



# CITY OF CONWAY, ARKANSAS PLANNING COMMISSION

May 16, 2022 • 6:30pm • 1111 Main Street

*\*Decisions made by the Planning Commission acting as the Board of Zoning Adjustment are final. Decisions may not be appealed to City Council.*

*Planning Commission meeting procedures (per by-laws adopted July 19, 1993; amended September 20, 2021)*

*\*Order and conduct for public hearings: Following the announcement of the item by the Chair, Planning Staff will present the report findings. Following Staff presentation the Applicant is granted up to 10 minutes for additional presentation with subsequent favorable public comments limited to 3 minutes per person. If opposed parties are present the initial speaker is then granted up to 10 minutes with each subsequent public comment limited to 3 minutes per person. No person shall address the Planning Commission without first being recognized by the Chair and stating his/her name and address for the public record. All questions/remarks shall be made from the podium and addressed through the Chair to the Commission as a whole. Any group with common interest shall select a speaker to address the Commission on behalf of the group; repetitive comments will be limited.*



# City of Conway

## PLANNING COMMISSION

May 16, 2022

### PLANNING COMMISSION

Rhea Williams, Chair  
Rebekah Fincher, Vice-Chair  
Laura King, Secretary  
Alexander Baney  
Adam Bell  
Latisha Sanders-Jones  
Ethan Reed  
Drew Spurgers  
Larry Webb  
Greg West

The Conway Planning Commission makes recommendations to the City Council on public hearing items. Items reviewed on this agenda will be considered by the City Council as early as **May 24, 2022.**

Items not approved by the Planning Commission may be appealed to the City Council within 30 days of the date of Planning Commission denial, with exception of decisions made by the Planning Commission acting as the Board of Zoning Adjustment.

**Call to Order and Roll Call.**

**Finding of a Quorum.**

**Approval of Minutes.** April 18, 2022

### I. Public Hearings\*

- A. Request for conditional use permit to allow Sand, Gravel, or Earth Sales and Storage in the TJ zoning districts for property located at 3450 Old Morrilton Highway/AR Hwy 64 (CUP-0322-0226) *This request was tabled at the April 18, 2022 meeting*
- B. Request for zoning variance\* to allow reduced setback for property located at 721 Fairview Street (VAR-0422-0233)
- C. Request to rezone 20.05 acres ± located east and north of existing 12 Hundred Place apartments Phases 1 and 2, east of Covington Way, from I-3 to MF-3 (REZ-0422-0238)
- D. Request to modify conditional use permit no. 1379 for property located at 2545 Prince Street (CUP-0422-0240)
- E. Request to rezone 3.88 acres ± east of Bill Bell Lane at the intersection of Acuff Lane from R-1 to C-2 (REZ-0422-0244; previously REZ-0322-0223) *This request was tabled at the April 18, 2022 meeting*
- F. Request for conditional use permit to allow mini-storage in the C-2 zoning district for 3.88 acres ± east of Bill Bell Lane at the intersection of Acuff Lane (CUP-0422-0245)
- G. Consideration to adopt a Public Art Master Plan as an appendix to the Comprehensive Plan

### II. Announcements/Additional Business

- A. Request for sign variance for use proposed at 554 Museum Road (VAR-0322-0220)

**Adjournment**

# Request for Conditional Use Permit: Sand, Gravel, or Earth Sales and Storage in TJ

I.A

3450 Old Morrilton Highway/Highway 64

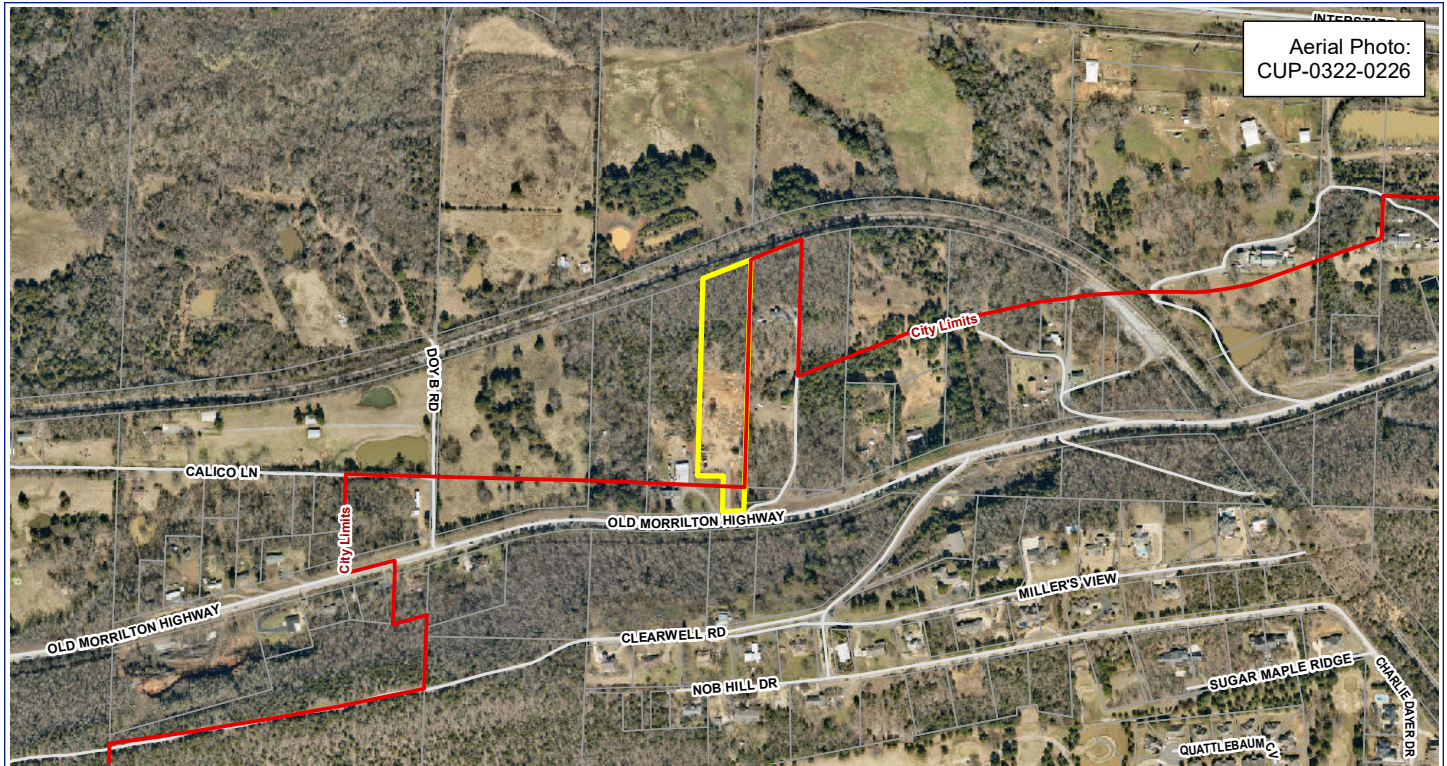
*This request was tabled at the April 18, 2022 meeting*

## APPLICANT/AUTHORIZED AGENT

Daniel Derden  
3450 Old Morrilton Hwy  
Conway, AR 72032

## OWNER

Long Land Development, LLC  
PO Box 10237  
Conway, AR 72034



## SITE DATA

**Location.** 3450 Old Morrilton Hwy.

**Site Area.** 4.09 acres±.

**Current Zoning.** R-2 (Low-Density Residential) and TJ (Rural District).

**Existing Structures.** Portable and trailer-type storage structures.

**Overlay.** None.

**Requested Conditional Use.** Sand, gravel, or earth sales and storage.

**Comprehensive Plan.** Mixed Use.

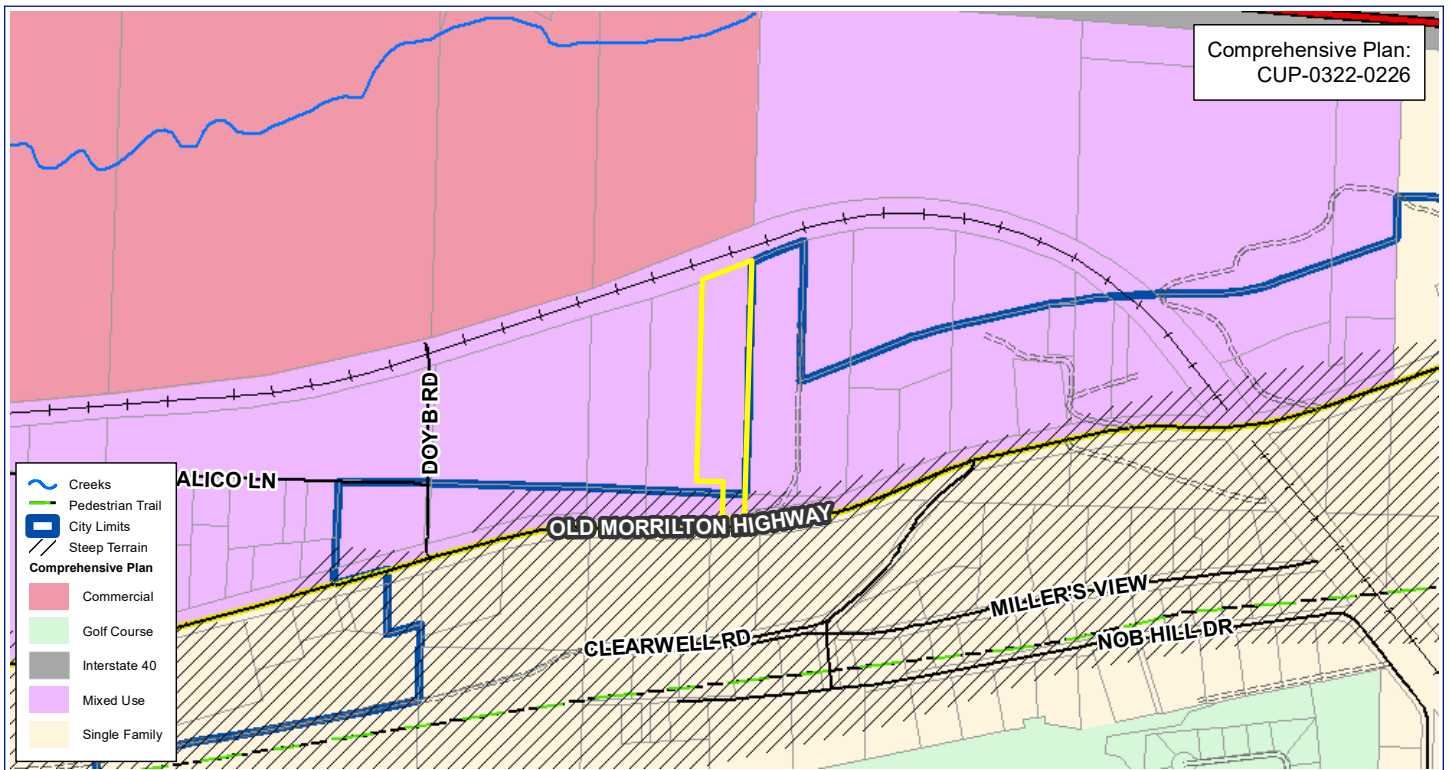
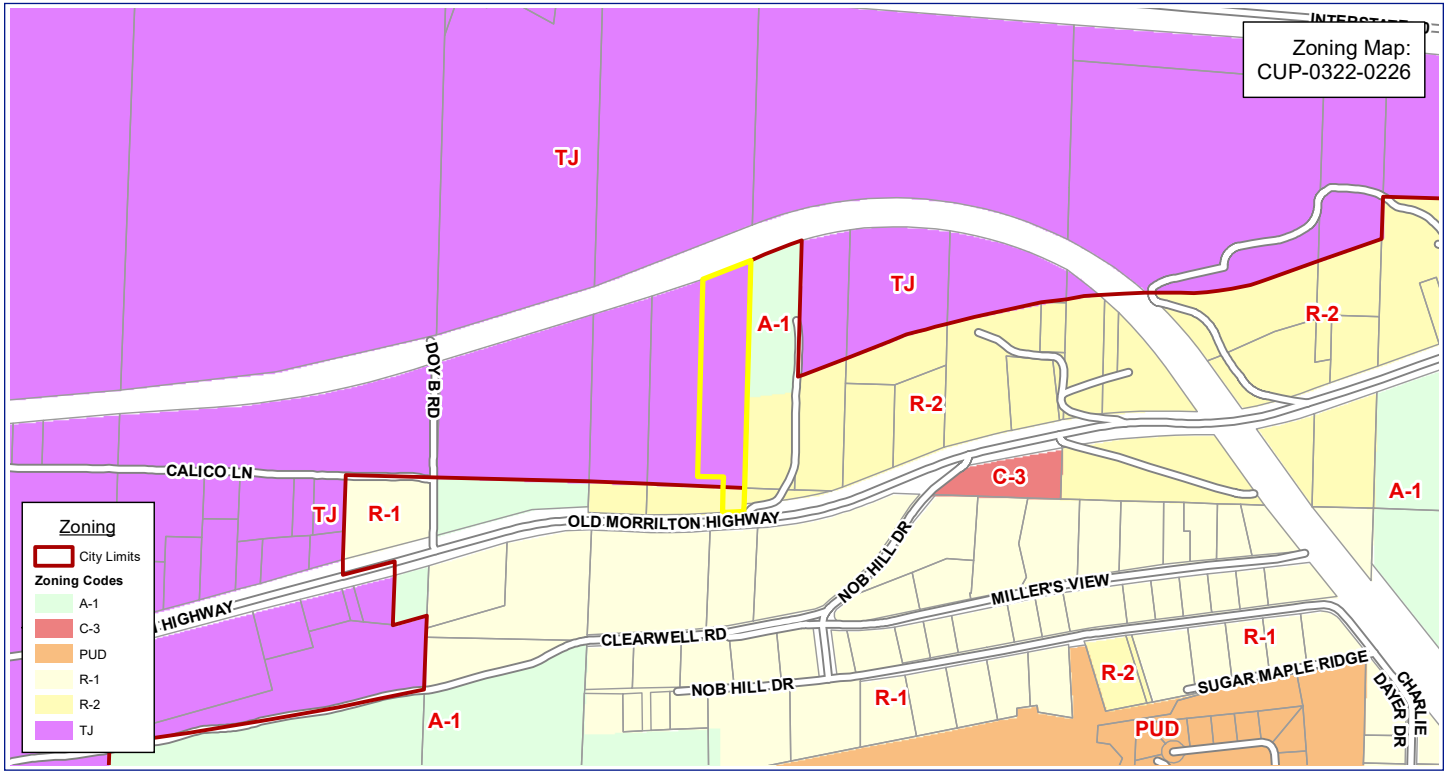
**Projected Traffic Impact.** This development is projected to yield approximately 96 vehicle trips per typical weekday on Old Morrilton Hwy.

**Current Traffic Counts.** Old Morrilton Hwy east of Nob Hill Road - 9,800 average daily traffic.

**Flood/Drainage.** The site is not within any regulated floodplains or floodways.

# Request for Conditional Use Permit: Sand, Gravel, or Earth Sales and Storage in TJ

3450 Old Morrilton Highway/Highway 64



3450 Old Morrilton Highway/Highway 64

**Utilities.** Water (irrigation) and temporary power have been established at the site. The applicant will need to coordinate the permanent extension of utilities with Conway Corporation.

**Master Street Plan.** Old Morrilton Hwy – Major Arterial.

**Street Improvement.** No current improvement plans.

## **STAFF COMMENTS**

- Since review of the application at the April 18<sup>th</sup> meeting, staff met with the applicant and reviewed aerial photography of the site. While vegetation has been removed on portions of the site since it being occupied in 2014, it appears there has been no decrease in pervious surface on the site. It does not appear any drainage issues which may exist are related to the use request in question.
- The applicant desires to operate a sand, gravel, and/or earth sales and storage facility in the TJ zoning district. This use is not permitted by right in the current zoning district but is allowed as a conditional use.
- This proposed conditional use does not include the growing or selling of any plant or tree material.
- The proposal is consistent with the Comprehensive Plan.
- As conditioned, the request complies with the requirements of §901.2.J of the Conway Zoning Code. (In accordance with §901.2.K, Violation of any condition imposed shall constitute grounds for revocation of the conditional use authorization.)
- City Engineering has reviewed the request and believe this conditional use request would not change any patterns associated with stormwater runoff or retention.
- Visual impact of the property could negatively impact adjacent properties, particularly existing residential uses.

## **STAFF RECOMMENDATIONS**

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

1. No variance of any kind may be subsequently requested.
2. Conditional Use is limited to Sand, Gravel, and/or Earth Sales and Storage to include the storage of related equipment such as trucks and trailers solely in support of the landscape installation division.
3. The cultivation and sales of plant or tree materials is prohibited. Such materials may only be stored on-site temporarily when intended for use as part of a professional services landscape installation project.
4. Perimeter screening is required along all property lines which abut residential uses. Screening may consist of dense landscaping including understory trees and shrubs or fencing. If landscaping is proposed, an installation diagram and list of proposed species shall be submitted to the Planning Director for approval prior to installation; if fencing is proposed, height and material information shall be submitted to the Planning Director for approval prior to installation.
5. Hours of operation are limited to 8:00am to 6:00pm, Monday through Saturday.
6. All signage shall be permitted and installed in accordance with Article 1301 of the Conway Zoning Code.
7. No additional structures may be moved onto or constructed on the site. Any proposed expansion of or addition to existing structures shall require an amended conditional use permit.
8. This conditional use shall automatically expire if the approved use ceases for more than 18 consecutive months.

## **SAMPLE MOTION**

I move to accept the staff recommendation to approve the request with the conditions indicated in the staff report and that, as conditioned, it allows for appropriate use of the property and would not likely negatively impact adjacent property.

# Request for Conditional Use Permit: Sand, Gravel, or Earth Sales and Storage in TJ

3450 Old Morrilton Highway/Highway 64

I.A



View of subject property from Hwy 64 looking N



View interior of subject property from entry drive



Property adjacent to the W



Property adjacent to the E



Adjacent property across Hwy 64 looking W



Adjacent property across Hwy 64 looking E

# Request for Zoning Variance: Reduced front setback

721 Fairview Street

**APPLICANT/AUTHORIZED AGENT**

The Tyler Group  
240 Skyline Dr, Ste 3000  
Conway, AR 72032

**OWNER**

Southeast Realty Investments, LLC  
12721 Saticoy Street  
North Hollywood, CA 91605



**SITE DATA**

**Location.** 721 Fairview Dr.

**Site Area.** 0.63 acres±.

**Current Zoning.** R-2 (Low-Density Residential District).

**Existing Structures.** 904 sf single family home.

**Overlay.** None

**Requested Zoning Variance.** Allow reduced front setback from 25' to 20'. This is a variance of 5' that is required due to right-of-way dedication.

**General Overview.** The applicant is proposing to replat this property into three lots. The current single-family home does not meet setback requirements due to right-of-way dedication. A variance would need to be granted before a replat of this lot would be allowed.

**Zoning Ordinance Regulations.** R-2 zoning district requires:

**Minimum Lot Area.** 6,000 sf for detached single family dwellings.

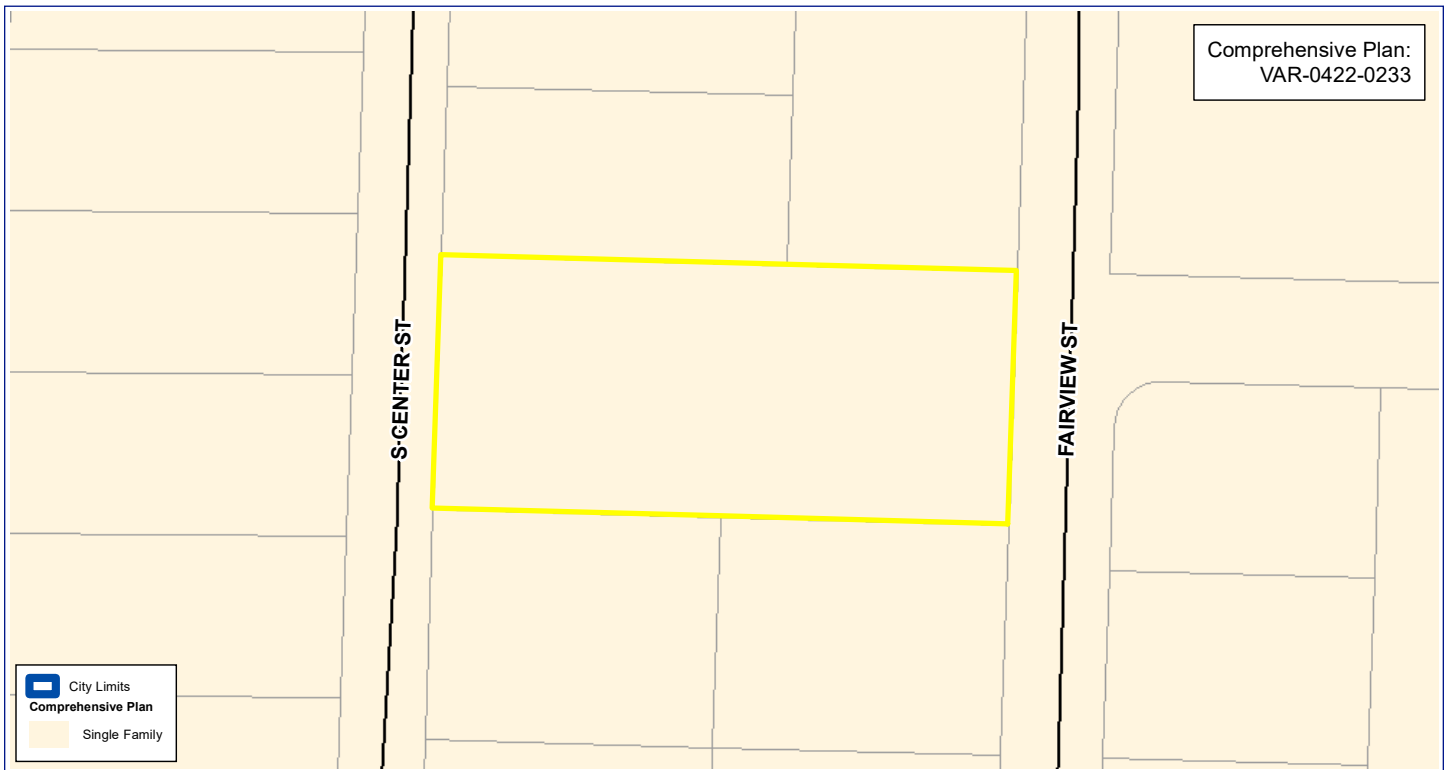
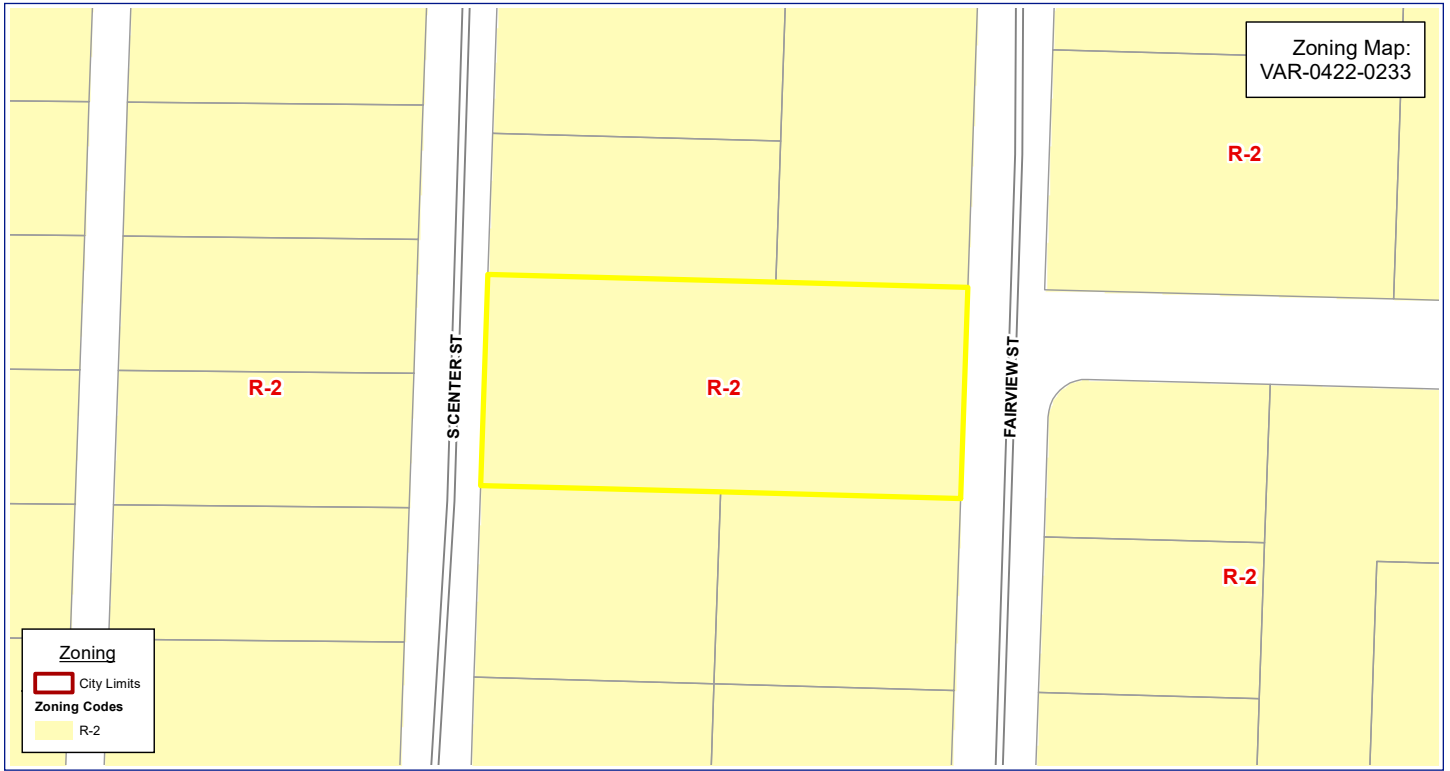
**Setbacks.** Front and rear setbacks for this zone are 25'; Interior side setback is 6'.



# Request for Zoning Variance: Reduced front setback

721 Fairview Street

I.B



**Basis of Variance Review.** The Planning Commission acting as the Board of Zoning Adjustments, should only grant zoning variances if strict enforcement of the zoning ordinance will cause undue hardship due to circumstances unique to the individual property. Variances should only be granted when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance. The Commission may impose conditions in granting a variance to ensure compliance and to protect adjacent property.

## **STAFF COMMENTS**

- This is an existing structure that must be granted a variance to comply with zoning codes and ordinances.
- Staff expects impacts from the request to be minimal as the structure is already existing.
- This variance permit will only apply to the existing building. Any new structure built on this property, or any expansion or redevelopment, would be required to meet all setback, ordinances, and codes.
- The rear shed located on the property must be removed or relocated to comply with rear setback requirements.
- Allowing the variance would not preclude the applicant from meeting all other requirements of the zone and overlay zoning.

## **STAFF RECOMMENDATIONS**

Staff recommends approval of the variance on the following basis:

Granting the variance would allow appropriate development of the site without harming adjacent property. This is an existing structure with no proposed expansion at this time. If this property redevelops in the future, the new structure will be required to meet all applicable codes and ordinances. Planning recommends this variance request with the following condition:

1. Variances shall apply to the existing structures and shall become void if the structure is voluntarily destroyed by the owner. The structure may be rebuilt if destroyed by natural disaster or fire.
2. Rear shed on property must be removed or relocated prior to plat approval.

## **SAMPLE MOTION**

I move to accept the staff recommendation to approve the request with the conditions indicated in the staff report and that, as conditioned, it allows for appropriate use of the property and would not likely negatively impact adjacent property.

# Request for Zoning Variance: Reduced front setback

721 Fairview Street

I.B



View of subject property from Fairview St looking SW



View of subject property from Fairview St looking W



Property adjacent to the S



Property adjacent to the N



Property adjacent to the NE



Property adjacent to the E

# Request to Rezone: I-3 to MF-3

I.C

21.37 acres± east and north of existing 12 Hundred Place apartments, east of Covington Way

## DESIGN PROFESSIONAL/AUTHORIZED AGENT

Terry Burruss, Architect  
11912 Kanis Rd, Ste F8  
Little Rock, AR 72211

## OWNER

Sturgis Development, LLC  
PO Box 10811  
Conway, AR 72034



## SITE DATA

**Location.** Subject property is immediately east of phases 1 and 2 of the 12 Hundred Place multi-family development located at 1200 Covington Way.

