



CITY OF CONWAY, ARKANSAS HISTORIC DISTRICT COMMISSION

October 27, 2025 • 5:30pm • 1111 Main Street



City of Conway

HISTORIC DISTRICT COMMISSION

October 27, 2025

MEMBERS

Corey Parks, Chairman
Joshua Hamilton, Vice-Chairman
Jenny Davis, Secretary
Liz Hamilton
Nathaniel Johnson Jr
Marilyn Moix
Jason Covington

Call to Order.

Roll Call.

Approval of Minutes. September 22, 2025

I. Public Hearing Items - Robinson Historic District

- A. 1837 Robinson Ave (HDR-0925-0114) Garage Remodel
- B. 1814 Robinson Ave (HDR-1025-0120) Brick Staining

II. Public Hearing Items - Old Conway Design Overlay District

- A. 1605 College Ave (HDR-1025-0119) Tree Removal

III. Public Hearing Items

- A. Old Conway Design Overlay District ordinance update regarding administrative review of fully compliant OCDOD applications discussion

IV. Additional Business

- A. Items as decided by the Commission

Adjourn.

APPLICANT/AUTHORIZED AGENT

Thomas Kitts
1837 Robinson Ave
Conway, AR 72034

OWNER

Same

**LOCATION INFORMATION**

Address. 1837 Robinson Ave.

Present Zoning. R-2A (Two-Family District), Asa P. Robinson Historic District (APRHD).

Abutting Zoning. North//East/West: R-2A-APRHD; South/West: R2-A, Old Conway Design Overlay District (OCDOD).

Lot Area. 0.29 acres±.

Style/Status. M.W. Harton House - 1927 Colonial Revival/Non-Contributing.

Surrounding Area Structures.

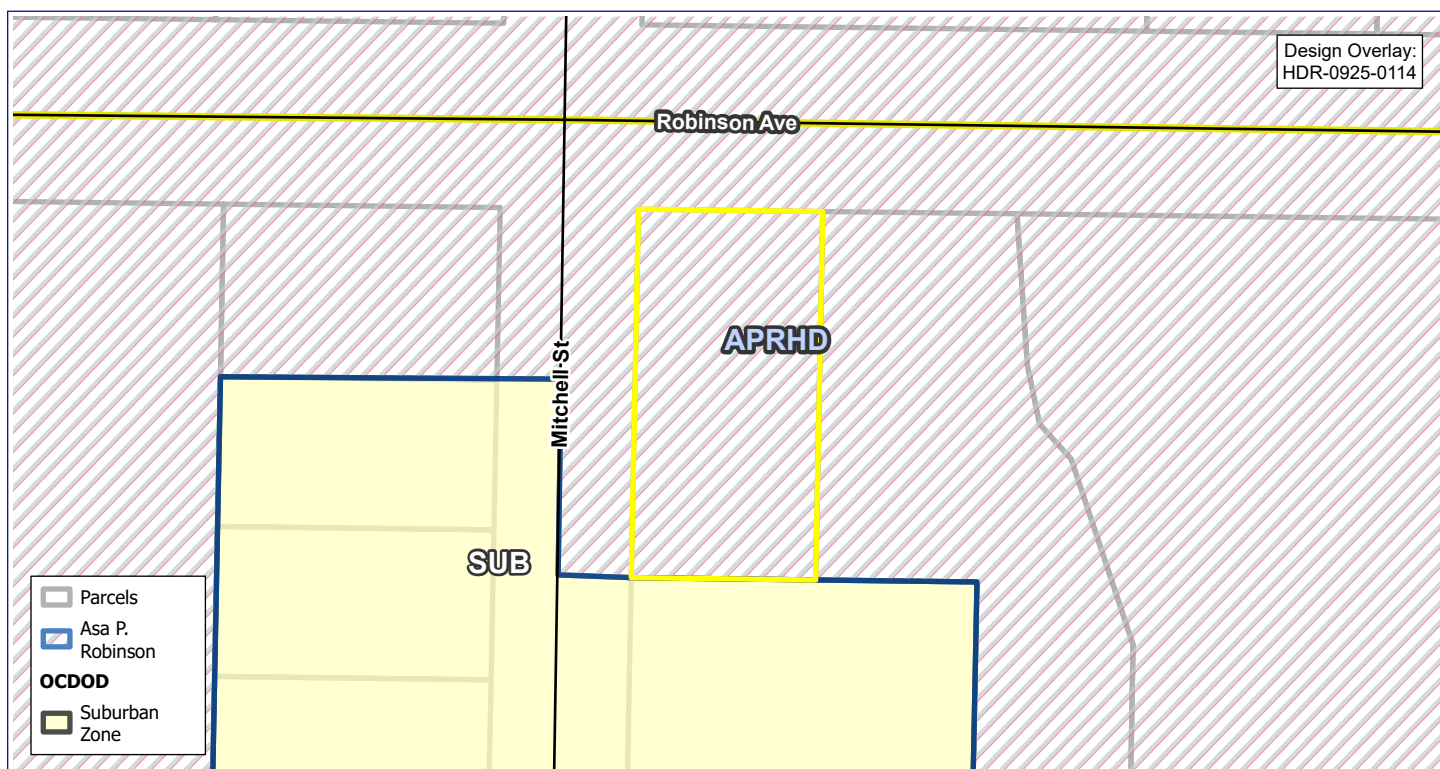
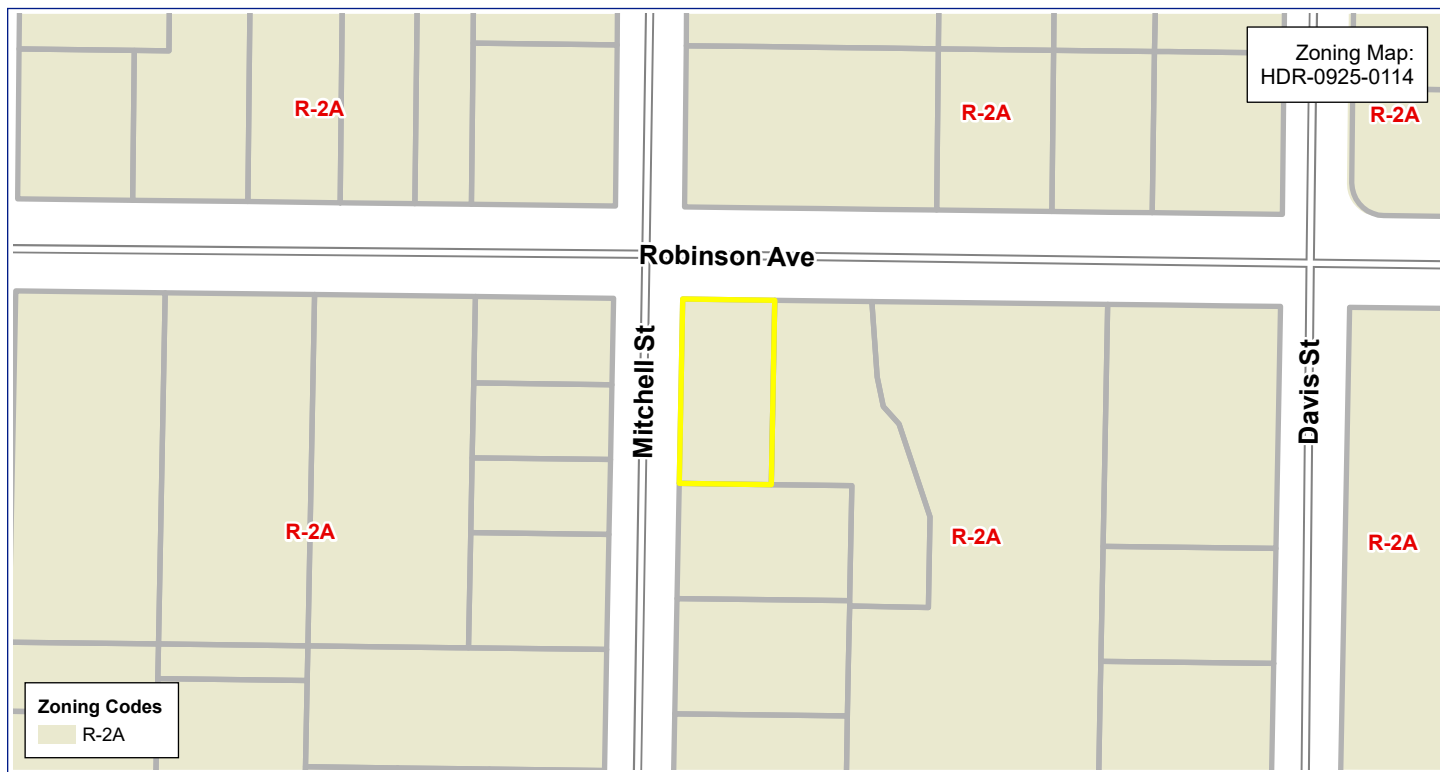
West – 1905 Robinson—Charles Powers - c.1960 (Plain-Traditional/Ranch; Non-Contributing).

East – 1821 Robinson — D.O. Harton House – c.1890 (Folk Victorian/Craftsman; Individually Listed).

North – 1832 Robinson - City Church - c.1960 (Contemporary; Non-Contributing).

South – OCDOD.

General Description of Property and Proposed Development. The applicant is proposing to remodel the western façade of an existing garage/carport by replacing existing garage doors with a new door and adding side windowpanes. Two dormer windows will be added to the southern façade. The 2020 survey describes the garage and primary structure as having both been built in 1927 with the carport noted as a later addition.



THE SITE

Walkways, Drives, & Parking. Protect and maintain existing walkways, driveways, and off street parking areas through routine inspection and appropriate maintenance and repair procedures.

The carport will not be altered through the remodel of the garage.

Lighting. Introduce new site and street lighting that is compatible with the human scale and the historic character of the district. In the residential district, introduce low-level lighting to provide for safety and security where needed.

Lighting is indicated on the elevations. It appears compatible with the human scale and historic character of the district.

CHANGES TO BUILDING EXTERIOR

Treatment of Wooden Buildings. Retain and preserve wooden features that contribute to the overall historic character of a building and a site.

The wood siding will not be altered or replaced in areas not impacted by window installation. The wooden garage door will be replaced as it is deteriorating.

Windows and Doors.

If additional windows or doors are necessary for a new use, install them on a rear or non-character defining façade of the building, but only if they do not compromise the architectural integrity of the building.

It is not appropriate to remove original doors, windows, shutters, blinds, hardware, and trim from a character-defining façade. It is not appropriate to use snap-in muntins to create a false divided-light appearance.

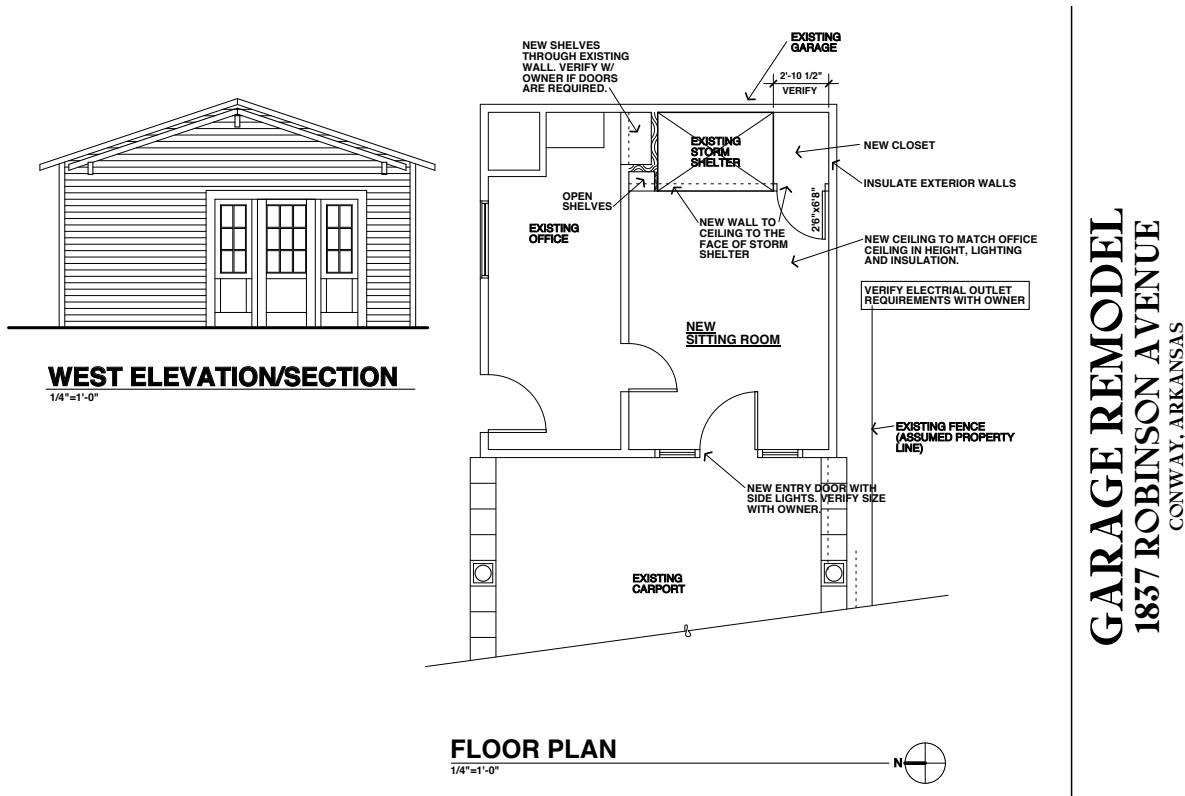
The existing, deteriorating garage door to be replaced does not contribute to the façade articulation and is obscured by the carport. The addition of doors and windows will enhance the character of the façade. The southern façade upon which dormer windows will be added is not a character-defining façade and is obscured by vegetation. The proposed materials consist of a fiberglass door and white vinyl windows with tempered glass on the western elevation and white vinyl panel slider windows with tempered glass on the southern elevation.

