

City of Fayetteville Item Review Form

2014-0266

Legistar File Number

07/15/2014

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jesse Fulcher

Submitted By

Development Services

Department

Action Required:

RZN 14-4731: Rezone (REGIONAL PARK/MT. KESSLER RESERVE, 673): Submitted by CITY STAFF for property located at REGIONAL PARK/MT. KESSLER RESERVE. The property is zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT SOUTHPASS and contains approximately 630 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

Does this item have a cost?

Cost of this request	Category or Project Budget	Program or Project Name
Account Number	Funds Used to Date	Program or Project Category
Project Number	Remaining Balance	Fund Name

\$0.00

Budgeted Item?

Budget Adjustment Attached?

V20130812

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Comments:

ENTERED 6/19/14 dm

ENTERED 6/23/14 BRP

Wing Chik 06-18-2014
K... 6-23-14
Marsal Hestbeck 6/23/14
Don Man 4/23/14
Finnell Jayk

CITY COUNCIL AGENDA MEMO

MEETING OF JULY 15, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director *amy*

FROM: Jesse Fulcher, Senior Planner

DATE: June 9, 2014

SUBJECT: **RZN 14-4731: Rezone (REGIONAL PARK/MT. KESSLER RESERVE, 673):** Submitted by CITY STAFF for property located at REGIONAL PARK/MT. KESSLER RESERVE. The property is zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT SOUTHPASS and contains approximately 630 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

The Planning Commission and City Planning staff recommend approval of an ordinance to rezone the property to P-1, Institutional.

BACKGROUND:

The subject property is located along Cato Springs Road (south Razorback Road) just west of I-49/540 and the Fulbright Expressway. The property is a part of the SouthPass Planned Zoning District that was approved in 2008 on approximately 900 acres. The SouthPass development is still an approved project, but ownership of the property has since gone back to Chambers Bank.

The 630 acres owned by the City of Fayetteville includes the regional park property deeded to the City as part of the Planned Zoning District approval, a 56-acre landfill that is currently being remediated by ADEQ, the 328-acre Mt. Kessler property purchased by the City with a 50/50 matching grant, a 10-acre site containing municipal water towers, and a 48-acre parcel deeded by Chambers Bank to be used as a parkland credit for future development.

CITY PLAN 2030 FUTURE LAND USE PLAN: City Plan 2030 Future Land Use Map designates this property as a Natural Area, Residential Neighborhood Area, City Neighborhood Area and Civic and Private Open Space Parks.

COMPATIBILITY: The 630-acre parcel is owned by the City of Fayetteville and is intended/required to be used as a community park and preserve. Rezoning the property to Institutional is consistent with the land use plans for this property and consistent with the adopted land use plan. The Institutional zoning district is the district applied to all City parks and natural areas.

DISCUSSION:

On June 9, 2014 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 6-0-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance

Exhibit A

Exhibit B

Planning Commission Staff Report

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4731, FOR APPROXIMATELY 630 ACRES, LOCATED AT MT. KESSLER REGIONAL PARK FROM R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT SOUTHPASS 08-2898, TO P-1, INSTITUTIONAL.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from R-PZD, Residential Planned Zoning District Southpass 08-2898 to P-1, Institutional as shown on Exhibits "A" and "B" attached hereto and made a part hereof.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

PASSED and **APPROVED** this day of , 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