**Site Area.** 21.37 acres±.

**Current Zoning.** I-3 (Intensive Industrial).

**Requested Rezoning.** MF-3 (Multi-family; 24 units/acre).

**Adjacent Zoning.** West: MF-3, South: A-1, North and East: I-3.

**Existing Structures.** None.

**Overlay.** None.

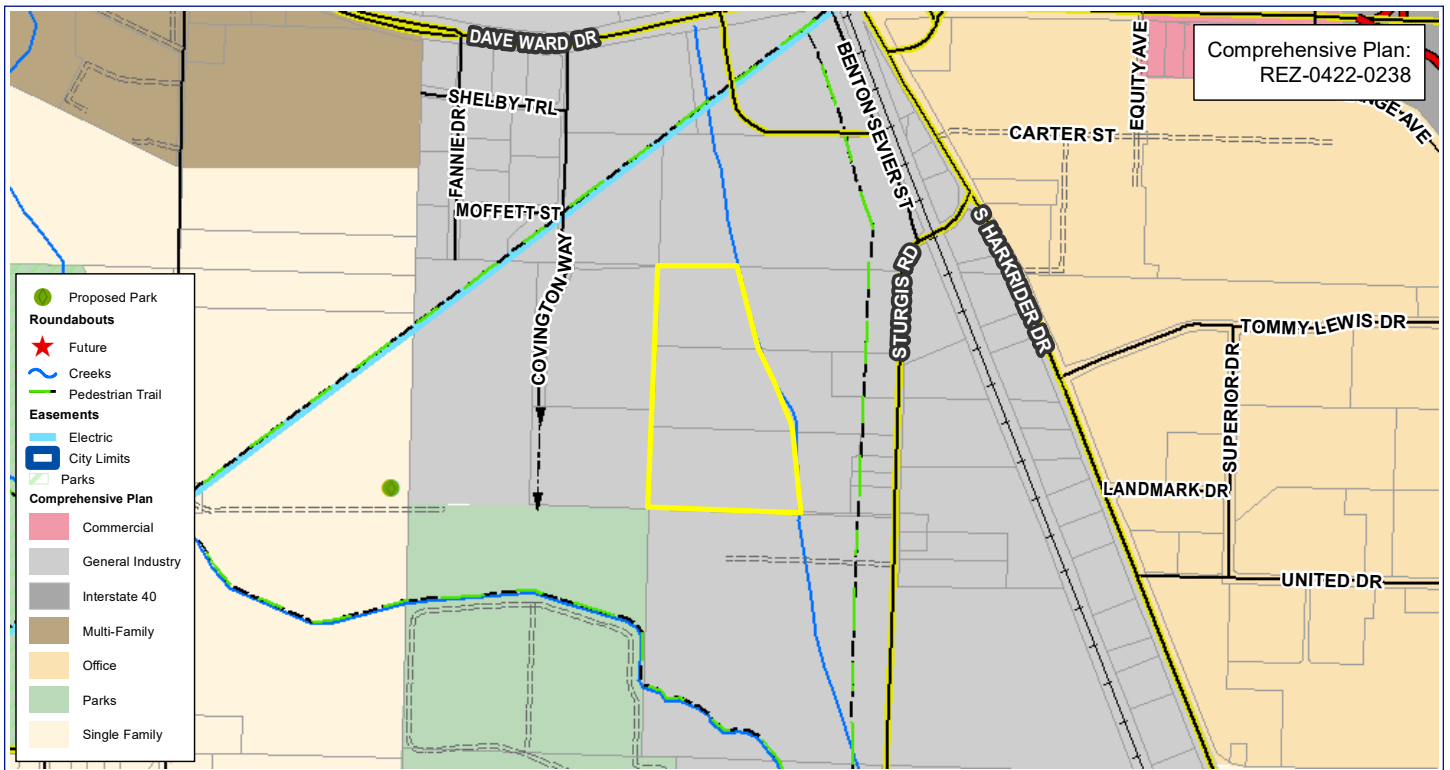
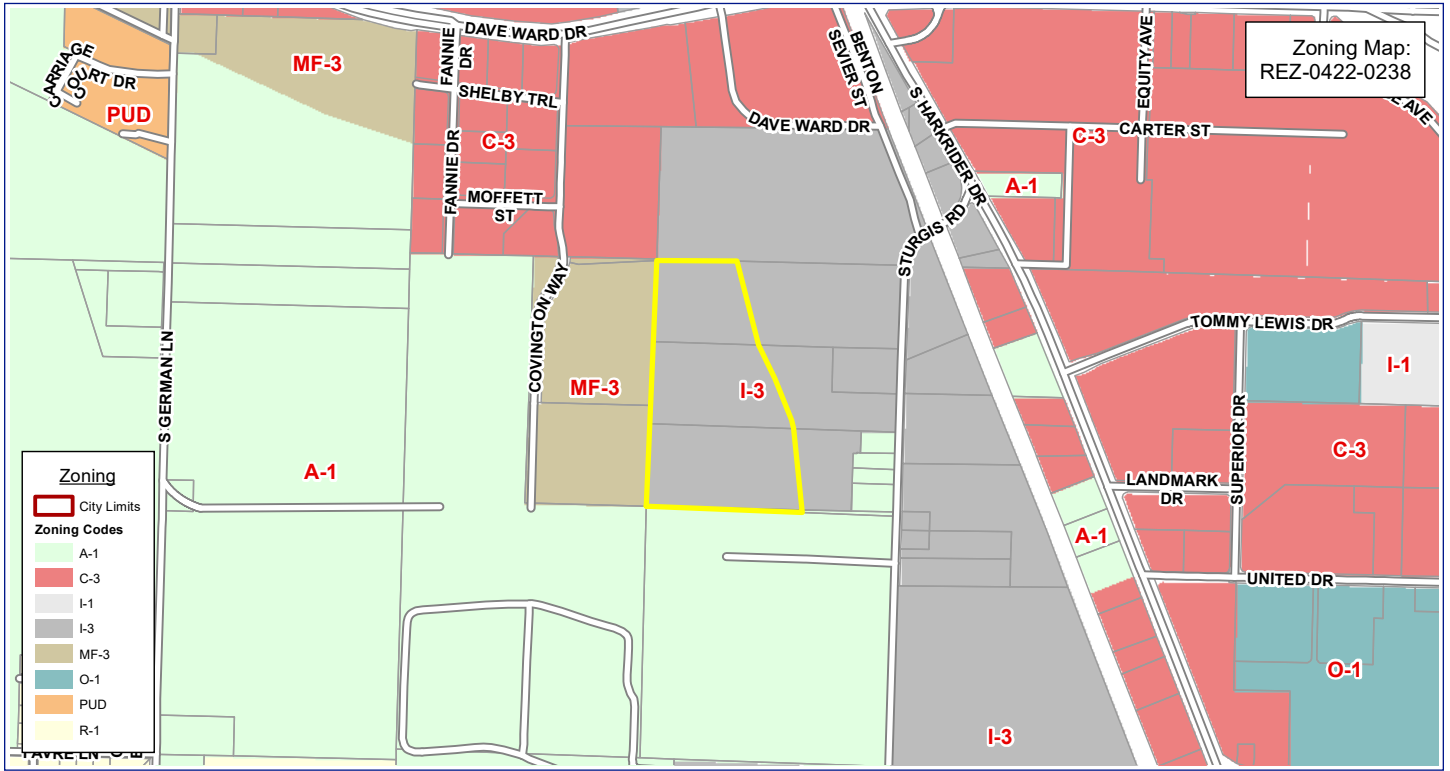
**Comprehensive Plan.** General Industry.

**Projected Traffic Impact.** With a rezoning to MF-3 and developed to full capacity based on acreage, the site could support an estimated 232 units, producing an additional 1263 vehicle trips per typical weekday. Development potential is limited for portions of the property within flood hazard zones, but could produce some additional traffic.

# Request to Rezone: I-3 to MF-3

I.C

21.37 acres± east and north of existing 12 Hundred Place apartments, east of Covington Way



## Request to Rezone: I-3 to MF-3

I.C

21.37 acres± east and north of existing 12 Hundred Place apartments, east of Covington Way

**Current Traffic Counts.** Dave Ward Dr at Fannie Dr (just west of Covington Way) - 32,000 average daily traffic.

**Flood/Drainage.** Approximately 55% of the subject property lies within a FEMA flood hazard zone; 8.5 acres± in Zone AE (1% annual chance of flooding) with a base flood elevation of 277'-279' and 3.2 acres± in regulatory floodway.

**Utilities.** All necessary utilities are available in close proximity to the site. Applicant will need to coordinate with Conway Corporation regarding extensions.

**Master Street Plan.** Covington Way (Collector), although the proposed expansion will not have direct street frontage; it is intended to take access via connection to existing Phases 1 and 2.

**Street Improvement.** Covington Way was newly constructed in 2018; no additional improvements are proposed.

### **STAFF COMMENTS**

- The applicant is seeking the rezoning for the purpose of developing an additional phase of the existing multi-family development, 12 Hundred Place.
- Although the requested zoning is not consistent with the Comprehensive Plan, in recent years the immediate area has transitioned away from general industry to more commercial and office uses. Therefore the requested zoning is appropriate given the context of the area.
- The third phase of the development is proposed to contain between 208 - 224 units, varied between 1-bedroom, 2-bedroom, and town homes. This proposed density is less than the estimated 238 units the developable acreage, exclusive of all flood hazard zones, would allow under MF-3 zoning.
- A creek, running north-south, naturally nearly bisects the site, separating the eastern half of the property which is oriented toward an industrial area along Sturgis Rd from the western half which abuts an existing multi-family complex in development.
- Platting and site development review processes will be required of any future development.
- The requested rezoning will not likely negatively impact adjacent properties.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request as it will allow for appropriate use of the property in context and will not likely negatively impact adjacent properties.

### **SAMPLE MOTION**

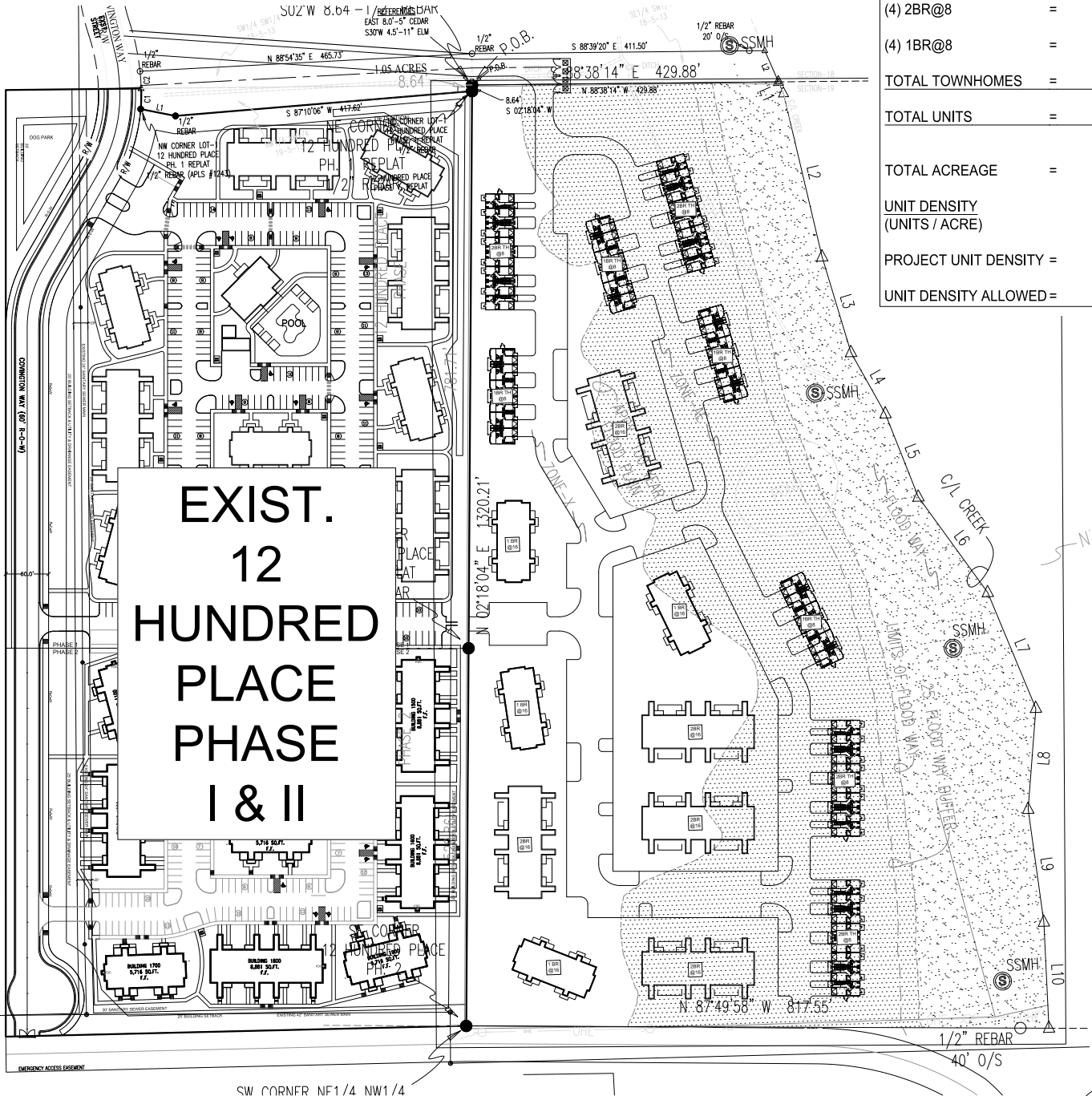
I move to accept the staff recommendation to approve the request on the basis that it will allow for appropriate use of the property and will not likely negatively impact adjacent property.

# Request to Rezone: I-3 to MF-3

21.37 acres± east and north of existing 12 Hundred Place apartments, east of Covington Way

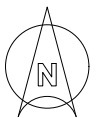
I.C

PROJECT DATA		
<b>APARTMENTS</b>		
(5) 2 BR@16	=	80
(4) 1BR@16	=	64
<b>TOTAL APARTMENTS</b>	=	<b>144</b>
<b>TOWNHOMES</b>		
(4) 2BR@8	=	32
(4) 1BR@8	=	32
<b>TOTAL TOWNHOMES</b>	=	<b>64</b>
<b>TOTAL UNITS</b>	=	<b>208</b>
<b>TOTAL ACREAGE</b>	=	<b>21.63</b>
<b>UNIT DENSITY (UNITS / ACRE)</b>		
<b>PROJECT UNIT DENSITY</b>	=	<b>9.6</b>
<b>UNIT DENSITY ALLOWED</b>	=	<b>24</b>



CONCEPT SITE PLAN

SCALE: 1" = 80'-0"



# Request to Rezone: I-3 to MF-3

I.C

21.37 acres± east and north of existing 12 Hundred Place apartments, east of Covington Way



View of subject property from 12 Hundred Place Ph 1 looking NE



View of subject property from 12 Hundred Place Ph 1 looking SE



Representative building in 12 Hundred Place Phase 1



View of proposed access from Covington Way looking SE



Property adjacent to the W (looking N into 12 Hundred Place Phase 1)



Property adjacent to the W (looking S into 12 Hundred Place Phase 2)



# Request to modify Conditional Use Permit no. 1379

2545 Prince Street

I.D

## AUTHORIZED AGENT

Michael Boggs

Tralan Engineering

2916 Wood St

Jonesboro, AR 72404

## APPLICANT/OWNER

Tony Pavan



## SITE DATA

**Location.** 2545 Prince St.

**Site Area.** 1.44 acres±.

**Current Zoning.** O-1 (General Office District).

**Adjacent Zoning.** North: R-1, East: O-1, West: O-1, South: R-1.

**Existing Structures.** None.

**Overlay.** None.

**Comprehensive Plan.** Single Family.

**Projected Traffic Impact.** It is not anticipated that the application will result in any changes to traffic impact.

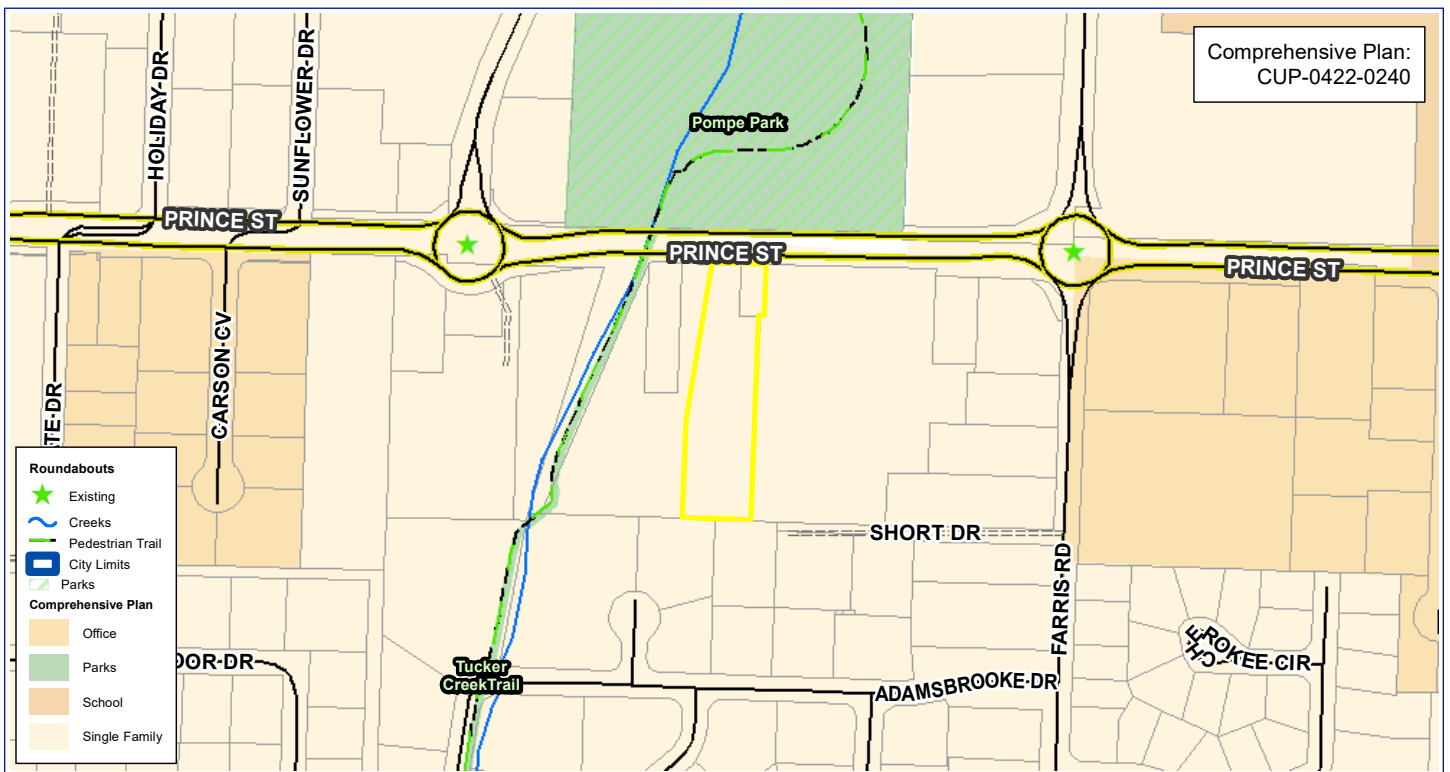
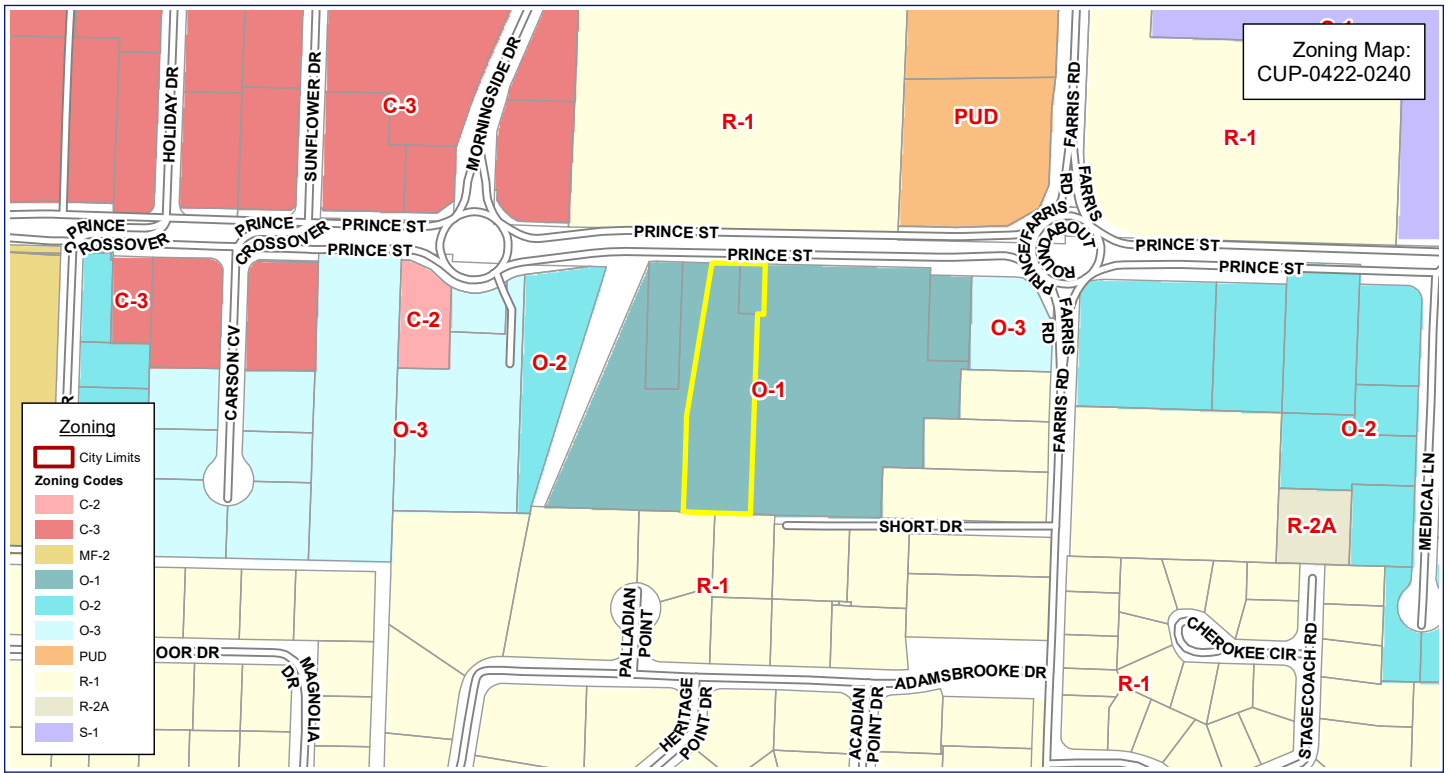
**Current Traffic Counts.** Prince St at the subject property - 20,000 ADT (average daily traffic).

**Flood/Drainage.** The site is not within any regulatory floodway or floodplain areas.

# Request to modify Conditional Use Permit no. 1379

2545 Prince Street

I.D



**Utilities.** The site was previously developed as single-family residential so utilities are available. Applicant will need to coordinate with Conway Corporation regarding expansion to support new, higher-intensity development.

**Master Street Plan.** Prince St (Major Arterial).

**Street Improvement.** This portion of Prince St saw significant improvements in 2013-14. No additional improvements are planned at this time.

**Requested Conditional Uses.** Current permit No. 1379 – No use modifications are proposed.

**General Overview.** The site previously housed one single-family residence, but is now vacant. As a result of discussion between neighboring property owners and staff, staff requested that the property owner make an application to modify the buffering requirement for the use. Currently, a 6' brick wall is required upon establishment of the use on the site. The modification would allow a 6' wooden fence in lieu of a brick wall and require establishment of a 30' green space buffer on the south property line.

## **STAFF COMMENTS**

The request has been reviewed in accordance with §901.2.J of the Conway Zoning Code.

- The current condition of CUP No. 1379 which is relevant to the application is:
  1. A brick wall must be constructed along the south property line to provide screening for residences. (Wall must be a minimum of 6 feet tall).
- The use would not likely negatively impact adjacent property and complies with §901.2.J of the Conway Zoning Code accordingly.
- The property to the west and east currently require a 30' green space buffer due to the current conditional use permits in place. A similar requirement for this property would provide protection to neighboring properties.
- A 30' buffer would keep the existing tree line intact.

## **STAFF RECOMMENDATIONS**

Staff recommends approval of the amended conditional use permit, specific to the subject property, with the following conditions:

1. Retail – General shall be allowed.
2. Driveway curb cuts shall meet development review standards. Cross access/shared access shall be used unless outstanding conditions warrant otherwise.
3. The development shall be built in a manner that's consistent with the applicant's development review application for Shadrach's Coffee (SDR-1121-0155).
4. A 30-foot green space buffer [no parking or structures] is required along the southern property line to be properly maintained by the property owner. This buffer shall be vegetated and left in an undisturbed state.
5. Any additional structures, expansion of uses not permitted by right, or additions to those structures indicated on the applicant's development review application (SDR-1121-0155) shall be subject to review through an amended or new conditional use permit.
6. This conditional use permit expires 2 years from the date of issuance if no building permit has been issued.
7. If the site or any structure on an individual lot become vacant for a period of more than 18 consecutive months, the conditional use permit shall become void for the site or portion of the site as appropriate to the extent of the vacancy.

## **STAFF RECOMMENDATIONS**

I move to accept the staff recommendation to approve the request with the conditions indicated in the staff report on the basis that, as conditioned, the modification would not likely negatively impact adjacent property and allow appropriate buffering of the use.

PERMIT No. 1379

USE2017AUG01  
51411NW

# CONDITIONAL USE PERMIT

## CITY OF CONWAY, ARKANSAS

PROPERTY DESCRIPTION / ADDRESS / LOCATION:

This conditional use is for property located at 2545 Prince Street with the following legal description:

Part of the NE 1/4, NW 1/4, Section 11, T-5-N, R-14-W, Faulkner County, Arkansas described as beginning the NW corner of said NE 1/4, NW 1/4 and run south 26.5 feet; thence, N89-32-30E along the south right of way of Prince Street 628.5 feet to the point of beginning; thence, N89-32-30E along said right of way, 106 feet; thence, S0-20-40E, 100 feet; thence, S89-32-30W, 12 feet to a found 1 inch pipe; thence, south 404.08 feet to an existing property line; thence, west along said property line, 134 feet; thence, north 190.87 feet; thence, N7-17-40E, 315 feet to the point of beginning containing 1.43 acres +/-

ZONING: O-1 (General Office)

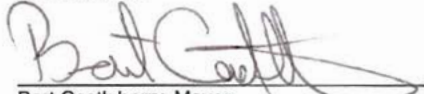
CONDITIONAL USE PERMITTED TO PHIL DAYER: General Retail

DATE OF COUNCIL MEETING ALLOWING PERMITTED USE: September 26, 2017

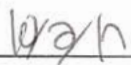
CONDITIONS ATTACHED TO THE PERMIT:

1. General retail shall be allowed.
2. Driveway curb cuts shall meet development review standards. Cross access/shared access shall be used unless outstanding conditions warrant otherwise.
3. A brick wall must be constructed along the south property line to provide screening for residences. (Wall must be a minimum of 6 feet tall.)