CONDITIONS

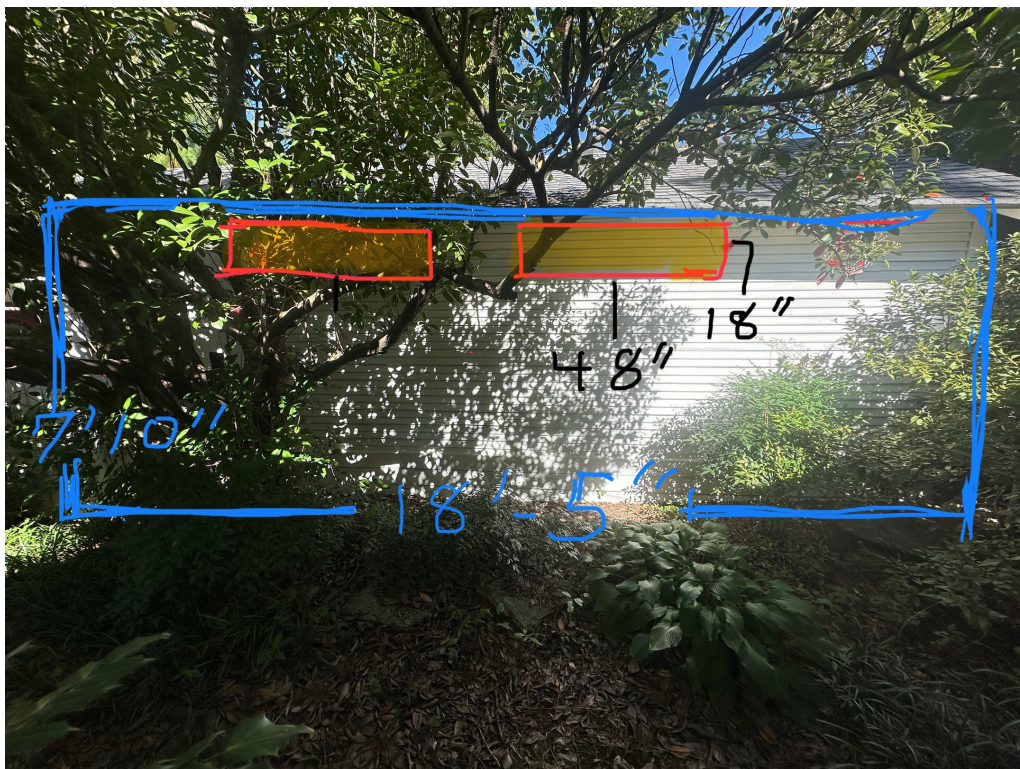
1. Applicant must obtain all applicable building permits* if/when a Certificate of Appropriateness is granted.

**Applicant shall provide proof of appropriate licensure of professionals performing work to the Building Permits Department.*

2. Lighting shall be inward, downward, and shrouded to stay within the bounds of the property.



Western Elevation



Southern Elevation





View of subject property facing W



View of subject property facing S



Property adjacent to the W



Property adjacent to the W



Adjacent property to the N



Property adjacent to the E

APPLICANT/AUTHORIZED AGENT

Daniel Lary, J Lary and Son Construction
2115 Spring Valley Dr
Conway, AR 72034

OWNER

David Larson
1814 Robinson Ave
Conway, AR 72034

**THE SITE**

Address. 1814 Robinson Ave.

Present Zoning. R-2A (Two-Family District), Asa P. Robinson Historic District (APRHD).

Abutting Zoning. North/South/East/West: R-2A, APRHD.

Lot Area. 0.56 acres±.

Style/Status. F.D. Hicks House – c. 1919 (Craftsman/Contributing).

Surrounding Area Structures.

West – 1822 Robinson – Hardin Stark House - c.1906 (Colonial Revival; Contributing).

East – 1804 Robinson – W.O. Scales House - c.1925 (Craftsman/Bungalow; Contributing).

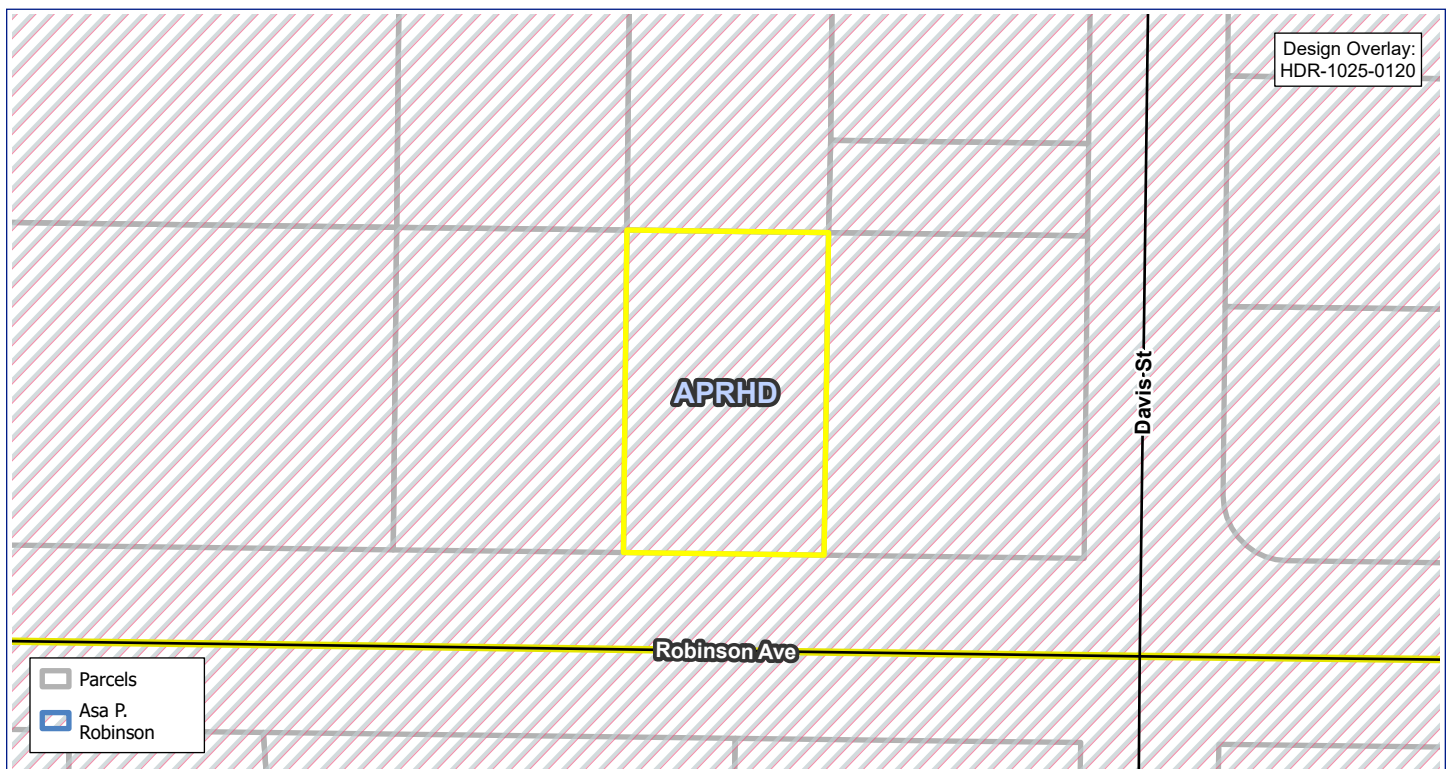
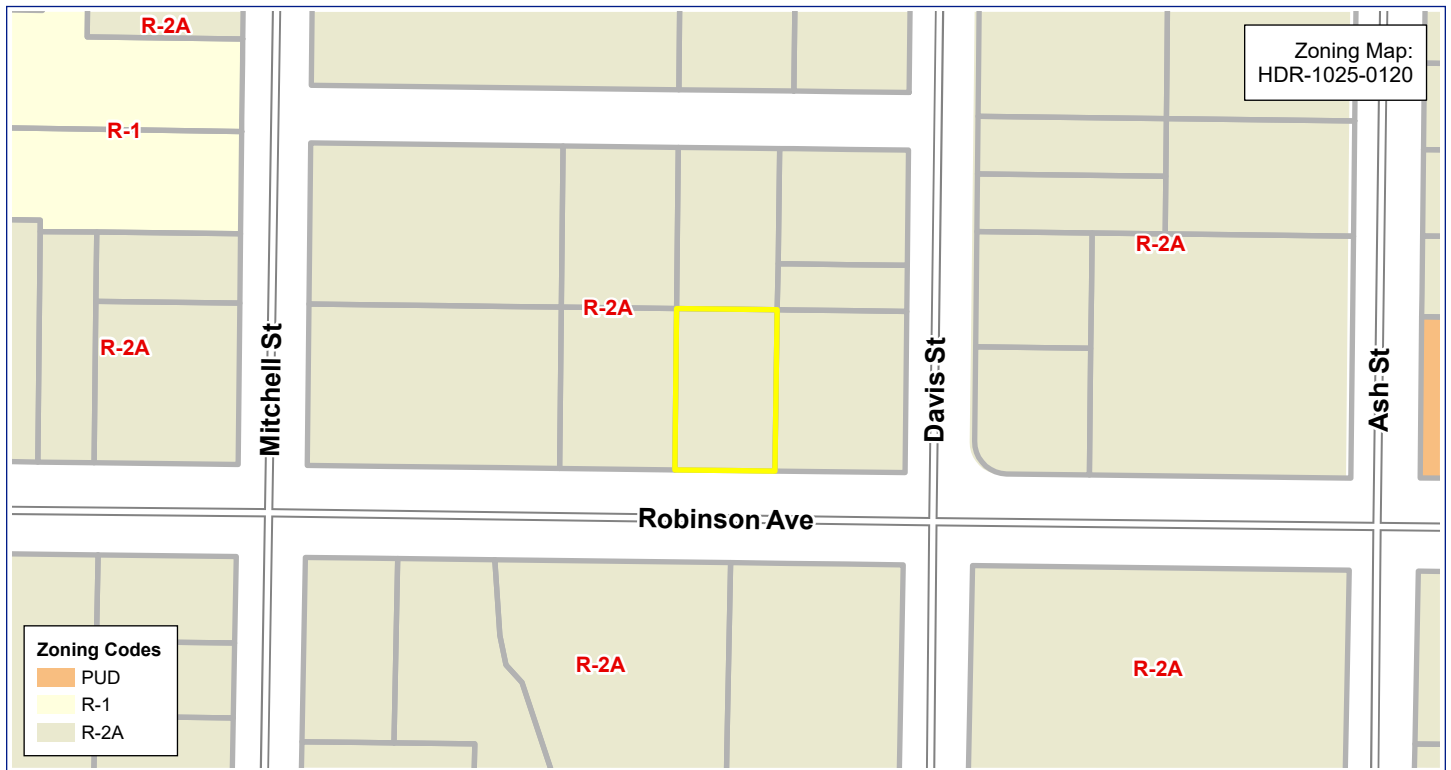
North – Alley/Vacant Land.

