Latitude 5550	3FDYZM2	4410	Auction
Laptop	Dell	Latitude 3500	29ZRPT2	5888	Auction