APPROVED:



Bart Castleberry, Mayor

  
Date



View of property adjacent to the S from within the subject property



Illustration of proposed buffer depth (within subject property looking E)

# Request to Rezone: R-1 to C-2

I.E

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

*The original request [to rezone R-1 to C-3] was tabled at the April 18, 2022 meeting*

## APPLICANT/AUTHORIZED AGENT

Central Arkansas Professional Surveying  
1021 Front St  
Conway, AR 72032

## OWNER

Frank Shaw Properties, LLC  
1315 Main St  
Conway, AR 72034



## SITE DATA

**Location.** 1265 Acuff Ln.

**Site Area.** 3.88 acres±.

**Current Zoning.** R-1 (Single-Family Residential District).

**Existing Structures.** None.

**Overlay.** None.

**Requested Rezoning.** C-2 (Neighborhood Commercial District).

**Comprehensive Plan.** Single-Family.

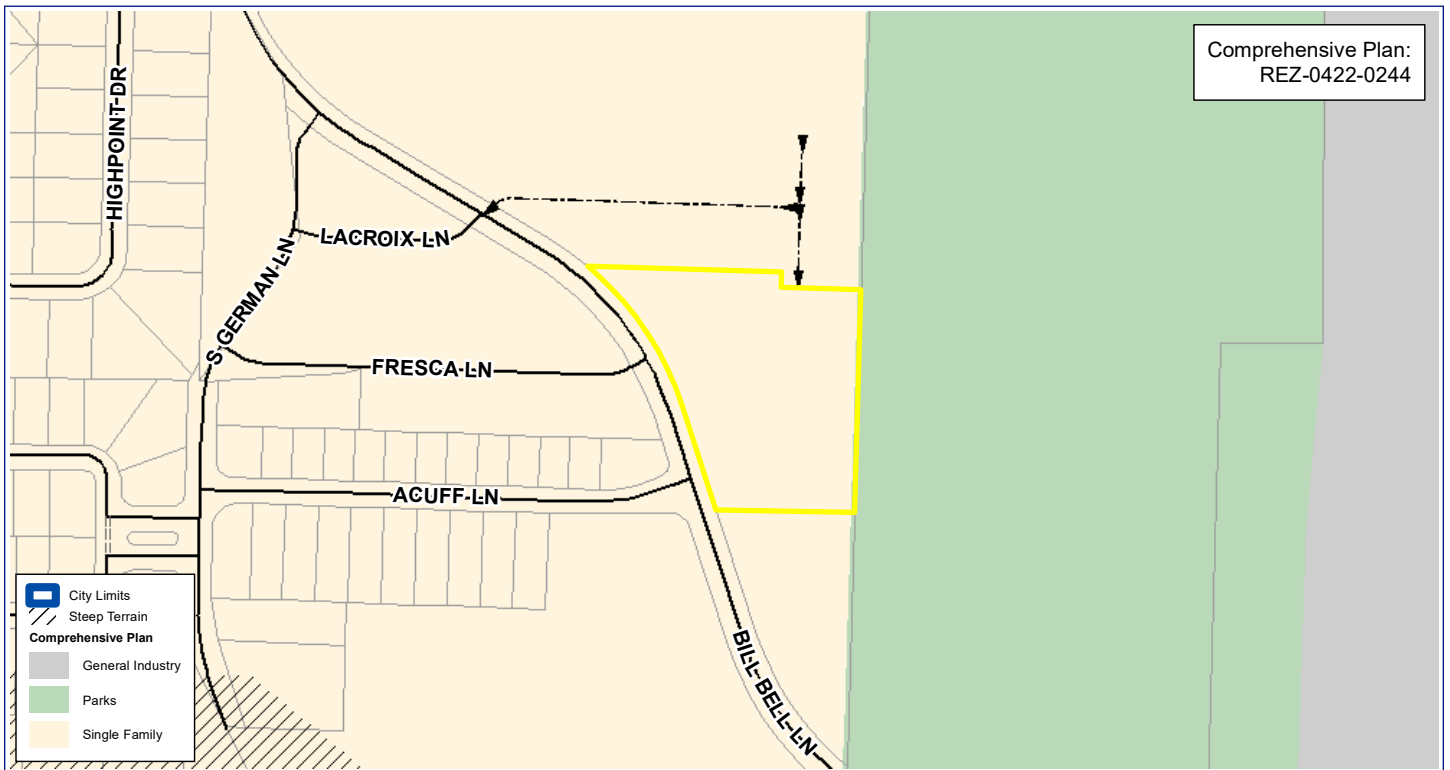
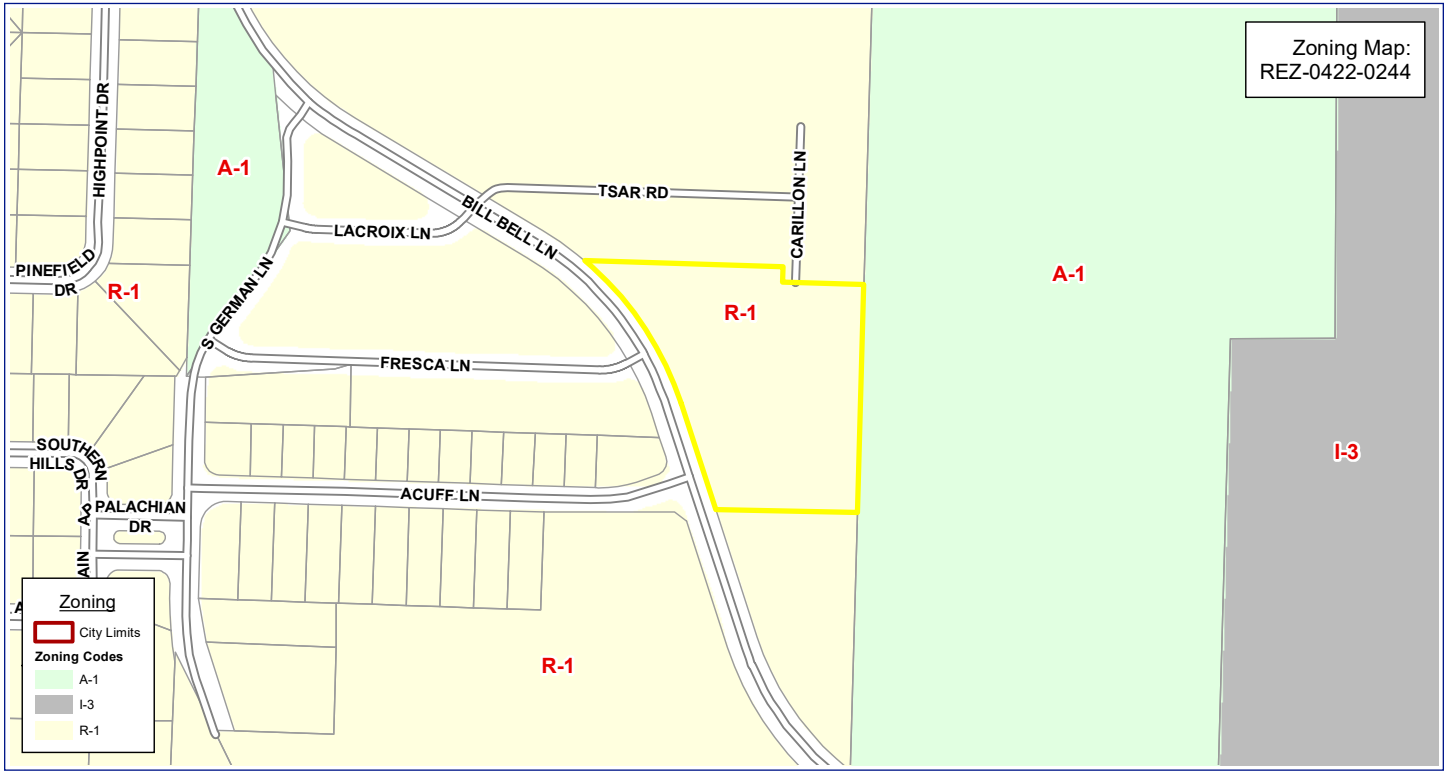
**Projected Traffic Impact.** With a rezoning to C-2, the traffic impact could vary. Based on the applicant's stated intentions, the site would be developed for a self-storage facility. Such development is anticipated to yield approximately 100 vehicle trips per typical weekday. The most intense possible by-right use (Pharmacy or Small-scale retail store) would generate approximately 1300 vehicle trips per typical weekday. Trips would be solely directed onto Bill Bell Ln.

**Current Traffic Counts.** Reliable average daily traffic count information is not available for this area. S German Ln, which connects to Bill Bell Ln to the north, has a daily average traffic count of 5,500 north of Stone Dam Creek.

# Request to Rezone: R-1 to C-2

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

I.E



## Request to Rezone: R-1 to C-2

I.E

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

**Flood/Drainage.** The site is not within any regulated floodplains or floodways.

**Utilities.** At time of development, the site will be served by Conway Corp for all utilities.

**Master Street Plan.** Bill Bell Ln – Collector.

**Street Improvement.** No current improvement plans. It is anticipated that a future roundabout will be located at Stanley Russ Rd and Bill Bell Ln, but no plans exist for the intersection.

### STAFF COMMENTS

- The C-2 zoning district is intended to provide for retail development and personal services to support the surrounding residential neighborhoods near the district.
- The proposed rezoning is not consistent with the Comprehensive Plan, which calls for single-family residential in the area. Uses in the area are generally consistent with this land use pattern.
- The property is adjacent (to the east) to an existing Conway Corporation sewer and utility facility. It is anticipated that use of this site will be increased in intensity with the future proposed service center to be established on the site.
- Given future use of the adjacent site, a use that would allow a transition to the existing single-family neighborhood to the intense public utility use would be compatible for the surrounding area and a good alternative to multi-family development.
- By-right the allowable uses in C-2 are limited. The zone allows restricted retail, which would allow uses such a pharmacy or general merchandise store such as dollar store. Such uses would likely provide convenience to the nearby property.
- Traffic counts on S German Ln are low enough that any use except the applicant's intention of self-storage is unlikely in the next 5-10 years.
- The site is adjacent to the proposed Northwest Trail, which is intended to connect to Little Rock and Beaverfork Lake.
- The rezoning will not likely harm adjacent property.

### STAFF RECOMMENDATIONS

Staff recommends approval of the rezoning. The proposed zoning is not consistent with the Comprehensive Plan. However, the rezoning will provide a reasonable transition from the adjacent utility facility, allow for compatible use of the property, and will not likely harm adjacent property.

### SAMPLE MOTION

I move to accept the staff recommendation to approve the rezoning request on the basis that, the zoning would allow commercial uses supporting the surrounding area and would not likely harm adjacent property.



# Request to Rezone: R-1 to C-2

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

I.E



View of subject property from Bill Bell Ln looking SE



View of subject property from Bill Bell Ln looking N



Properties adjacent to the W along Acuff Ln



View of adjacent properties looking S on Bill Bell Ln



Property adjacent to the E

# Request for Conditional Use Permit: Mini-storage in C-2

I.F

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

**APPLICANT/AUTHORIZED AGENT**

Central Arkansas Professional Surveying  
1021 Front St  
Conway, AR 72032

**OWNER**

Frank Shaw Properties, LLC  
1315 Main St  
Conway, AR 72034



**SITE DATA**

**Location.** 1265 Acuff Ln.

**Site Area.** 3.88 acres±.

**Current Zoning.** R-1 (Single-Family Residential District).

**Existing Structures.** None.

**Overlay.** None.

**Requested Rezoning.** C-2 (Neighborhood Commercial District).

**Comprehensive Plan.** Single-Family.

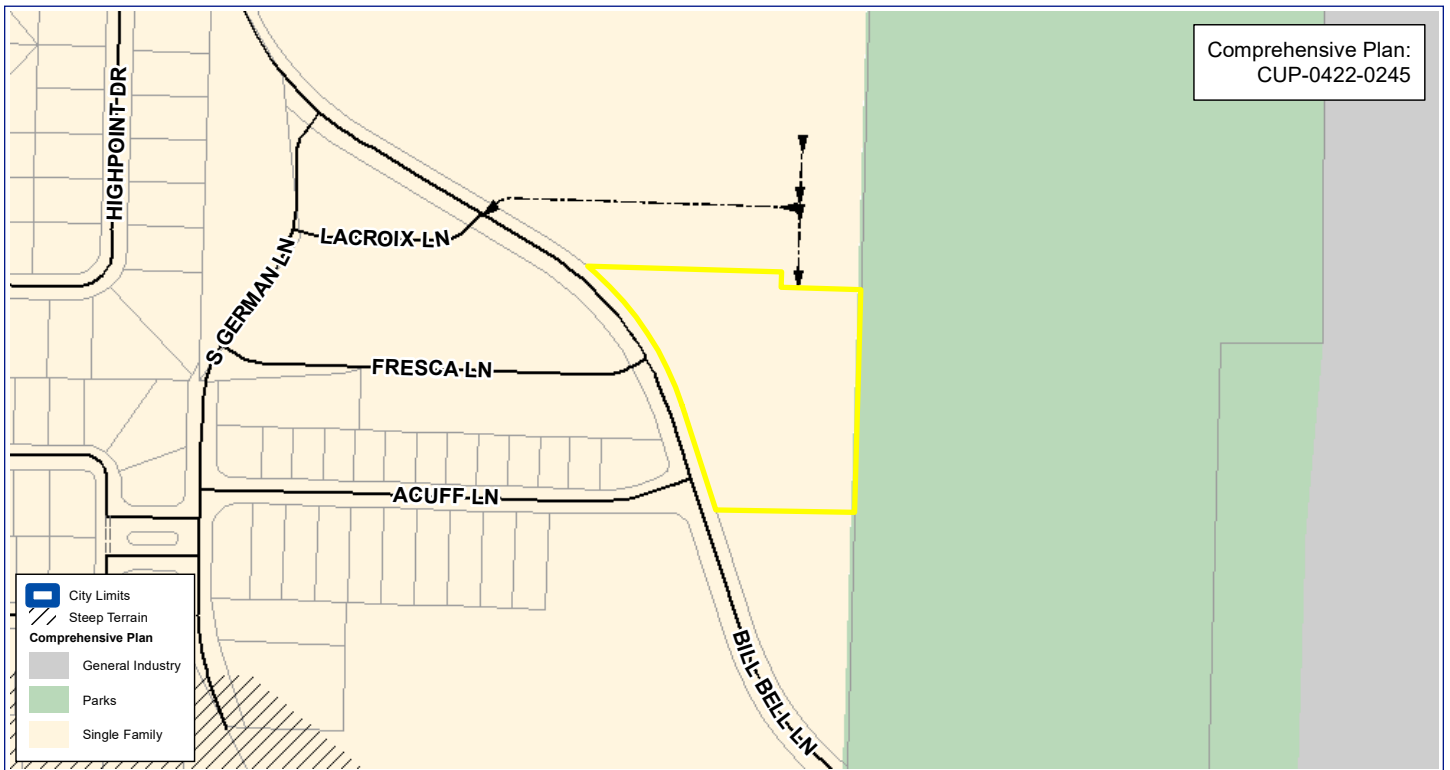
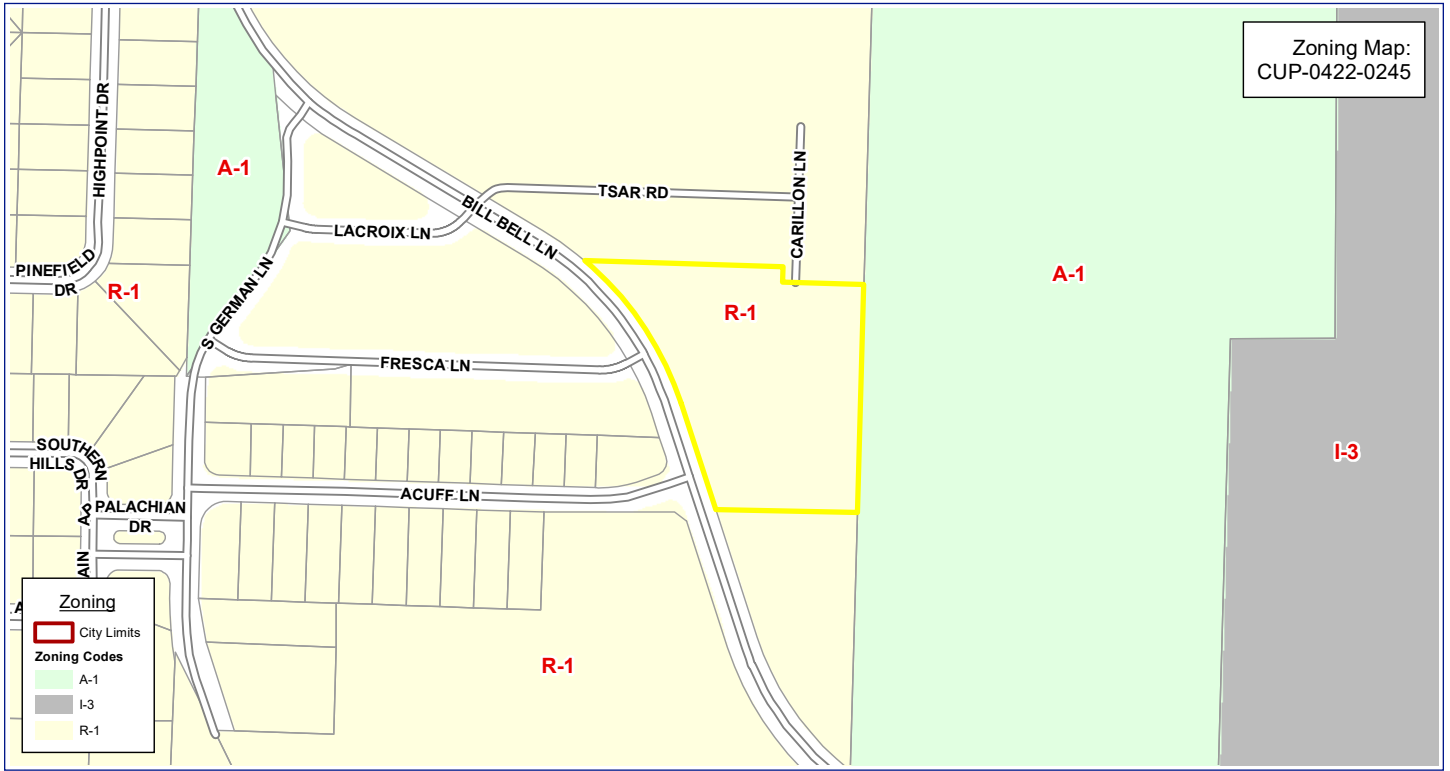
**Projected Traffic Impact.** With a rezoning to C-2, the traffic impact could vary. Based on the applicant's stated intentions, the site would be developed for a self-storage facility. Such development is anticipated to yield approximately 100 vehicle trips per typical weekday. The most intense possible by-right use (Pharmacy or Small-scale retail store) would generate approximately 1300 vehicle trips per typical weekday. Trips would be solely directed onto Bill Bell Ln.

**Current Traffic Counts.** Reliable average daily traffic count information is not available for this area. S German Ln, which connects to Bill Bell Ln to the north, has a daily average traffic count of 5,500 north of Stone Dam Creek.

# Request for Conditional Use Permit: Mini-storage in C-2

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

I.F



# Request for Conditional Use Permit: Mini-storage in C-2

I.F

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

**Flood/Drainage.** The site is not within any regulated floodplains or floodways.

**Utilities.** At time of development, the site will be served by Conway Corp for all utilities.

**Master Street Plan.** Bill Bell Ln – Collector.

**Street Improvement.** No current improvement plans. It is anticipated that a future roundabout will be located at Stanley Russ Rd and Bill Bell Lane, but no plans exist for the intersection.

**Requested Conditional Use.** Mini-storage.

**General Overview.** The applicant is requesting conditional use approval to construct an approximately 70,000 sf mini-storage facility on the site. The applicant is not proposing to allow any outdoor storage. Access is proposed from Bill Bell Ln. The applicant is not proposing any buffering beyond the base requirements of the zoning code. Access to the site would be allowed 24/7.

## STAFF COMMENTS

- The applicant is proposing to develop the property with a mini-storage facility. That use is not permitted by right in the C-2 zoning district, but is allowed with a conditional use permit.
- The C-2 zoning district is intended to provide for retail development and personal services to support the surrounding residential neighborhoods near the district.
- The proposed rezoning is not consistent with the Comprehensive Plan, which calls for single-family residential in the area. Uses in the area are generally consistent with this land use pattern.
- Given future use of the adjacent site, a use that would allow a transition the existing single-family neighborhood to the intense public utility use would be compatible for the surrounding the area and good alternative to multi-family development.
- As conditioned, the use would not likely negatively impact adjacent property and would provide a service which would support the adjacent property.
- The site is adjacent to the proposed Northwest Trail, which is intended to connect to Little Rock and Beaverfork Lake.

## STAFF RECOMMENDATIONS

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

1. The development shall be built in a manner that's consistent with the zoning for the site and operational plan included in this application. Significant deviation will require modification to the Conditional Use Permit.
2. A 15-foot landscape buffer [outside fencing] is required along Bill Bell Ln including one canopy tree planted every 30 feet.
3. The 20-foot easement on the east property-line shall be modified to additionally allow for trail use.
4. A 20-foot trail and pedestrian easement shall be provided adjacent to the south property line to provide for future connection to the Northwest Trail for the neighborhood to the west.
5. A 30-foot undisturbed vegetated buffer [no parking or structures] is required along the northern property line to provide screening and buffering for property to the north. Required plantings shall include a continuous evergreen screening capable of growing at least 30-feet in height.
6. The storage of hazardous chemicals, petroleum products, or explosives is prohibited.
7. The operation of spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, and other similar equipment is prohibited.
8. No storage unit may be used for the purposes of operating a business except for the purpose of providing storage for a business which is located off-site.
9. Any outside storage or vehicles, boats, trailers, etc. shall be prohibited.
10. Fencing along the Bill Bell Ln frontage is limited to decorative metal fencing which shall not include chain-link, barbed tape/razor wire, or barbed wire. All other fencing shall, at a minimum, be black vinyl coated to minimize visual appearance.
11. All lighting shall not exceed twenty (20) feet in height and be full cut-off, shielded lighting as defined by the IESNA. Such lighting shall be directed to prevent the trespass of light onto the adjacent properties.
12. All development and signage shall fully comply with Section 1101 – Development Review and Section 1031 – Signage requirements of the Conway Zoning Code.

# Request for Conditional Use Permit: Mini-storage in C-2

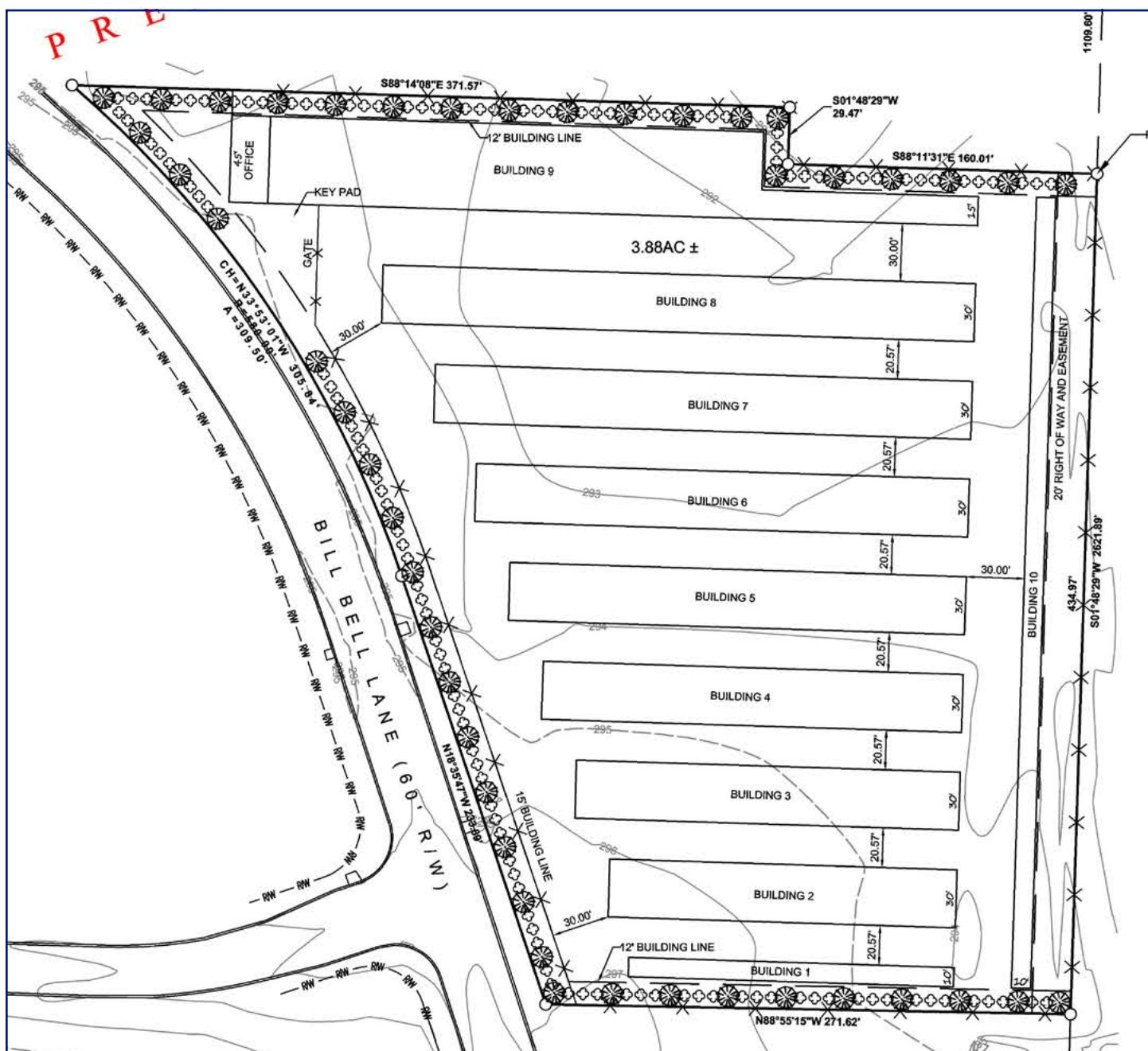
I.F

3.88 acres± east of Bill Bell Lane at intersection of Acuff Lane

- 13. Any future expansion or additions to the site beyond approval of the development review plans will require a new or amended conditional use permit.
- 14. Conditional Use Permit expires 2 years from the date of issue if construction has not commenced.
- 15. The property shall be platted in accordance with the Conway Subdivision Ordinance prior to the issuance of building permits.

## SAMPLE MOTION

I move to accept the staff recommendation to approve the request with the conditions indicated in the staff report on the basis that, as conditioned, the modification would not likely negatively impact adjacent property, adequately mitigate impacts of the use, and provide a commercial use supportive of the surrounding neighborhood.



The Public Art Master Plan is being considered for adoption as an appendix to the Conway Comprehensive Plan. The plan was developed to provide a road map for future investments in public art across Conway with an eye towards fostering greater quality of life, reinforcing a Conway identity, and promoting an appreciation of arts and culture among residents and visitors to the city. The work is a result of an 11-month process working with Designing Local of Columbus, OH. The project was led by a steering committee with extensive public engagement provided throughout development of the plan engagement provided throughout development of the plan.

**TYPES OF PUBLIC ART**

**SCULPTURE**  
Whether contemporary, irreverent, traditional or something more, sculptures are often the focal points of civic art. Sculptures may commemorate and celebrate our history, express civic pride, or be established as culturally-defining showpieces for the City.

Sculptures can take on many shapes and sizes and often fit well when created in or alongside gateways, parks, gathering spaces, roundabouts, and community centers. Because communities can celebrate and enhance their civic identity, they are especially appropriate in parks and downtown settings.

**MURALS**  
While curating permanent works of art as part of the collection is important, ephemeral works such as murals allow for the exposure of many artists over a short period of time rather than a few artists over a long period of time.

**FUNCTIONAL ART**  
Conway is focused on improving the infrastructure to facilitate added use by residents. Due to the ongoing investment in infrastructure in Conway, there is a unique opportunity to implement uniquely Conway designs in place of otherwise ordinary pieces of infrastructure. Integrating unique designs into infrastructure may be an affordable and efficient way to create a major visual impact.

Some possible options for functional art installations include bike racks, benches, signal boxes, medians, transit stops, storm drains, manholes, installations within parking garages, highway detail, highway gateway signage, monument signage, sidewalk treatments and more.

16

**CONWAY PUBLIC ART MASTER PLAN**

### 03. ESTABLISHING A SHARED UNDERSTANDING OF PUBLIC ART

*The complete proposal and associated appendix is available for review in its entirety as a separate document. For digital version, it is included following the Appendix.*

Public art provides meaning to public spaces, reflects the history of place, adds uniqueness to neighborhoods, and humanizes the built environment. Public art lives at the intersection between our past, present, and future. The City of Conway is committed to strengthening their public art program so the public's desire to see a wide variety of high quality public art from artists with various backgrounds is realized.

In order to grow a strong program with many community partners, shared vocabulary around what public art is and is not must be established.