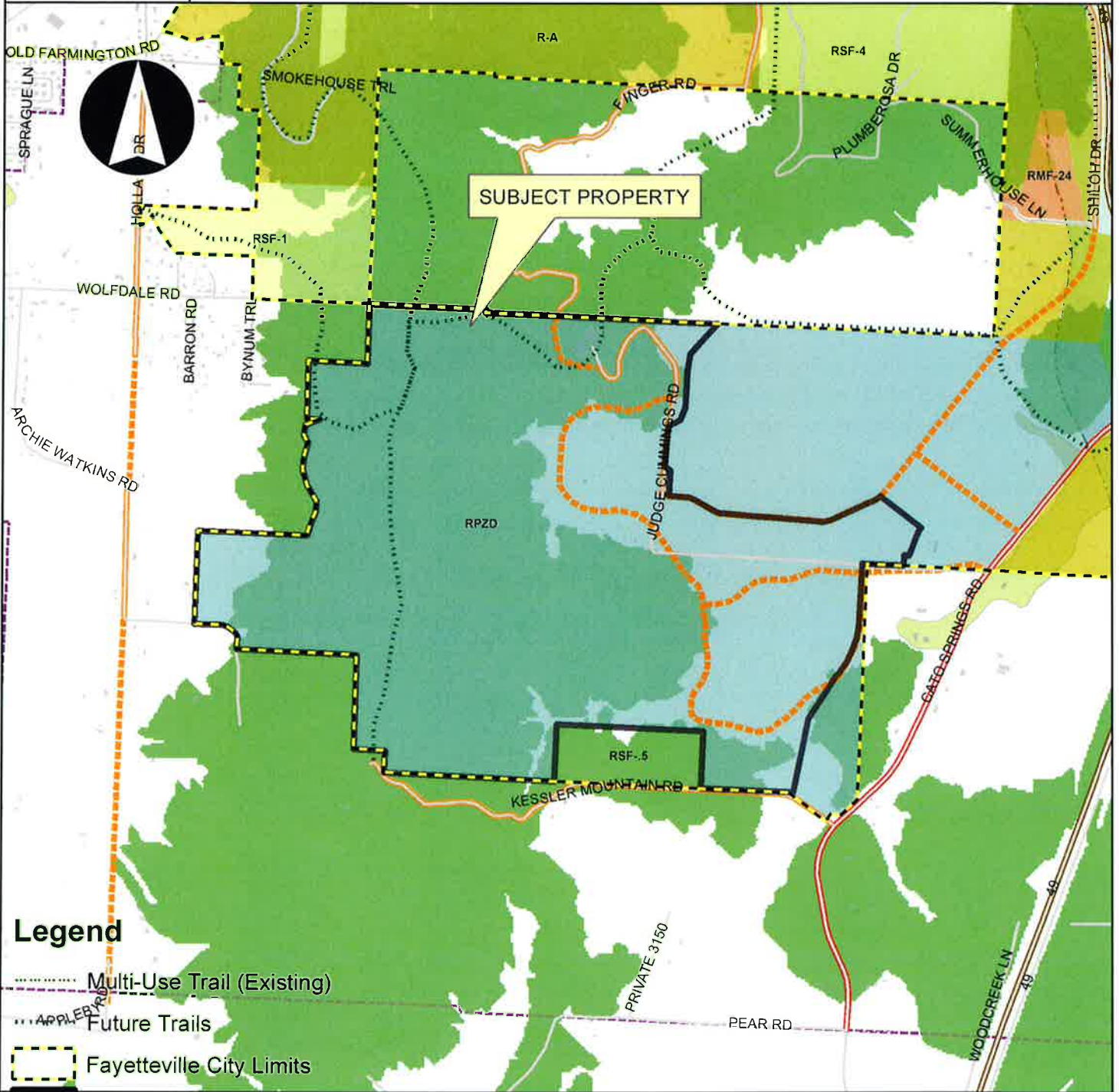
By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT 'A' 14-4731

RZN14-4731

KESSLER RESERVE

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

Overview

RZN14-4731

- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area

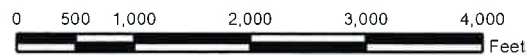


EXHIBIT 'B'

14-4731

Landfill Tract

DESCRIPTION:

A PART OF THE FRACTIONAL SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION THIRTY (30); ALSO A PART OF THE NORTH HALF (N $\frac{1}{2}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-ONE (31); ALL BEING IN TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID FRACTIONAL NORTH HALF (N $\frac{1}{2}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-ONE (31); THENCE ALONG THE NORTHERLY LINE OF SAID SECTION SOUTH 87°36'00" EAST 631.78 FEET TO THE POINT OF BEGINNING; THENCE THE FOLLOWING COURSES:

NORTH 03°45'03" WEST 193.85 FEET; NORTH 33°10'45" EAST 93.12 FEET;
NORTH 12°14'10" WEST 61.68 FEET; NORTH 59°18'19" WEST 167.23 FEET;
NORTH 13°29'43" EAST 249.53 FEET; NORTH 51°54'24" EAST 142.14 FEET;
NORTH 30°22'45" EAST 35.11 FEET; NORTH 04°29'50" WEST 94.14 FEET;
NORTH 09°09'33" EAST 160.69 FEET; NORTH 36°40'58" EAST 132.87 FEET;
NORTH 73°04'21" EAST 80.35 FEET; NORTH 25°18'23" EAST 179.24 FEET;
NORTH 07°01'42" WEST 40.41 FEET; NORTH 80°47'20" WEST 163.12 FEET;
NORTH 03°46'38" EAST 198.74 FEET; NORTH 69°00'04" EAST 151.67 FEET;
NORTH 18°26'54" EAST 128.25 FEET; NORTH 45°34'43" EAST 191.40 FEET;
NORTH 78°45'57" EAST 173.51 FEET; SOUTH 61°48'52" EAST 181.49 FEET;
SOUTH 36°42'18" EAST 131.10 FEET; SOUTH 66°13'53" EAST 88.19 FEET;
SOUTH 84°30'33" EAST 125.56 FEET; SOUTH 68°47'27" EAST 82.18 FEET;
NORTH 85°14'45" EAST 156.40 FEET; SOUTH 31°09'22" EAST 243.34 FEET;
SOUTH 11°12'21" WEST 186.57 FEET; SOUTH 43°07'14" EAST 75.11 FEET;
SOUTH 04°57'24" WEST 189.85 FEET; SOUTH 59°37'54" WEST 51.10 FEET;
SOUTH 52°54'08" EAST 200.49 FEET; SOUTH 03°35'25" WEST 509.64 FEET;
SOUTH 74°31'17" WEST 211.67 FEET; NORTH 89°22'34" WEST 353.04 FEET;
SOUTH 09°22'34" EAST 184.47 FEET; SOUTH 88°40'04" EAST 37.79 FEET;
SOUTH 44°57'00" EAST 226.52 FEET; SOUTH 02°36'46" WEST 144.08 FEET;
NORTH 87°23'14" WEST 1005.32 FEET; NORTH 04°18'51" EAST 163.80 FEET;
SOUTH 58°27'31" WEST 245.19 FEET; NORTH 03°45'03" WEST 74.39 FEET TO THE POINT OF BEGINNING, CONTAINING 56.510 ACRES, MORE OR LESS.

LESS AND EXCEPT:

THOSE PORTIONS OF WASHINGTON COUNTY ROAD NO. 200 (JUDGE CUMMINGS ROAD) AFFECTED BY A CITY OF FAYETTEVILLE ANNEXATION PER ORDINANCE NO. 5190 RECORDED WITH THE CITY CLERK HAVING A FIFTY (50) FOOT RIGHT-OF-WAY EXTENDING TWENTY-FIVE (25) FEET EACH SIDE OF A CENTERLINE, SAID ROAD PORTION BEING IN PART OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) AND PART OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-ONE (31), AND PART OF THE FRACTIONAL SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTH HALF (S $\frac{1}{2}$) OF SECTION THIRTY (30), ALL IN TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30)