South – 1807 Robinson—M. Harton House - c.1915 (American Foursquare; Contributing).

General Description of Property and Proposed Development.

The applicant is requesting to conduct brick staining on the 1919 Craftsman residence. The purpose is not to change the color of the brick. The applicant has provided the following statement:

"Homeowner is wanting to stain the brick to prolong the life of the brick and mortar. This will also improve the weathered areas."



CHANGES TO BUILDING EXTERIOR

Treatment of Masonry Buildings – Guidelines. Protect and maintain historic masonry surfaces and features through appropriate methods:

- Inspect surfaces and features for signs of damage
- Provide adequate drainage
- Clean masonry only when necessary to remove heavy soiling or prevent deterioration
- Repaint painted masonry surfaces when needed

Repair historic masonry surfaces and features using recognized preservation methods for piecing, consolidating, or patching damaged or deteriorated masonry. It is not appropriate to apply a waterproof coating to exposed masonry rather than repair it.

Repoint masonry mortar joints if the mortar is cracked, crumbling, or missing or if damp walls or damaged plaster indicate moisture penetration.

The 2020 survey did not indicate any threats to the property and no evidence of brick and mortar deterioration was provided necessitating the need for brick staining.

Brick staining is a water repellent. Department of Interior Standards provide the following guidance for water repellent treatments:

“Water repellent coating are frequently applied to historic masonry building for the wrong reason...these coating can be very difficult, if not impossible, to remove from the masonry if they fail or become discolored. Most importantly, the application of water-repellent coating to historic masonry is usually unnecessary. Most historic masonry buildings, unless they are painted, have survived for decades without a water-repellent coating...Water penetration to the interior of a masonry buildings is seldom due to porous masonry, but results from poor or deferred maintenance.”

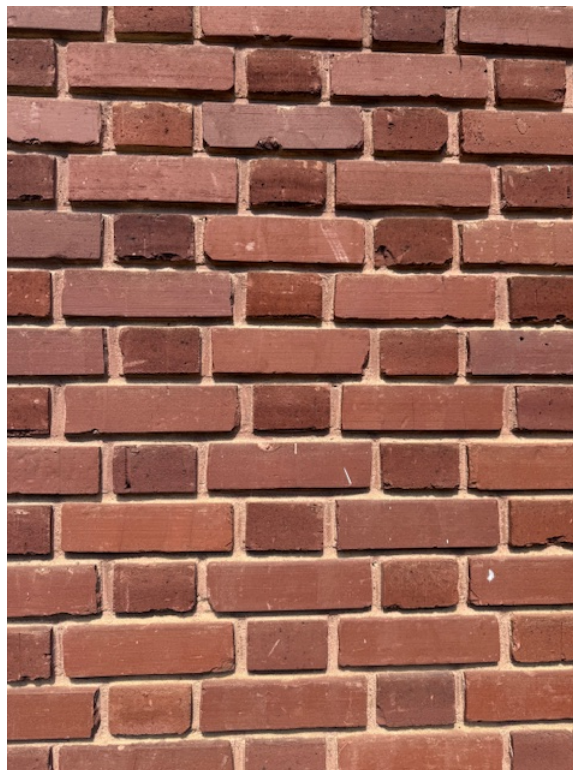
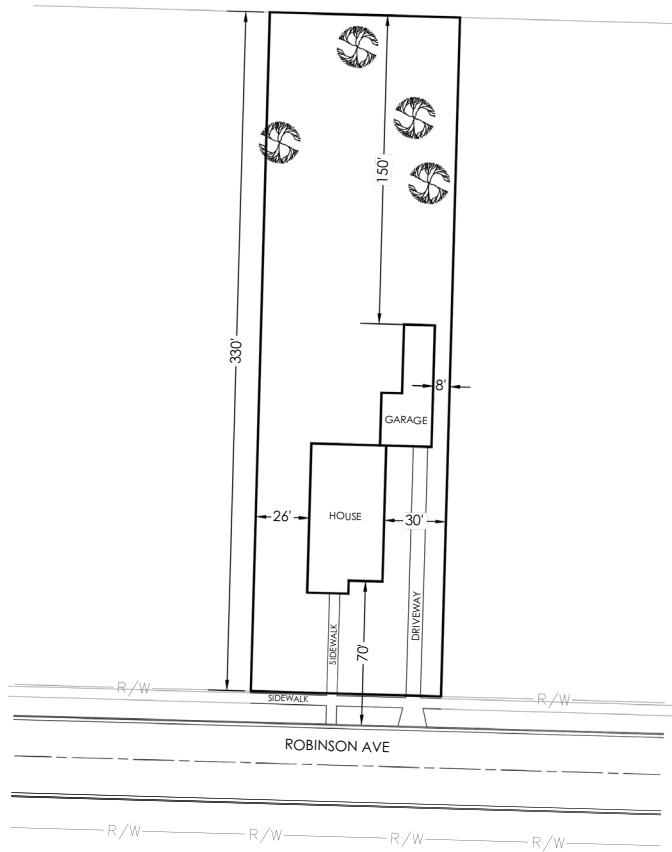
Water-repellent coating may be appropriate if the brick has become so porous that a coating is needed to protect it from further deterioration.

Brick Staining is a chemical treatment that should be used only when other means of maintenance have been exhausted, or there is evidence of severe deterioration.

If, after the building has been made watertight and has dried out completely, moisture appears to be penetrating through the repointed and repaired masonry walls, then the application of a water-repellent coating may be considered in selected area only. It should not be applied to the entire exterior.

CONDITIONS

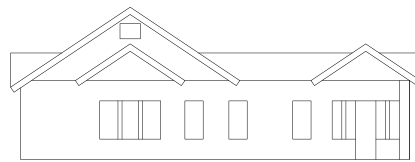
1. Brick staining shall not be utilized until other brick maintenance options have been exhausted.
2. Masonry shall be cleaned where necessary with the gentlest means possible.
3. Damaged or deteriorated masonry shall be repaired using recognized preservation methods for piecing, consolidating, or patching.
4. Repoint masonry joints if the mortar is cracked, crumbling or missing or if damp walls or damaged plaster indicate moisture penetration.
5. Before repointing, deteriorated mortar shall be carefully removed and replaced with new mortar that duplicates the original in strength, color, texture, and composition. Match the original mortar joints in width and profile.
6. If replacement of a deteriorated detail, module, or element of a masonry surface or feature is necessary, replace only the deteriorated portion in kind rather than the entire surface or feature. Consider compatible substitute materials only if using the original material is not technically feasible.
7. If a masonry feature is completely missing, replace it with a new feature based on accurate documentation of the original feature or a new design compatible with the scale, size, material, and color of the building.



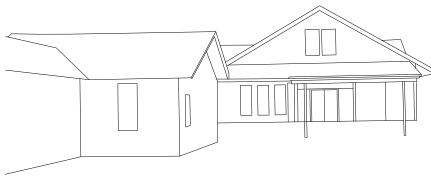
South Elevation



East Elevation



North Elevation



West Elevation





View of subject property



View of subject property facing NW



Property adjacent to the W



Property adjacent to the SW



Property adjacent to the E

APPLICANT/AUTHORIZED AGENT

Shirley McCone
1605 College Ave
Conway, AR 72034

OWNER

Same

**THE SITE**

Address. 1605 College Ave.

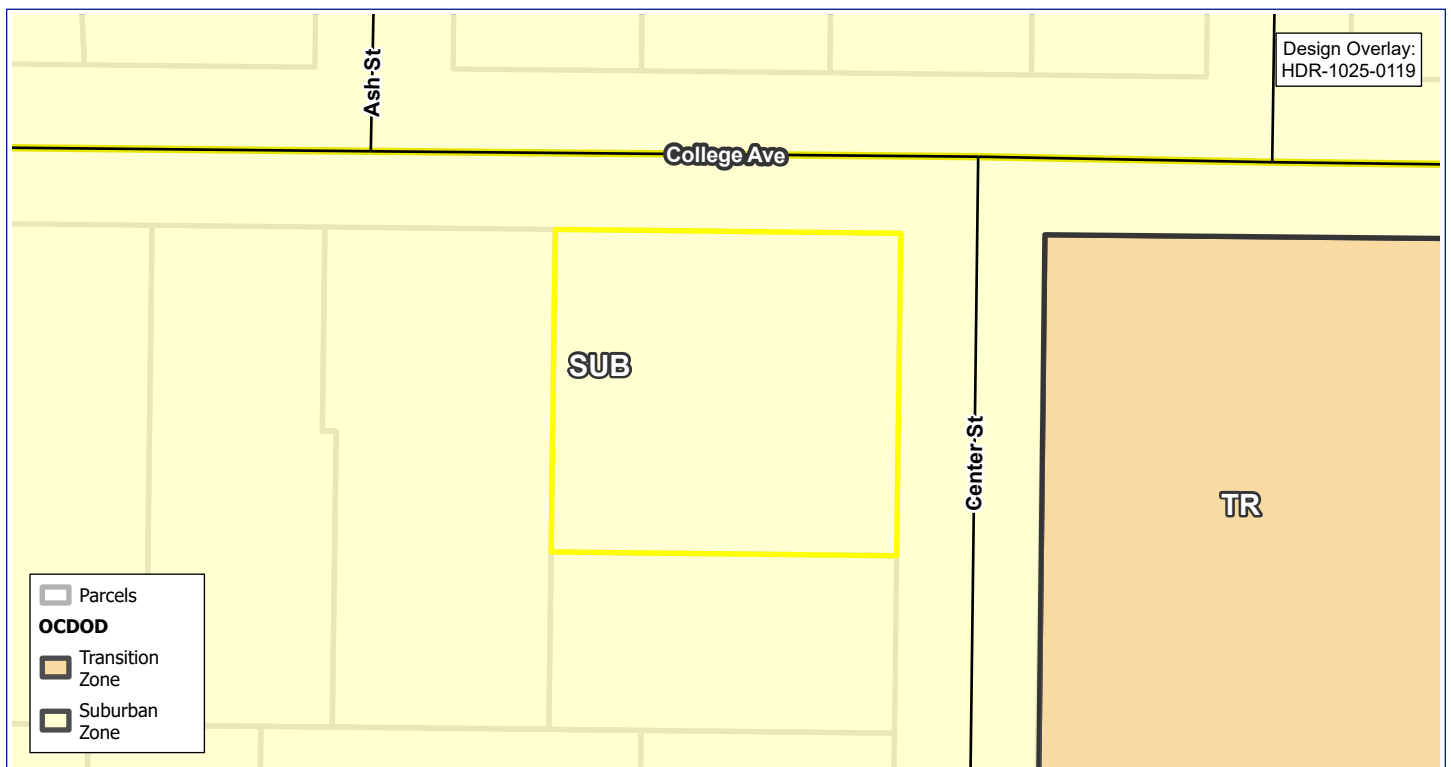
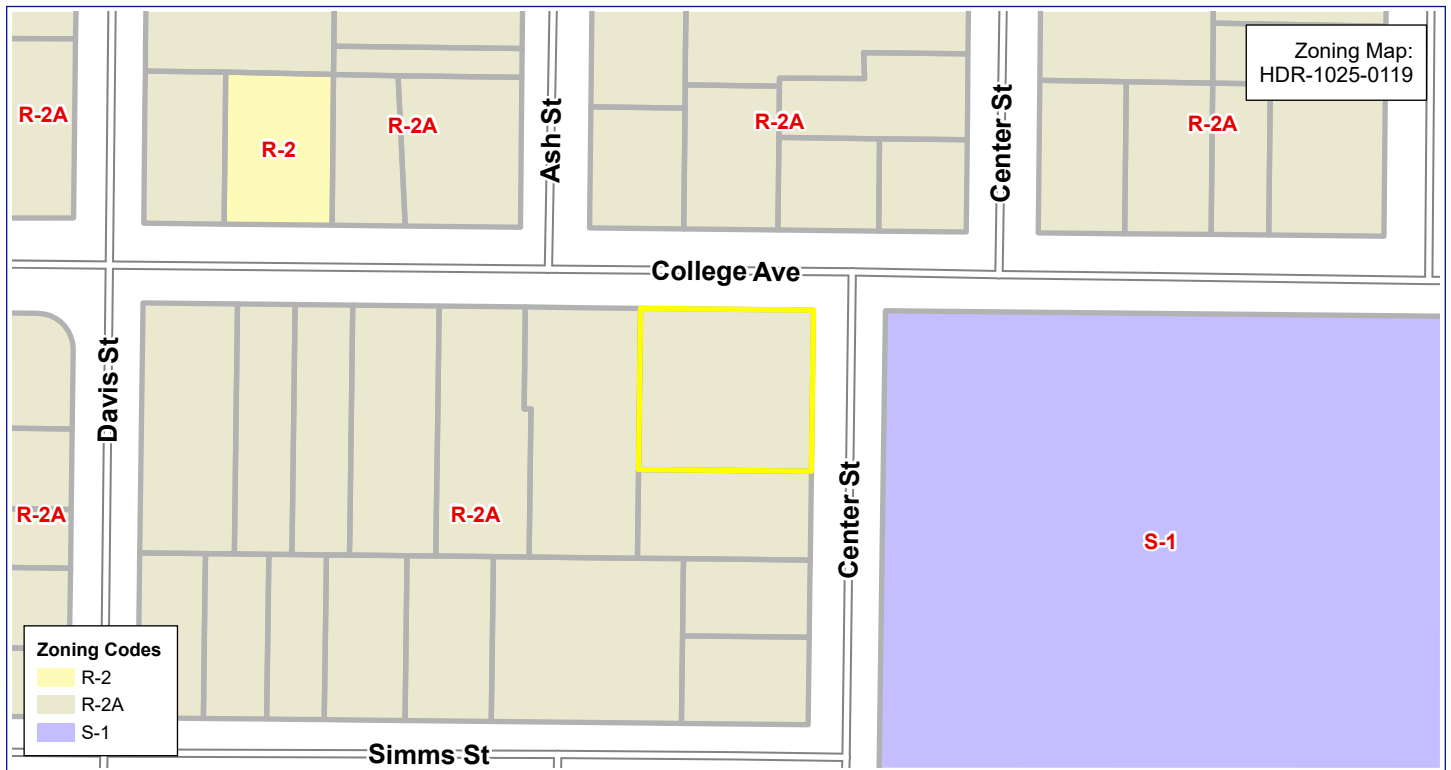
Present Zoning. R-2A (Two-Family District), Old Conway Design Overlay District-Suburban (OCDOD-SUB).

