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FAULKNER COUNTY CIRCUIT CLERK

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WJ

D. C.



City of Conway, Arkansas

Ordinance No. O-14-75

**AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY KNOWN AS OLD CANTRELL FIELD LOCATED AT SOUTH OF SIXTH STREET, WEST OF I-40, AND EAST OF HARKRIDER STREET FROM I-3 TO PUD:**

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

**Section 1:** The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the I-3 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows and shown on Exhibit "A":

**(See Attached Exhibit A.)**

to those of **PUD**, and a corresponding use district is hereby established in the area described in Exhibit "A" and said property is hereby rezoned subject to the following modifications:

- A. The requirements for impervious surface contained in the ordinance, including Section 1101.7 may be met in part by inclusion of sidewalks and impervious areas within the City rights of way provided that such landscaped areas are to be maintained by applicant, its successors and assigns or a landowners association.
- B. Bike lanes and/or paths shall only be required where indicated on Exhibit "G".
- C. Signage will be addressed as a regional scale development and Petitioner will work with Planning and Development Department on applicable signage regulations.
- D. The streets shown on the attached exhibits are still conceptual. Petitioner will work with the City to finalize the location of all streets.
- E. Building setbacks will be 20 feet from front lot lines and 10 feet from side and rear lot lines. Any variances shall be addressed at platting of the various parcels.
- F. The use of the term "retail" shall be deemed to include but not be limited to all establishments conducting sales or providing services to the public provided those uses listed on Exhibit "J" shall not be permitted.
- G. Until such time as the airport is decommissioned and closed, the airport shall be entitled to continue to operate under this zoning.
- H. This zoning shall revert to I-3, Intensive Industrial District in the event that applicant or its successors and assigns do not close the purchase of the Property described in Exhibit A but only as to any parcel not so purchased.
- I. North South Traffic Movement: North/South movement from Equity to Ingram when such connections are made to Equity and Ingram, shall not be signalized or stop controlled and shall have no more than 2 major intersections.
- J. Robins to Equity Avenue: A right of way from Robins Street to the future Equity Avenue shall be provided in a reasonable, mutually agreed upon location to ensure additional East/West connectivity.
- K. Oak Grove Cemetery: The City shall accept the offer made by Jim Wilson and Associates of the extension of the 100 foot by 800 foot cemetery parcel west to the future Bruce Street. Future Equity Avenue alignment shall be developed to create cemetery viewsheds where practical and appropriate.

- L. Exhibits "B"- "J" consist of pages showing the following:
- B Development Phasing Plan
  - C Overall Master Plan
  - D Overall P.U.D. Master Plan-uses of each parcel are noted thereon
  - E Overall P.U.D. Master Plan-uses and proposed allowable unit counts and square footages are noted thereon
  - F Retail Site Plan
  - G Connectivity Master Plan
  - H City Area Zoning Map
  - I Aerial View
  - J Prohibited Uses

**Section 2:** All ordinances in conflict herewith are repealed to the extent of the conflict and this ordinance shall take effect upon its passage, approval and publication.

**PASSED** this 9<sup>th</sup> day of September, 2014.

**Approved:**

  
\_\_\_\_\_  
Mayor Tab Townsell

**Attest:**

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



EXHIBIT A

TRACT 1:

A TRACT OF LAND SITUATED IN THE SE 1/4 OF SECTION 7; THE NE 1/4 OF THE SW 1/4 OF SECTION 7; THE NW 1/4 OF THE SW 1/4 OF SECTION 7; THE NW 1/4 OF THE SW 1/4 OF SECTION 8; THE SW 1/4 OF THE NW 1/4 OF SECTION 8; THE NW 1/4 OF THE NE 1/4 OF SECTION 18 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 7, BEING A FOUND 2" PIPE; THENCE ALONG THE SOUTH LINE OF SAID SE 1/4 OF SECTION 7, N88°46'39"W A DISTANCE OF 1390.96 FEET TO A FOUND 1" PIPE AND THE POINT OF BEGINNING; THENCE S03°29'24"W A DISTANCE OF 1420.53 FEET TO A FOUND 3/8" REBAR; THENCE N86°28'19"W A DISTANCE OF 499.44 FEET TO A SET 5/8" REBAR; THENCE N03°00'44"E A DISTANCE OF 102.80 FEET TO A FOUND 3/4" PIPE; THENCE N03°00'44"E A DISTANCE OF 1299.52 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 7; THENCE CONTINUING N03°00'44"E A DISTANCE OF 585.41 FEET TO A SET 5/8" REBAR, PASSING THROUGH A FOUND 1/2" REBAR AT 557.42 FEET; THENCE N41°19'49"W A DISTANCE OF 708.48 FEET TO A SET 5/8" REBAR; THENCE N01°20'02"E A DISTANCE OF 113.12 FEET TO A FOUND 1/2" REBAR; THENCE N57°27'51"W A DISTANCE OF 184.26 FEET TO A SET 5/8" REBAR; THENCE N01°07'25"E A DISTANCE OF 60.00 FEET TO A SET 5/8" REBAR AND THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BRUCE STREET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N88°51'21"W A DISTANCE OF 1449.69 FEET TO A SET 5/8" REBAR ON THE EAST RIGHT OF WAY LINE OF INGRAM STREET; THENCE ALONG SAID EAST RIGHT OF WAY LINE N02°24'10"E A DISTANCE OF 1254.45 FEET TO A SET 5/8" REBAR ON THE SOUTH RIGHT OF WAY LINE OF 6TH STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE S88°26'38"E A DISTANCE OF 896.63 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°51'16"E A DISTANCE OF 2989.98 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°09'49"E A DISTANCE OF 98.86 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 7; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°09'49"E A DISTANCE OF 316.07 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S88°29'32"E A DISTANCE OF 135.59 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE N72°10'35"E A DISTANCE OF 346.78 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S89°48'50"E A DISTANCE OF 69.48 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S57°29'01"E A DISTANCE OF 23.70 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S39°30'03"E A DISTANCE OF 388.73 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE S25°31'03"E A DISTANCE OF 131.17 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID RIGHT OF WAY LINE N88°21'10"W A DISTANCE OF 1186.60 FEET TO A SET 5/8" REBAR ON THE EAST LINE OF SAID SECTION 7; THENCE ALONG SAID SECTION LINE S02°07'02"W A DISTANCE OF 938.65 FEET TO A SET MAG NAIL; THENCE LEAVING SAID SECTION LINE N87°53'35"W A DISTANCE OF 1357.09 FEET TO A SET 5/8" REBAR; THENCE S03°29'24"W A DISTANCE OF 1406.77 FEET

TO THE POINT OF BEGINNING, CONTAINING 151.49 ACRES, MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 2:

A TRACT OF LAND SITUATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND PK NAIL BEING THE SOUTH 1/4 CORNER OF SAID SECTION 7, THENCE ALONG SOUTH LINE OF SAID SECTION S88°31'06"E A DISTANCE OF 248.27 FEET TO A SET MAG NAIL AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SECTION LINE S88°31'06"E A DISTANCE OF 462.99 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID SECTION LINE N03°00'44"E A DISTANCE OF 585.41 FEET TO A SET 5/8" REBAR; THENCE N41°19'49"W A DISTANCE OF 708.48 FEET TO A SET 5/8" REBAR; THENCE S01°20'02"W A DISTANCE OF 1104.94 FEET TO THE POINT OF BEGINNING, CONTAINING 9.20 ACRES MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 3:

A TRACT OF LAND SITUATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" IRON PIPE BEING THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE EAST LINE OF SAID SECTION 7 N02°07'02"E A DISTANCE OF 1384.88 FEET TO A SET 5/8" REBAR; THENCE CONTINUING ALONG SAID SECTION LINE N02°07'02"E A DISTANCE OF 319.83 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID SECTION LINE N87°53'35"W A DISTANCE OF 1349.42 FEET TO A SET 5/8" REBAR; THENCE S03°29'24"W A DISTANCE OF 319.92 FEET TO A SET 5/8" REBAR; THENCE S87°53'35"E A DISTANCE OF 1357.09 FEET TO THE POINT OF BEGINNING, CONTAINING 9.94 ACRES MORE OR LESS. LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 4:

A TRACT OF LAND SITUATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" IRON PIPE BEING THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE SOUTH LINE OF SAID SECTION 7 N88°46'39"W A DISTANCE OF 1390.96 FEET TO A FOUND 1" IRON PIPE; THENCE LEAVING SAID SECTION LINE N03°29'24"E A DISTANCE OF 899.24 FEET TO A SET 5/8"

REBAR; THENCE S88°01'35"E A DISTANCE OF 1369.25 FEET TO THE EAST LINE OF SAID SECTION 7 AND A SET 5/8" REBAR; THENCE ALONG SAID SECTION LINE S02°07'02"W A DISTANCE OF 880.69 FEET TO THE POINT OF BEGINNING, CONTAINING 28.19 ACRES MORE OR LESS, LESS AND EXCEPT ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.