WEST, WASHINGTON COUNTY, ARKANSAS, SAID CENTERLINE OF SAID ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$), SAID SECTION THIRTY (30); THENCE ALONG THE SOUTH LINE OF SAID SECTION NORTH $87^{\circ}14'32''$ WEST 8.86 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 265 SOUTH (CATO SPRINGS ROAD) AS PER ARKANSAS STATE HIGHWAY COMMISSION JOB NO. 9497; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH $37^{\circ}59'03''$ WEST 9.81 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF A GRAVEL ROAD KNOWN AS SAID WASHINGTON COUNTY 200 (JUDGE CUMMINGS ROAD), SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES: NORTH $88^{\circ}17'56''$ WEST 957.47 FEET; NORTH $87^{\circ}05'11''$ WEST 323.63 FEET; SOUTH $82^{\circ}07'28''$ WEST 44.99 FEET; NORTH $52^{\circ}16'47''$ WEST 44.69 FEET; NORTH $85^{\circ}51'11''$ WEST 262.89 FEET; NORTH $86^{\circ}24'16''$ WEST 1240.07 FEET; SOUTH $84^{\circ}41'18''$ WEST 125.64 FEET; NORTH $83^{\circ}12'13''$ WEST 228.12 FEET; NORTH $86^{\circ}28'14''$ WEST 616.08 FEET; NORTH $82^{\circ}23'29''$ WEST 108.38 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $67^{\circ}34'09''$ AND A RADIUS OF 208.61 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 246.01 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $48^{\circ}36'25''$ WEST 232.00 FEET; THENCE NORTH $17^{\circ}05'30''$ WEST 66.98 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF $40^{\circ}52'22''$ AND A RADIUS OF 213.20 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 152.09 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $37^{\circ}31'41''$ WEST 148.88 FEET TO THE EASTERLY BOUNDARY OF A PROPERTY DESCRIBED IN INSTRUMENT NUMBER 2005-48123 RECORDED WITH THE CIRCUIT CLERK OF SAID COUNTY, SAID EASTERLY BOUNDARY ALSO BEING THE TERMINUS OF SAID CENTERLINE; THE SIDE LINES OF SAID ROAD TO BE SHORTENED OR LENGTHENED AT SAID TERMINUS BOUNDARY.

SUBJECT TO A THIRTY FOOT (30') ACCESS EASEMENT AS DESCRIBED IN BK. 1439, PG. 647 AND INSTRUMENT NO. 92-046191 BOTH BEING RECORDED WITH THE CIRCUIT CLERK, WASHINGTON COUNTY, ARKANSAS.

SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS WHETHER OR NOT OF RECORD.

TRACT #5

DESCRIPTION:

A PART OF THE FRACTIONAL WEST HALF (W $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) AND A PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$), ALL BEING IN SECTION THIRTY (30); AND A PART OF THE FRACTIONAL NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-ONE (31); AND A PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-FIVE (25); AND A PART OF THE NORTH HALF (N $\frac{1}{2}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) AND A PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$), ALL BEING IN SECTION THIRTY-SIX (36); ALL PARTS BEING IN TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND ALUMINUM MONUMENT AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE $\frac{1}{4}$), SECTION TWENTY-FIVE (25), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST; THENCE ALONG THE EASTERLY LINE OF SAID TRACT SOUTH $02^{\circ}25'51''$ WEST 36.60 FEET TO A FOUND ALUMINUM MONUMENT AT THE NORTHWEST CORNER OF THE FRACTIONAL SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION THIRTY (30), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST; THENCE ALONG THE