# Request for Sign Variance: Off-premise Interstate Sign

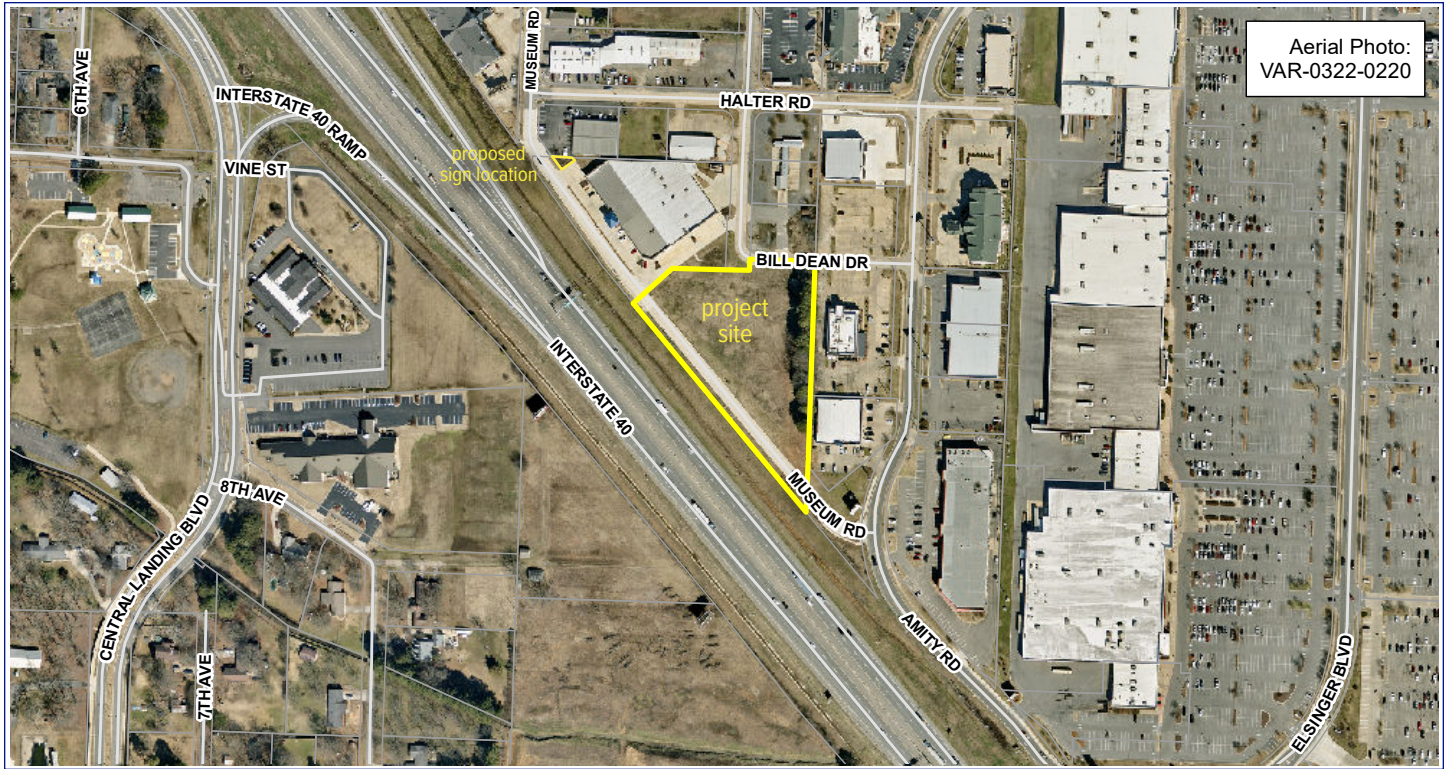
554 Museum Road

**APPLICANT/AUTHORIZED AGENT**

Eric Boen  
Commercial Realty NWA  
3732 N Investment Dr, Ste 3  
Fayetteville, AR 72703

**OWNER**

HCB LLP  
PO Box 6870  
Sherwood, AR 72124



**SITE DATA**

**Location.** 650 Museum Rd.

**Current Zoning.** C-3 (Highway Commercial District)

**Overlay.** None.

**Requested Sign Variances.**

Allow an 300 sf and 75-foot tall off-site interstate sign. This is a variance of 5' that is required due to right-of-way dedication.

**General Overview.** The applicant is requesting to construct an interstate sign off-site from the future development for the use associated with the sign. The applicant intends to place the sign near the north driveway of the existing Hank's Fine Furniture and develop the lot to the south of Hank's Fine Furniture for a future restaurant. The sign will be 75-feet tall and 300 sf in size.

**Sign Code Regulations.**

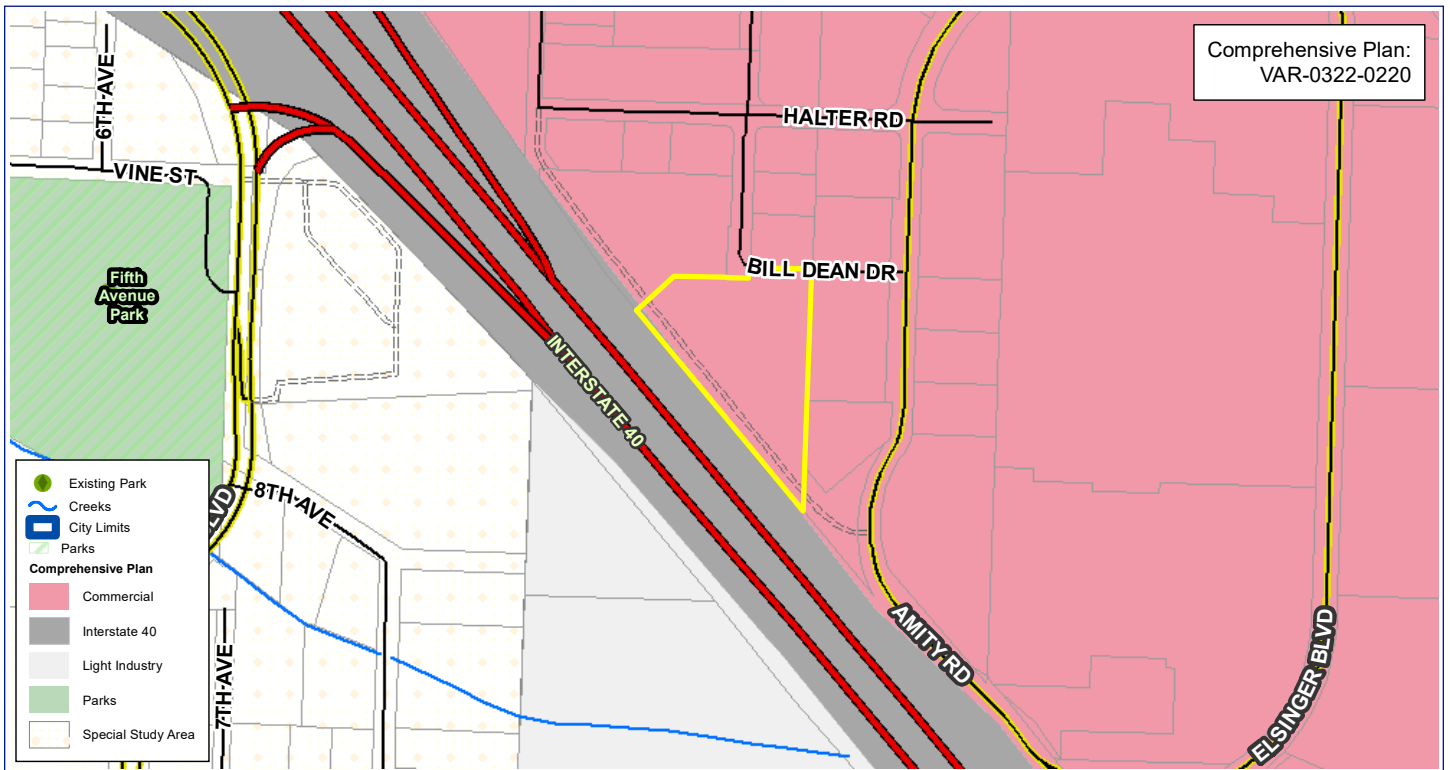
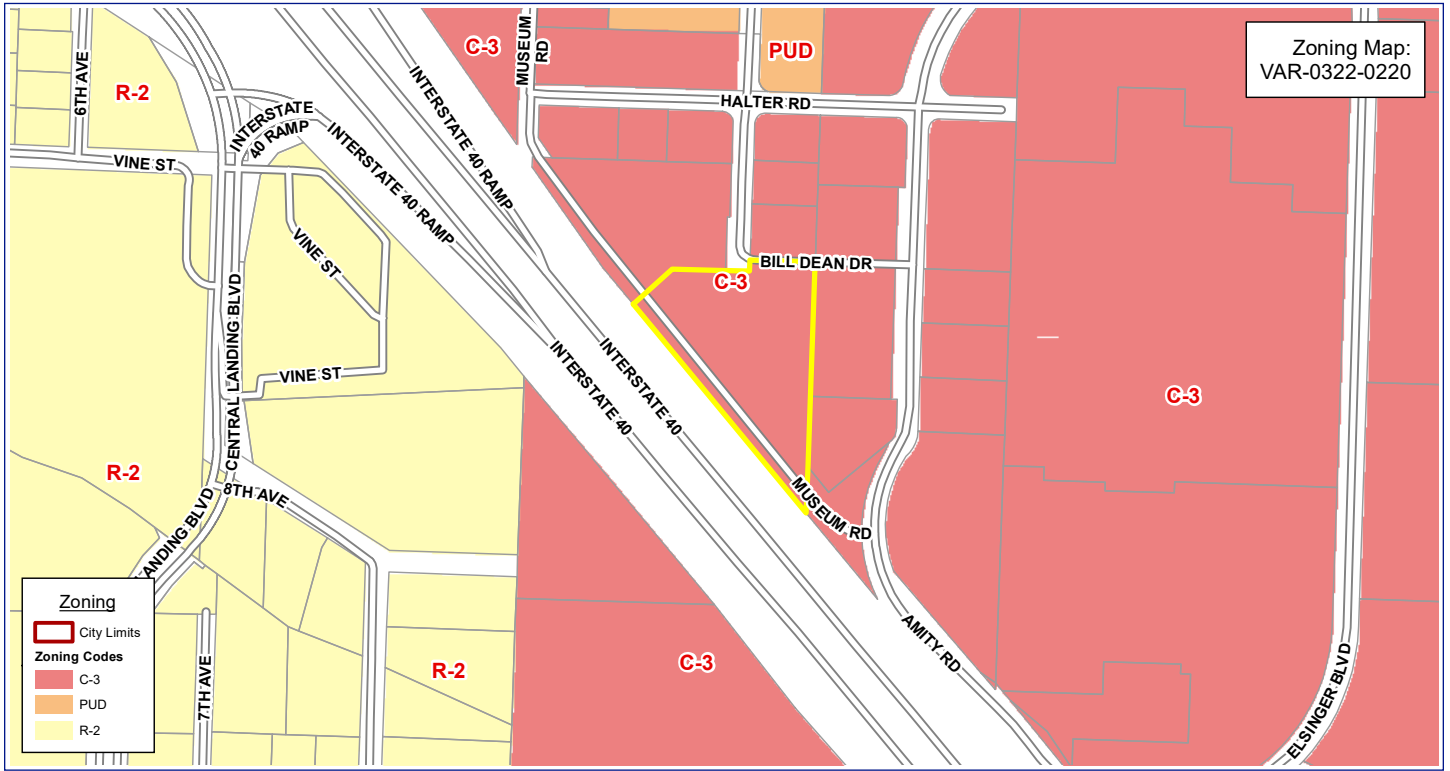
Interstate Sign Zone: Interstate signs are allow on-premise on property within 1000 feet of Interstate 40.  
Maximum height: 75-feet  
Size: 300 square feet

**Basis of Variance Review.** The sign code allows for granting of variances on matters of sign height, location, or other technical requirements when special conditions or circumstances exist that not applicable to other lands, structures, or buildings such that a literal interpretation of the ordinance would result in undue hardship.

# Request for Sign Variance: Off-premise Interstate Sign

554 Museum Road

II.A





# Request for Sign Variance: Off-premise Interstate Sign

554 Museum Road

II.A



View from project site N toward proposed off-premise sign location



View of proposed off-premise sign location



View from project site looking W toward I-40



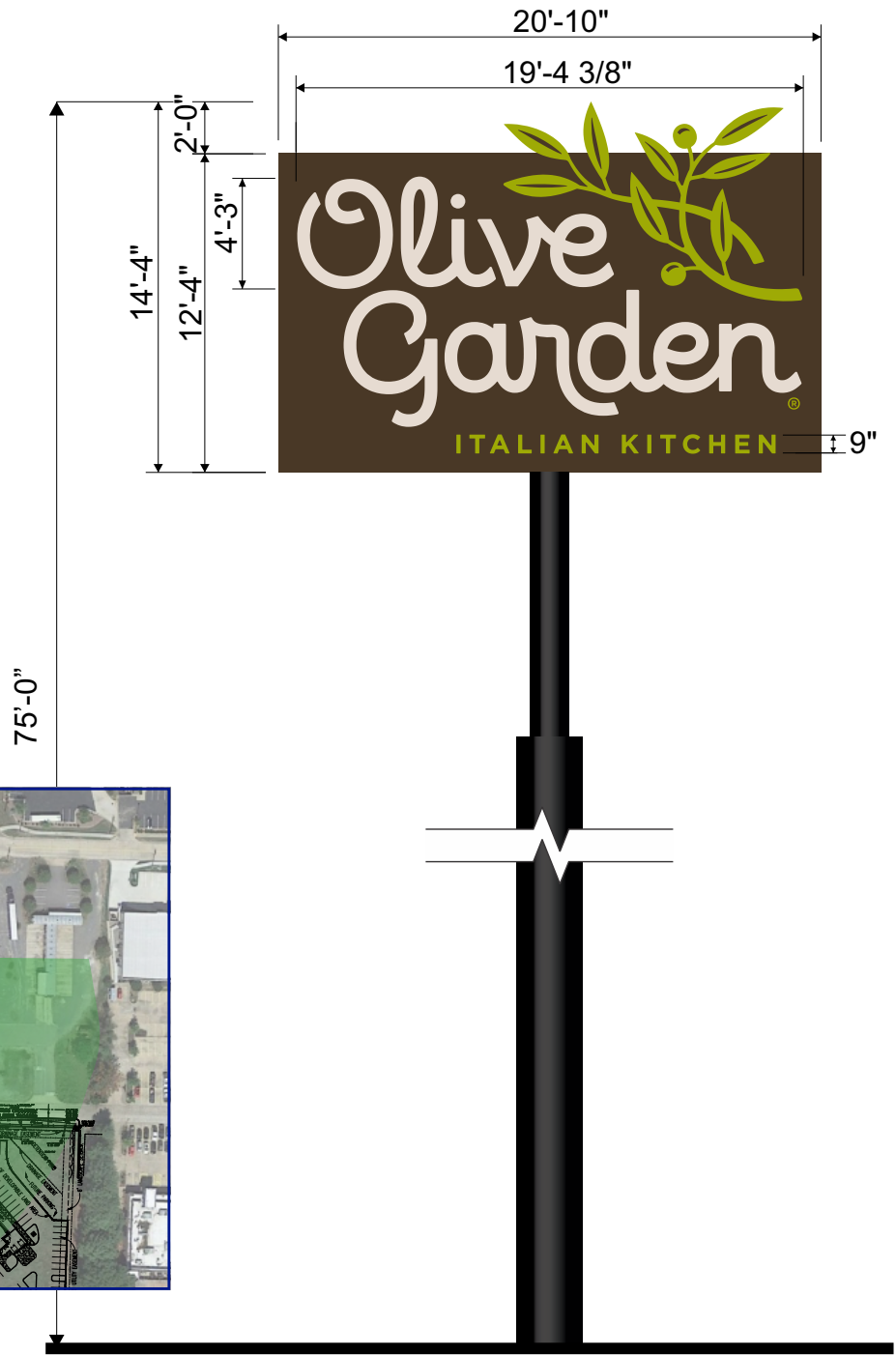
View from proposed off-premise sign location looking NW



View from project site looking S



View of project site from Museum Rd looking SE



300 SF Pylon (*Internally Illuminated Letters w/ LED*)  
Utilized Square Footage: 298.61  
Scale: 3/32"=1'

## **STAFF COMMENTS**

- The sign code does not directly address the purpose of interstate signs. However, it appears the intention was to provide visibility for properties near the interstate.
- The applicant could place an interstate sign on the property where the future restaurant is intended. However, the applicant has stated the proposed location is necessary to provide visibility from Oak St down Museum Rd for traffic reaching the site.
- The applicant has stated the sign would be placed in-lieu of an interstate sign for Hank's Fine Furniture or an additional sign on the future Olive Garden site.
- The proposed sign is within the height and size limits for what would otherwise be allowed on the site.

## **STAFF RECOMMENDATION**

Staff deferred action on this item to the Planning Commission and provides no recommendation on the item.

## **SAMPLE MOTIONS**

I move to approve the variance request with the following conditions:

1. Variance approval shall be limited to the current proposed sign support structure. If the sign support structure is removed, excluding modifications to the sign cabinet, it may not be replaced unless conforming to the Sign Code.
2. No additional free-standing signage shall be permitted at the site where the sign is proposed. (650 Museum Rd.)
3. The property to the south, intended for the future Olive Garden location shall not be permitted any on-site freestanding signage. If rights to the sign approved by this variance are assigned to the lot on which it sits (650 Museum Rd), freestanding signage may be permitted on the site intended for the future Olive Garden (554 Museum Rd).
4. Any landscaping displaced by the sign installation shall be replaced, as indicated in the applicant's proposed plans.

I move to deny the variance request on the basis that the applicant has not demonstrated that special conditions or circumstances exist which are unique to the property in question.

## APPENDIX

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*The following items, which do not require public hearings or Planning Commission action, have been reviewed and approved by the Director of Planning & Development and are being reported to the Planning Commission as required by the Zoning Code and Subdivision Ordinance.*

### **Development Review Approvals**

- Shadrach's Coffee, 2545 Prince St (SDR-1121-0155)
- Kum & Go, 508 Oak St (SDR-0322-0214)
- Eagle Grip, 2635 Blaney Hill Rd (SDR-0322-0212)

### **Plats filed for record (Lot Splits, Lot Mergers, and Final Plats)**

- Happy Valley Replat Lots 7 & 8 (P2022-00021)
- MELB Replat (P2022-00024)
- Fulmer Lot Merger (P2022-00025)
- BMA Replat Correction (P2022-00026)
- Genesis Replat (P2022-00028)
- Shadrach's (P2022-00029)

## APPENDIX

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**From:** [cams@conwaycorp.net](mailto:cams@conwaycorp.net)  
**To:** [Lauren Hoffman](#)  
**Subject:** Regarding CUP for Daniel Derden  
**Date:** Wednesday, April 20, 2022 1:54:39 PM  
**Attachments:** [February 2014.png](#)  
[September 2015.png](#)  
[March 2017.png](#)

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Hey Lauren this is Kerrick Johnson, I have attached a few photos regarding the fill dirt that Mr. Derden has done on his property. I purchased my property on October first of 2014 so the flooding was not an issue when I moved in or even a year after I had moved in. If you have any questions regarding these photos or even think that they would be worth submitting into the report then feel free to give me a call and I am happy to answer any questions you may have. Thank you.

Kerrick Johnson

501-697-7232

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**Subject:** Proposed rezoning by Chris Thornton  
**Date:** Saturday, May 7, 2022 at 3:37:33 PM Central Daylight Time  
**From:** Sherry Smith  
**To:** planning

This message was sent from outside the organization. If you were not expecting this email, please be cautious when opening attachments or clicking on links.

All,

I am writing in opposition to Chris Thornton's request to rezone 3.88 acres along Bill Bell Lane and South German Lane from R1 to C2 with conditional use for a storage facility. This area is currently already R1 with established homes and subdivisions. Creating an island of C2 makes no sense and has no benefit to the residents of this area. We are already a mere 3 -5 minutes away from any type of commercial enterprise we might need along the Dave Ward Corridor. We have easy access to medical, a variety of restaurants, dentists, lawyers, workout facilities, etc. The 2018 comprehensive plan developed by the city clearly designates R1 as the most appropriate use of this area. The City Council reaffirmed their feelings about in the latest attempt to rezone to R2 just months ago by majority vote for R1. Rezoning to C2 would have a disastrous impact on homeowner property values in the area. Please deny this request.

Sincerely,

Fletch and Sherry Smith

**Subject:** Rezoning on South German Lane

**Date:** Monday, May 9, 2022 at 8:53:04 AM Central Daylight Time

**From:** lpfry@conwaycorp.net

**To:** planning

**This message was sent from outside the organization. If you were not expecting this email, please be cautious when opening attachments or clicking on links.**

Dear Planning Commission Members,

I am asking you to vote against the rezoning on South German Lane. It is my understanding that it is being proposed to be zoned C2 with a conditional use permit for a storage facility. The Public Hearing signs still indicate that it is for C2, however at the first planning commission meeting it indicated C3. This is a bit confusing. The Planning Commission staff at the first public hearing recommended that it remain R1. It has not been a year since it was rezoned from A1 to R1. This is a residential area and should remain this way for obvious reasons. There are plenty of commercial properties already established within a half mile of this property. The traffic is already an issue because so many people travel this street as a cut through from Sturgis and Stanley Russ Road. To zone this any type of commercial property would create a safety issue.

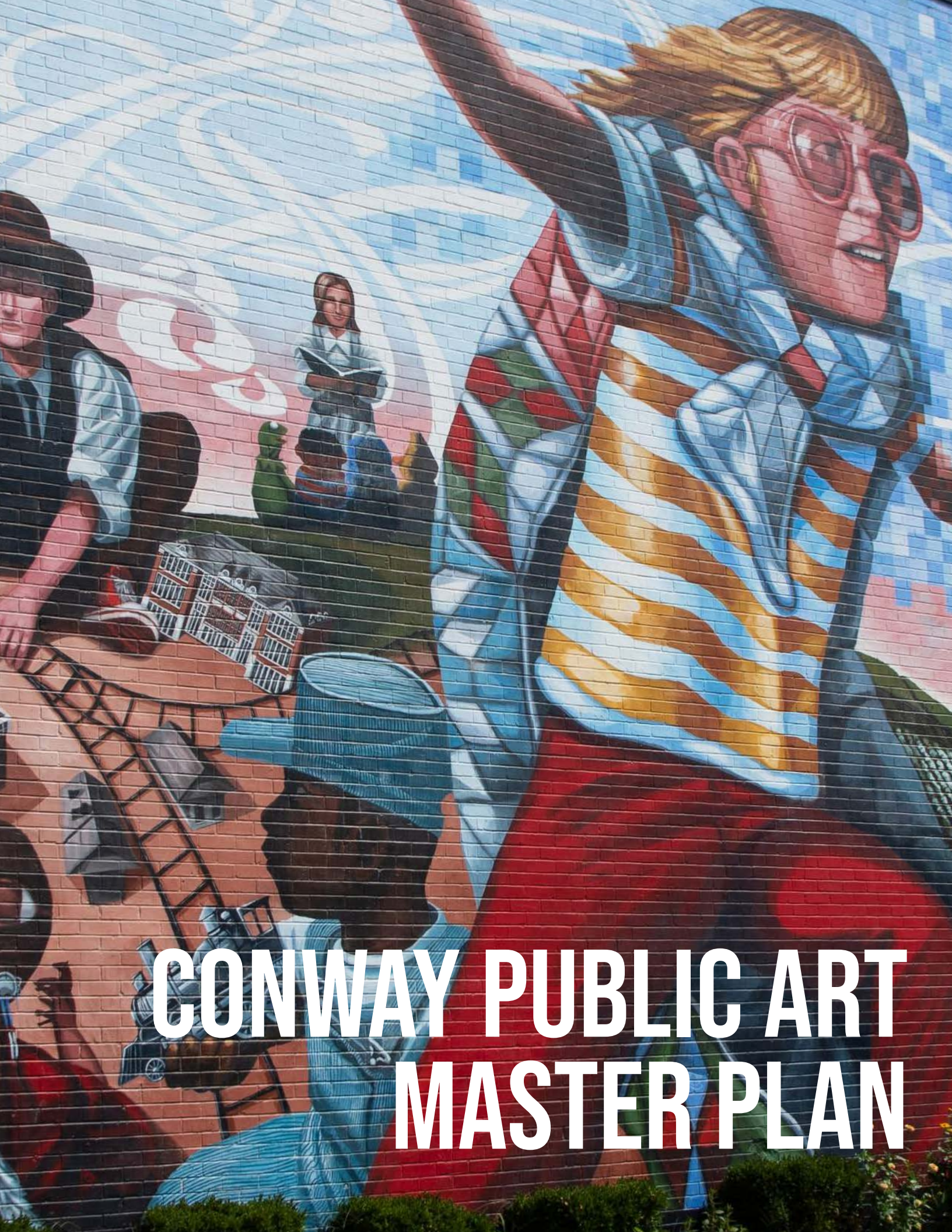
Thank you for your consideration.

Larry and Phyliss Fry

1215 Stanley Russ Road

Conway, AR 72034

lpfry@conwaycorp.net



# CONWAY PUBLIC ART MASTER PLAN

# TABLE OF CONTENTS



## 01. INTRODUCTION / 03



## 02. COMMUNITY INSIGHTS AND VISION / 06



## 03. ESTABLISHING A SHARED UNDERSTANDING OF PUBLIC ART / 14



## 04. OPERATIONALIZATION OF THE CONWAY PUBLIC ART PROGRAM / 19



## 05. STRATEGIES TO ACTIVATE THE CONWAY PUBLIC ART PROGRAM / 29



## 06. CONCEPTUAL PROJECTS FOR FUTURE CONSIDERATION / 46



## 07. PRIORITY ACTION PLAN / 57





# 01. INTRODUCTION

Conway is a city known for its family friendly vibe, youthful outlook, and vibrancy in the Central Arkansas region. The City of Colleges has crafted its own unique identity that is full of beautiful college campuses, peaceful nature trails, access to gorgeous lakes, one impressive river, and plenty of restaurants and cool local spots. Conway is home to passionate community members who are looking to the future and asking “How can we grow our identity as a city known for supporting creativity? How can we invest now so that we

are known as a hub for the arts in the future?” These questions have led to the creation of this Plan - a Plan seeking to define the role of public art in a city already known for its high quality of life.

The Public Art Plan lays the foundation for the future of public art in Conway and prepares the city to begin injecting artwork into all facets of the community. The public art investments in Conway will be a tool to communicate who Conway is and who Conway wants to be.

# COMMUNITY CHARACTER FRAMEWORK



## NATURE

Conway is lush, diverse in natural beauty and is a great place for outdoor adventure.

- Lake Conway
- Arkansas Anglers
- Beaverfork Lake Kayaking
- Arkansas River camping
- Hendrix Creek Preserve
- Kinley Trail

## YOUTHFUL OUTLOOK

Conway is the City of Colleges which keeps the vibe playful, whimsical, enthusiastic and full of purpose.

- University of Central Arkansas
- Hendrix College
- Central Baptist College
- Baum Gallery
- Conway Art Walk
- Youth Leagues

The purpose of the Community Character Framework is to celebrate all that makes Conway unique and special and to help artists and visionaries communicate the values and special qualities that Make Conway, Conway. The descriptors, historic tidbits, and imagery comes together to create a family of components that speaks to the identity of Conway.



## HERITAGE

Conway is a City where history meets a vibrant future, ripe with folklore and forward thinking.

- Trail of Tears
- Railroad
- Pine Street Community
- Cadron Settlement Park
- Historic Downtown
- Agricultural Center
- Toad Suck Daze

## SMALL TOWN CHARM

Conway's way of life is slower paced, intentional, and influenced by the love of community.

- Laid back
- Murals
- Kings Live Music
- Conway Farmers and Crafts Market
- Spring Flowers
- Annual Christmas Parade



# 02. COMMUNITY INSIGHTS AND VISION FOR THE FUTURE

The following chapter outlines the vision, mission, goals, and core values of Conway's public art program. The plan also provides essential administrative guidelines for determining how public art is identified, preserved, selected, and placed.

In 2015, the City formally recognized the value that public art adds to Conway through establishing a Public Art Ordinance, which outlined Conway's hopes for a future program. In 2021, the City deepened its commitment to building a sustainable public art program through starting the master planning process. This Plan will be the framework for how the City can fund, manage, and review public art projects in the future.

## **OVERVIEW OF THE PLANNING PROCESS**

This plan is a result of extensive public engagement. The consultant team worked diligently to engage the public throughout a ten-month process (July 2021 - May 2022) and provided ample opportunity for a broad cross-section of the community to participate in shaping the vision for public art in Conway. The team was guided by a 12 member steering committee and frequently consulted members of the Public Art Committee. The team held over twenty individual stakeholder interviews, five community focus groups, one focus group with UCA faculty, and two community-wide workshops. Participants included business owners, city staff, arts organizations, artists, private developers, community groups, faculty from local colleges, and engaged citizens. A community-wide survey was also conducted and garnered 522 responses. In all, over 750 people were engaged in the planning process.