Abutting Zoning. North, South, West: R-2A, OCDOD-SUB; East: Institutional District (S-1), OCDOD-Transition (TR).

Lot Area. 0.48 acres $\pm$.

General Description of Property and Proposed Development. The property is located on the West side of Center St between College Ave and Simms St. The applicant is requesting to conduct property maintenance through phased tree removal. A total of seven trees are being proposed for removal.

A tree care professional has provided confirmation that four trees should be promptly removed due to significant decay and/or to protect the structural integrity of the residence. The applicant is seeking approval for the removal of an additional three trees as their growth trend and/or proximity to other structures is potentially hazardous.



Tree Preservation. Removal of one or more significant trees in the OCDOD requires approval by the Historic District Commission. A Certificate of Appropriateness requires the following information:

1. Site plan and/or photographs showing location of significant tree(s);
2. Proof that the tree is dead or so badly diseased or damaged that it cannot be salvaged (such as a letter from a landscape firm);
3. Any other reasons for removal;
4. Species and size of the tree that will be planted to replace it, as well as the location where it will be planted; and
5. If the tree is removed, the stump must be removed or ground to the surrounding surface level.

Staff Comments

- Photographs showing the significant trees have been reviewed by staff.
- A letter from a tree care professional was provided.
- The photos provided show evidence that the trees proposed for removal could threaten life, limb, or result in significant property damage.
- The property has a sufficient amount of canopy and understory trees to mitigate against any tree loss resulting from this maintenance proposal.
- To meet landscaping standards in OCDOD-SUB zone there must be five trees along the College Ave frontage and four along the Center St frontage. After tree removal there will be five along College Ave and eight along Center St.

CONDITIONS

1. The property owner shall maintain at least one canopy per every thirty feet of street frontage.
2. The stumps must be removed or ground to the surrounding surface level.

Work Not Requiring a Certificate of Appropriateness per HDC Standards, Sec. 15.B

In emergency situations, threatening life, limb, or significant property damage, work may be performed without a Certificate of Appropriateness.





Tree Problem Solvers Tree Service

[5014486400]

[Date: October 12, 2025]

[33 serenity Woods drive
conway Arkansas 72032

Subject: Request for Removal of Four Hazardous Trees

To whom it may concern

I am writing to provide a professional assessment regarding the urgent need to remove four trees located on the property of Shirley McCone at 1605 College Ave.

Conway, AR.

. As a tree care professional I have inspected the trees and determined that they pose significant safety and structural hazards. Specifically, two dead maple trees present risks to pedestrians and vehicles, while two additional trees growing against the house are causing foundation damage. Below, I outline the reasons for their immediate removal.

1. Two Dead Maple Trees

The two dead maple trees exhibit the following conditions, making their removal critical:

- Structural Instability: Both trees are completely dead, showing no signs of viable foliage, bark vitality, or structural integrity. Extensive decay has left the trunks and branches brittle, increasing the risk of sudden limb failure or complete tree



collapse during wind, storms, or other environmental stresses.

- **Hazard to Pedestrians and Vehicles:** The trees are located near (just a few feet) a roadway posing a direct threat to pedestrians and passing vehicles from falling branches or the trees themselves.
- **Potential Property Damage:** A collapse could damage nearby vehicles passing by, leading to costly repairs and liability concerns.
- **Public Safety Priority:** The advanced state of decay eliminates any possibility of salvaging these trees through treatment or pruning, necessitating their immediate removal to mitigate risk to the community.

2. Two Trees Causing Foundation Damage

Two additional trees, growing in close proximity to the house, are causing significant structural damage and require removal for the following reasons:

- **Root-Induced Foundation Damage:** The trees' roots are growing against and beneath the house's foundation, causing visible cracks and displacement in the structure. This ongoing damage compromises the structural integrity of the home, posing a safety risk to occupants and potentially leading to costly repairs if left unaddressed.
- **Encroachment on the Structure:** The trees' trunks and branches are growing against and over the house, exerting physical pressure on walls and the roof. This contact risks further damage to exterior surfaces, roofing materials, and potentially the interior of the home.
- **Unsustainable Mitigation:** Pruning or root barriers are insufficient to address the ongoing and progressive damage caused by the trees' proximity and root systems. Removal is the only viable solution to prevent further deterioration of the foundation and structure.
- **Long-Term Property Protection:** Removing these trees is essential to safeguard the homeowner's property and prevent escalating repair costs, which could also affect surrounding infrastructure if the damage worsens.

For these reasons, I strongly recommend the immediate removal of all four trees to mitigate the clear and present dangers they pose to public safety, the homeowner's property, and surrounding infrastructure. Please contact me at (501) 448-6400 or treeproblemsolvers@gmail.com for any additional information or clarification.

Thank you for your attention to this matter and for prioritizing the safety and well-being of the community.

Sincerely,

Joshua Williams

[Tree Care Professional]

Tree Problem Solvers



View of subject property facing S with garage



View of subject property facing W



View of subject property facing S



Looking W down College Ave



Adjacent property to the N



Property adjacent to the E

ORDINANCE NO. O-06-139

AN ORDINANCE CREATING AN OLD CONWAY DESIGN OVERLAY DISTRICT:

Amended: O-07-46; O-09-86; O-11-27, O-15-28, O-15-124, O-15-137, O-25-xxx

Whereas, the City of Conway wishes to preserve the historic character of the older residential areas in Conway by requiring new construction to conform to proper design standards, and;

Whereas, the City of Conway wishes to preserve the historic character of the older commercial areas in Conway by requiring new construction in the central business district to conform to proper design standards;

Whereas, the Historic Preservation Plan for the City of Conway recommended utilizing administrative reviews more frequently when possible;

Whereas, the City Council adopted the Historic Preservation Plan as an amendment to the Comprehensive Plan via Resolution No. R-21-22;

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

Section 1: Ordinance Section 1: Boundaries

The Old Conway Design Overlay District is hereby approved and established by reference for the purpose of enhancing and protecting the aesthetics, sustainability, and the historic nature of Old Conway. All uses inside an area described by the following boundaries unless specifically exempted shall be subject to the regulations contained in this ordinance:

Area: Robins Street west from Griffith Street to Donaghey Avenue, thence north along Donaghey Avenue to Bruce Street, thence west along Bruce Street to Western Avenue, thence northward along Western Avenue to College Avenue, thence east along College Avenue to Augusta Avenue, thence north along Augusta Avenue to Robinson Avenue, thence west along Robinson Avenue to the southwest corner of Lot 1 Taylor Replat, thence north along the west line of Lot 1 Taylor Replat to Western Avenue, thence continuing north along Western Avenue to Poplar Street, thence east along Poplar Street to Donaghey Avenue, thence north along Donaghey Avenue to Hairston Avenue, thence east along Hairston Avenue to Clifton Street, thence north along Clifton Street to Tyler Street, thence east along Tyler Street to Washington Avenue, thence north along Washington Avenue to Fleming Street, thence east along Fleming Street to Harkrider Street, thence south along Harkrider Street to Winfield Street, thence west along Winfield Street to Washington Avenue, thence southward along Washington Avenue to Independence Street, thence eastward along Independence Street to Spruce Street, thence continuing eastward along Spruce Street to the intersection of Harkrider Street and Siebenmorgen Road, thence east along Siebenmorgen Road to Interstate 40, thence southeasterly along Interstate 40 to Gum Street, thence south along Gum Street to Merriman Street, thence west along Merriman Street to Ingram Street, thence south along Ingram Street to 6th Street, thence west along 6th Street to Harkrider Street, thence southward along Harkrider Street to Bruce Street, thence west along Bruce Street to Griffith Street, then southward along Griffith Street to Robins Street and the point of beginning; and Lots 10 through 14 of Block 1 of the Browns Addition

Less and except the Asa P. Robinson Historic District and any future officially recognized Certified Local Government Historic District.

Less and except the Markham Street Neighborhood described as the area West of Harkrider Street; North of Van Ronkle Street; East of the Union Pacific Railroad right of way; and South of Spruce Street; and South of Markham Street/Siebenmorgen roundabout right of way. (Ordinance O-15-28)

Within this above described boundary are three distinct zones; the Urban Zone, Transition Zone, and Suburban Zone as mapped on Exhibit A of this ordinance.

Section 2: The Conway Historic District Commission shall serve as the discretionary reviewing body of the Old Conway Design Overlay District with Conway Planning and Development Staff serving as the administrative body.

Section 3. Application for Certificates from the Commission and Administrative Official

A. **Considerations of the Commission.** In passing upon cases involving new construction, alterations, renovations or additions to existing structures, the Commission reviewing authority shall consider the appropriateness of

the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the Commission reviewing authority may in appropriate cases impose dimensional and set back requirements in addition to those required by applicable ordinance or by-law. The Commission shall not consider interior arrangements. Interior arrangements are not subject to Historic Design Review. The Commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the Old Conway overlay district.

- B. **Submission Requirements.** No new building or structure or exterior renovation requiring a building permit or remodeling permit within the Old Conway Design Overlay District shall be constructed or altered in any way that affects exterior architectural features unless a Certificate of Appropriateness has been issued the Commission shall first have issued a certificate of appropriateness with respect to such construction or exterior renovation. Additionally, significant tree removal and fence installation shall require issuance of a Certificate of Appropriateness.

Any person who desires to obtain a Certificate of Appropriateness shall file with the Commission Planning Department an application in such form as the Commission Administrative Official may reasonably determine, together with such plans, elevations, specifications, materials and other information, as may be reasonably deemed necessary by the Commission Administrative Official to enable it to make a determination on the application.

The applicant must take all necessary action to ensure that the entirety of the property under review has the appropriate land-use designation(s) as prescribed by the City of Conway Zoning Ordinance. (e.g. Zoning Classification and/or Conditional Use Permit).

The Permits and Inspections Department shall issue no building permit for new construction of a building or structure or for alteration of an exterior architectural feature within the Old Conway Design Overlay District until the Commission or Planning and Development Department has issued the Certificate of Appropriateness required by this section.

Minor Construction Exemption: Outbuildings 160 square feet or less that are not visible from the public realm are not subject to Historic Design Review in the Old Conway Design Overlay District.

Minor Construction Departmental Approval: Outbuildings 160 square feet or less and exterior renovations / additions that add no more than 75 square feet to an existing structure may be approved by the Director of Planning and Development. These approvals must be reported to the Conway Historic District Commission at the next regularly scheduled Conway Historic District Commission Meeting. Sidewalk repair or construction shall not be required when approved departmentally.