NORTH LINE OF SAID TRACT SOUTH 87°15'10" EAST 700.17 FEET; THENCE LEAVING SAID NORTH LINE SOUTH 02°05'17" WEST 660.00 FEET; THENCE THE FOLLOWING COURSES: SOUTH 87°15'10" EAST 257.44 FEET; SOUTH 58°07'31" WEST 324.29 FEET; NORTH 86°44'15" WEST 330.61 FEET; SOUTH 74°09'23" WEST 137.05 FEET; SOUTH 30°16'13" WEST 254.00 FEET; SOUTH 27°26'52" WEST 126.27 FEET; SOUTH 04°45'59" WEST 193.96 FEET; SOUTH 25°07'29" EAST 274.91 FEET; SOUTH 46°49'29" EAST 159.23 FEET; SOUTH 03°33'11" WEST 69.09 FEET; SOUTH 28°33'12" WEST 86.25 FEET; SOUTH 02°12'58" EAST 248.61 FEET; SOUTH 05°50'07" EAST 152.03 FEET; SOUTH 29°43'41" WEST 92.26 FEET; SOUTH 37°07'18" EAST 120.86 FEET; SOUTH 45°00'58" EAST 126.58 FEET; SOUTH 17°48'52" WEST 178.11 FEET; SOUTH 04°52'49" EAST 113.12 FEET; NORTH 82°59'00" EAST 136.94 FEET; SOUTH 09°29'53" EAST 155.53 FEET; NORTH 52°21'44" EAST 384.50 FEET; SOUTH 04°18'51" WEST 13.13 FEET; SOUTH 87°23'14" EAST 1005.32 FEET; NORTH 02°36'46" EAST 144.08 FEET; NORTH 44°57'00" WEST 226.52 FEET; NORTH 88°40'04" WEST 37.79 FEET; NORTH 09°22'34" WEST 184.47 FEET; SOUTH 89°22'34" EAST 237.27 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 16°11'23" AND A RADIUS OF 453.50; THENCE ALONG SAID CURVE AN ARC LENGTH OF 128.14 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 49°42'24" EAST 127.72 FEET; THENCE SOUTH 41°36'42" EAST 109.30 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08°20'11" AND A RADIUS OF 453.50 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 65.98 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 37°26'37" EAST 65.92 FEET; THENCE THE FOLLOWING COURSES: SOUTH 33°16'32" EAST 59.20 FEET; SOUTH 56°43'28" WEST 129.29 FEET; SOUTH 00°00'00" EAST 167.54 FEET; NORTH 90°00'00" EAST 176.03 FEET; NORTH 56°33'49" EAST 100.55 FEET; THENCE SOUTH 33°16'32" EAST 120.80 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 16°38'06" AND A RADIUS OF 360.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 104.52 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 41°35'35" EAST 104.15 FEET; THENCE SOUTH 49°54'38" EAST 54.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 48°18'27" AND A RADIUS OF 360.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 303.53 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 25°45'24" EAST 294.61 FEET; THENCE SOUTH 01°36'10" EAST 48.91 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 17°44'21" AND A RADIUS OF 220.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 68.11 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 10°28'21" EAST 67.84 FEET; THENCE SOUTH 19°20'31" EAST 37.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 24°59'05" AND A RADIUS OF 220.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 95.93 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 06°50'59" EAST 95.18 FEET; THENCE SOUTH 05°38'34" WEST 122.87 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 16°45'37" AND A RADIUS OF 560.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 163.81 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 02°44'14" EAST 163.23 FEET; THENCE SOUTH 11°07'03" EAST 17.62 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 46°37'08" AND A RADIUS OF 560.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 455.65 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 12°11'31" WEST 443.18 FEET; THENCE SOUTH 35°30'05" WEST 58.56 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°41'49" AND A RADIUS OF 280.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 223.32 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 12°39'11" WEST 217.45 FEET; THENCE SOUTH 10°11'44" EAST 1.43 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 71°40'01" AND A RADIUS OF 120.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 150.10 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 46°01'45" EAST 140.50 FEET; THENCE SOUTH 81°51'46" EAST 60.59 FEET TO A FOUND IRON PIN; THENCE SOUTH 02°36'50" WEST 111.94 FEET TO A FOUND IRON PIN; THENCE NORTH 87°10'03" WEST 1671.80 FEET TO A FOUND IRON PIN; THENCE SOUTH 02°37'31" WEST 651.66 FEET TO THE SOUTHERLY LINE OF SAID NORTH HALF (N ½) OF THE FRACTIONAL SECTION THIRTY-ONE (31); THENCE ALONG SAID SOUTHERLY LINE NORTH

87°04'57" WEST 963.78 FEET TO A FOUND ALUMINUM MONUMENT BEING THE SOUTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER (NW ¼), SECTION THIRTY-ONE (31), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST; THENCE ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION THIRTY-SIX (36), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST NORTH 87°03'18" WEST 962.79 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID SOUTHERLY LINE NORTH 03°06'30" EAST 249.93 FEET TO A FOUND IRON PIN; THENCE NORTH 86°53'02" WEST 350.00 FEET TO A FOUND IRON PIN ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼), SECTION THIRTY-SIX (36), TOWNSHIP SIXTEEN (16), RANGE THIRTY-ONE (31) WEST; THENCE ALONG SAID WESTERLY LINE NORTH 01°47'26" EAST 1060.68 FEET TO A FOUND IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) SAID SECTION THIRTY-SIX (36), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST; THENCE ALONG THE SOUTHERLY LINE OF SAID FORTY (40) ACRE TRACT NORTH 87°16'27" WEST 163.05 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 01°57'34" EAST 1324.69 FEET TO THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), SAID SECTION TWENTY-FIVE (25), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST; THENCE ALONG SAID SOUTHERLY LINE OF SAID TRACT NORTH 87°31'37" WEST 436.24 FEET TO A FOUND IRON PIN ON A BLUFF LINE; THENCE ALONG SAID BLUFF LINE THE FOLLOWING COURSES:

NORTH 17°08'05" EAST 157.76 FEET; NORTH 23°29'30" EAST 127.51 FEET; NORTH 02°25'44" EAST 131.20 FEET; N 30°29'11" WEST 198.42 FEET; NORTH 16°15'45" WEST 180.52 FEET; NORTH 03°00'58" EAST 113.62 FEET; NORTH 14°13'54" EAST 202.18 FEET; NORTH 24°51'02" WEST 100.73 FEET; NORTH 08°41'17" EAST 110.59 FEET; NORTH 67°53'42" EAST 173.71 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID BLUFF LINE NORTH 87°18'22" WEST 147.50 FEET TO A FOUND IRON PIN; THENCE NORTH 01°28'04" EAST 659.86 FEET TO A FOUND IRON PIN; THENCE SOUTH 87°13'07" EAST 660.25 FEET TO A FOUND IRON PIN ON THE WESTERLY LINE OF A PROPERTY DESCRIBED AS "ADJUSTED TRACT 2" IN INSTRUMENT NO. 2010-26595 AS FILED WITH THE CIRCUIT CLERK OF SAID COUNTY; THENCE ALONG THE WESTERLY LINE OF SAID PROPERTY NORTH 01°27'39" EAST 675.06 TO A FOUND IRON PIN AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼), SAID SECTION TWENTY-FIVE (25), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST; THENCE ALONG SAID NORTHERLY LINE OF SAID TRACT SOUTH 87°09'38" EAST 1314.52 FEET TO THE POINT OF BEGINNING, CONTAINING 339.811 ACRES, MORE OR LESS.

LESS AND EXCEPT:

THOSE PORTIONS OF WASHINGTON COUNTY ROAD NO. 200 (JUDGE CUMMINGS ROAD) AFFECTED BY A CITY OF FAYETTEVILLE ANNEXATION PER ORDINANCE NO. 5190 RECORDED WITH THE CITY CLERK HAVING A FIFTY (50) FOOT RIGHT-OF-WAY EXTENDING TWENTY-FIVE (25) FEET EACH SIDE OF A CENTERLINE, SAID ROAD PORTION BEING IN PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) AND PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION THIRTY-ONE (31), AND PART OF THE FRACTIONAL SOUTH HALF (S ½) OF THE SOUTH HALF (S ½) OF SECTION THIRTY (30), ALL IN TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, SAID CENTERLINE OF SAID ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE ¼), SAID SECTION THIRTY (30); THENCE ALONG THE SOUTH LINE OF SAID SECTION NORTH 87°14'32" WEST 8.86 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 265 SOUTH (CATO SPRINGS ROAD) AS PER ARKANSAS STATE HIGHWAY COMMISSION JOB NO. 9497; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 37°59'03" WEST 9.81 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF A GRAVEL ROAD KNOWN

AS SAID WASHINGTON COUNTY 200 (JUDGE CUMMINGS ROAD), SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES: NORTH 88°17'56" WEST 957.47 FEET; NORTH 87°05'11" WEST 323.63 FEET; SOUTH 82°07'28" WEST 44.99 FEET; NORTH 52°16'47" WEST 44.69 FEET; NORTH 85°51'11" WEST 262.89 FEET; NORTH 86°24'16" WEST 1240.07 FEET; SOUTH 84°41'18" WEST 125.64 FEET; NORTH 83°12'13" WEST 228.12 FEET; NORTH 86°28'14" WEST 616.08 FEET; NORTH 82°23'29" WEST 108.38 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 67°34'09" AND A RADIUS OF 208.61 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 246.01 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 48°36'25" WEST 232.00 FEET; THENCE NORTH 17°05'30" WEST 66.98 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 40°52'22" AND A RADIUS OF 213.20 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 152.09 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 37°31'41" WEST 148.88 FEET TO THE EASTERLY BOUNDARY OF A PROPERTY DESCRIBED IN INSTRUMENT NUMBER 2005-48123 RECORDED WITH THE CIRCUIT CLERK OF SAID COUNTY, SAID EASTERLY BOUNDARY ALSO BEING THE TERMINUS OF SAID CENTERLINE; THE SIDE LINES OF SAID ROAD TO BE SHORTENED OR LENGTHENED AT SAID TERMINUS BOUNDARY.