## STAKEHOLDER INTERVIEWS

Each stakeholder was asked the following questions.

1. Name, what you do for a living, and your last experience with public art.
2. Share your perception of the arts in Conway.
3. What is special about Conway? What's special about Conway in the context of the Little Rock region?
4. What is your vision for public art in Conway?
5. What locations do you think would be appropriate for public art in Conway?
6. How are the people of Conway best engaged?

## LOVE, CONWAY COMMUNITY WIDE WORKSHOPS

Each Love, Conway workshop focused on generating conversation with participants on integrating public art into parks, community facilities, corridors, private development projects, and gathering spaces to experience more art throughout the city visually.

### Discussion Questions

1. What parks and community facilities would benefit from an investment in public art?
2. What corridors would benefit from an investment in public art?
3. How can public art be integrated into new development?
4. How can public art enhance community destinations for the local community?
5. What values should be celebrated in your neighborhood?
6. What values should be celebrated throughout the City?
7. Where should public art be placed in your neighborhood?
8. Where should public art be placed throughout the City?

## PROJECT SURVEY

The project survey received 522 responses throughout the planning process. 92% of respondents were residents, 65% work in Conway, and exactly 50% of respondents were between the ages of 25-44.

Throughout each conversation and public input opportunity, recurring themes emerged.

The people of Conway want public art to be a part of their everyday experience. Residents want public art to be synonymous with their identity, already anchored in a youthful outlook. Residents want public art to celebrate and showcase the many cultures that call Conway “home”, and they want public art to be integrated into their public spaces seamlessly—making them more inviting, exciting, and desirable. They want public art in Conway to share the history and the openness to the future that the people of Conway embrace.

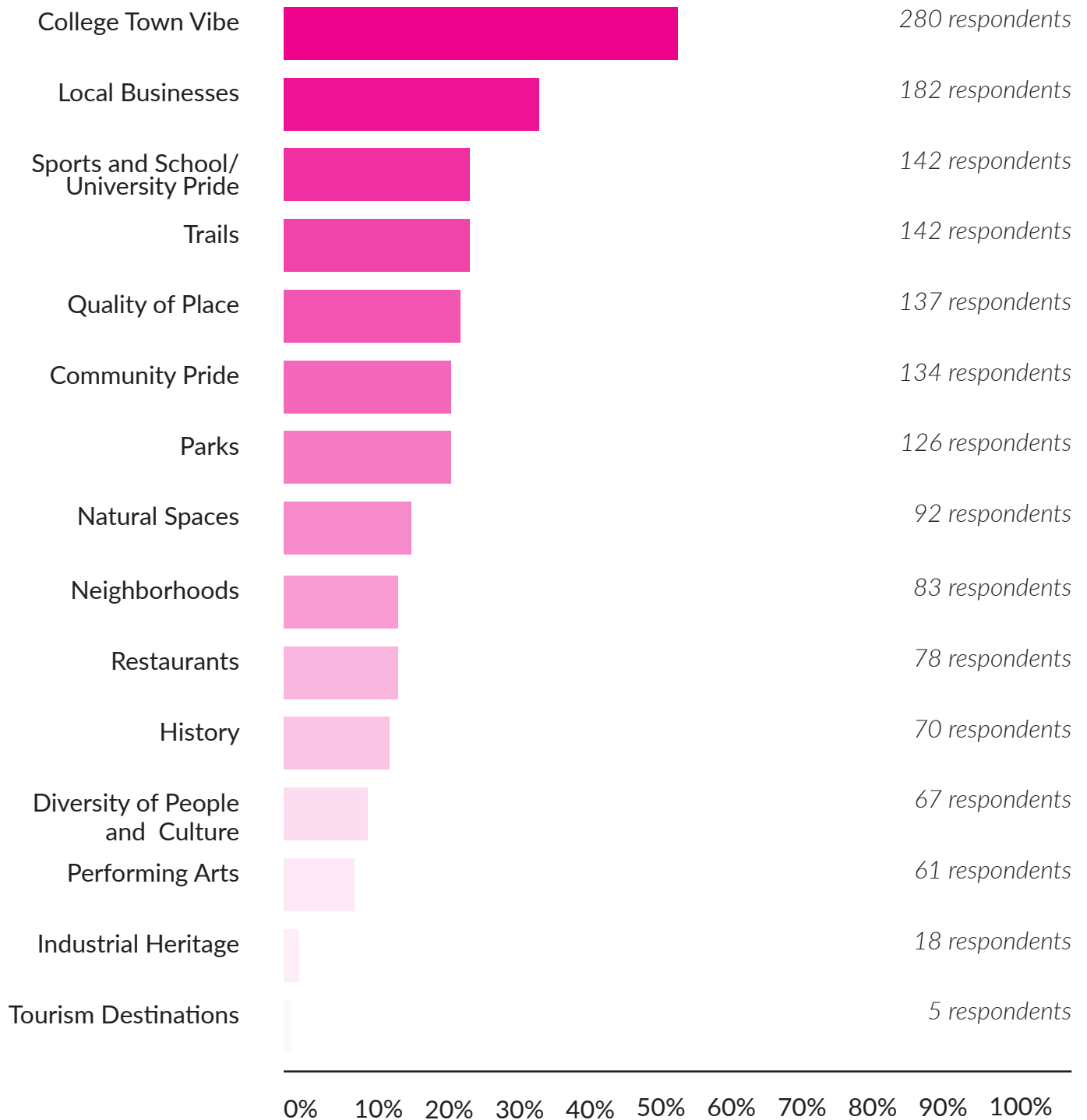
## INSIGHTS

A series of survey questions that gave specific insight into what residents currently value in their city, what values they want to see expressed in their future public art, and where they want to see future public art places. Overwhelmingly participants communicated their desire to see public art projects on a neighborhood scale as well as on a larger scale—creating iconic destinations throughout the City.

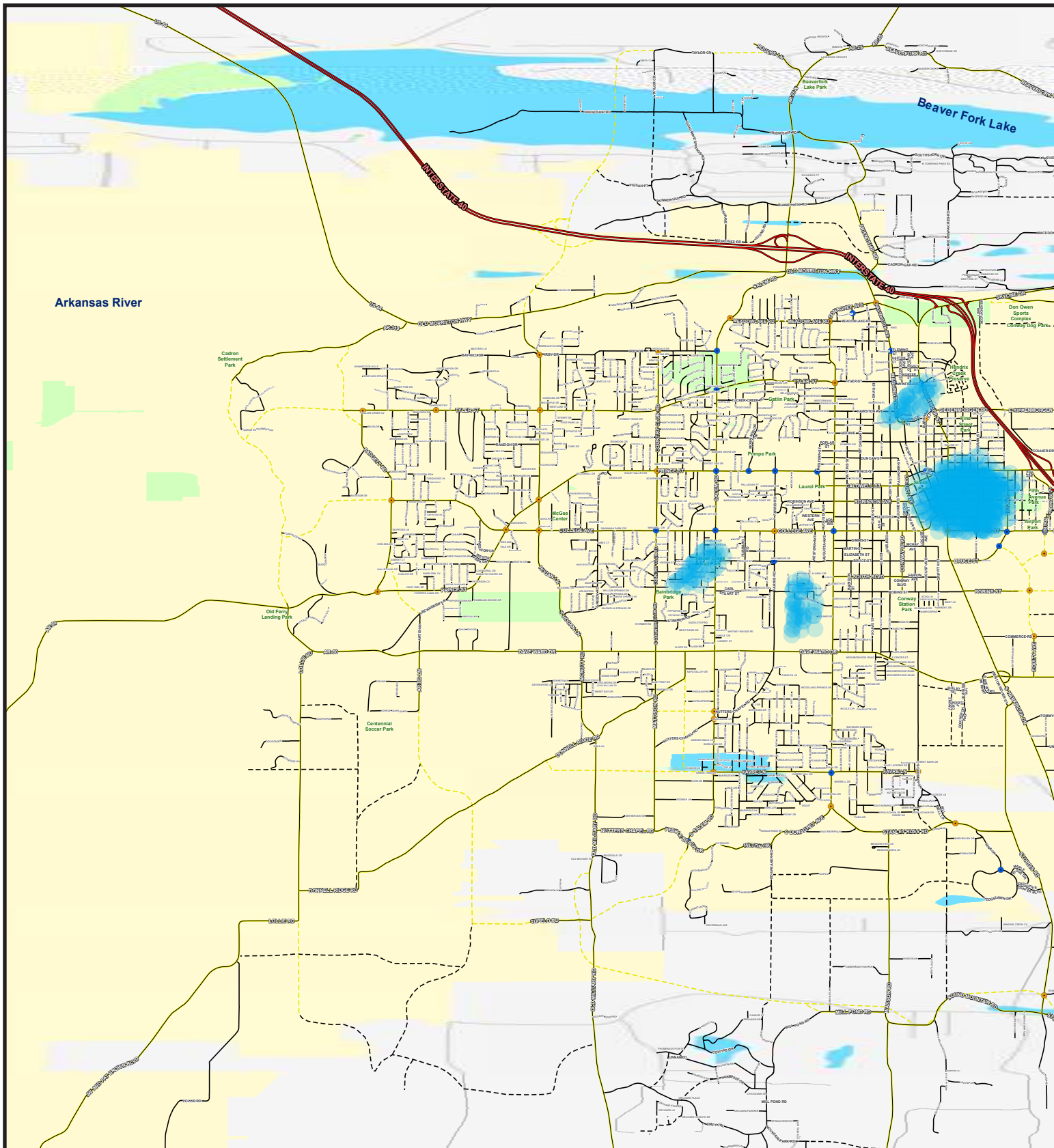
# CONWAY RESIDENTS WANT PUBLIC ART



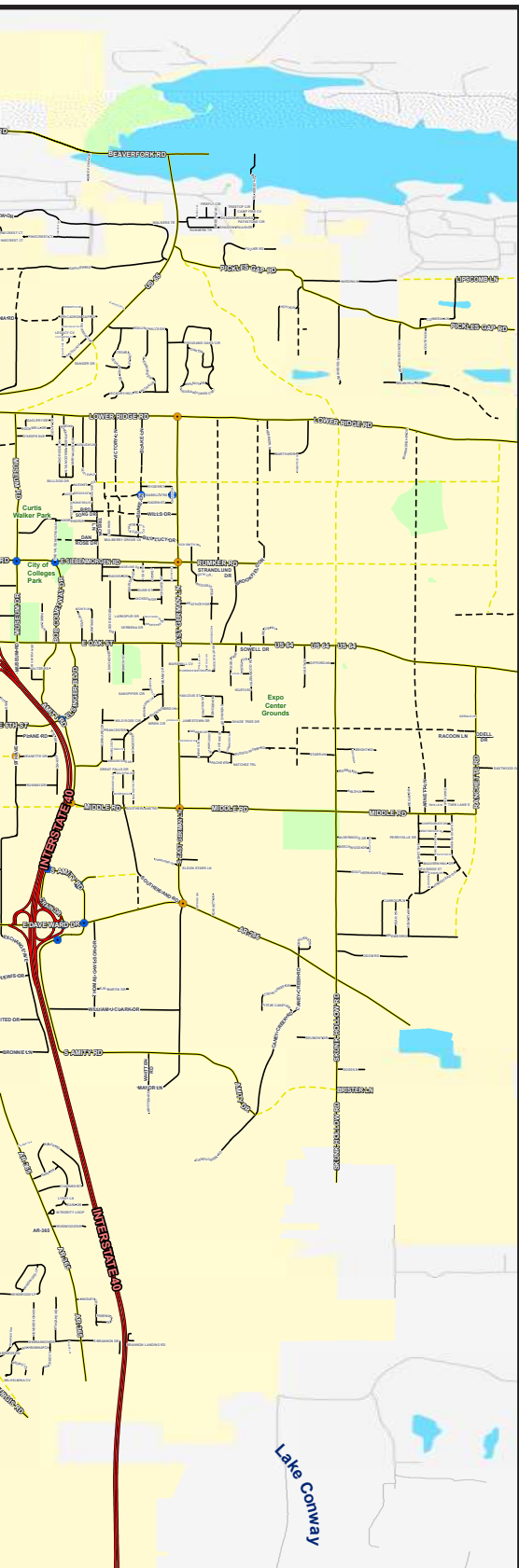
## WHAT IS UNIQUE ABOUT CONWAY? (SELECT 3)



# COMMUNITY TREASURES



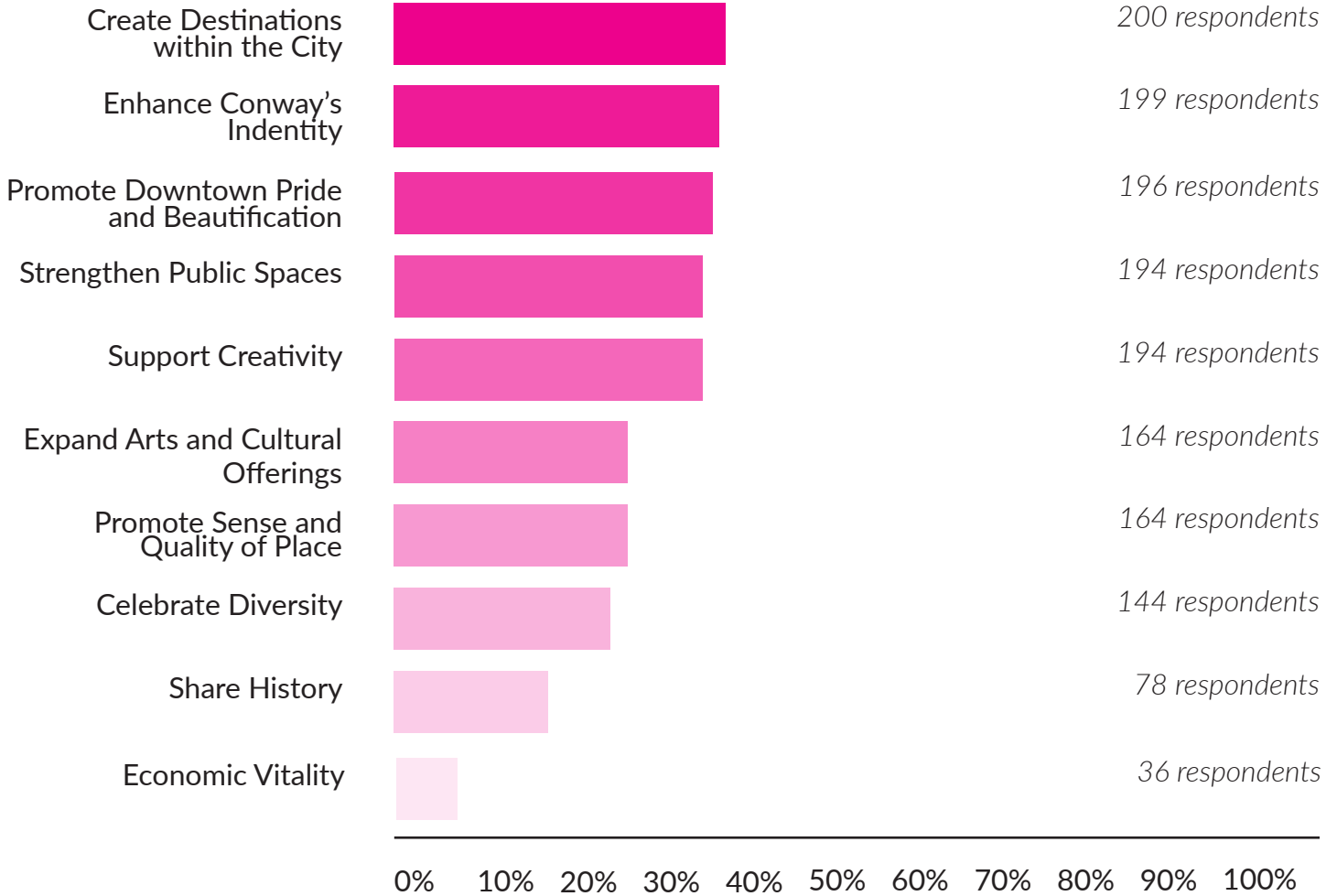




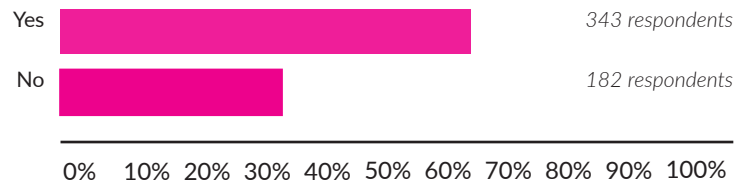
## TOP RESPONSES

**DOWNTOWN :118 RESPONSES**  
**DOWNTOWN MURALS: 54 RESPONSES**  
**DOWNTOWN BUILDINGS: 31 RESPONSES**  
**TOAD SUCK SQUARE: 51 RESPONSES**  
**PARKS: 18 RESPONSES**  
**ROUNDBABOUTS: 17 RESPONSES**  
**HENDRIX COLLEGE: 29 RESPONSES**  
**TUCKER CREEK TRAIL: 19 RESPONSES**  
**UCA: 12 RESPONSES**  
**CADRON SETTLEMENT PARK: 6 RESPONSES**  
**TRAILS: 5 RESPONSES**  
**MOORE NATURE RESERVE: 3 RESPONSES**

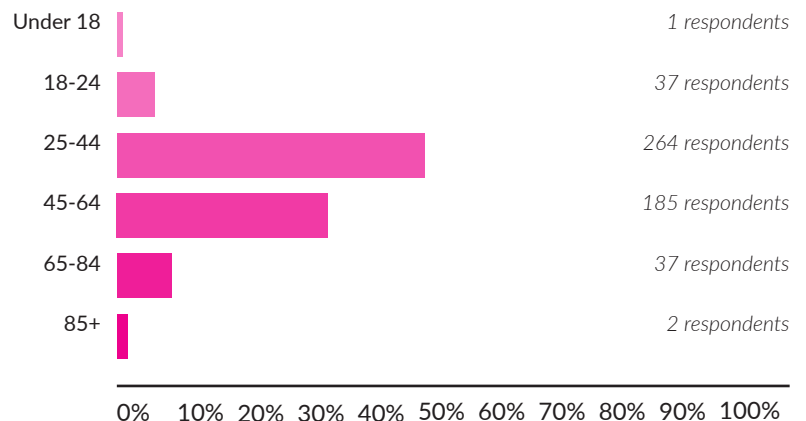
# HOW CAN PUBLIC ART SERVE CONWAY IN THE FUTURE? (SELECT YOUR TOP 3)



## ARE YOU A RESIDENT OF CONWAY?



## AGE OF RESPONDENTS





# VISION

**WE ENVISION A CONWAY WHERE CITIZENS CAN EASILY ACCESS PUBLIC ART BUILDING UPON EXISTING WORKS TO CREATE A CATALOG OF VARIED PIECES THAT TELL INCLUSIVE AND ENGAGING STORIES.**

## MISSION

The Conway Public Art Program seeks to form meaningful connections between people and public art.

## CORE VALUES

### **CELEBRATE CONWAY**

Tell stories that are unique to the history, natural setting, and culture of Conway.

### **SUPPORT ARTISTS**

Present a wide variety of meaningful public art from artists with diverse experience levels, inclusive of all people and backgrounds.

### **BUILD COMMUNITY**

Build awareness and enthusiasm for place by connecting residents to one another through an investment in public art.

## STRATEGIES TO GUIDE DECISION MAKING

Conway's Public Art:

- Creates a strong sense of place that provides opportunities for meaningful community interaction;
- Enhances assets such as parks and trails, corridors, and community gathering spaces;
- Honors Conway's deep connection to nature;
- Strengthens and communicates the Conway identity; and
- Supports the high quality of life in Conway by supporting creativity and inspiring new ideas.



# 03. ESTABLISHING A SHARED UNDERSTANDING OF PUBLIC ART

Public art provides meaning to public spaces, reflects the history of place, adds uniqueness to neighborhoods, and humanizes the built environment. Public art lives at the intersection between our past, present, and future. The City of Conway is committed to strengthening their public art program so the public's desire to see a wide variety of high quality public art from artists with various backgrounds is realized.

In order to grow a strong program with many community partners, shared vocabulary around what public art is and is not must be established.

# PUBLIC ART: A SHARED DEFINITION

The Public Art Master Plan will use the following definition for the Conway Public Art Program:

Public Art is any of the following: sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay, fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the Conway Public Art Plan; environmental art consisting of landforms and artistic landscape composition.

The term "Public Art" does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the Conway Public Art Plan and environmental art consisting of landforms and artistic landscape composition; "Art objects" which are mass produced or of a standard design, such as playground sculpture or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service for activation of the work; exhibitions and educational programs related to the work; performing arts; and art that displays slogans, logos, mascots or commercial advertising.

# TYPES OF PUBLIC ART

## SCULPTURE

Whether contemporary, irreverent, traditional or something more, sculptures are often the focal points of civic art. Sculptures may commemorate and celebrate our history, express civic pride, or be established as culturally-defining showpieces for the City.

Sculptures can take on many shapes and sizes and often fit well when created in or alongside gateways, parks, gathering spaces, roundabouts, and community centers. Because communities can celebrate and enhance their civic identity, they are especially appropriate in parks and downtown settings.

## MURALS

While curating permanent works of art as part of the collection is important, ephemeral works such as murals allow for the exposure of many artists over a short period of time rather than a few artists over a long period of time.

## FUNCTIONAL ART

Conway is focused on improving the infrastructure to facilitate added use by residents. Due to the ongoing investment in infrastructure in Conway, there is a unique opportunity to implement uniquely Conway designs in place of otherwise ordinary pieces of infrastructure. Integrating unique designs into infrastructure may be an affordable and efficient way to create a major visual impact.

Some possible options for functional art installations include bike racks, benches, signal boxes, medians, transit stops, storm drains, manholes, installations within parking garages, highway detail, highway gateway signage, monument signage, sidewalk treatments and more.





## LIGHT INSTALLATIONS

Contemporary artists use lighting in creative and interesting ways in order to manipulate the built environment with limited physical impacts. Light installations may be used on existing buildings, in parks on substantial landscape features, or as part of a larger installation of sculpture. They may be especially useful and impactful when used in infrastructure projects.

## MULTIMEDIA

Multimedia installations may combine many art types in ways that expand the imagination. Video, lighting, sculpture, murals, and more can be combined to make multimedia installations some of the most interesting around. Multimedia installations are especially useful for temporary or pop-up installations.



## SITE-SPECIFIC

Site-specific art is created to enhance and celebrate its surroundings in which an artist considers the site first before anything else. Site-specific art uses the surroundings to enrich the experience of the place itself. It can help to tell the story of the location, neighbors or residents, or simply exist to elevate the site.



Top Left: *Language of the Birds*, Brian Goggin  
Top Middle: *El Seed*, SPARK  
Top Right: *Brilliance*, Creative Machines  
Top Middle: *Street Mural*, Asheville, NC  
Top Bottom: *Crank Zappa*, Amigo and Amigo

### POP-UP & TEMPORARY ART

Art can be long-lasting, or it can be something experienced for a short period of time. Though temporary art is not intended to live for a generation, it can have a lasting impact on a community by creating a sense of surprise and joy in unexpected places. Some ideal locations for temporary installations include construction sites, sidewalks, alleyways, parks, and temporarily empty spaces and storefronts.

Temporary art can be done inexpensively and easily, provide opportunity for additional artist engagement, and it can be a small investment for a huge impact. In whatever form, its short lifespan gives energy to the space and drives excitement among the community. Temporary art invites collaboration, be it with local schools or community groups, and creates opportunity for the artwork to evolve with the community over time.

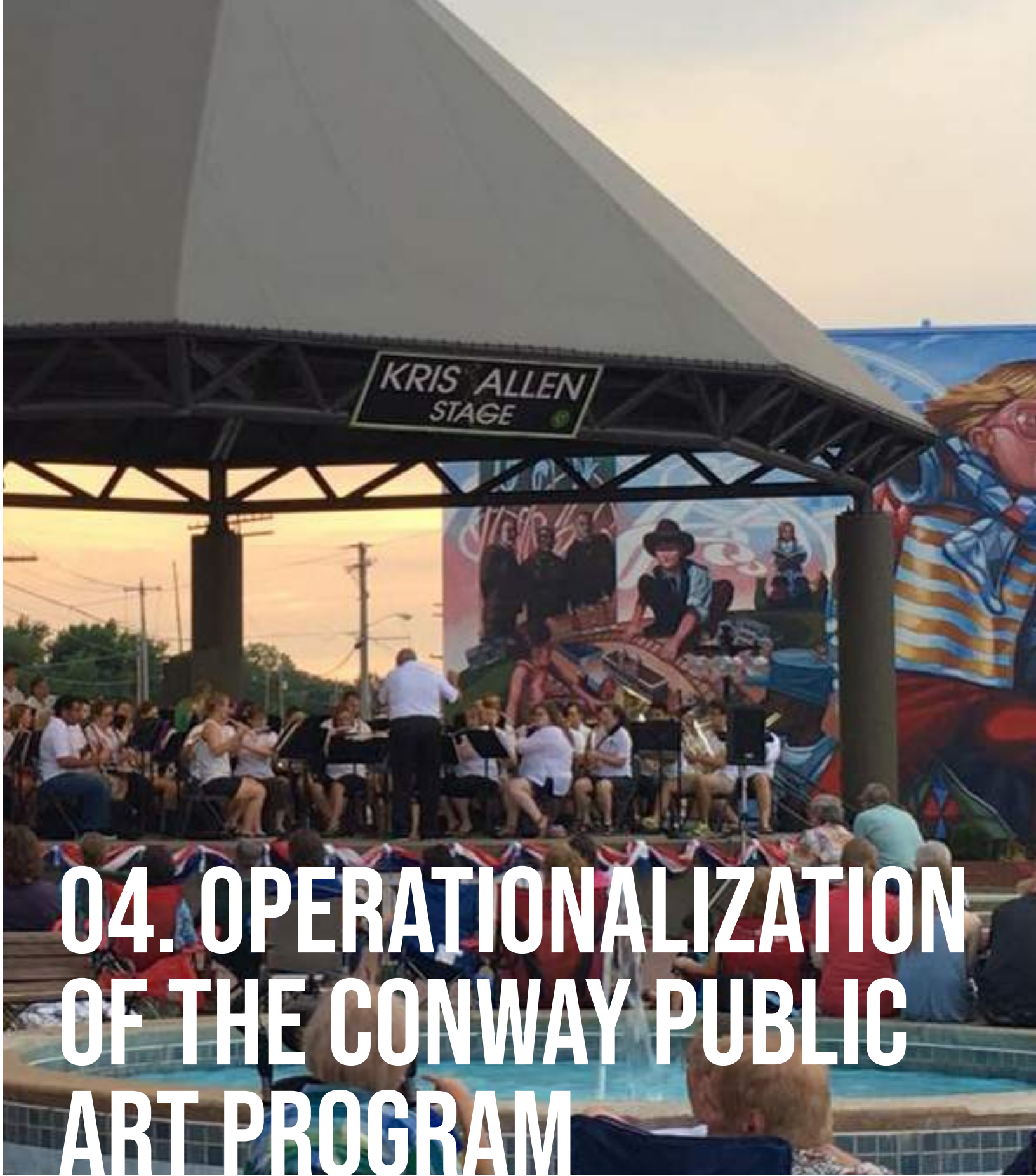
### COMMUNITY PARTICIPATORY ART

Participatory art is more focused on the creation of an art piece than any of the typologies listed above. Specifically, a piece is made by the community to enhance and celebrate its process and participants. Collaborative art pieces use people to enrich the experience and heighten the feeling of pride and ownership.



Top: Plywood Portals  
Middle: The Blue Trees, Konstantin Dimopoulos  
Bottom: Sidewalk Poetry





# 04. OPERATIONALIZATION OF THE CONWAY PUBLIC ART PROGRAM

Though the City of Conway has long had public art, the City has yet to launch an official program with formal processes and policy to guide the future of public art. Through implementing the following steps, the City of Conway will formally establish a Public Art Program.

# **STEP 1: FURTHER DEFINE THE ROLE OF THE PUBLIC ART ADVISORY COMMITTEE.**

Public art is currently under the purview of the Public Art Committee (Current title) as defined in Ordinance 15-96 in Section 3. Narrowing the description of responsibilities will allow for streamlined program development and a solid understanding of expected contributions to the Program.

The Public Art Committee should be recognized as the Public Art Advisory Committee. The following roles and responsibilities should be considered for adoption with other proposed policies in Step

4 and on p. \_\_ of the Appendix. The following recommendations further define the role of the Committee as well as their responsibilities.

The Conway Public Art Advisory Committee is made up of 7 members, appointed by the Mayor and confirmed by City Council, that is committed to promoting awareness, access, and appreciation of public art for the City of Conway.

