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Doc#2006- 25136
Date 11/02/2006
02:43:26 PM
Filed & Recorded in
Official Records of
Faulkner County
SHARON RIMMER
FAULKNER COUNTY CIRCUIT CLERK
Fees \$14.00

AS0088
[Signature]

ORDINANCE O-06-134-A

AN ORDINANCE ESTABLISHING THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT OVERLAY DISTRICT, PURSUANT TO THE DESIGN OVERLAY AUTHORITY ADOPTED IN ORDINANCE O-99-72 OF THE CITY OF CONWAY, ARKANSAS, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the City of Conway desires to encourage the creation of neighborhoods that are compact, pedestrian-oriented and mixed-use; and

WHEREAS, the establishment of neighborhoods where ordinary activities of daily living occur within walking distance of most dwellings promotes improved public health, conserves natural resources and allows independence for those who do not drive; and

WHEREAS, the formation of thoroughfare networks allow for the dispersion of traffic and reduction of the length of automobile trips; and

WHEREAS, it is in furtherance of the public interest and welfare to create neighborhoods where a range of housing types and price levels are provided to accommodate diverse ages and incomes; and

WHEREAS, it is also desirable to encourage the creation of neighborhoods where appropriate building densities and land uses are provided within walking distance of transit stops and schools; and

WHEREAS, it is in the public interest to create neighborhoods where a range of open space including parks, squares, and playgrounds are distributed within the neighborhood;

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

SECTION 1: That the City of Conway, Arkansas hereby approves and adopts by reference the Traditional Neighborhood Development District Ordinance (TND Overlay District) pursuant to the design overlay authority adopted in Ordinance O-99-72, and approved by the Conway Planning Commission, not less than three (3) copies of said ordinance consisting of text and graphics are now filed in the office of the Clerk of the City of Conway, Arkansas, and from the date on which this ordinance shall take effect the provisions thereof shall be established and applied to the following area:

THE VILLAGE AT HENDRIX LEGAL DESCRIPTION THAT PORTION OF THE (W 1/2 OF THE NW 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 13 WEST AND THE E 1/2 OF THE NE 1/4, SECTION 1, TOWNSHIP 5 NORTH, RANGE 14 WEST; CONWAY, FAULKNER CO., AR.) LYING EAST OF THE EAST RIGHT OF WAY LINE OF HIGHWAY 65B (HARKRIDER ST.). LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF HIGHWAY #266 (SIEBENMORGEN); AND LYING WEST OF THE WEST RIGHT OF WAY OF I-40. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE COMMON CORNER OF THE INTERSECTION OF THE NORTH LINE OF TOWNSHIP 5 NORTH AND THE EAST LINE OF RANGE 14 WEST; THENCE N89°21'42"E A DISTANCE OF 988.98 FEET TO A CONCRETE MONUMENT ON THE WEST RIGHT OF WAY LINE OF I-40; THENCE S00°05'22"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 444.19 FEET TO A CONCRETE MONUMENT

City
(3)

MENT; THENCE S00°01'17"E A DISTANCE OF 162.52 FEET TO A CONCRETE MONUMENT; THENCE S00°15'14"E A DISTANCE OF 254.13 FEET TO A CONCRETE MONUMENT; THENCE S07°23'24"E A DISTANCE OF 414.04 FEET TO A CONCRETE MONUMENT; THENCE S16°45'04"E A DISTANCE OF 250.40 FEET TO A POINT ON THE RIGHT OF WAY AND A POINT OF CURVATURE OF A 4440.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF S75°17'44"W, 1418.60 FEET; THENCE LEAVING SAID RIGHT OF WAY ALONG SAID CURVE A DISTANCE OF 1424.70 FEET TO THE POINT OF TANGENCY, WHICH IS THE POINT OF CURVATURE OF A 436.79 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING AND DISTANCE OF S73°58'45"W, 159.33 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 160.23 FEET TO THE POINT OF TANGENCY; THENCE S88°42'59"W, 143.53 FEET TO A POINT; THENCE S01°17'01"E, 237.83 FEET TO A POINT; THENCE S52°24'16"W A DISTANCE OF 221.53 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF U.S. HWY 65B (HARKRIDER STREET); THENCE N25°44'57"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 991.60 FEET TO THE P.C. OF A CURVE BEING A 1232.41 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF N12°54'27"W A DISTANCE OF 525.61 FEET, THENCE ALONG SAID CURVE 529.68 FEET TO THE POINT OF TANGENCY; THENCE N00°03'58"W A DISTANCE OF 373.40 FEET TO A POINT; THENCE N89°50'14"E A DISTANCE OF 25.00 FEET TO A POINT; THENCE N00°03'56"W A DISTANCE OF 498.0 FEET TO A POINT AT THE INTERSECTION WITH THE NORTH LINE OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 14 WEST; THENCE N89°50'28"E A DISTANCE OF 1246.95 FEET TO THE POINT OF BEGINNING CONTAINING 93.32 ACRES.

And such other areas that may from time to time be added to this TND Overlay District by the act of the City Council of Conway.

SECTION 2: That all ordinances and part of ordinances of a permanent and general nature in effect at the time of adoption of this ordinance, and not included herein, are hereby superseded where they are in conflict with this ordinance.

SECTION 3: It being immediately necessary for the preservation of the public peace, health, safety of the City of Conway, Arkansas, and the inhabitants thereof, an emergency is hereby declared to exist, by reason thereof this ordinance shall take effect and be in full force and effect from and after its passage and publication.

PASSED this 10th day of October, 2006

Attest:



Michael O. Garrett
City/ Clerk Treasurer

Approved:



Mayor Tab Townsell