- C. **Administrative Official's Powers and Duties.** The Administrative Official shall have the following powers, functions, and duties related to issuance of Certificates:

1. The Administrative Official shall have fourteen (14) days from receipt of an application to review and determine whether that construction or alteration meets the standards set forth in this ordinance. All additions, accessory structures, redevelopment, restoration, and modifications in compliance with the Old Conway Overlay District Standards may be approved administratively by the Administrative Official.
2. The Administrative Official shall review the zoning designation for the property in question to ensure that the zoning is appropriate for the land use in the project area.
3. If the Administrative Official determines that an application meets district standards, the Administrative Official shall issue a Certificate of Appropriateness.
4. Each Certificate issued by the Administrative Official shall be dated and signed by the Planning Director. Each Certificate issued by the Planning Director shall also be accompanied by a document substantiating in sufficient detail, the basis of the determination such as conditions of approval, site plan, and elevations. Certificates are valid for two years from the date of issuance and must be revalidated by the Administrative Official if substantial work has not been completed by the end of this period.
5. Design modifications requested after issuance of a Certificate of Appropriateness shall be reviewed by the Administrative Official to determine if the construction or alteration meets the standards set forth in this ordinance. If the Administrative Official determines that the modification meets district standards, the

Administrative Official shall issue an Amended Certificate of Appropriateness. If the Administrative Official determines that the design modifications do not meet the standards set forth in this ordinance, the applicant may file an application with the Historic District Commission for discretionary review according to Section 3.D., *Commission Powers and Duties*.

6. These approvals must be reported to the Conway Historic District Commission at the next regularly scheduled Conway Historic District Commission meeting.
7. The Planning Department shall maintain a copy or notice of all Certificates, determinations of disapproval and substantiating documents issued by it.

D. **Commission Powers and Duties.** The Commission shall have the following powers, functions and duties related to issuance of Certificates:

1. New construction of a primary structure requires an application with the Historic District Commission for discretionary review.
2. If the Administrative Official determines that the construction or alteration for which an application for a Certificate of Appropriateness has been filed does not meet the standards set forth in this ordinance, the applicant may file an application with the Historic District Commission for discretionary review.
3. Upon review of the application at a regularly scheduled, public meeting, the Commission shall decide whether the construction or alteration will be appropriate for or compatible with the preservation or protection of the Old Conway Design Overlay District. It shall make a determination based upon:
 - Its compatibility with the existing neighborhood and area of influence
 - The architectural or historic value or significance of the surrounding area
 - The general compatibility of the proposed construction
 - The Old Conway Design Overlay Pattern Book
4. If the Commission makes the determination in the affirmative, the Commission will authorize a Certificate of Appropriateness to be issued to the applicant.
5. If the Commission determines that the construction or alteration for which an application for a certificate of appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the Old Conway Design Overlay District, the Commission shall cause a certificate of appropriateness to be issued to the applicant. In the case of a disapproval of an application for a Certificate of Appropriateness, the Commission shall record the reasons for such determination and shall notify the applicant of these reasons during the public meeting and made available in the meeting minutes. The Commission may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material, and similar features. The Commission shall take action on the item, either approving or denying the project. Prior to the issuance of any disapproval, and during the public meeting, the Commission may notifiy explain and discuss with the applicant and the administrative official the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the Commission. The Commission shall, as feasible, identify sources of additional information, technical assistance and financial incentives, which may eliminate the area of concern. The Old Conway Design Overlay District Pattern Book should be used as a design guide to clarify the requirements of this ordinance. If, within fourteen days of the receipt of such notice, the applicant files a written modification of his application in conformity with the recommended changes of the Commission, the Commission shall issue a certificate of appropriateness to the applicant. The item may be tabled to the next regularly scheduled meeting, allowing the applicant to make any adjustments which would make the application acceptable to the Commission in accordance with Commission bylaws. Minor adjustments which would make the application acceptable to the Commission may, if deemed appropriate, be reviewed and approved by the Administrative Official without necessitating further review by the Commission.
6. Each Certificate issued by the Commission shall be dated and signed by its Chairman, Vice-Chairman, Secretary, Planning Director or such other person designated by the Commission to sign such Certificates on its behalf. Each Certificate issued by the Commission shall also be accompanied by a document substantiating in sufficient detail, the basis of the determination such as conditions of approval, site plan,

and elevations. Certificates are valid for two years from the date of issuance and must be revalidated by the Commission if substantial work has not been completed by the end of this period.

7. Design modifications requested after issuance of a Certificate of Appropriateness shall be reviewed by the Administrative Official to determine if the construction or alteration meets the standards set forth in this ordinance. If the Administrative Official determines that the modification meets district standards, the Administrative Official shall issue an Amended Certificate of Appropriateness. If the Administrative Official determines that the design modifications do not meet the standards set forth in this ordinance, the applicant may file an application with the Historic District Commission for discretionary review. If the Commission makes the determination that the construction is appropriate for or compatible with the preservation of the Old Conway Design Overlay District, the Commission shall cause an Amended Certificate of Appropriateness to be issued to the applicant.
8. The Commission shall file with the City Clerk, Planning Department, and with the City Permits and Inspections Department a copy or notice of all Certificates, determinations of disapproval and substantiating documents issued by it.

Section 4. Meetings of the Commission

- A. **Voting:** The Commission shall hold meetings at the call of the Chairman and at the request of two members of the Commission, and in such other manner as the Commission shall determine in its rules. A majority of the members of a Commission shall constitute a quorum. The concurring vote of a majority of the members of the Commission shall be necessary to issue a Certificate of Appropriateness.
- B. **Review of Application:** Planning Staff shall determine promptly, and in all events within fourteen (14) days after the filing of an application for a certificate of appropriateness whether the application involves any exterior architectural features which are subject to approval by the Commission. If the Planning Staff determines that such application involves any such features which are subject to approval by the Commission, the Commission shall hold a public hearing on such application.
- C. **Hearing an Application:** The Commission shall meet as necessary to review an application(s). Upon the setting of a date, time, and place for the meeting, the applicant shall be notified of said date and time. The applicant shall then follow the procedure outlined below:
 1. Prior to the Historic District Commission formally reviewing the application request, the applicant must take all necessary action to ensure that the entirety of the property under review has the appropriate land use designation(s) as prescribed by the City of Conway Zoning Ordinance. (e.g. Zoning Classification and/or Conditional Use Permit)
 2. The applicant shall file an application with the Conway Historic District for review. Said application shall be filed no less than fifteen (15) days prior to the Conway Historic District Commission meeting.
 3. The HDC Planning Department shall post a public notice on the Old Conway Design Overlay and/or HDC website(s) announcing the public hearing no less than fifteen (15) days prior to the Historic District Commission meeting.
 4. The applicant will be required to notify, by prepaid first class mail and/or petition, all property owners within two hundred (200) feet as listed on the most recent real estate tax list of the Faulkner County Assessor's Office. The applicant shall mail said letter and/or gather signatures no less than fifteen days prior to the Historic District Commission meeting. In this letter and/or petition, the applicant shall state the date and time of the meeting. A copy of the first class letter and/or petitions shall be submitted to the Planning Department staff not less than ten (10) days prior to the Historic District Commission meeting along with a simple map showing the location of the property in question and the owners within 200 feet of the property.
 5. In addition, the applicant shall post one or more "Design Review" signs on the premise of said property. Such sign(s) shall be clearly visible, unobstructed to the passing general public, and posted on or near the existing front property line not later than fifteen (15) days prior to the public hearing. The applicant shall obtain the disposable sign from the Conway Planning Department and shall pay a fee appropriate for full reimbursement to the City for the cost of the sign. of seven dollars and fifty cents (\$7.50) for the sign. The fee is not returnable.

6. The Conway Historic District Commission shall hold one (1) or more public hearings thereon.

Disapproval: If a design is not approved or no determination is made by the Conway Historic District Commission, the petitioner may appeal such disapproval or inaction to the City Council in writing, stating why he/she considers the Conway Historic District Commission's findings and decisions to be in error. Such appeal shall be filed with the Planning Department within thirty (30) days of the date the Conway Historic District Commission disapproves the design review. If such a request is not appealed, the decision of the Conway Historic District Commission shall be final and no further action on the request shall take place.

Projects reviewed administratively are exempt from these requirements.

Section 5. Enforcement

Any work started without a Certificate of Appropriateness or work found not to be in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Conway Historic District Commission and/or City staff, the building inspector shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect. Stop work orders and penalties for non-compliance with such will be enforced according to other applicable laws. A decision shall be made by the Administrative Official regarding whether a Historic Design Review application is warranted and whether it shall require an administrative review or a discretionary public hearing. This decision shall be made within five (5) business days from issuance of the stop work order. Conway Historic District Commission concerning the stop work order within five (5) business days. Any person who violates any of the provisions of this Ordinance shall may be guilty of a misdemeanor, and upon conviction thereof shall be fined ten dollars (\$10.00) to five hundred dollars (\$500) per day, in accordance with state statute. Each day that a violation continues to exist shall constitute a separate offense.

Section 6. Appeals

The applicant may appeal the denial of a Certificate of Appropriateness by the Administrative Official within thirty (30) days of written or electronic notice being issued by the Administrative Official. Application shall be made in the manner provided in Section 4.C. and shall be subject to all applicable public notices, fees, and public hearings as the original submission.

Appeal shall be made to the Historic District Commission and shall be heard by the Historic District Commission within sixty (60) days of the appeal application. The Administrative Official shall prepare a written report detailing why a denial decision was made. The Historic District Commission shall not reverse a decision of denial by the Administrative Official unless a finding of approval can be made that the construction or alteration will be appropriate for or compatible with the preservation or protection of the Old Conway Design Overlay District.

The applicant may appeal the denial of a Certificate of Appropriateness by the Historic District Commission to the Administrative Official, in writing, within thirty (30) days of the decision. Said appeal request shall be reviewed to determine if any new or previously undisclosed considerations exist which were not previously reviewed or considered by the Commission during the public meeting. Financial hardship shall not be considered a reason for appeal. If new or previously undisclosed considerations exist, the applicant shall submit a new application for consideration at the next scheduled HDC meeting. Appeals shall be subject to all applicable public notices, fees, and public hearings as the original submission. The Historic District Commission shall be the authority in determining if an appeal is approved or denied. Applicants shall exhaust this appeal method after one request for an appeal. Any applicant still aggrieved by the determination of the HDC may appeal such disapproval to the City Council in writing, stating why he/she considers the Conway Historic District Commission's findings and decisions to be in error. Such appeal shall be filed with the Planning Department within thirty (30) days of the date the Conway Historic District Commission disapproves the design review. If such a request is not appealed, the decision of the Conway Historic District Commission shall be final and no further action on the request shall take place.

Section 6: Standards

Proposed new construction, additions, and outbuildings (accessory buildings) 160 square feet or more (except where otherwise exempt); requiring a building permit within the Old Conway Design Overlay District shall respect and relate to the special character of the district. In making its determination, the Conway Historic District Commission and/or Administrative Official shall consider without being limited to the following criteria:

1. New construction shall be judged on its compatibility with the existing neighborhood and area of influence.
2. The architectural or historic value or significance of the surrounding area
3. The general compatibility of the proposed construction
4. Any other factor, including visual and aesthetic, considered pertinent
5. The exteriors of public facades (street facing) shall be more carefully reviewed than other facades
6. Old Conway Design Overlay Pattern Book

Additions to existing buildings shall be judged in the same manner as new construction and shall complement the design of the original building.

All specific numbers listed in Section 6 Standards such as setbacks, lot coverage, heights, footprints, etc. shall be used as minimal guidelines to produce desired development in the Old Conway area. However, due to the unique nature of Old Conway and its traditional pattern of development, the Conway Historic District Commission may grant exceptions to these numbers on a case by case basis without considering or setting precedent in order to allow development that is appropriate to unique circumstances. ~~In no case shall an exception be made to not construct or pay an in lieu fee for sidewalks.~~

When evaluating the general compatibility of the exterior of new construction or additions to any building in the Old Conway Design Overlay District, the HDC and/or Administrative Official shall consider, but not be limited to, the following factors within the building's area of influence:

1. Site

- a. Setbacks
- b. Spacing
- c. Lot coverage
- d. Orientation
- e. Garages
- f. Alleys
- g. Parking
- h. Driveways
- i. Sidewalks
- j. Fences and walls
- k. Landscaping and tree preservation
- l. Lot sizes
- m. Street right of way

2. Massing

- a. Scale (proportion)
- b. Height and width
- c. Directional expression
- d. Footprint
- e. Complexity of form
- f. Façade, wall area, and rhythm

3. Structural Design Elements

- a. Style
- b. Entries, porches, and porticos
- c. Doors and windows
- d. Awnings
- e. Lighting

4. Materials and Detailing
 - a. Architectural details – Eaves, brackets, dentils, cornices, molding, columns, trim work, pilasters, balustrades, decorative or character defining features
 - b. Roof
 - c. Siding and bricks
 - e. Decks
 - f. Skylights
 - g. Mechanical system screening
 - h. Shutters
5. Additions
 - a. Ancillary buildings
 - b. Additions to primary structures
 - c. Outbuildings

A. Suburban Zone Standards

Site:

Building Setbacks:

Setback - The area of a lot measured from the lot line to a building façade or elevation. This area must be maintained clear of permanent structures with the exception of: fences, garden walls, arcades, porches, stoops, balconies, bay windows, terraces, and decks (that align with the first story level) which are permitted to encroach on the setback.