**The Committee shall include:**

1. Four (4) members with expertise in the field of art, either an art historian, gallery director, art professor or instructor or other art professional.
2. Three (3) members of the community at large.

Any member serving on the Committee is ineligible for a public art project by the City of Conway during their membership and for an entire year following.

Members shall serve a two (2) year term and any subsequent terms shall require reappointment by the Mayor and confirmation by the City Council.

The Public Art Advisory Committee shall be staffed by the Public Art Manager within the Planning Department or their designee who shall manage all administrative affairs for the Committee.

**The Public Art Advisory Committee has the following responsibilities:**

- Provide input and advise staff about the Public Art Master Plan and proposed policy to support the Public Art Program;
- Provide input in developing the annual work plan.
- Provide input in establishing criteria and eligibility standards for applicants of projects;
- Support staff in establishing criteria for awarding projects;and
- Act principally in an advisory capacity to Conway staff in any matter pertaining to public art.



**STEP 2:**  
**STREAMLINE**  
**PROGRAM**  
**MANAGEMENT**  
**THROUGH THE**  
**ESTABLISHMENT**  
**OF A STAFF-**  
**DRIVEN PUBLIC ART**  
**COMMITTEE.**

### **Public Art Program Management**

The City of Conway currently does not have a standard approach to managing their public art program. Artwork has been realized through a variety of processes, depending on the initiating department, funding source, and nature of the project. To ensure strong coordination between departments, the City should have a single point of contact for all public art and clearly defined processes and policy for review and approval.

An Interdepartmental Public Art Coordination Committee should be formed consisting of staff from relevant departments to ensure coordination among departments and projects within departments, principally within Planning, Transportation, Parks, and the Mayor's office. The Committee should meet quarterly. As the Program and Collection grows, the managing staff should be someone who has extensive knowledge in the public art field including administration, maintenance, inventory management, and experience using various funding mechanisms to fund public artwork.

Until a Public Art Manager is hired, this role will be filled by the Planning Director.

### **How will the City Initiate Public Art Projects?**

#### **Public Art Program Update**

The Public Art Program Update is an annual document that outlines projects initiated in the coming year and projects that will be in

process during that year. The Program Update is one of the most crucial elements of the public art program. It creates a roadmap for the year and allows for the input of community members, elected officials, and others who care deeply about public art in Conway.

The Program Update will be coordinated through consultation with the Interdepartmental Public Art Coordination Committee, and the Program Manager. The Update will be submitted to the Mayor and Council as a recommendation by the public art manager with advice from the Public Art Advisory Committee during budget hearings on an annual basis.

The following steps will be taken to develop the Public Art Program Update:

- Work with City departments to determine the availability of funds for the upcoming year.
- Identify projects to be paid for by identified funding, including acquisition and maintenance.
- Develop a draft Public Art Program Update that will include locations, goals, and budgets for public art projects and programs for staff review.
- Host a public meeting to present the accomplishments of the previous year and any anticipated projects included in the Program Update.
- Integrate feedback from City Council to determine the final Program Update.

**STEP 3: UPDATE**

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**THE PUBLIC ART**

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**ORDINANCE.**

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The City of Conway's Public Art Program is governed by Ordinance No. O-15-96 and should be updated to reflect a variety of updates including the definition of public art, more defined roles and responsibilities of the Public Art Advisory Committee and City Staff, as well as an update to the dedication of funding for public art.

# STEP 4: IMPLEMENT PUBLIC ART POLICY.



Consideration and adoption of a Collection Management Policy would recognize the value and legacy of the current collection while planning for the maintenance of the future collection. Sound collection management practices include routine documentation, monitoring, and maintenance. The Collection Management Policy will equip the City to care for existing work while setting standards for any new pieces in the collection, receiving gifts of public art, accepting memorial gifts, and addressing temporary art.

The proposed Collection Management Policy is included in the Appendix on p. \_\_, and specifically includes the following:

- Establishes the management practices of artworks acquired through the solicitation and donation processes.
- Outlines standards for maintenance and guards against inappropriate disposal of any of the pieces in the collection.
- Provides direction for surveying the collection, working with future artists to establish a maintenance plan for any commissioned work, and includes inspection guidelines.
- Creates procedures for individuals or organizations who request to donate artwork to the City.

The Public Art Manager should administer or oversee the following tasks:

- Review and update an annual survey of all pieces within the City's collection. Each piece should be evaluated and should have information about maintenance needs.
- Ensure that all repair and restoration of artwork is completed with the highest standards of professional conservation practice.
- Ensure routine maintenance is completed by the City's Physical Plant Department.
- Prioritize maintenance and plan for the future development of the collection.
- Advocate for funding of maintenance of the collection, when appropriate.

### **What is in a Collection Management Policy?**

A Collection Management Policy establishes

the management practices of artworks acquired through the solicitation and donation processes. These pieces are considered part of the City's permanent collection and must be cared for per the Maintenance Policy. The Collection Management Policy will help maintain the value of the City's permanent collection and guard against inappropriate disposal of any of its pieces.

### **Donation and Artwork on Loan Policy**

This policy creates procedures for individuals or organizations who request to donate artwork to the City. These donations may be considered on a case-by-case basis, and requests for consideration shall be made to the Public Art Advisory Committee.

### **Maintenance Policy**

This policy establishes the procedure for maintaining the future public art collection and pieces currently therein. Direction for surveying the collection, working with future artists to establish a maintenance plan for any commissioned work, and artwork inspection guidelines are included.

### **Mural Guidelines**

The Mural Guidelines offer guidelines for both publicly-owned murals on public and private property and consider the process for approval. The guidelines consider the ownership of the building in which the mural will be sited.



# **STEP 5: ADOPT** **SUSTAINABLE** **FUNDING** **PRACTICES.**

Currently, the Public Art Program is funded through a portion of the voluntary property tax collected for public recreation in Conway as well as a thirty thousand dollar allocation from the city's assigned portion of Advertising and Promotion Prepared Food Sales tax revenue.

In order to achieve the vision outlined in this plan, additional funding will be needed. The following is a series of public art funding mechanisms for consideration and is multi-pronged in execution. This approach supports the implementation of projects and activation strategies outlined in Chapters 5 and 6 and supports a long-term effort to inject public art into public projects. All proposed funding mechanisms would require Council approval to be used.

**Public Funding Recommendation  
Consideration of a Public Percent for Art**  
The most common funding model in cities

throughout the country is the 'percent for art' model. A majority of public art programs allocate a percentage of a jurisdiction's capital improvement budget to develop public art funding. Percent-for-art resolutions guarantee a funding stream for public art projects regardless of what happens to municipal budgets or arts funding. The policy also guarantees that public art projects will be planned each year, as long as Capital Improvement Projects (CIP) are underway and municipal construction continues. The allocation is typically one percent, although it can range from a low of .5 to a high of 2%.

The public art allocation for all capital projects should be calculated based on the total construction costs, excluding all costs for demolition and real property acquisition for any given capital project. In addition, the appropriation for public art should be calculated only on the original appropriation

for design and construction services, excluding any amounts appropriated for change orders. A public art allocation should not be made for road maintenance, underground infrastructure and underground utility projects with no above ground components other than roads. When there are utility projects with above ground components that are visible, a donation toward public art should be considered.

#### Types of Projects to Include Public Art Within:

- New Road Construction
- Streetscape Projects
- Parks and Trails
- Community Facilities
- Fire and Police Stations

#### Upcoming Projects that Could be Included in the Percent for Art

- Aquatics Center
- Soccer Fields

### **Private Development Funding Recommendation**

A number of opportunities are outlined below for funding public art within private developments. It is recommended that all options are pursued and codified so that creativity is injected throughout the community and in places that the City is not a development partner.

### **Voluntary Public Art Contribution within the Old Conway Design Overlay District**

The Old Conway Design Overlay District has a rich architectural heritage that has created a collection of neighborhoods with unique and diverse historical character. Traditional neighborhood patterns exist with a gridded street system with alleyways, sidewalks, shallow setbacks, narrow streets and unique building types. Any development falling within the District is subject to review and approval by the Historic District Commission prior to receiving a Certificate of Appropriateness.

Within the Old Conway Design Overlay District, a Voluntary One Percent for Public Art in Private Development should be considered. This recommendation would strongly encourage

developers within the district to undertake one of the following:

Option 1: Include public art on the development site valued at approximately one (1) percent of total project cost, including construction and land. (this 1% of development cost is in the mid-range set by municipal governments across the nation.)

Option 2: Make a cash contribution of equal value (approximately 1% of the total project cost) to the public art fund which is administered by the City for acquisition or commission of public art on publicly-owned sites or for other public art related purposes.

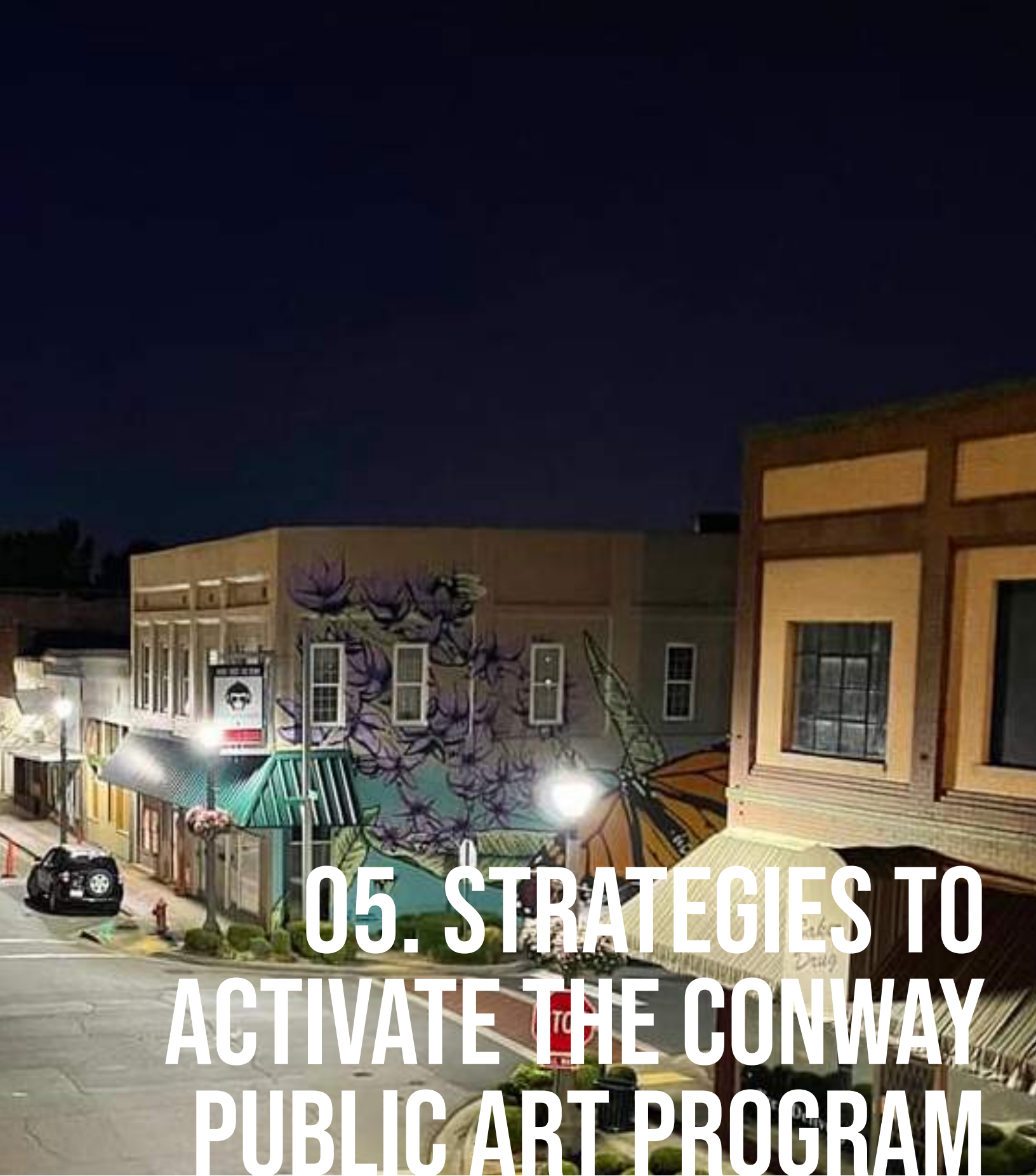
### **Study the Current Impact Fees for Parks and Roadways for Adequacy and Consider Allocating a Percentage of Collected Parks Impact Fees for Public Art in Parks**

Section 12 of Conway's Subdivision Ordinance addresses impact fees. The intent of impact fees are to ensure impact-generating development bears a proportionate share of the cost of improvements to the City's major roadway and park systems. The Impact Fee Ordinance calls for review of fees every three years. However, the city's impact fee study has not been updated since 2003. As such, the fee determination has also not been updated since that time.

The City of Conway should update the Fee Determination to, at minimum, adjust for inflation of construction costs since 2003. With the increase, the City should explore allocating a portion of the annual parks fee to new public art within parks.

### **Explore Diverting a Portion of Annual Building Permit Fees to Public Art**

In the last two years, the City has generated approximately \$227,033 (2019) and \$269,389 (2020) in Building Permits. Any income over a specific amount set by the City in building permit fees could be allocated to public art. In addition, the City could explore the allocation of the Sign Permit fees.



# 05. STRATEGIES TO ACTIVATE THE CONWAY PUBLIC ART PROGRAM

After establishing a strong foundation for the future of public art utilizing the steps in Chapter 4, the City should take the following actions to activate the Conway Public Art Program. The goals and strategies to implement the program are in the following sections.

# **STRATEGY 1:**

# **ESTABLISH**

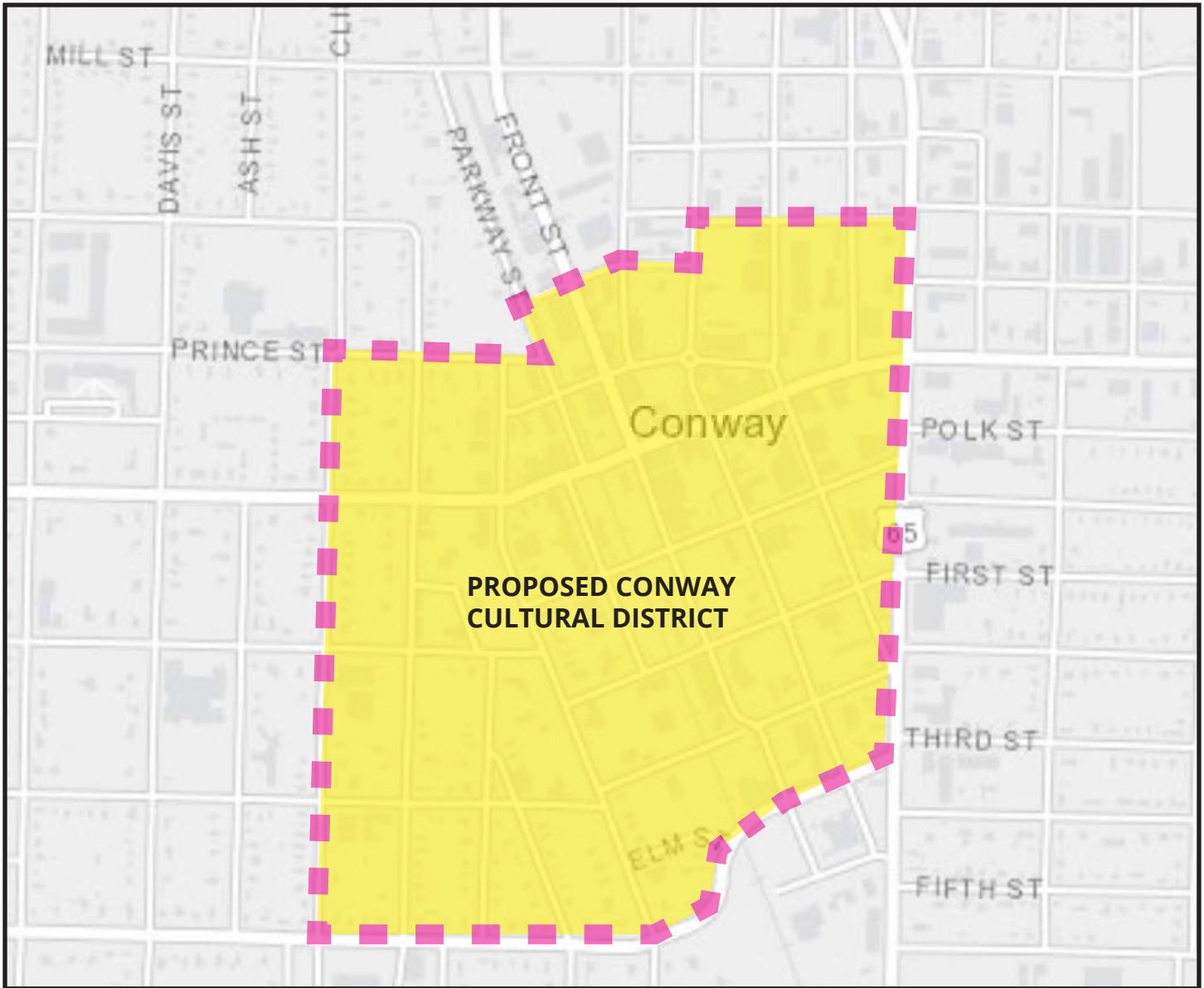
# **CONWAY'S FIRST**

# **CULTURAL**

# **DISTRICT**

Conway's downtown is home to a number of local businesses, and institutions that support arts and culture. Designating downtown as Conway's Cultural District will recognize the role of the arts in growing and sustaining a vibrant community as well as enhancing opportunities for the creative economy. Designating this area of town would signal to local businesses as well as visitors to the area that arts are seen as integral to building community, engaging residents, encouraging entrepreneurship, and attracting visitors.

Upon designation, the City should begin dedicating significant resources to this geographic area for a number of efforts including but not limited to supporting signature events in the District, supporting creative placemaking efforts, encouraging creative economy use in commercial buildings, and implementing public art projects throughout.



**STRATEGY 1.A: EXPLORE THE VIABILITY OF A CREATIVE INCENTIVE PROGRAM TO SUPPORT THE BUILDING OF THE CULTURAL DISTRICT.**

The City should explore the viability of a gallery and live music incentive program which would support art galleries and performance art. The program would allow the owner of a for profit gallery to apply for a rent subsidy for 12 months and a start-up grant to offset costs related to relocation, advertising, and tenant improvements. The City should set the rent subsidy using the current market rate of commercial space within downtown Conway.

This Program should be undertaken as a public-private partnership with community institutions.

To prepare for this incentive program, the City should determine the following:

Boundaries in which the incentive would be offered;

- Identification of annual funding for this program;
- Lease term;
- Determination of market rate rental rates for commercial buildings;
- Qualifications of applying businesses to receive the incentive; and
- Compliance with qualifications.



**STRATEGY 1.B HIRE AFRICAN AMERICAN ARTISTS TO REALIZE AND CELEBRATE THE CONTRIBUTIONS OF AFRICAN AMERICANS TO DOWNTOWN CONWAY, SPECIFICALLY IN THE PINE STREET AND MARKHAM STREET NEIGHBORHOODS.**

Building upon the Conway Arkansas African American Historic Context Study that was completed in 2021, the City should hire African American artists to help share stories of past residents and events that took place in both neighborhoods. The City is working to place historic markers to note where physical buildings once stood. Accompanying artwork would support the recognition of the community's contribution to Conway.

**STRATEGY 1.C: INVEST IN SPECIFIC PEDESTRIAN SCALE-PLACEMAKING PROJECTS WITHIN THE DISTRICT.**

A number of specific placemaking interventions should be considered in downtown Conway. All efforts should be directed by an artist or artist team.

**Pop-up Alley and Pocket Park Program**

As the city invests in improvements to specific alleys within the cultural district, a number of improvements could become standard within alleyways and within proximity to vacant lots including access to electricity, and improved pedestrian access. Artists could develop programming for the alleys and pocket parks on a rotating basis throughout the summer and could include overhead lights, interesting plant material and pedestrian amenities- creating new public space in downtown Conway. Pop up parks could be in parking lots or between buildings. An artist-designed dumpster program could also be considered where artists paint murals on new dumpsters-creating an interesting activation of a mundane and necessary piece of urban living.

**Specific Alleys for Consideration:**

- Chestnut Alley
- Locust to Parkway Alley
- Oak to Main Alley
- Markham Corridor

**Specific locations for potential pocket parks:**

- Pocket Lot by Blue Sail



Left: Protest!, Jeyifous  
Top: Todos Juntos, Berry and Linne  
Middle: Alley Activation, Chattanooga, TN



*Origami Animals, Gerardo Gomez*

### **Downtown Sculpture Tour**

Throughout downtown, specifically at intersections on Oak, Main, Chestnut, Front, and Court Streets, there are locations within the right of way that extend further than the sidewalk. All of the bumpout extensions are well landscaped and could offer locations for small scale sculpture.

Many communities host an annual sculpture tour in which sculptures are placed in various locations throughout a specific geographic area for members of the public to explore at their leisure. Conway could select 10 locations throughout the Cultural District and place plinths within those locations to support small-scale sculpture. A call could be released awarding 10 artists a stipend to showcase sculpture from their collection for the duration of one year. The City could purchase one of the sculptures annually to build its collection.

### **Pop-Up Food Experience**

A significant part of building a Cultural District is the culinary experience. The City, in partnership with other nonprofits and local businesses, should consider purchasing a building and building out a commercial kitchen and whiteboxing the rest of the space. Local and visiting chefs could be invited to program the space and a menu for 3 month windows, improving the local food scene and creating a destination for regional foodies.

### **Regularly Programmed Events at the Simon Park**

Simon Park offers a unique opportunity to develop programming where supportive infrastructure already exists. Opportunities for live music, high school band, choir, and theater performances, local dance companies abound at this location. Weekly programming from April - October at Simon Park would build synergy within the cultural district and would provide an affordable option for families to enjoy all of the cultural offerings Conway has.



# **STRATEGY 2:** **LAUNCH THE** **CONWAY** **MURAL GRANT** **PROGRAM**

Conway should establish a Mural Grant Program in cooperation with the downtown partnership that subsidizes mural creation within the cultural district through granting property owners up to 25% of the cost of the mural on their property. Applicants would have to abide by the mural guidelines found on p. \_\_. Funds should be distributed on a first come, first served basis. Applicants should submit their contract with their selected artist and submit proof of final payment to receive the grant. The City could explore this as a pilot

program for two years and then examine its success. At that time, the City could expand the program to reach outside of the cultural district.

Applications should include:

- Images of the proposed wall
- Proposed dimensions of the mural
- A concept rendering from the selected artist
- Proposed budget
- Contract with artist

# **STRATEGY 3:** **INVEST IN** **ICONIC PUBLIC** **ART IN EXISTING** **PUBLIC SPACES.**

An investment in large-scale commissioned artwork is an essential step in developing a public art program and will project early success of the city's investment. Locations vary in type, but all prominent locations throughout the City. A mix of large-scale sculpture and intimate small-scale work will create varying landscapes and different points of interest for those experiencing the collection.

## **Iconic Locations for Consideration Include:**

- Roundabout at the 6th St Overpass
- Prince St Roundabouts - need to contact Conway Corp about utility conflicts
- Entry to the Conway Community Center (Roundabout for new aquatic center)
- Simon Park
- Large Privately-owned walls throughout the City
- Major trailheads or points where trails branch



Top: Creek Play  
Bottom: Makers Monument, Mark Reigelman

# **STRATEGY 4:** **INVEST IN** **PUBLIC ART** **ON TRAILS AND** **IN PARKS.**

Conway is known statewide for their parks and trails and are not slowing down when building supportive infrastructure for residents to enjoy spending time outdoors. The arts are becoming a growing part of how people enjoy parks and recreation spaces throughout the country. From artist designed playgrounds to natural sculpture hidden along trails, to artists who focus on sharing the effects of climate change through their work, parks have become a place to experience artwork in nature.



*Snail, Cracking Art*

## **INVESTMENT OPPORTUNITIES ON TRAILS**

### **Natural, Unprogrammed Trails**

A series of public art projects could be commissioned to draw deeper connections between the environment and parks that are more natural and unprogrammed. The City could consider various themes to explore in these more natural parks and could integrate pieces made of degradable materials. This investment would create opportunities for artists and the City to educate users on environmental stewardship and the history of Conway and its significance to the indigenous community. Additional programming could support the installation like guided trail walks, story time, star gazing, or concerts. The pieces in these parks should be surprising to find and should not upstage the natural beauty that already exists.

### **Locations for Consideration:**

- Hendrix Creek Preserve
- Jewel Moore Nature Reserve
- Cadron Settlement Park
- Blaney Hill MTB Park

## **PAVED, PROGRAMMED TRAILS AND PATHS**

Layering cultural experiences on paved paths will encourage healthy activity and unsolicited exposure to the arts. Conway has a number of trails that are within parks, alongside waterways, and that connect different parts of town. Specific themes should be explored for each trail or path. Along cycle tracks, light art could be considered so users can experience riding in the dark safely.

### **Locations for Consideration:**

- Stone Dam Creek Trail
- Paved Bike Paths and Cycle Tracks throughout Town
- Cadron Settlement Park
- Kinley Bike Trail
- Central Arkansas Regional Greenway
- Proposed Connect Conway Trails
- Proposed Little Creek Greenway

## **INVESTMENT OPPORTUNITIES IN PARKS**

The Public Art Manager and appropriate staff should collaborate with artists to design functional elements of parks that reveal or respond to unique aspects of each park. This should be examined for existing parks as well as for future parks. In addition to functional art, artwork should be commissioned to support the unique identity of each individual park, strengthening the connection between the park and its users. These improvements should coincide with reinvestment in the parks such as the recent major reinvestments made by 5th Avenue Park.

### **Parks for Consideration:**

- Airport Park
- Bainbridge Park
- Beaverfork Lake
- Soccer Complex at Curtis Walker Park
- City of Colleges Park
- Conway Station Park
- Curtis Walker Park
- Don Owen Sports Park
- Fifth Avenue Park
- Gatlin Park
- Laurel Park
- McGee Center
- Pine Street
- Simon Park
- Tennis Center

### **Specific Investments within Parks Could Include:**

- Artist designed playgrounds
- Benches
- Wayfinding signage within the park and at entries
- Trail Markers
- Pavillions or Shelters
- Mural on Basketball Courts



Top: Lean In, Olive Moya  
Bottom: The Troll that Hatched the Egg, Thomas Dambo



Bryant Anthony, Sullivant Bright



# **STRATEGY 5:**

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# **INVEST IN**

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# **CONWAY'S**

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# **ROADWAYS.**

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Conway's natural gathering spaces are placed throughout the City and are mostly accessed by car. Therefore, many residents spend a considerable amount of time in their personal vehicles. Enhancing the experience of both drivers and pedestrians along the roadway is an opportunity that is often overlooked in public art programs. Conway should invest in public art on major corridors through a variety of public art types. The lifespan of the following investment range from temporary to permanent.

## **TYPE 1: ROUNDABOUT ART**

Roundabouts offer an opportunity to calm traffic safely and efficiently. Left in the center of these traffic calming strategies is a blank canvas for placement of public art and Conway has a considerable number of roundabouts to offer as potential locations. When multiple

roundabouts are located on one corridor, the city should consider how each roundabout could accommodate a piece of public art, all linking together to form a full experience that can support those viewing from a vehicle or those viewing from the pedestrian standpoint.

Special consideration should be given to landscaping around each piece of art and any signage that may be needed to support the work and/or credit the artist. Signage should be located outside of the roundabout so those wishing to view signage are able to safely view the information presented on the signage and the artwork without crossing any lanes of traffic to reach the art in the center or the roundabout.

## **TYPE 2: CREATIVE CROSSWALKS**

Crosswalks are a necessary measure for pedestrian safety on major roadways and neighborhood streets alike. A growing trend allows for municipalities to trade the white lines that are recognized as a universal symbol for pedestrian crossing with a creative application developed by artists in the same footprint as a traditional crosswalk. Some municipalities allow artists to use paint on lesser traveled streets and some require pre-printed laminate applied to the asphalt on higher trafficked roads.

Conway should develop a creative crosswalk program that focuses on placing creative crosswalks on city-controlled roadways.

## **TYPE 3: BANNERS**

Conway currently has a series of banners that promote a variety of events throughout the year. Banners provide a highly visual, usually vibrant pop of color when driving on major roads. Conway should rotate original artwork by local artists onto the banner poles between event promotion. Calls to artists could be released on a biennial basis. Because these are developed from a high resolution file, visual artists of all mediums could participate in this program.