SUBJECT TO A THIRTY FOOT (30') ACCESS EASEMENT AS DESCRIBED IN BK. 1439, PG. 647 AND INSTRUMENT NO. 92-046191 BOTH BEING RECORDED WITH THE CIRCUIT CLERK, WASHINGTON COUNTY, ARKANSAS.

SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS WHETHER OR NOT OF RECORD.

TRACT #2A

DESCRIPTION:

A PART OF THE SOUTH HALF (S ½) OF THE SOUTHEAST QUARTER (SE ¼) AND A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼), ALL BEING IN SECTION THIRTY (30), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST; AND A PART OF THE WEST HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) AND A PART OF THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼), ALL BEING IN SECTION THIRTY-ONE (31), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST; ALL BEING IN WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND ALUMINUM MONUMENT BEING THE NORTHEAST CORNER OF SAID WEST HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) IN SECTION THIRTY-ONE 31; THENCE ALONG THE NORTHERLY LINE OF SAID TRACT NORTH 87°14'32" WEST 61.42 FEET; THENCE LEAVING SAID NORTHERLY LINE SOUTH 03°21'43" WEST 676.13 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 18°58'29" AND A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 264.94 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 12°50'58" WEST 263.73 FEET; THENCE SOUTH 22°20'12" WEST 97.52 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 22°10'26" AND A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 309.60 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 33°25'25" WEST 307.68 FEET; THENCE SOUTH 33°27'47" WEST 568.11 FEET; THENCE SOUTH 11°38'12" WEST 854.59 FEET TO THE SOUTHERLY LINE OF SAID WEST HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) IN SECTION THIRTY-ONE (31); THENCE ALONG SAID SOUTHERLY LINE OF SAID TRACT NORTH 87°21'46" WEST 611.22 FEET TO A FOUND IRON PIN BEING THE SOUTHEAST CORNER OF SAID EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) IN SECTION THIRTY-ONE (31); THENCE ALONG THE