Primary Building Setbacks

Front: The new construction shall be located between 85% and 115% of the average front setback distance established by the existing adjacent historic structures. If all buildings along a block have similar setbacks, that setback line shall be respected.

Secondary Front (adjacent to street): 8 feet minimum

Side: 6 feet minimum in all residential zones

Rear: 3 5 feet or 15 feet from centerline of alleyway in residential zones

Outbuilding Setbacks

Front: Rear of Principal Building or no closer than sixty (60) feet from the front property line.

Secondary Front: 8 feet min.

Side: 3 5 feet min.

Rear: 2 5 feet min.

Spacing. Spatial relationships among existing buildings on a block and neighborhood suggest an appropriate width and spacing for new construction in the area. The historic range of building widths is an important guide, which will help determine an appropriate width for infill structures and will also suggest a module for dividing the facade and massing of an exceptionally large new building into a series of smaller visual units. Spacing should be within 15% of the average distance between existing structures on the block to respect the rhythm of the street.

Lot Coverage. Coverage: 60% impermeable surfaces maximum in all residential zones, 100% impermeable surfaces maximum in C-1.

Orientation. Orientation refers to the direction in which the front of a building faces. New construction shall orient its façade in the same direction as adjacent historic buildings. In the case of a corner lot, dual orientation may be permitted.

Garages / Outbuildings. Detached garages / outbuildings shall be located at the rear of the primary structure or no closer than sixty (60) feet from the front property line. If lot width or depth prohibits a rear location, the garage may be attached at the side of the structure. This attached garage façade should not extend in front of the

transverse centerline of the house. In the case of a side location, the garage façade shall not dominate the façade of the structure. The footprint of a detached garage / outbuilding shall be no more than 30% of the footprint of the primary structure, except in instances of an Accessory Dwelling Unit (ADU) which must be less than 75% of the size of the principal structure or 1,000 square feet in gross floor area, whichever is less. An ADU must also meet the minimum gross floor area as required by all applicable building codes. An ADU must meet the standards set forth in the City of Conway Zoning Code under "Accessory Dwelling Units".

The use of an outbuilding / garage combination is encouraged. A garage apartment is allowed in the Old Conway Design Overlay District when the following conditions are met:

1. The homeowner must live on the property.
2. One parking space must be allowed for the garage apartment in addition to the required number of spaces as per this ordinance. All parking must be located as per the requirements of this ordinance.

Alleys. In the Old Conway Design Overlay District, a large number of alley rights of way were originally platted. Although very few of these alleys were ever constructed, many of the rights of way are still open. The use of these alleyways is encouraged. These alleys could provide another access point for residences and allow parking at the rear of residential lots.

Parking. Parking is not permitted in the front yard of houses. Parking is allowed in driveways. No more than fifty (50) percent of the front yard may be paved. Parking areas should shall be concrete, pavers, or permeable parking surfaces such as grass pavers. Asphalt is not appropriate for single or two family residences. Asphalt with curb and gutter is appropriate for multi-family and commercial parking in the C-1 downtown zoning district. The use of permeable materials is encouraged. Parking areas shall be screened with landscaping if the area is prominently visible from the public right of way. Two (2) parking spaces per dwelling unit are required. On-street parking may be counted towards the required parking number, except in the case of streets classified as collector or above on the Conway Master Street Plan as on-street parking is not allowed.

Driveways. Driveways should shall be concrete, pavers, or permeable parking surfaces such as grass pavers. Asphalt is appropriate for multi-family and commercial drives in the C-1 downtown zoning district. Historic driveways such as concrete strips with a grass median are encouraged. The use of permeable materials is encouraged. Semi-circular driveways with two entry points on the lot are discouraged. Shared driveways are encouraged to lessen the amount of non permeable surface. Driveway widths shall be between 10 and 15 feet in width.

Sidewalks. A sidewalk shall be constructed or repaired as part of new construction in the Old Conway Design Overlay District.

Sidewalk Exception:

Sidewalks are not required with the construction of an addition or outbuilding with a footprint area less than 50% 30% of the primary structure's footprint.

Sidewalks are historically correct and add an essential pedestrian element to the area. Sidewalks shall be constructed/repared for all street frontages and shall be built in accordance with the Conway Department of Transportation Standards 5-foot wide unless the width differs historically. Sidewalks shall pass through driveways if APA requirements cannot be met.

If sidewalks are not prevalent in the area or not technically feasible due to utilities, easements, rights of way, etc., an in-lieu fee of \$3 per square foot may be paid into the general sidewalk fund to be used within the boundaries of the Old Conway area. The Conway Historic District Commission will determine if a request for a sidewalk exception is reasonable. The maximum residential in-lieu fee shall be \$1875.

Fences and Walls. Fences primarily serve two purposes in the Old Conway Design Overlay District; definition of private / public space in front yards and privacy screening in rear or side yards. Fences shall be no more than 3.5 feet tall in front yards with pickets no more than 4 inches wide and 3 inches apart. Privacy fences shall be no more than 6 feet tall and are only allowed in rear yards or side yards as deemed appropriate. Privacy fences should be setback from the front façade at least one-half the distance between the front and rear walls of the structure with it transitioning down to 3.5 feet tall as it transitions to the front and/or side yard. Fences may be constructed of wood (or wood-like material), iron (or aluminum mimicking iron), brick, or stone. The use of brick or stone should be limited to corner post or limited detailing. The upper two feet of privacy fencing should have 50% opacity,

provided by a lattice or grid pattern of wood or iron. Iron fences are typically found on substantially-sized structures other than bungalows or cottages. Chain link fence and bare concrete block fences are prohibited. Fences of railroad ties or landscape timbers are prohibited. Fences of wood-like composite materials may be used upon approval.

Low brick, stone, and finished concrete walls defining front yards are evident in the Old Conway Design Overlay District. New construction of low brick, stone, and finished concrete walls, typically 12-18 inches in height are allowed. The capping of these walls with a shaped stone or brick cap is encouraged. Finished concrete walls are allowed. Bare concrete retaining walls are prohibited.

Installation of fencing requires a Certificate of Appropriateness and is subject to the procedures outlined in Sections 3 & 4.

Landscaping and Tree Preservation. Landscaping is a critical part of the historic appearance of the Old Conway Design Overlay District. Identify and retain existing trees and plants that help define the character of the area. Install new landscaping that is compatible with the existing neighborhood and indigenous to the area. Protect significant existing trees (8" or greater in diameter breast height) and plants during construction. Preserve any large trees which line the streets of the residential areas. New trees reaching a mature height of 60 feet shall be planted at a distance of no more than 30 feet apart along the street right of way. No street tree shall be planted over or within 5 lateral feet of any underground water, sewer, electrical lines, or cable television (excluding telephone, and individual service lines.) No street tree shall be planted closer than 10 feet to a fire hydrant, utility pole or streetlight. No street tree shall be planted within 15 feet of a street intersection. A list of approved street tree species is available from the Planning Department. Understory trees shall be planted in cases of overhead power lines. Limit the amount of landscaping in the front yard of small lots in order to retain the neighborhood scale of landscaping to the size of the house.

Removal of one or more diseased or damaged significant trees in the Old Conway Design Overlay District requires approval by the Administrative Official and issuance of a Certificate of Appropriateness. Commission An application shall include which also requests the following information:

1. Site plan and/or photographs showing location of significant tree(s);
2. Proof that the tree is dead or so badly diseased or damaged that it cannot be salvaged (such as a letter from a landscape firm);
3. Any other reasons for removal;
4. Species and size of the tree that will be planted to replace it, as well as the location where it will be planted.
5. If a tree is removed, the stump must be removed or ground to the surrounding surface soil level.

The removal of a healthy, significant tree not in conjunction with development requires Historic District Commission review and issuance of a Certificate of Appropriateness.

In instances where construction or other site work may affect significant trees on a given lot, all appropriate tree protection measures must be taken. The following specific protective measures shall be required for all development, or work requiring a permit, on properties with trees subject to regulation:

1. Protective fencing is required for protection of any tree to be preserved in place within fifteen (15') feet of any construction or construction material or construction equipment storage and is to be shown on the Tree Preservation Plan. All required protective fencing must be in place and approved by the Permits and Inspections department and/or Planning Department before a building permit will be issued. All fencing must remain in place during the entire construction period. All fencing shall be of a rigid material (i.e., chain-link, wood lathe, etc.) unless otherwise specified by the Planning Department. All fencing must be secured to metal posts driven into the ground and spaced no further than ten feet (10') apart. Fencing shall not be removed or relocated unless authorized in writing by the Planning Department. The approved Tree Preservation Plan shall be available on the building site before work commences and always during construction of the project. The general contractor shall be responsible for giving written notice of the Tree Preservation Plan and Tree Removal Permit to all contractors or subcontractors prior to their entering the Site.

2. Pumping of concrete for the foundation or other protective measures such as crown pruning and root pruning may be required for preservation of the existing trees. These measures must be indicated on the Tree Preservation Plan.
3. During construction all reasonable steps necessary to prevent the destruction or damaging of trees to be preserved in place shall be taken.
4. During construction, unless otherwise authorized by the Tree Preservation Plan, no excess soil, additional fill, equipment, liquids, or construction debris, shall be placed within the root zone of any tree that is required to be preserved in its present location.
5. No attachments, fences or wires, other than approved materials for bracing, guying or wrapping, shall be attached to any vegetation during the construction period.
6. All measures shall be taken to maintain the health of trees which are transported to the site.

Lot Sizes. Many lots in the Old Conway Design Overlay District were originally platted anywhere from 25 feet to 100 feet wide. Further subdivision over the years added to the small lot sizes. The Conway Zoning Ordinance's minimum lot width is 50 feet wide. This regulation is based on larger lot suburban standards developed around the 1950's. This ordinance shall allow the construction of single family residences on platted and subdivided lots as small as 25 feet in width. These lots must have been platted or subdivided by deed no later than December 31, 1979.

Street Rights of Way. Many of the platted streets in the Old Conway Design Overlay District were originally laid out with 40-60 foot rights of way. The Conway Subdivision and Zoning Ordinances require that all local streets have a minimum of 50 feet of street right of way. This regulation is based on larger lot suburban standards developed around the 1950's. This ordinance shall allow the construction of residences without the requirement of dedication of additional street right of way unless the street is classified as a collector or above on the Conway Master Street Plan. The smaller street rights of way of Old Conway are a desirable feature and should be preserved.

Massing: Overall bulk of a building

Scale. The size of new construction shall not be in conflict with the surrounding relationships of building size to lot size based upon the average of at least five (5) buildings on the same block. Further, design features of new construction shall reinforce a human scale through the size and proportion of doors, windows, details, etc.

Height. The eave or cornice lines of existing buildings on a particular street define a range of heights. New construction should remain within this range of heights in order to relate with the surrounding structures and to preserve and enhance the character of the area. Even though zoning regulations may permit greater heights, new buildings should be compatible in height to surrounding historic structures (typically not more than a 1 story differential based upon the average of at least five (5) houses on the same block.) The first floor height of existing buildings is also an important factor in defining an appropriate scale for the new construction. First floor elevations should be consistent with surrounding historic structures. The height of additions and outbuildings shall also relate to the primary structure.

Maximum Heights:

Principal Building:	3 stories maximum
Outbuilding:	2 stories maximum

Width. New construction proportions shall respect the average width of the majority of neighboring buildings in the area based upon the average of at least five (5) houses on the same block.

Directional Expression. This is a measurement of the height to width ratio of a structure's front elevation. New construction should respect the directional expression of the average of at least five (5) houses on the same block the majority of the neighboring buildings in the area.