## **TYPE 4: TACTICAL URBANISM ARTIST-IN-RESIDENCE**

Incorporating public artists into the inner workings of a municipality has yielded creative and unique projects throughout the Country in a variety of mediums. Artists think differently than traditional municipal staff members, and placing artists at the center of a relatively mundane municipal necessity like roads will place creative vision at the center of this public infrastructure program.

An artist should be hired through a professional services retainer to assist in the planning and implementation of new roads. Outcomes could include creative community engagement projects soliciting ideas from the community about the structure and amenities offered on new roads, a sidewalk poetry program, or a creative lighting scheme. Special attention should be paid to utilizing art to illustrate upcoming roadway improvements.



*Left: Morning Sun, Brad Howe  
Right: Banners, Robert Plante*



# **STRATEGY 6:** **ESTABLISH A** **LOCAL ARTIST** **DATABASE.**

Honor the local artist community through establishing a local artist database for public art projects. To accommodate requests from interested parties seeking to commission artwork by local artists, the City should create a local artist database. This database would create one hub of local artists that could be shared with those seeking to directly hire local artists for commissions and would provide the City with an easy way to share calls for artists.

This could be accomplished through an annual RFQ process that the City runs and manages the database including the placement of material into the database, or the City could set up the database and artists could load their own content into the database for public consumption.



# 06. CONCEPTUAL PROJECTS FOR FUTURE CONSIDERATION

8 conceptual projects or programs have been identified as opportunities for public art. The specifics of each project are explored on the following pages. Implementation of public art should not be restricted to the following concepts as an artist should be in charge of the final outcome of the concept. The following projects are not ranked in order of importance and should be strategically selected as opportunities and funding arise.

# 01. NATURE WALK

As trails continue to play a major role in shaping the identity of Conway in the Region and throughout the state, a series of natural public artworks should be created with foliage and material and should be placed on multiple trails. Natural materials would break down naturally over time and would require little to no maintenance. This project will require a public private partnership.

## **ANTICIPATED PROJECT BUDGET**

\$250,000-\$300,000

## **PROPOSED TRAILS OR PARKS**

- Jewell Moore Natural Area
- Hendrix Wetland Trails

## **SUPPORTIVE STRATEGY**

Strategy 3



*Dyre, Thomas Sayre*

# 02. DONAGHEY ROUNDBOUTS

As Conway Regional and UCA continue to invest in construction projects to improve their campuses, the City of Conway is implementing a complementary project to one and a half miles of Donaghey Avenue. The street improvements will include better accommodations to support vehicular traffic, cyclists, and pedestrians and includes replacing traffic signals with roundabouts at Prince Street, Caldwell Avenue, and College Avenue. There will also be a cycle track, new sidewalks, and increased landscaping.

As part of the street improvements, three pieces of sculpture should be placed in each of the new roundabouts. A theme of openness should be explored by the selected artists.

## **ANTICIPATED PROJECT BUDGET:**

\$600,000

\$200,000/sculpture

## **SUPPORTIVE STRATEGY**

Strategy 5



*Beacon Bloom, BoMAR Industries*



The Gathering Place

Opportunities to spend time as a family while outdoors is a priority for the City and amenities within Conway Parks are of utmost importance. The City should select a site for a large destination playground where an artist is integrated into the design team. Instead of ordering a standard playground for a new park in Conway, why not have a one of a kind destination where families from all over the region and state will visit. Subject matter is endless when it comes to engaging imagination and when artists and children work together, the possibilities are endless!

#### **POTENTIAL LOCATIONS**

- 5th Avenue Park
- Airport Park
- New Soccer Complex at Curtis Walker Park

#### **SUPPORTIVE STRATEGY**

Strategy 3, Strategy 4

# 03. ARTIST DESIGNED PLAYGROUNDS

# 04. FUNCTIONAL ART PROGRAM

Functional art designed by artists is a simple and impactful way of introducing art into the public realm in a variety of locations. Location options range from parks and open spaces to sidewalks, rights of way, and other public spaces. Functional art can be both temporary and permanent and can vary significantly in scale. Functional art creates a relatively cost effective way to place public art throughout a community while making a big impact.

The City should explore committing a small amount annually to this program and when larger opportunities for tactical urbanism interventions arise, additional dollars could be allocated. The Functional Art Program could be focused on creating opportunities for local artists rather than open to national artists.

## **FUNCTIONAL ART ELEMENTS INCLUDE:**

- Bike Racks
- Benches
- Light poles
- Utility box murals
- Transit shelter art
- Crosswalks
- Share structures
- Storm drains

## **PROJECT COST:**

\$15,000 annually

## **SUPPORTIVE STRATEGY**

Strategy 5, Strategy 1, Strategy 6



Streetdeck, Archatrak





Art This Way, Fort Wayne, IN

The City of Conway could host an annual mural festival in the Cultural District to give residents and visitors an opportunity to see artists creating large scale artwork in real time. Additional programming could be considered such as live music and food trucks. This could be launched in tandem with the Mural Grant Program.

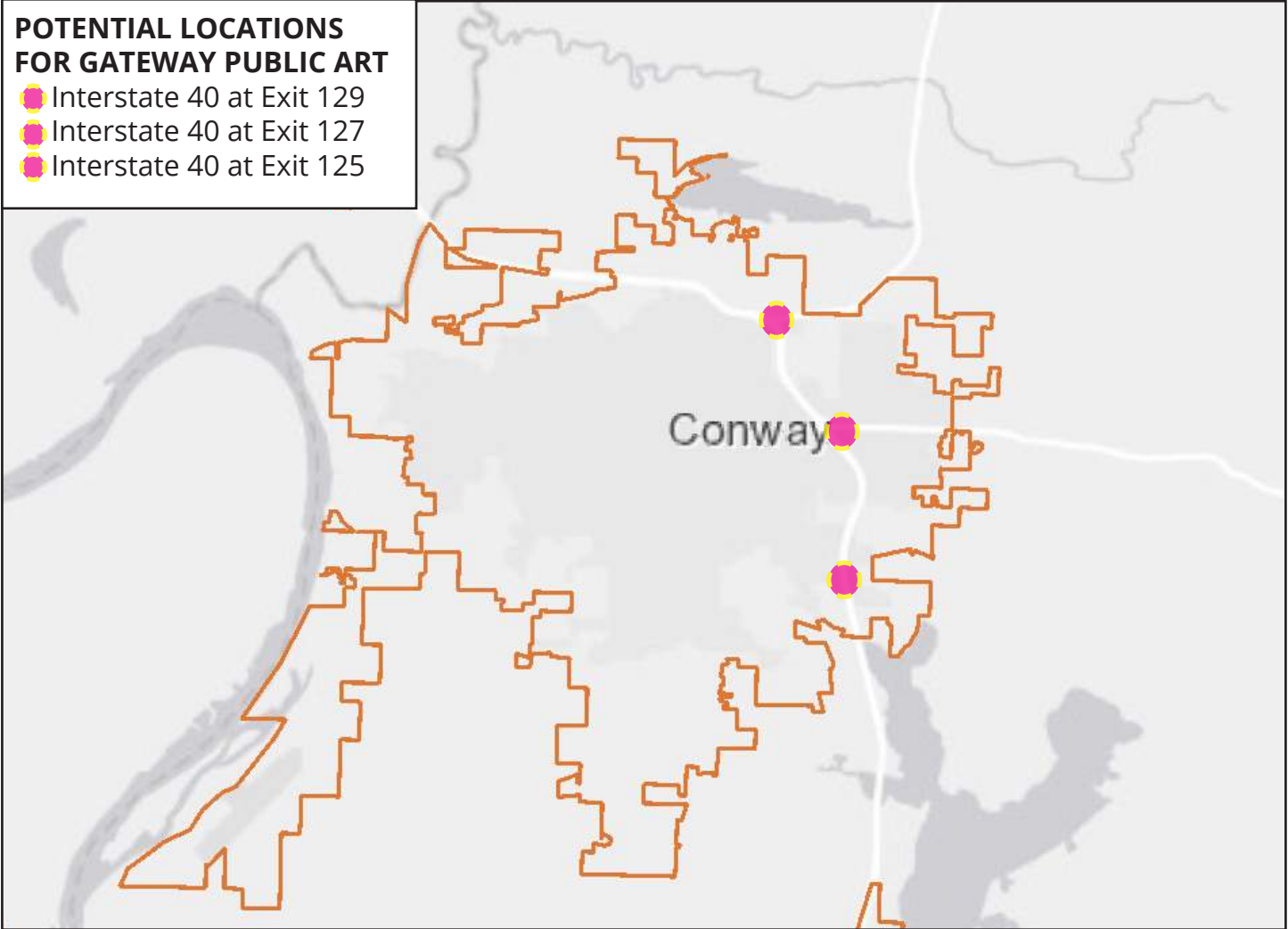
**PROJECT COST**  
\$25,000 annually

**SUPPORTIVE STRATEGY**  
Strategy 1, Strategy 2, Strategy 3

# 05. MURAL FESTIVAL

**POTENTIAL LOCATIONS  
FOR GATEWAY PUBLIC ART**

- Interstate 40 at Exit 129
- Interstate 40 at Exit 127
- Interstate 40 at Exit 125



# 06: CONWAY GATEWAYS



*LightRails, Bill Fitzgibbons*

The City of Conway has a number of access points along Interstate 40 that would be great opportunities to provide a first impression when entering the City. Creative lighting with supportive murals at each exit should be considered. The lights could be different colors on each exit with a supportive mural in a similar color scheme. Additional locations could be explored for monumental sculpture at other gateway locations.

**POTENTIAL LOCATIONS**

- Interstate 40 at Exit 129
- Interstate 40 at Exit 127
- Interstate 40 at Exit 125

**PROJECT COST**

- \$150,000 - \$200,000 per light installation
- \$25,000 - \$50,000 per mural

**SUPPORTIVE STRATEGY**

- Strategy 3, Strategy 5

Many communities host an annual sculpture tour in which sculptures are placed in various locations throughout a specific geographic area for members of the public to explore at their leisure. Conway could select 10 locations throughout the Cultural District and place plinths within those locations to support small-scale sculpture. A call could be released awarding 10 artists a stipend to showcase sculpture from their collection for the duration of one year. The City could purchase one of the sculptures annually to build its collection.

**POTENTIAL LOCATIONS**

Within bump outs on the following roads:

- Oak Street
- Main Street
- Chestnut Street
- Front Street
- Court Street

**PROJECT COST**

\$20,000 for Plinth Pouring throughout the Cultural District (\$2,000/plinth/10 plinths)

\$15,000 for 10 sculptures annually

\$10,000 for 1 purchase annually

\$25,000 annually + \$20,000 Year 1

**SUPPORTIVE STRATEGY**

Strategy 1, Strategy 3, Strategy 5



Tunnel Vision, Jen Stark

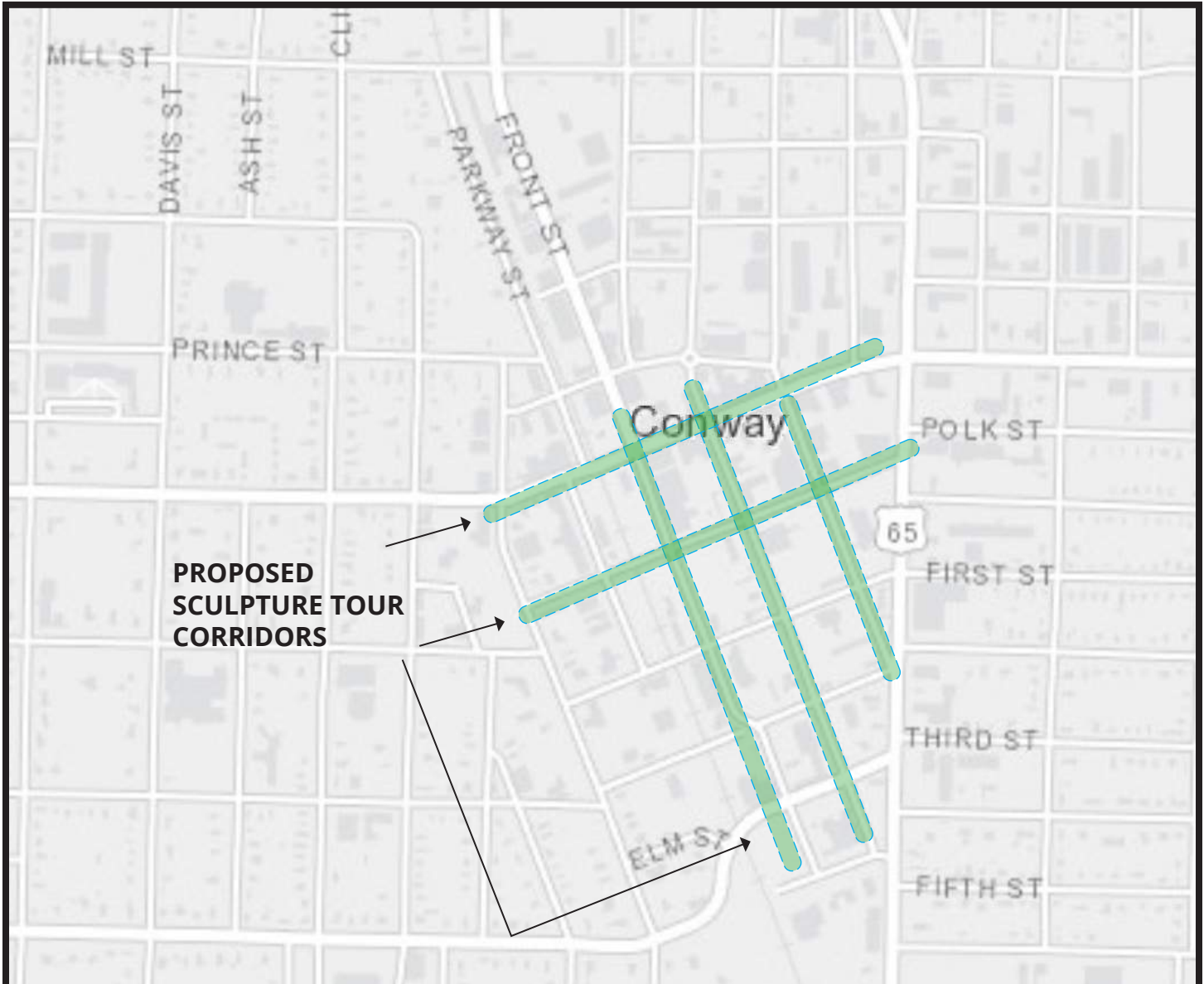
# 07: DOWNTOWN SCULPTURE TOUR



Lunar Eclipse, Hanna Jubran



Portal Eclipse, Nathan Pierce



# 08: CULTURAL DISTRICT CREATIVE INCENTIVE PROGRAM

The City should explore the viability of a gallery and live music incentive program which would support art galleries and performance art. The program would allow the owner of a for profit gallery to apply for a rent subsidy for 12 months and a start-up grant to offset costs related to relocation, advertising, and tenant improvements. The City should set the rent subsidy using the current market rate of commercial space within downtown Conway. This Program should be a public private partnership.

## **POTENTIAL LOCATIONS**

Within the proposed boundaries of the Cultural District

## **PROJECT COST**

Dependent upon the level of commitment and desired number of businesses to impact

## **SUPPORTIVE STRATEGY**

Strategy 1, Strategy 3, Strategy 5



# 07. PRIORITY ACTION PLAN

The following goals and strategies are derived from community engagement and national best practices in public art planning. Goals and strategies are broken down into short and medium term categories. The Priority Action Plan is ambitious and will require public private partnerships and strong leadership to accomplish the goals and objectives set forth in the goals below.

# SHORT TERM STRATEGIES

## FY 2022-2024

POLICY AND OPERATIONS	
1	Update the Public Art Ordinance and adopt policy.
2	Establish the Interdepartmental Public Art Coordination Committee and schedule quarterly meetings for the remainder of the fiscal year.
3	Audit ongoing City projects to determine if public art can be integrated. This audit should include the planning department, the parks department, and public works.
4	Develop an unveiling process that is duplicated each time a public artwork is installed. This process could include: <ul style="list-style-type: none"> <li>• Artist Talk: Selected artists should present their artistic process and design choices in an open and free event format.</li> <li>• Unveiling event: Host a short event at the installation of a new piece. Elected officials, the selection committee, neighbors, and community members should all be invited to the unveiling.</li> </ul>
5	Update the City’s website with information about the program, policy, and create a map with the collection for the public to view.
6	Further study the sustainable funding mechanisms to determine which method will generate needed revenue for the Program.
7	Expand the database of artworks in the City collection and coordinate conservation and maintenance plans of existing artworks with the proper City Departments. The maintenance plan should address specific roles and responsibilities of each department and create unique treatment of each piece as its own facility.
8	Utilize Public Art funds to leverage and provide matching monies for grant opportunities from local, state, and national organizations. Target grants for strategic placemaking endeavors or programmatic actions such as: <ul style="list-style-type: none"> <li>• Programming that supports cultural diversity in the arts;</li> <li>• Programs for reaching underserved communities;</li> <li>• Projects that integrate arts and culture into community revitalization work such as land-use, transportation, economic development, education, housing, infrastructure, and public safety strategies;</li> <li>• Projects that utilize the arts to support the creative needs of non-arts sectors;</li> <li>• Projects that explore the intersection of artistic creativity and creativity in non-arts sectors;</li> <li>• Projects that use the arts and the creative process to address complex issues; and</li> <li>• Programming that celebrates heritage or history of a specific place.</li> </ul>



# SHORT TERM STRATEGIES

## FY 2022-2024

PROGRAMMING VISIBILITY	
1	Determine the final boundaries of the Conway Cultural District and generate community buy in for the District. The following tasks should be considered when building momentum for the District: <ul style="list-style-type: none"> <li>• Securing partners for funding the creative incentive program;</li> <li>• Developing parameters for the creative incentive program, and</li> <li>• Developing accompanying marketing materials for the District.</li> </ul>
2	Develop a downtown Public Realm Strategic Plan that focuses on pedestrian improvements including locations for the sculpture tour, alley activation, and privately owned walls that could be considered for mural installations. This plan should identify specific price points for each intervention and potential partners for implementation.
3	Explore the viability of the mural grant program and identify available funding. Consider a mural festival as an opportunity to celebrate the mural grant program.
4	Select a major roadway project to pilot the utilization of public artists in transportation projects. Explore the addition of 1-2% of the total project cost being allocated to public art.
5	Develop the local artist database publicize it to the local artist community.

# MEDIUM TERM STRATEGIES

## FY 2024-2027

POLICY, OPERATIONS, AND PROGRAMMING VISIBILITY	
1	If a funding mechanism is adopted before Fiscal Year 2024, evaluate the effectiveness of the funding stream and determine if additional policy changes need to be made to accommodate the economic conditions.
2	Evaluate the effectiveness of the Interdepartmental Public Art Coordination Committee and determine if the structure could be strengthened.
3	Evaluate the effectiveness of the Mural Grant Program and determine if the program could be expanded outside of the Cultural District.
4	Explore developing a strategic public art plan for the parks system.





# CONWAY PUBLIC ART MASTER PLAN APPENDIX

**CONWAY PUBLIC ART  
PROGRAM POLICY**

<b>Introduction</b>	<b>3</b>
Definitions	3
<b>Collection Management</b>	<b>6</b>
Donations	6
Donation Requirements	6
Donation Proposal Procedures and Review Process	7
Ownership	7
Criteria for Evaluation	7
Memorial Gifts	8
Art on Loan or Temporary Display on City-owned Property	8
Acceptance and Accession of the Artwork	8
Removal, Relocation, or Deaccession of the Artwork	9
Maintenance	10
Maintenance Guidelines for Acquiring New Works	10
Deaccession	12
Removal from Public Display	12
Provision for Emergency Removal	12
Criteria for Deaccession	12
Application Process	13
Review Process	14
<b>Roles and Responsibilities of the Public Art Advisory Committee</b>	<b>16</b>
Conway City Council & Mayor	16
Public Art Advisory Committee	16
Public Art Manager (Manager)	17
City Staff	17
<b>Public Art Program Update</b>	<b>18</b>
<b>Use of Funds</b>	<b>19</b>
<b>Artist Selection</b>	<b>20</b>
Process for Selecting an Artist or Artist Team	20
Artist Selection Methods for Commissioning New Artwork	20
Artist Selection Methods for Commissioning Existing Artwork	21
Artist Selection Process	22
Artist Selection Panel	22

Project Implementation Process for Site- Specific Artworks	23
<b>Mural Process and Guidelines</b>	<b>25</b>
Private Murals on Private Property	25
Murals Under City of Conway Jurisdiction	25
Mural Design Considerations	25
Guidelines:	26
Required Application Materials	26

## Introduction

To establish a strong *Public Art Program*, the City of Conway will adopt the following policy, which includes the following sections: Collection Management; Roles & Responsibilities of the Public Art Advisory Committee; Program Update; Use of Funds; and Artist Selection.

## Definitions

For this policy, the following terms, phrases, words, and their derivation shall have the meaning given herein:

**Accession**, when used herein, shall mean a procedure for the acceptance of artwork into the Public Art Collection.

**Conway Public Art Collection or Collection**, when used herein, shall mean art objects owned by the City of Conway that are permanently installed in public, accessible locations. Permanent Public Art must be located in a public place with public visibility and impact and shall have a permanence comparable to associated capital projects.

**Artist**, when used herein, shall mean an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, or literary arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, public performances, past public commissions, sale of works, exhibition record, publications, and production of artwork. The members of the architectural, engineering, design or landscaping firms retained for the design and construction of a development project covered by this policy shall not be considered artists for the purposes of this policy.

**City**, when used herein, shall mean the City of Conway, Arkansas.

**Creative amenity**, when used herein, shall mean non-standardized enhancements made to public space.

**Deaccession**, when used herein, shall mean a procedure for the withdrawal of artwork from the permanent collection and the determination of its future disposition.

**Historic or civic objects**, when used herein, shall mean an object that is historically or civically significant.

**Interdepartmental Public Art Coordination Committee**, when used herein, shall mean a working group made up of staff from varying Departments at the City of Conway that meet quarterly to collaborate on the Public Art Program. This group may include representatives from Community Development, Code Enforcement, Parks and Recreation, Planning and Development, or Transportation.

### ***Life Spans***

- **Temporary:** 0-2 years
- **Short term:** 2-10 years
- **Medium term** 10-25 years
- **Long term** 25+ years

***Public Art Fund or Fund,*** when used herein, shall mean the Funds designated by the City Council for the use on and for public art.

***Public Art Master Plan or Plan,*** when used herein, shall mean the plan established by this Chapter and approved by resolution of the City Council that implements the purpose of the Chapter.

***Public Art Manager or Manager,*** when used herein, shall mean the Planning and Development Director or other designee appointed by the Mayor.

***Public Art Program,*** when used herein, shall mean the Public Art Program of the City of Conway, Arkansas.

***Public Art Advisory Committee or Committee,*** when used herein, shall mean a committee made up of 7 members, appointed by the Mayor and confirmed by City Council, that is committed to promoting awareness, access, and appreciation of public art for the City of Conway.

***Public art,*** when used herein, shall mean any of the following: sculpture, statues or monuments in any material or combination of materials; painting; murals; graphic arts including printmaking and drawing; photography; crafts in clay, fiber and textiles, wood, metal, plastics, glass and other materials; mixed-media, any combination of forms or media, including collage; functional art such as street furniture, as defined by the Conway Public Art Plan; environmental art consisting of landforms and artistic landscape composition.

The term “Public Art” does not include reproductions by mechanical or other means of original works of art, except for limited editions, controlled by the artist, of original prints, cast sculptures, photographs or other works of art; decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect which are a traditional and typical element of architectural design; elements generally considered to be conventional components of a landscape architectural design including, but not limited to, plant materials, pools, paths, benches, receptacles, fixtures and planters except street furniture as defined by the Conway Public Art Plan and environmental art consisting of landforms and artistic landscape composition; “Art objects” which are mass produced or of a standard design, such as playground sculpture or fountains, except pieces of historical significance to the city; directional or other functional elements, such as supergraphics, signage, color coding and maps, except where sculptural pieces are used to define gateways in the city; electrical, water or mechanical service



for activation of the work; exhibitions and educational programs related to the work; performing arts; and art that displays slogans, logos, mascots or commercial advertising.

**Public Art Policy or policy**, when used herein, shall mean the policies recommended by the Public Art Manager and approved by the City Council for the administration of the Public Art Plan and Program.

**Public space**, when used herein, shall mean any area or property (public or private) which is accessible or visible to the general public.

**Publicly-owned land**, when used herein, shall mean any land managed by the City of Conway, Arkansas or other public entity when used through written agreement with the City of Conway.

**Public Art Program Update**, when used herein, shall mean an annual document that outlines projects initiated in the coming fiscal year and projects that will be in process during that fiscal year.

**Relocation**, when used herein, shall mean a procedure for the movement of an artwork from one location to another.

## Collection Management

The City of Conway acquires artworks by commission and donation. Processes for these acquisitions are dictated by the *Public Art Ordinance* and the Acquisition and Donation sections found in this section. Artworks acquired through these processes are considered to have been accessioned into the City's Permanent Collection. They must be cared for in accordance with the Policy and Procedure for Maintenance and the Collection Management Policy. Artworks in the City's possession that were acquired outside of or before these policies may not be accessioned pieces of the Permanent Collection and thus may not be subject to the Collection Management Policy. The Collection Management Policy is intended to maintain the value of the City's Permanent Collection and guard against the arbitrary disposal of any of its pieces.

### Objectives

- Maintain a collection management program that results in a high-quality, city-owned Collection;
- Eliminate artworks that are unsafe, not repairable, or no longer meet the needs of the City of Conway;
- Respect the creative rights of artists; and
- Support an efficient workload for staff.

### Donations

Requests to donate artwork to the City may be considered on a case-by-case basis. Requests for consideration shall be made through the Manager to the Public Art Advisory Committee.

### Donation Requirements

The City will consider donations on the following basis:

- The donation contributes to and enhances the City's Collection;
- The donation meets a high standard of quality and is appropriate and meaningful to the community;
- The donation follows required City procedures, including the submission of a Donation Proposal and a Maintenance Plan. Donation Proposal requirements are included in this policy. The requirements for the Maintenance Plan can be found in Procedure for Maintenance Policy below;
- The donation proposal includes a plan to fund and deliver ongoing operations and maintenance – or the resolution accepting the public art must identify how maintenance will be funded; and
- The donation proposal is reviewed and endorsed by the Public Art Advisory Committee and approved by the City of Conway.

The City will not accept a donation of artwork until all funds for development, fabrication, siting, and installation have been secured. The City will consider the following types of donation proposals for artworks for City-owned property:

- An already completed artwork; or
- A commissioned artwork by a specific artist or artists to be created especially for City-owned property.

## Donation Proposal Procedures and Review Process

Formal requests to donate artwork to the City of Conway are made through the Manager to the Public Art Advisory Committee.

The donor shall complete an Art Donation Agreement Application (donor form) and submit the form to the Manager. Following a positive initial review by the Manager or their designee, which evaluates the donation request to determine the appropriateness of the donation as measured by approval, the Manager will provide a written recommendation to the City. The City will then determine whether the donation is in the City's best interest and is consistent with the City's goals and applicable City laws, policies, ordinances, and resolutions. The City will notify the donor in writing, identifying final conditions if approval is granted. The City will create and affix the donation plaque in accordance with the City's Gifting Policy.

## Ownership

Once the City accepts a gift, the City shall be the sole owner of the donated item and will have the right, in its sole and absolute discretion, to deaccession any donated item without providing notice to or obtaining the donor's consent.

## Criteria for Evaluation

Elements will include, but will not be limited to, the following:

1. **City-owned Property** – Donated public artwork must be suitable for public display on publicly-owned property or City-managed property;
2. **Relevance and Site Context** – Works of art must be appropriate for the proposed location and its surroundings and/or complement the architecture, topography, history, and social dynamic of the location in which it is placed;
3. **Artist and Artwork Quality** – The artist demonstrates the ability and potential to execute the proposed artwork based on previous artistic achievement and experience. Duplication of work will also be considered. The artwork must enhance the City's Collection;
4. **Physical Durability** – The artwork will be assessed for long term durability against theft, vandalism, and weather;
5. **Public Safety and Liability** – The artwork will be assessed for any public safety concerns, as well as for any potential liabilities for the City;
6. **Sustainability** – Consideration will be given to the environmental impact and sustainability of the proposed artwork, including its operations and maintenance requirements/costs; and
7. **Legal** – Proposed terms of donation, legal title, copyright authenticity, artist's right to reproduce, liability, and other issues as deemed appropriate will be considered.