# EXHIBIT E

DATE: 12/15/2010 PROJECT: 1000 E. 10th St., Conway, Arkansas

**PROPOSED ALLOWABLE  
UNIT COUNTS AND  
SQUARE FOOTAGES**

CONVERSIONAL	1,000 UNITS
STYLISH	500 UNITS
MODERN	250 UNITS
TRADITIONAL	250 UNITS
CONTEMPORARY	250 UNITS



OVERALL P.L.D.  
MASTER PLAN

- LAND USE LEGEND**
- B** SINGLE-FAMILY RESIDENTIAL
  - M** MULTIFAMILY RESIDENTIAL
  - C** COMMERCIAL/RETAIL
  - D** OFFICE
  - S** INSTITUTIONAL

NOTES:  
1. THIS PLAN IS A PRELIMINARY MASTER PLAN FOR THE PROJECT AND IS SUBJECT TO THE APPROVAL OF THE CITY OF CONWAY, ARKANSAS. THE CITY ENGINEER'S REVIEW AND APPROVAL IS REQUIRED FOR THE FINAL MASTER PLAN.  
2. THE UNIT COUNTS AND SQUARE FOOTAGES SHOWN ON THIS PLAN ARE BASED ON THE ASSUMPTIONS LISTED BELOW.  
3. THE UNIT COUNTS AND SQUARE FOOTAGES SHOWN ON THIS PLAN ARE SUBJECT TO THE APPROVAL OF THE CITY OF CONWAY, ARKANSAS.  
4. THE UNIT COUNTS AND SQUARE FOOTAGES SHOWN ON THIS PLAN ARE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.



**Central Landing**  
Conway, Arkansas

OVERALL P.L.D.  
MASTER PLAN

DATE: 12/15/2010

PROJECT: 1000 E. 10th St., Conway, Arkansas

MP9

















## EXHIBIT J

### Prohibited Uses

As used herein, the term "*Prohibited Uses*" shall mean any of the following uses:

(1) Any mobile home park, trailer court, labor camp, junkyard, or stockyard (except that this provision shall not prohibit the temporary use of construction trailers during periods of construction, reconstruction, or maintenance);

(2) Any central laundry, dry cleaning plant, or laundromat (except that a drop-off dry cleaner that performs all dry cleaning off site shall be permitted,);

(3) Any body and fender repair operation for automobiles, trucks, trailers, boats, or other vehicles; provided this shall not prohibit an automotive repair shop, or any business servicing motor vehicles in any respect, including, without limitation, any quick lube oil change service, tire center or gasoline or service station;

(4) Any mortuary or funeral home;

(5) Any "Pornographic Use", which shall include, without limitation: (x) a store displaying for sale or exhibition books, magazines or other publications containing any combination of photographs, drawings or sketches of a sexual nature, which are not primarily scientific or educational [provided, however, that the sale of books, magazines and other publications by a national or regional bookstore of the type normally located in first-class retail shopping centers shall not be deemed a "pornographic use" hereunder]; or (y) a store offering for exhibition, sale or rental video cassettes or other medium capable of projecting, transmitting or reproducing, independently or in conjunction with another device, machine or equipment, an image or series of images, the content of which has been rated or advertised generally as NC-17 or "X" or unrated by the Motion Picture Rating Association, or any successor thereto [provided, however, that the sale or rental of such videos by a national or regional video store of the type normally located in first-class retail shopping centers shall not be deemed a "pornographic use" hereunder]; or massage parlor [except for therapeutic massages given in connection with the operation of a day spa or health club or other similar facilities normally located in first class shopping center];

(6) Any so-called "head shop", or other establishment primarily selling or exhibiting drug-related paraphernalia or merchandise commonly used or intended for use with or in the consumption of any dangerous drug or other controlled substance, provided this shall not prohibit the operation of a pharmacy, drugstore or medical office;

(7) Any flea market;

(8) Any discotheque, dance hall or topless bar;

(9) Any gambling facility or operation, including but not limited to: off-track or sports betting parlor; table games such as black-jack or poker; slot machines; video poker/black-jack/keno machines or similar devices; or bingo hall. Notwithstanding the foregoing, this



prohibition shall not apply to governmental sponsored gambling activities, or charitable gambling activities, so long as such governmental and/or charitable activities are incidental to the business operation being conducted by the occupant:

- (10) Any tattoo parlor or skin/body piercing facilities;
- (11) Any carnival, amusement park or circus;
- (12) any warehouse operation (except incidental to the sale of goods in a retail facility).