Footprint. The area of land area covered by a structure. This measurement should be in relation to the average of at least five (5) houses on the same block the the majority of the neighboring buildings in the area.

Complexity of Form. The level of detailing and breaks in the wall planes of a structure. New construction shall relate to the complexity of the majority of neighboring buildings in the area.

Façade, Wall Area, and Rhythm. Facade and Openings (Proportion, Size, Detailing). New facades shall be compatible with surrounding historic buildings in proportion and relationships to wall area and openings. Windows and door openings should correspond to the rhythm and proportion that exist on neighboring structures. Generally, doors and windows are proportioned vertically. The total area of windows on a residential façade, **visible from the public realm** shall be in a range of 25-40% of the total surface area. In buildings with commercial uses on the first floor, the area of ground floor openings shall be in the range of 65-75%, to correspond with traditional storefront organization.

Structural Design Elements:

Style. Buildings in the Old Conway Design Overlay District reflect a variety of traditional architectural styles and forms. New design should respect its context, while expressing the contemporary nature of the building and its use. A contemporary architecture that reflects the traditional elements of the area is encouraged. **New construction of a primary structure requires a public hearing before the Historic District Commission.**

Entries, Porches, and Porticos. Entrances and porches are often the primary focal points of historic structures. Porches and porticos are encouraged in the Old Conway Design Overlay District. Porches must have minimum depth of 6 feet, preferably 8 feet. Roofs on porches should match those on the main or existing structure where possible. Steps leading up to porches may be of wood, brick, stone, or concrete, as appropriate to the material and architecture of the main structure. Railings on porch stairs should have handrails and pickets to match the railing of the porch. **Many Entrances in the Old Conway Design Overlay District shall have special features such as transoms, sidelights, and decorative elements framing the entrances. Consideration should be given to incorporating such elements into new construction.** Screened porches should be reserved for the rear of lots.

Doors and Windows. The rhythm, patterns, and ratio of solids (walls) and voids (windows and doors) of new buildings should relate to and be compatible with adjacent facades. (See Façade, wall area, and rhythm above) Traditionally designed openings generally have a recessed jamb on masonry buildings and a surface mounted frame on frame buildings. New construction should follow these methods as opposed to designing openings that are flush with the wall. If small paned windows are used in a new construction project, they should have the appearance of true divided lights and should not have fake clip-in muntin bars.

Awnings. When new construction uses awnings, traditional awning designs, materials, and placement should be used. **Plastic and vinyl are not traditional materials.**

Lighting. Security lighting, such as flood lights shall be mounted on secondary and rear facades. Unshielded floodlights are not permitted. No light shall be of such intensity as to produce glare or direct illumination across the property line, nor shall any light be of such an intensity so as to create a nuisance or detract from the use and enjoyment of adjacent property. All light shall be directed downward and inward toward the property by choosing appropriate fixtures and properly aiming fixtures during installation. Fixtures shall be architecturally compatible with and designed to complement the principal structure and surroundings.

Materials and Detailing:

Architectural Details. Architectural details on a new residential structure should be compatible with existing elements, in style, material, size, and shape. These details include, but not limited to: eaves, brackets, dentils, cornices, molding, columns, trim work, pilasters, balustrades, decorative or character defining features.

Roof. Roofs on new construction in the Old Conway Design Overlay District should respect the character of roof types and pitches in the immediate area around the new construction. Metal roofing is generally prohibited, but applicant will be allowed to prove the historic nature of a metal material. For new construction the following parameters should be considered:

1. Style (gambrel, gable, hip, shed, flat, mansard);
2. Pitch (slope of roof);
3. Material (slate, wood shingles, asphalt or fiberglass shingles, rolled roofing, hot mopped asphalt, tile);
4. Details (dormers, gables, chimneys);
5. Gutters and downspouts.

Siding and Bricks. The selection of materials for a new dwelling should be compatible with and complement the surrounding structures in the Old Conway Design Overlay District. Brick, stone, and wood are the most appropriate materials for the cladding of new structures. Synthetic siding such as vinyl, aluminum, and synthetic stucco, (EIFS products) are not historic cladding materials and should not be used unless replacing a pre-existing condition or used on an accessory structure out of the public view. However, cement board materials such as Hardiboard may be substituted for wood siding. Siding shall present an historical appearance.

Decks. Elevated wooden decks are not historic to the area and should shall be located at the rear of the structure and screened from street view with fencing and / or plants and shrubs when visible.

Skylights. Skylights should not be visible from the street.

Mechanical system screening. HVAC units should be located where they are not readily visible from the street. If visible, they should shall be screened with shrubbery or fencing. Exterior HVAC ductwork shall not be visible from street. Electrical and gas meters and other mechanical equipment should be located on the side or rear façade. The Conway Historic District Commission shall consider that utility equipment location may be beyond the applicant's control.

Shutters. If used, shutters should be in proportion to their window opening. They should fit so that if they were closed, they would cover the window opening.

Colors. Colors will not be regulated under this ordinance. The use of colors that are compatible with the surrounding area is highly encouraged. Color determination should be based on historic schemes appropriate for the style of the building. Reference materials are available from the Conway Historic District Commission and the Arkansas Historic Preservation Program in determining appropriate paint colors. Avoid too many colors on a building. Colors should be selected to highlight the architectural details of a building.

Additions. An exterior addition to a historic residence may radically alter its appearance. The design of a new addition shall follow the regulations for new construction for all elevations that are prominently visible. New additions should not destroy the materials that characterize the property. New work should be compatible in massing, size, scale, and architectural features to protect the historic integrity of the property. Use materials, windows, doors, and architectural detailing that are compatible with the existing home. The addition should be done in such a manner that if removed in the future, the essential form and integrity of the original structure would be unimpaired. New design should shall not use the same wall plane, roof line or cornice line of the existing structure.

The addition should shall be sized so that it does not visually overpower the existing building. The addition should shall be located at the rear or side elevation in a manner that the addition visually secondary to the primary elevation of the historic structure. If the addition is located on an elevation facing the street or an important pedestrian route, the visible elevation shall be treated under tightest standards of the construction guidelines of this ordinance.

Outbuildings. The design of new outbuildings with a footprint of 160 square feet or larger should use materials, windows, doors, and architectural detailing that are compatible with the existing or proposed residential structure. The footprint of an outbuilding may be a maximum of 30% of the footprint of the primary structure. The footprint of an Accessory Dwelling Unit may be a maximum of 75% of the footprint of the primary structure or 1,000 square feet in gross floor area, whichever is less. The footprint of a non-residential outbuilding may be a maximum of 50% of the footprint of the primary structure.

B. Transition Zone Standards

Unless otherwise superseded through the use of explicit language herein Part B Two, the design criteria established within Parts A one and C three shall maintain all regulatory bearing for the Urban Transition Zone. Therefore, it is the charge of the Conway Historic District Commission and/or Administrative Official to determine where and how criteria from The Urban and/or Suburban zones shall apply within the Urban Transition Zone, basing their determination upon individual project dynamics, location, and desired neighborhood character.

Building Setbacks. Front setbacks in the Urban Transition Zone are defined as those which have street frontage. As measured from the right-of-way line, front setbacks shall be no greater than eighteen feet and no less than six.

There is no requirement for side setbacks in the Urban Transition Zone, however all fire code requirements must be met.

Rear setbacks shall be no less than five feet from the rear property line. In cases where alleys are present, rear setbacks must remain a minimum of fifteen feet from the centerline of the alley.

Building Height. Primary structures within the Urban Transition Zone shall be no greater than three and one-half stories in height. A half-story refers to the uppermost floor being ‘tucked’ into the roof gable and using dormer windows for natural lighting and fire access. (Also referred to as an “attic story.”)

Outbuildings shall be no greater than two stories in height.

Lot Coverage. The maximum allowable lot coverage for the Urban Transition Zone shall be eighty percent.

Parking Areas:

Where off-street surface parking lots are necessary for multi-family, office, and commercial activities, such lots shall be designed to minimize their size, visibility, and interference with pedestrian safety or comfort. Every effort should be made by developers to shelter adjacent properties, sidewalks, and the public realm as a whole from the unsightliness and clamor of surface parking.

Curb Cuts & Drive-Troughs. Curb cuts in the Urban Transition Zone shall be no greater than twenty-four feet in width; however, for projects along quieter, neighborhood streets, twenty feet ~~is encouraged~~ **is required**.

When interrupted by a vehicular access point, the continuity of the sidewalk surface material and grade shall be maintained and the material and grade of the driveway interrupted.

Drive-through service windows shall be located in the rear of all mid-block and alley-accessed corner locations, provided they do not substantially disrupt pedestrian activity or surrounding uses.

Drive-through windows shall never be located along any structure’s primary street frontage (i.e. between the structure and the street).

Sidewalks. ~~Sidewalks shall be a minimum of five feet wide, unless the width differs historically. If desired by the property owner or Historic District Commission, the sidewalk may be increased in width by encroaching into either the private setback area or the public planting strip adjacent to the curbline, whichever is most appropriate to the circumstance.~~

A sidewalk shall be constructed or repaired as part of new construction in the Old Conway Design Overlay District.

Sidewalk exception: Sidewalks are not required with the construction of an addition or outbuilding with a footprint area less than 50% of the primary structure’s footprint.

Sidewalks shall be constructed/repared for all street frontages and shall be built in accordance with the Conway Department of Transportation standards and shall be a minimum of five feet wide.

If sidewalks are not prevalent in the area or not technically feasible due to utilities, easements, rights of way, etc., a waiver may be requested. For residential development, an in-lieu fee of \$3 per square foot may be paid into the general sidewalk fund to be used within the boundaries of the Old Conway area. For commercial development, in-lieu fees shall be calculated in accordance with the City of Conway Subdivision Regulations and paid into the general sidewalk fund to be used within the boundaries of the Old Conway area.

Sidewalks shall pass through driveways, creating a seamless ribbon of paving material.

~~Sidewalks shall retain any existing historic paving materials used in walks and driveways, such as brick, stone and examples of the early use of patterned concrete, replacing damaged areas with materials that match the original paving. Ensure that new paving materials are compatible with the character of the area. Brick pavers in traditional patterns and scored concrete are examples of appropriate applications. Color and texture of both surfaces should be carefully reviewed prior to installation.~~

Trees. Canopy trees shall be planted ~~within~~ **along** the public street frontage at ratio of one tree per thirty feet. ~~This tree planting will typically occur in the green strip lying between the sidewalk and curb line of the street.~~

Removal of one or more diseased or damaged significant trees requires approval by the Administrative Official and issuance of a Certificate of Appropriateness. Commission An application shall include the following information:

1. Site plan and/or photographs showing location of significant tree(s);
2. Proof that the tree is dead or so badly diseased or damaged that it cannot be salvaged (such as a letter from a landscape firm);
3. Any other reasons for removal;
4. Species and size of the tree that will be planted to replace it, as well as the location where it will be planted.
5. If a tree is removed, the stump must be removed or ground to the surrounding surface soil level.

The removal of a healthy, significant tree not in conjunction with development requires Historic District Commission review and issuance of a Certificate of Appropriateness.

C. Urban Zone Standards

Proposed new construction, additions, and outbuildings (accessory buildings) 160 square feet or more; requiring a building permit within the Old Conway Design Overlay District Urban Zone shall respect and relate to the special character of the zone. In making its determination, the Conway Historic District Commission shall consider and without being limited to the following criteria:

Building Setbacks. A minimum of 80% of any building facade shall be within three feet of all property lines, except in the rear of the structure where an alley or other access exists. This shall be required only for the first four floors.

Major architectural projections into the public right-of-way such as balconies, arcades, and colonnades, shall require an encroachment permit, granted by City Council.

Structures may be set back up to 8 feet at the intersections in order to better articulate and accentuate the corners.

Building Height. Buildings shall have a front facade which is no fewer than two stories in height and no greater than six. The Planning Commission may make recommendations for City Council to may grant additional stories for higher intensity development through the use of a conditional use permit.

The first story floor-to-floor height of any new building in the Urban Zone shall be a minimum of fifteen feet.

Lot Coverage. The maximum allowable lot coverage for the Urban Zone shall be one hundred percent.

Landscaping and Paving:

Outdoor ground plane which abuts or is adjacent to the public right-of-way shall be paved with terrazzo, concrete pavers, concrete, stone, brick, tile, or another high quality hardscape material.

Asphalt and loose paving such as gravel are not permitted.

Any proposed landscaping shall not block pedestrian access to storefronts or building entrances.