## Memorial Gifts

Memorial gifts will have an additional review process, which will include, but will not be limited to, the following:

1. **Timeframe** – The person or historical event memorialized must be deemed significant enough to merit such an honor. If the artwork portrays a person in their likeness, the person so honored will have been deceased for a minimum of **five years** before consideration. The City reserves the right to remove memorials at any time should the City deem it necessary;
2. **Community Value and Timelessness** – The art selected represents broad community values and timeless qualities that will be meaningful to future generations; and
3. **Location** – The location under consideration is an appropriate setting for the memorial; generally, there should be some specific geographic justification for the memorial being located within a particular site.

## Art on Loan or Temporary Display on City-owned Property

Art on loan, or art on temporary display on publicly-owned land, must meet the Donation Requirements above, follow the Donation Proposal Procedures above, and be reviewed using step 1 of the Donation Proposal Review Process. Art on loan or art on temporary display on publicly-owned land must not be accessioned or added to the City's inventory list and master database.

## Acceptance and Accession of the Artwork

If the proposal is accepted by the City of Conway, a formal agreement will be negotiated outlining the responsibilities of each party (the City, the sponsor(s), the artist, and outside contractors, where applicable).

The agreement will address project funding, insurance, siting, installation, operations and maintenance, project supervision, vandalism, the right of removal or transfer, public safety, and other issues as necessary.

The City of Conway will be the owner of the artwork and reserves the right to remove or alter the work to ensure public safety or because of any other City concerns. The City upholds copyright law and the Visual Artists Rights Act of 1990. Any changes will be made in consultation with the artist and sponsor(s) when possible, or notification will be provided.

The completed and installed artwork will be accessioned and added to the City's inventory list and master database with all accompanying documentation.

### **Removal, Relocation, or Deaccession of the Artwork**

In accepting a donation of artwork, the City of Conway will not be bound by any agreement with the donor that restricts the City's ability to act in the best interest of the City of Conway. Nothing in the acceptance of a donation of artwork shall prevent the City from approving subsequent removal, relocation, or deaccessioning of such donations if it serves the City's best interest to do so. The City will deaccession and dispose of works of art in its Collection in accordance with the Collection Management Policy.

## Maintenance

The City of Conway will administer the maintenance of the City's Collection with advice from the Manager and other outside partners through yearly evaluation and planning for the care of the existing Collection.

This section addresses:

- Accessioning and inventorying the City's Collection of public art;
- Conducting a annual survey and Condition Assessments of all work in the Collection;
- Preparing a biennial Public Art Maintenance Plan; and
- Overseeing routine maintenance and special conservation treatment of the City's Collection.

Every five years, the City of Conway will assess the condition of all public art with a qualified professional conservator and develop a prioritized list of works in need of conservation or maintenance. This list will be the basis of the biennial *Public Art Maintenance Plan*.

Under this plan, trained contractors may carry out routine maintenance. For work in need of a higher level of maintenance, specialized care, or conservation treatment, the Program will utilize the maintenance funds available held in the *Public Art Fund*.

### Maintenance Guidelines for Acquiring New Works

#### **Maintenance Plan**

As described in the Acquisition Policy, all acquired artworks must have a maintenance plan developed.

#### **Utilization of the Maintenance Plan**

The Maintenance Plan will be used to:

- Advise the Public Art Advisory Committee, Public Art Manager, City Department Directors, and others who must review and approve design proposals or accept or decline donated artwork;
- Troubleshoot the production of construction drawings, the fabrication of the artwork, and the preparation of the site;
- Follow-up on the artist's recommendations; and
- Refer to during the post-fabrication/installation inspection to prepare a final report and a punch-list to complete the project.

The City of Conway, professional conservators, and artists will strive to address the recommendations in the Maintenance Plan without unduly interfering with the aesthetic intent of the proposed public art.

#### **Post Fabrication/Installation Inspection**

The Post-Fabrication/Installation Inspection conducted by the Public Art Manager will be based upon and follow-up on the Maintenance Plan that was developed during the design phase. It will include the following:

- Ensure that recommendations made in the Maintenance Plan and during fabrication were followed;
- Confirm that the artwork is executed as proposed and agreed upon;
- Confirm that there are no missing or incomplete elements;
- Establish that materials quality and stability are acceptable;
- Establish that fabrication quality and stability are acceptable;
- Confirm that installation is stable and secure;
- Confirm that stainless steel is fully and properly “passivated”;
- Confirm that, if required, protective coatings have been applied;
- Ensure that warranties for electronic and other media are submitted as necessary;
- Identify any remaining vulnerabilities;
- Confirm no new damage resulting from installation process;
- Ensure that the maintenance and operations plan is accurate; amend as needed; and
- Confirm that the plaque/public notice meets program guidelines and is properly installed.

## **Deaccession**

### **Removal from Public Display**

City Council must approve the permanent removal of artwork upon the advice of the Public Art Manager and recommendation of the Public Art Advisory Committee based on the deaccession criteria below.

If the artwork is removed from public display, the City of Conway may consider the following options:

- Relocation: If the Public Art Manager decides that an artwork must be removed from its original site, and if its condition is such that it can be re-installed, the City will attempt to identify another appropriate site. If the artwork was designed for a specific site, the City would attempt to relocate the work to a new site consistent with the artist's intention. If possible, the artist's assistance will be requested to help make this determination.
- Store artwork until a new site has been identified or the City decides to deaccession the artwork.
- Sell or trade the artwork after deaccession.

### **Provision for Emergency Removal**

In the event that the structural integrity or condition of an artwork is such that the artwork presents an imminent threat to public safety, the Public Art Manager may authorize immediate removal without the artist's consent and have the artwork placed in temporary storage. The artist must be notified of this action within 30 days. The Public Art Manager upon consultation from the Public Art Advisory Committee will then consider options for repair, reinstallation, maintenance provisions, or deaccessioning. If the artwork cannot be removed without being altered, modified, or destroyed, and if the artist's agreement with the City has not been waived under the Visual Artists' Protection Act, the City must attempt to gain written permission before proceeding. In the event that this cannot be accomplished before action is required to protect public health and safety, the Public Art Manager shall proceed according to the advice of the City Attorney.

### **Criteria for Deaccession**

The City may consider the deaccessioning of artwork for one or more of the following reasons in the event that it cannot be re-sited:

1. An artwork is not, or is only rarely, on display because of lack of a suitable site.
2. The condition or security of the artwork cannot be reasonably guaranteed.
3. The artwork has been damaged or has deteriorated and repair is impractical or unfeasible.
4. The artwork endangers public safety.
5. In the case of site-specific artwork, the artwork's relationship to the site is altered because of changes to the site.
6. The artwork has been determined to be incompatible within the context of the Collection.



7. The City of Conway wishes to replace the artwork with work of more significance.
8. The artwork requires excessive maintenance or has faults in design or workmanship.
9. A written request from the artist.
10. The artwork has become publicly associated with racism, sexism, homophobia, xenophobia, acts of assault or violence, or other offensive themes.
11. The artwork is no longer of suitable quality.

### **Integrity of Artworks**

The Conway Public Art Program will seek to ensure the ongoing integrity of all the artworks in the Collection, and the sites for which they were created, to the greatest extent feasible, following the artist's original intentions, and consistent with the rights afforded by the 1990 Visual Artists Rights Act.

### **Access to Artworks**

The City will seek to assure continuing access to artworks by the public. However, the City may limit availability due to circumstances such as funding, public safety, display space, and deaccession processes.

### **Life Spans**

Life spans assigned to the work during the commissioning process will be considered as part of requests for deaccession or removal. For artworks that have not been assigned a life span, the Manager may engage experts to assist in assigning the artwork a life span, based on the life expectancy of the artwork's materials and fabrication methods.

### **Application Process**

#### **Preliminary Request**

Permanent artworks must be in place for at least five years before deaccession or relocation requests will be considered unless matters of public safety necessitate the removal. Deaccession or relocation requests may be submitted by one of the following:

- Neighborhood organization;
- Community entity;
- Conway Resident;
- City Department;
- Independent Board or Commission of the City; and
- City Council Member.

#### **Deaccession and Removal Form**

The Manager will provide applicants with an application form that will serve as the applicant's formal request for consideration by the City.

## Review Process

The Manager will review requests and decide on either deaccession or relocation.

### **Public Meeting**

The City will hold at least one public meeting to gather community feedback on a proposed deaccession or removal. The meeting will be conducted by the Public Art Advisory Committee. The City may also decide to hold additional public meetings or gather community input through other methods. The City may seek additional information regarding the work from the artists, galleries, curators, appraisers, or other professionals before making a recommendation.

### **Artist Involvement**

If deaccession or removal is recommended, the artist (if available) will be contacted and invited to provide input to the City. The artist's contract and other agreements or pertinent documents will be reviewed and sent to the City Attorney's Office for final approval.

### **Recommendation**

The Manager will prepare a report that includes the opinion of the City Attorney on any legal restrictions that may apply to the specific artwork. City staff's recommendation may include dismissing the request and/or modifying, relocating, selling, donating, disposing, or storing the artwork.

The Manager will provide all relevant correspondence including, but not limited to:

1. Artist's name, biographical information, samples of past artwork, and resume.
2. A written description and images of the artwork.
3. Artist's statement about the artwork named in Deaccession or Relocation Request (if possible)
4. A description of the selection process and all related costs that was implemented at the time the artwork was selected.
5. A formal appraisal of the artwork (if possible)
6. Information regarding the origin, history, and past ownership of the artwork
7. Information about the condition of the artwork and the estimated cost of its conservation.
8. Information and images of the artwork's site
9. Any information gained from the public meeting held about the deaccession and removal of the work.
10. Feedback from the Director of the City Department responsible for operating and maintaining the artwork.
11. Detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City Staff support.
12. The Artist's contract with the City.

City staff can recommend one or more of the following methods for an artwork's deaccession:

1. Sale or Exchange - sale shall comply with the State of Arkansas and City of Conway laws and policies governing the sale of municipal property.

- a. The artist, or the artist's estate, will be given the first option to purchase or exchange the artwork(s).
  - b. The sale may be through auction, gallery resale, direct bidding by individuals, or other forms of sale in compliance with the State of Arkansas and City of Conway law and policies governing surplus property.
  - c. The exchange may be through an artist, gallery, museum, or other institutions for one or more artwork(s) of comparable value by the same artist.
  - d. No works of art shall be traded or given to Public Art Advisory Committee Members or City of Conway Staff.
  - e. Proceeds from the sale of artwork shall be placed in a City of Conway's Public Art Fund. Any pre-existing contractual agreements between the artist and the City regarding resale shall be honored. An exception to these provisions may be required if the artwork was originally purchased with funds that restricted them. An example of this would be bond funds for street and sidewalk improvements, in which case the proceeds shall be placed in an account designated for art allowed under similar restriction(s)
2. Destruction of Artwork – if artwork is deteriorated or damaged beyond repair or deemed of negligible value.
  3. If the City of Conway is unable to dispose of the artwork in the manner outlined above, the Manager may recommend the donation of the artwork to a non-profit organization or another method.

### **Costs**

If deaccession or relocation accommodates the applicant's interests or project, they may be required to cover the deaccession or relocation at no cost to the City.

### **Conflict Of Interest**

No works of art shall be given or otherwise transferred publicly or privately to officers, directors, members of the Public Art Advisory Committee, or employees or staff of the City of Conway or their immediate families or representatives of the City of Conway.

### **Compliance With Applicable Policies And Regulations**

Deaccession and relocation of artwork will be done in a manner that complies with all other applicable City of Conway, state of Arkansas, and federal procedures, policies, and regulations.

### **Existing Public Art Pieces At Time Of Policy Adoption**

Existing public art pieces on City-owned property should be evaluated using the accession criteria to ensure that it is appropriate for the City to continue owning and maintaining the artwork. If it does not meet the accession criteria, then the piece will not be accessioned into the Conway Public Art Collection.

# Roles and Responsibilities of the Public Art Advisory Committee

This section outlines the general roles and responsibilities of residents, City staff and elected officials in developing, funding, and implementing the City of Conway's Public Art Program ("*Public Art Program*").

The *Public Art Program* will be led by the City of Conway and administered through the Planning and Development Department in partnership with other departments. The Mayor and City Council will retain ultimate responsibility for the program. Day-to-day operation of the Program will ultimately reside with the Manager. The Manager will be a City staff member and will have an oversight role for all of the public art projects executed within the city. The Manager will collaborate with City staff or outside contractors to execute projects, particularly within the Planning and Development Department, Office of the Mayor, Parks and Recreation Department, and the Transportation Department.

## Conway City Council & Mayor

The Conway City Council has adopted ordinance Ord. 15-96 establishing the Conway Public Art Program. As the community's elected officials, the Mayor and Council members are ultimately responsible for the outcomes of the Public Art Program.

The Conway City Council has the following responsibilities:

- Review and approve the annual Public Art Program Update prepared by the Manager and approved by the Public Art Advisory Committee, including yearly appropriations for public art;
- Confirm appointments by the Mayor to the Public Art Advisory Committee; and
- Give final approval to public art selections, placement, and funding.

## Public Art Advisory Committee

The Conway Public Art Advisory Committee is made up of 7 members, appointed by the Mayor and confirmed by City Council, that is committed to promoting awareness, access, and appreciation of public art for the City of Conway.

The Committee shall include:

1. Four (4) members with expertise in the field of art, either an art historian, gallery director, art professor or instructor or other art professional.
2. Three (3) members of the community at large.

Any member serving on the Committee is ineligible for a public art project by the City of Conway during their membership and for an entire year following.

Members shall serve a two (2) year term and any subsequent terms shall require reappointment by the Mayor and confirmation by the City Council.

The Public Art Advisory Committee shall be staffed by the Public Art Manager or their designee who shall manage all administrative affairs for the Committee.

The Public Art Advisory Committee has the following responsibilities:

1. Provide input and advise staff about the Public Art Master Plan and proposed policy to support the Public Art Program;
2. Provide input in developing the annual work plan.
3. Provide input in establishing criteria and eligibility standards for applicants of projects;
4. Support staff in establishing criteria for awarding projects;and
5. Act principally in an advisory capacity to Conway staff in any matter pertaining to public art.

### **Public Art Manager (Manager)**

The Mayor will designate a staff member to oversee citywide public art activities and implement the Public Art Program. Additional staff resources or outside consultants may be required to assist in implementing projects, particularly those of a larger scale. Responsibilities include:

1. Coordination with various departments to develop potential projects for inclusion in the Annual Program Update.
2. Coordination with other city planning efforts.
3. Present a public art update as part of the City's annual budget process to the City Council.
4. Coordinate with Public Art Advisory Committee to ascertain advice on any matter pertaining to public art, including:
  - a. preparing and presenting the public art update to the City Council;
  - b. artist selection juries and process;
  - c. commission and placement of artworks; and
  - d. public art programming;
5. Coordinate the hiring of an outside consultant or agency to administer public art projects as needed.
6. Ensure various city departments are following the City's Public Art Policy.

### **City Staff**

City staff members, particularly department heads, should look for opportunities to include public art in capital improvement projects (CIP) throughout the city, particularly in locations identified as priorities in this plan. Overall public art responsibilities include:

1. Explore opportunities to include public art in existing CIP projects.
2. Coordinate with the Manager for inclusion of projects within the annual Program Update and report.
3. Participating in the Interdepartmental Public Art Coordination Committee if appropriate.

# Public Art Program Update

## What is the Public Art Program Update?

The Public Art Program Program Update is an annual document that outlines what projects will be initiated in the coming fiscal year and projects that will be in process during that fiscal year. The Program Update is one of the most crucial elements of the Public Art Program. It creates a roadmap for the year and allows for the input of community members, elected officials, and others who care deeply about public art in Conway.

The Manager will develop the Update in consultation with staff, the Interdepartmental Public Art Coordination Committee, and the Public Art Advisory Committee and submit it to the Mayor and City Council as part of the annual budget for review and approval.

The following steps will be taken to develop the Public Art Program Update:

1. Work with City Departments to determine the availability of funds for the upcoming year.
2. Identify projects to be paid for by identified funding, including acquisition and maintenance.
3. Develop a draft Public Art Program Update that will include locations, goals, and budgets for public art projects and programs for staff review.
4. Present the Update to City Council as part of the City budget approval.
5. Integrate feedback from City Council to determine the final Program Update.

## **Use of Funds**

Funding for the Conway Public Art Program is appropriated annually to the Public Art Fund, the City's Annual Budget, specific capital improvement projects, or through other sources as deemed appropriate by the City.

### **Uses of Funds**

The public art funds may be spent for:

- Calls for Entry, RFQ's/RFP's, concept designs, maquettes, juror stipends, and other costs related to competitions and commissions
- Artist fees including travel stipends and expenses related to travel;
- Artwork fabrication and installation;
- Acquisition of existing works of art;
- Relocation of existing or commissioned works of art;
- Required permits and insurance during the fabrication and installation of the artwork;
- Informational/promotional materials and public events directly related to the artwork;
- Artwork appraisal;
- Art related community events; and
- Curators and contracted services.

The public art funds may not be spent for:

- Mass-produced work, except of limited editions controlled by the artist.
- Professional graphics, unless designed or executed by an artist or used in the development of collateral material.
- Decorative, ornamental, or functional elements that are designed by a project's architect or another designer.
- Purchase of existing works of art outside of the selection process.

## Artist Selection

This policy establishes the practices for acquiring artworks. The procedure creates a thorough and transparent process for acquiring artwork and favors open-ended selection processes to ensure artistic excellence in the City's Collection.

### Process for Selecting an Artist or Artist Team

Selecting the artist is one of the most critical steps in commissioning public art. An open, equitable, competitive process that inspires the artist and engages the community can be an enriching experience and lead to more creative and exciting public art.

### Goals of the Selection Process

- To satisfy the goals of a specific project or site through an appropriate artist selection.
- To further the mission and goals of the *Public Art Program*.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.
- To ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community, and the City department(s) involved.

### Conflict of Interest

No member of the Public Art Advisory Committee, City of Conway Staff or employees of the City, or artists with an existing incomplete commission shall be eligible to apply.

### Artist Selection Methods for Commissioning New Artwork

#### Open Competition

In an Open Competition, any artist may submit their qualifications or proposal, subject to any requirements established by the Artist Selection Committee. The Requests for Qualifications (RFQs) or Requests for Proposals (RFPs) should be sufficiently detailed to permit artists to determine whether their art is appropriate for consideration. Open Competition allows for the broadest range of possibilities for a site and brings in new, otherwise unknown, and emerging artists.



### **Limited or Invitational Competition**

In a Limited Competition or Invitational, several pre-selected artists are invited by the Artist Selection Committee to submit their qualifications and/or proposals. This method may be appropriate when the City is looking for a small group of experienced artists, a limited time frame, or if the project requirements are so specialized that only a limited number of already identified artists would be eligible. This list of artists could come from a pre-qualified list.

### **Direct Selection**

On occasion, artists may be chosen directly by the Artist Selection Committee. Direct selection may be useful on projects where an urgent timeline, low budget, or where precise project requirements exist. This list of artists could come from a pre-qualified list. Approval of the City Council and the Mayor must be secured to utilize this selection method.

### **Direct Purchase**

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a minimal project timeline. In this case, the work must be “one-of-a-kind” and not mass-produced or off the shelf. This list of artists could come from a pre-qualified list. Approval of the City Council and the Manager must be secured to utilize this selection method.

### **Design Team Member**

In some instances, the City may use a targeted process to select an artist as part of a larger project design team. Language would be added to the project Request for Qualifications/Request for Proposals specifying that all teams responding to the RFQ/RFP must include a professional artist from a pre-qualified list as described in the section below. Given the nature of the project, a design team responding to an RFQ/RFP may be asked to identify an artist as part of the team based upon criteria established by the City in the RFQ/RFP. In this case, the Manager will represent the Program as part of the selection committee for the design team.

### **Pre-Qualified Artist Lists**

The City may decide to develop a pre-qualified pool of artists from which it can choose artists for Limited Competition, Direct Selection, and Direct Purchase. This pool would be developed based on a comprehensive review of artist qualifications. This list could be updated annually or bi-annually, depending on the frequency of new projects.

## **Artist Selection Methods for Commissioning Existing Artwork**

### **Competitions**

The City may put out an open call to artists for possible inclusion in an exhibition at a predetermined site in competitions. The competition, which may or may not take the form of a temporary exhibit, may feature existing artworks. Each selected artist may receive a stipend and

understand the City may purchase one or more artwork at the conclusion of the exhibit to be placed in public locations around Conway.

### **Artist Selection Process**

Once an Artist Selection method is determined, a selection process will be established. A jury of recognized experts will make recommendations for selected artists to create site-specific artwork or will make recommendations for artwork chosen to be exhibited.

If the budget for a single piece of artwork is \$35,000.00 or more, a selection panel must be formed.

### **Artist Selection Panel**

#### **Membership of Selection Panel**

Membership will be recommended by the Public Art Advisory Committee and approved by the Manager:

- Members of Public Art Advisory Committee;
- Artist or arts administrator;
- Design professionals
- City of Conway' project Manager who may appoint the project architect or project landscape architect in their stead; and
- A member of the project steering committee if one has been appointed.

#### **Conflict of Interest**

Panel members will declare any conflicts of interest for all projects and artwork under consideration at the beginning of their meetings. A conflict of interest exists if a panelist, an organization the panelist is associated with as a staff or board member, or a panelist's family member can gain financially from the project under consideration by the selection panel. In order to promote public confidence in this process, a panelist may also declare a conflict if they think there may be a perception that they have a conflict. If a panelist has a conflict, he/she must not participate in the discussion or decision regarding the project. They must also refrain from discussion about the project and from influencing fellow panelists.

#### **Procedures**

During an artist selection process, panelists will not submit applications for the placement of their own artwork and/or projects. City staff and panelists can invite artists to participate but must refrain from giving advice to applicants or answering their questions and direct such questions to the Manager during the selection process. The City must solicit public comment for all pieces of public art commissioned or purchased for over \$35,000.00. An opportunity for public comment must be given before a formal vote. The formal vote must be recorded in keeping with the City of Conway public record requirements.

## **Project Implementation Process for Site- Specific Artworks**

Upon the decision of the Artist Selection Panel, the Manager will take selection to the City Council for approval. Such approval shall enable the Mayor and Manager to negotiate a contract.

The City will follow the process for contracting required by State statutes and city ordinances, State Statutes and other applicable laws. The contract with the artist will include the following: all design documentation, including final design, stamped engineering drawings, installation details, and a final fabrication budget and timeline.

The Manager will ensure all documents are signed and insurance coverage secured before issuing a notice to proceed and will be responsible for coordinating the artist's work to ensure the successful integration of the artwork into the project. The Manager will organize a meeting with all integral staff to review roles, responsibilities, and schedules.

If specified in the contract, the artist will develop design development drawings for review and approval from the City before fabrication. The Manager will schedule meetings with the appropriate offices to review and approve the plans.

If the artist proposes any significant design changes, the Manager will secure the recommendation for approval from the appropriate departments of the City before approving said changes in writing, per the terms and conditions of the contract.

If the parties are unable to reach an agreement, the City Attorney will act as arbiter. If the change affects the budget, scope, or schedule, the Manager will initiate a contract modification if funds are available.

The Manager will be responsible for overseeing the installation of the artwork. The Manager will ensure that all the necessary requirements have been completed before interim and final invoice payments to the artist.

## **Maintenance Plan**

Understanding maintenance and care of public art begins before an artwork is created. During the design phase or when a donation is initiated, the City, artist, or sponsor will review and analyze their design proposal and advise on maintenance and operations of the artwork. A conservator should be commissioned to report on the artwork.

On behalf of the City, the artist, sponsor, or the appropriate party will submit a Maintenance Plan to the City of Conway, who will review and then catalog any tasks associated with maintenance of the artwork.

The Maintenance Plan will enable the City to:

- Evaluate the quality and sustainability of the proposed or existing public artwork;
- Establish maintenance requirements, assign schedules, and identify potential costs; and
- Determine if the City of Conway should accept or decline the design proposal and/or public artwork.

To produce the Maintenance Plan, the artist should examine and render an opinion on the following:

- Durability;
- Type and integrity of materials;
- Construction/fabrication technique;
- Internal supports, anchoring and joining, and footings;
- Landscaping;
- Vulnerable and delicate elements;
- Drainage of artwork;
- Potentially dangerous elements;
- Security;
- Location;
- Environment;
- Whether the design encourages/discourages interaction; and
- Effects of skateboarding, graffiti, and any other potentially damaging activities.

The Maintenance Plan will include:

- A record of the artist's intentions for the artwork;
- Recommendations to mitigate potential problems discovered during the examination;
- Notes about how the artist would like the artwork to age;
- An itemization of long-range considerations and care, highlighting maintenance and the anticipated needs for periodic conservation treatment or repairs; and
- Identification of the lifespan of the artwork and a prognosis of its durability in consideration of that lifespan.

The artwork may also be identified as site-integrated, or part of the site and/or the architecture, as appropriate and will fall into the long-term lifespan category above.

# Mural Process and Guidelines

## **Private Murals on Private Property**

If a mural is on private property and funded with private dollars, no approval is necessary from the City of Conway. A mural on private property, funded with private dollars, is defined as a non-commercial sign as defined in Ord 0-06-134 .

## **Murals Under City of Conway Jurisdiction**

The City of Conway reviews mural proposals for murals placed on City owned property and murals financed in whole or in part with City funds, even if proposed for private property, according to the following design considerations and guidelines. The Public Art Advisory Committee will review all murals under City of Conway jurisdiction.

## **Mural Design Considerations**

Murals in the City of Conway are encouraged to be varied in both content and design. A wide variety of murals will ensure a vibrant visual experience for residents and visitors. Some murals may celebrate the history of Conway, while others may be palettes for vibrant artistic expression, inject whimsy into the built environment, or showcase the artists' wildest dreams - the opportunities are endless.

While not relating to content, some design considerations will help ensure a successful project.

### **Design Considerations:**

1. Scale - Who will be the intended viewer or audience? A mural intended for pedestrians may be of a different scale than one intended for automobile drivers or cyclists along a bike trail.
2. Accessibility - Are there opportunities to engage those who are visually impaired or otherwise not able to view the mural?
3. Maintenance - What are the long term maintenance implications of the design? Is it easily repairable?
4. Longevity - What is the expected life span of the mural? Is it intended to be a temporary (0-2 years) or short term (2-5 years) installation?
5. Experiential Elements - Is there a potential for additional elements that could be added to enhance the experience of the viewer such as virtual (VR) or augmented (AR) reality elements, audio elements either on site or online, instagram or social media interactions or other opportunities?
6. Historic Preservation - Is this mural intended for a historic building? If so, painting unpainted finished masonry is generally considered an inappropriate treatment. Explore other options such as painted panels or applied vinyl.

## **Guidelines:**

1. Murals shall be an original artwork designed and implemented by an artist. A proposed artist must be submitted with the application.
2. Mural Applications are reviewed using the following criteria:
  - a. Concept: Strength of the concept and appropriateness of the imagery for all ages.
  - b. Scale: Appropriateness of scale to the surrounding environment including the facade on the building in which it is placed.
  - c. Absence of commercial signage elements.
  - d. Presence of an artist able to execute the proposed mural.
  - e. Demonstrated ability to complete the mural as proposed: suitability of all criteria listed above as well as a documented understanding of the proposed surface's ability to receive the proposed materials.
3. Mural installation must begin within one year of the approval of the application. If the project is unable to be completed within the allocated time frame, the application will be considered void.
4. Mural Lifespan: All murals are subject to ongoing conservation and maintenance activities. Murals approved by the City of Conway are allowable for up to five years with the possibility to request an additional extension dependent upon the condition of the mural at the time of request.
5. Mural Maintenance: All murals must apply a protective anti graffiti coating to the mural.
6. The City reserves the right to reject any application if it presents a public safety risk or potential liability issues.
7. Approval is contingent upon fulfillment of the application. Incomplete applications will not be reviewed.

## **Required Application Materials**

1. Address for proposed mural;
2. Applicant information: Address of mural, contact person, mailing address, phone number, email and website address;
3. Proposed Mural information: Title, description, full color rendering/sketch of the proposed design, dimensions, materials;
4. Installation and de-installation plans including the proposed installation date, surface preparation process, images of existing site and physical surroundings, installation plan, and deinstallation plan;
5. Mural identification: Artist name, title of artwork, year;
6. Property ownership information: Proof of "site control" or copy of the executed agreement with the property owner; and
7. Right of Way permit if occupying public right-of-way during installation.