Fences, Railings, & Walls. Fences, railings, and walls shall be constructed of metal, brick, or stone. Plastic, chain link, and wood are prohibited. Fences and railings shall be a minimum of 70% open.

Vehicular Access Points. Curb cuts in the Urban Zone shall be no greater than 20 feet in width.

When interrupted by a vehicular access point, the continuity of the sidewalk surface material and grade shall be maintained and the material and grade of the driveway interrupted.

Off-Street Parking. Except in the most critical of circumstances, locating surface parking lots at block corners shall not be permitted.

Where a parking lot must abut a public sidewalk, a visual buffer shall be provided through the use of a wall or fencing along the sidewalk edge. Materials should be compatible with those of nearby buildings and utilize visually interesting elements, such as masonry patterns, articulation, and vegetation. In situations where walls are not appropriate, a landscape buffer may be utilized. However, landscaping shall be dense and unbroken in order to completely meet the spirit and intent of this section. Planting strips and planter boxes may be incorporated to assist in fulfilling this requirement.

Loading Docks. All loading docks shall be screened from pedestrian view. A combination of doors, gates, walls, fencing, and/or landscaping shall be used to shield the loading dock from view.

Dumpsters:

Trash dumpsters shall be further screened by use of a gate and structure which complements the design of the primary building through the use of similar materials, colors, finishes, and architectural details. Dumpster enclosures shall be constructed of masonry materials and shall meet the Sanitation Department's specifications. with an interior clear dimension of 15 feet by 15 feet.

Facade Articulation. A minimum of 35% of each upper story shall be windows. Windows shall be proportioned to appear vertical, even when combined to form horizontal bands around the structure. Facades shall be broken down into distinct twenty to thirty foot "modules" or "bays" from side to side in order to prevent a monolithic edge to the street. The modules can follow structural, historical, aesthetic, or functional dimensions, but should always remain contextual to the street.

Large unarticulated walls are discouraged, and shall have either a window or a functional public access (such as a door or passageway) at least every ten feet. Facades exceeding fifty feet in length shall be visually broken down into bays through the use of architectural elements such as pilasters, reveals, or other three-dimensional surface modulations.

Building facade designs shall respect the historical context of Old Conway with a clear ground floor, body, and cornice line (i.e. "base, body, and cap"). Designs should be contextual to adjacent buildings, including their cornice lines and horizontal banding. The use of traditional facade components is encouraged and includes parapets caps, cornices, transoms, awnings, storefronts, kickplates, recessed entries, and sign bands.

Ground-Level Facade Detail. A minimum of 2/3 of the first story facade shall be windows. First story windows shall be a maximum of three feet above the ground. Please refer to the section titled "Building Materials" for percentage of transparent glass.

Windows should be used to display products and services and maximize visibility into storefronts. With the exception of ground-floor residential units, windows shall not be obscured with elements that prevent pedestrians from seeing inside.

Building Materials. Of the total amount of glass on the first story facade(s), a minimum of 85% shall be transparent. The remaining 15% may be stained, frosted, or otherwise non-transparent glass. Tinted or reflective glass is discouraged at ground level. All floors other than ground level may utilize window transparency as desired.

Building materials (other than glass) shall include brick, stone, concrete, architectural metals, stucco/plaster, and wood trim.

Historically, these are among the most widely used, identifiable, and longest-lasting materials within Conway's Urban Zone, and therefore the most desirable for all projects. All materials shall be highly durable, attractive, and easily maintained, especially at street level where pedestrians come in contact with the building.

Prohibited materials shall include wood siding, pressed wood siding, composite siding, vinyl siding, and all forms of sheet metal sheathing. Exterior insulated finishing systems (EIFS) are discouraged. (EIFS) shall only be applied in upper story areas or other areas not susceptible to impact damage. These materials are not contextual to Old Conway and are generally perceived to be less permanent in nature, therefore they are not appropriate for use within the Urban Zone.

Building Entries. Main pedestrian entries shall be located on the street to generate pedestrian traffic on the sidewalk. Building entries shall be emphasized with architectural features, changes in the facade plane, different massing, or unique materials and finishes.

The primary pedestrian entry to each building shall be along the street frontage. For buildings that front on two streets, entries shall be located along each frontage or at the corner if the building is at an intersection.

All structures shall be ADA compliant.

Any use confined to a building's upper floors (such as with a mixed-use structure) shall be provided at least one entry located along street frontage to further promote street life. These should be designed as separate entries

and distinguished from ground-level uses with architectural details, materials, colors, lighting, signage, and/or paving, so that it is clear which entries are public and which are private.

All street front doors, as well as the walls which make up recessed entries, shall comply with all transparency requirements as outlined in the previous two sections. Address labeling greater than ten inches high shall be considered “signage” and therefore shall comply with the Conway Sign Ordinance.

Overhead Cover. Where desired or required, overhead cover shall be a minimum of eight feet above the sidewalk grade. No cover shall project beyond the curb line of the street.

Overhead cover which requires structural support to rest within the right-of-way (i.e. arcades, colonnades, balconies, etc.) shall require approval of encroachment by the Conway City Council.

Public trees located within the right-of-way take precedence to all overhead cover designs and shall be provided all necessary growing room.

Exterior Building & Accent Lighting. The use of moving, blinking, or strobe lights is prohibited.

Sidewalks. Sidewalks shall be provided for all new construction and located along all street frontages and located within the public right-of-way. Sidewalks shall extend from the structure’s facade outward to the existing curb line of the street. Where public sidewalk improvements are necessary, they shall be constructed in accordance with Conway Department of Transportation standards. ~~paved with terrazo, concrete pavers, concrete, stone, brick, tile, or another high-quality hardscape material.~~ Asphalt and loose paving are not permitted.

Sidewalk exception: Sidewalks are not required with the construction of an addition or outbuilding with a footprint area less than 50% of the primary structure’s footprint.

If sidewalks are not prevalent in the area or not technically feasible due to utilities, easements, rights of way, etc., a waiver may be requested. For residential development, an in-lieu fee of \$3 per square foot may be paid into the general sidewalk fund to be used within the boundaries of the Old Conway area. For commercial development, in-lieu fees shall be calculated in accordance with the City of Conway Subdivision Regulations and paid into the general sidewalk fund to be used within the boundaries of the Old Conway area.

Sidewalk Cafes. All outdoor seating which takes place within the public right-of-way shall require approval of encroachment from the Conway City Council. No less than five feet of sidewalk must remain unobstructed by tables, chairs, or other encumbrances, and be available for the free-flow of pedestrian traffic at all times. Eight feet is recommended where sidewalk widths allow.

All sidewalk cafes must be located in front of or beside the associated restaurant and on the same side of the street. Sidewalk cafes may be located in front of adjacent properties with the permission of that building owner or tenant.

No signs are permitted in the cafe area except tabletop signage, menu signs, “Please wait to be seated” signs, and any others permitted by the Conway Sign Ordinance. All signage shall be removed each day at the close of business.

Sidewalk Furniture, Public Art, and Other Accessories. Street furniture and accessories may be located within the public sidewalk immediately adjacent to the host structure. All shall be constructed of durable materials, correspond to the general aesthetic character of the Urban Zone, and not be harmful to any public streetscape materials (such as the sidewalk surface). All furniture and accessories shall be removable when necessary.

All art displayed within the public right-of-way, to include sculptures, wall murals, or any other forms, shall be submitted for approval by the Conway City Council. Public artwork may not be used as an advertising or marketing tool for its host property.

Signage. All signage shall adhere to the guidelines and regulations detailed within the Conway Sign Code, Ordinance O-06-134 (Article 1301, City of Conway Zoning Ordinance) and all amendments thereto, all overlay district regulations which may apply, and any and all other current laws pertaining to signage.

Signage (District-wide). The one exception to the aforementioned guideline is for the area measurement for those signs most commonly referred to as “freestanding” signs. A freestanding sign is a sign supported permanently upon the ground by poles or braces and not attached to any building. Most commonly, these signs take the form of a ‘monument’ sign or ‘post-and-arm’ sign. In no case shall any freestanding sign within the Old Conway Design Overlay

District exceed 16 square feet in area per side, and a maximum height of 4 feet, without an exception granted by the Historic District Commission.

Section 7: Definitions

Unless specifically defined below, words or phrases shall have the same meaning, they have in common usage.

ADDITION - New construction added to an existing building or structure.

ALTERATION - Any project involving change of or addition to an existing building as it pertains to exterior of the building as viewable from a public right of way

AREA OF INFLUENCE - The affected area to be notified for a public hearing as determined by a specific type of construction, alteration, restoration, moving or demolition as described in the individual categories found in the guidelines for review adopted by the Historic District Commission.

BUILDING - Any structure having a roof supported by columns or walls for the housing or enclosure of persons or animals.

CERTIFICATE OF APPROPRIATENESS - A document awarded by the Conway Historic District Commission allowing an applicant to proceed with a proposed new construction or addition in a designated area or site, following a determination of the proposal's suitability according to applicable criteria.

CHARACTER - The qualities and attributes of any structure, site, street or district.

CONTEMPORARY - Reflecting characteristics of the current period. Contemporary denotes characteristics which illustrate that a building, structure, or detail was constructed in the present or recent past rather than being imitative or reflective of a historic design.

DETAILING - Architectural aspects that, due to particular treatment, draw attention to certain parts or features of a building.

DESIGN GUIDELINES - Criteria developed by preservation commissions to identify design concerns in an area and to help property owners ensure that rehabilitation and new construction respect the character of designated buildings and districts.

ELEMENT - A material part or detail of a site, structure, street, or district.

ENTRANCE AREA - The area of access to the interior of the building including the design, location, and materials of all porches, stairs, doors, transoms, and sidelights.

EXTERIOR ARCHITECTURAL FEATURES - The architectural style, design, and general arrangement of the exterior of a structure, including the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures

FACADE - A face of a building.

HEIGHT - The vertical extent of a building measured in stories, not including a raised basement or attic. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures. Height shall be measured from the elevation of the lowest finished floor level to the highest point of the building.

HISTORIC STRUCTURE - Generally any building 50 years or older or any building determined to be historically significant by an appropriate authority - local, state, or national.

LOT COVERAGE - For the purposes of this ordinance, the area covered by all impermeable surfaces including the primary structure, drives, sidewalks, ancillary buildings, etc.

MASSING - Volume, magnitude, or overall size of a building.

OWNER OF RECORD - The person, corporation, or other legal entity listed as owner on the records of Faulkner County.

OUTBUILDING - An accessory building, usually located towards the rear of the same lot as the principal building. An outbuilding 160 square feet in area or larger requires that the structure be constructed with a foundation and is considered a permanent structure.

PRESERVATION - The maintenance of a property without significant alteration to its current condition.

PROPORTION - Relationship of height to width of the building outline as well as individual components.

PUBLIC NOTICE - The classified advertisement of an event, such as a preservation commission meeting, that is published in the local newspaper and posted in the city government building in order to notify the general public of the upcoming event.

REHABILITATION - The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

RESTORATION - The process of returning a building to its condition at a specific time period, often to its original condition.

RHYTHM - A harmonious or orderly recurrence of compositional elements at regular intervals, including the location of doors and the placement of windows, symmetrically or asymmetrically and their relative proportion.

ROOF AREA - The outside covering of a building or structure extending above the vertical walls including the form, material, and texture of the roof, including the slope, pitch, and spacing of roof covering. Roof area also includes but is not limited to size, design, number, and location of dormers; the design and placement of cornices; and the size, design, material, and location of chimneys.

SCALE - The relative dimension, size, degree or proportion of parts of a building to one another or group of buildings.

SITING - Location of a building in relationship to the legal boundaries and setbacks, adjacent properties, and the natural conditions of the site.

STRUCTURE - Any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built or constructed; an edifice or building of any kind.; excluding but not limited to, electric and cable television distribution and transmission lines, poles and equipment, fire hydrants and wastewater collection manholes.

TEXTURE - The visual or tactile surface characteristics created by shape, arrangement, and distribution of the component materials.

WALL AREAS - The vertical architectural member used to define and divide space. This includes but is not limited to kind, texture, and exposure of wall sidings and trims and the location, number, and design of all window and door openings.

Section 8. That any ordinances or parts of ordinances in effect at the time of the passage of this ordinance that are in conflict with this ordinance are repealed to the extent of the conflict.

AMENDED this xxth day of xxxxxxxx, xxxx.

APPROVED:

ATTEST:

City Clerk **Denise Hurd**

Mayor **Bart Castleberry**