SOUTHERLY LINE OF SAID TRACT NORTH $87^{\circ}04'57''$ WEST 423.66 FEET TO FOUND IRON PIPE; THENCE LEAVING SAID SOUTHERLY LINE NORTH $02^{\circ}36'50''$ EAST 766.09 FEET; THENCE NORTH $81^{\circ}51'46''$ WEST 60.59 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $71^{\circ}40'01''$ AND A RADIUS OF 120.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 150.10 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $46^{\circ}01'45''$ WEST 140.50 FEET; THENCE NORTH $10^{\circ}11'44''$ WEST 1.43 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $45^{\circ}41'49''$ AND A RADIUS OF 280.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 223.32 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $12^{\circ}39'11''$ EAST 217.45 FEET; THENCE NORTH $35^{\circ}30'05''$ EAST 58.56 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $46^{\circ}37'08''$ AND A RADIUS OF 560.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 455.65 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $12^{\circ}11'31''$ EAST 443.18 FEET; THENCE NORTH $11^{\circ}07'03''$ WEST 17.62 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $16^{\circ}45'37''$ AND A RADIUS OF 560.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 163.81 AND A CHORD BEARING AND DISTANCE OF NORTH $02^{\circ}44'14''$ WEST 163.23 FEET; THENCE NORTH $05^{\circ}38'34''$ EAST 122.87 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $24^{\circ}59'05''$ AND A RADIUS OF 220.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 95.93 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $06^{\circ}50'59''$ WEST 95.18 FEET; THENCE NORTH $19^{\circ}20'31''$ WEST 37.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $17^{\circ}44'21''$ AND A RADIUS OF 220.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 68.11 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $10^{\circ}28'21''$ WEST 67.84 FEET; THENCE NORTH $01^{\circ}36'10''$ WEST 48.91 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $48^{\circ}18'27''$, AND A RADIUS OF 360.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 303.53 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $25^{\circ}45'24''$ WEST 294.61 FEET; THENCE NORTH $49^{\circ}54'38''$ WEST 54.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $16^{\circ}38'06''$ AND A RADIUS OF 360.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 104.52 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $41^{\circ}35'35''$ WEST 104.15 FEET; THENCE THE FOLLOWING COURSES:
NORTH $33^{\circ}16'32''$ WEST 120.80 FEET; SOUTH $56^{\circ}33'49''$ WEST 100.55 FEET;
NORTH $90^{\circ}00'00''$ WEST 176.03 FEET; NORTH $00^{\circ}00'00''$ WEST 167.54 FEET;
NORTH $56^{\circ}43'28''$ EAST 129.29 FEET; NORTH $33^{\circ}16'32''$ WEST 59.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $08^{\circ}20'11''$ AND A RADIUS OF 453.50 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 65.98 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $37^{\circ}26'37''$ WEST 65.92 FEET; THENCE NORTH $41^{\circ}36'42''$ WEST 109.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $16^{\circ}11'23''$ AND A RADIUS OF 453.50 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 128.14 FEET AND A CHORD BEARING AND DISTANCE OF NORTH $49^{\circ}42'24''$ WEST 127.72 FEET; THENCE THE FOLLOWING COURSES:
SOUTH $89^{\circ}22'34''$ EAST 115.78 FEET; NORTH $74^{\circ}31'17''$ EAST 211.67 FEET; NORTH $03^{\circ}35'25''$ EAST 218.78 FEET; SOUTH $84^{\circ}56'38''$ EAST 197.11 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $04^{\circ}26'16''$ AND A RADIUS OF 250.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 19.36 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH $80^{\circ}22'58''$ EAST 19.36 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A DELTA ANGLE OF $17^{\circ}53'56''$ AND A RADIUS OF 250.00 FEET; THENCE ALONG SAID COMPOUND CURVE AN ARC LENGTH OF 78.10 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH $69^{\circ}12'52''$ EAST 77.78 FEET; THENCE SOUTH $60^{\circ}23'16''$ EAST 265.82 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $26^{\circ}43'18''$ AND A RADIUS OF 195.85 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 91.34 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH $74^{\circ}33'39''$ EAST 90.51 FEET; THENCE SOUTH $84^{\circ}59'26''$ EAST 1,095.13 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF $29^{\circ}28'57''$ AND A RADIUS OF 250.14 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 128.72 AND A CHORD BEARING AND DISTANCE OF NORTH $80^{\circ}45'28''$ EAST 127.30 FEET; THENCE NORTH $66^{\circ}00'45''$ EAST 470.23 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A

DELTA ANGLE OF 05°46'15" AND A RADIUS OF 923.88 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 93.05 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 64°34'44" EAST 93.01 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A DELTA ANGLE OF 12°00'08" AND A RADIUS OF 301.46 FEET; THENCE ALONG SAID COMPOUND CURVE AN ARC LENGTH OF 63.15 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 52°42'04" EAST 63.03 FEET; THENCE THE FOLLOWING COURSES: SOUTH 51°58'39" EAST 587.96 FEET; SOUTH 38°01'21" WEST 50.50 FEET; SOUTH 21°05'39" WEST 293.94 FEET; NORTH 87°00'27" WEST 55.82 FEET; SOUTH 02°57'37" WEST 115.76 FEET TO THE SOUTHERLY LINE OF SAID SOUTH HALF (S ½) OF THE SOUTHEAST QUARTER (SE ¼) IN SECTION THIRTY (30); THENCE ALONG SAID SOUTHERLY LINE NORTH 87°14'32" WEST 412.43 FEET TO THE POINT OF BEGINNING, CONTAINING 127.850 ACRES, MORE OR LESS.

LESS AND EXCEPT, THE FOLLOWING:

THOSE PORTIONS OF WASHINGTON COUNTY ROAD NO. 201 (KESSLER MOUNTAIN ROAD) AFFECTED BY A CITY OF FAYETTEVILLE ANNEXATION PER ORDINANCE NO. 5190 RECORDED WITH THE CITY CLERK, SAID ROAD HAVING A FIFTY (50) FOOT RIGHT-OF-WAY EXTENDING TWENTY-FIVE (25) FEET EACH SIDE OF A CENTERLINE, SAID ROAD PORTION BEING IN PART OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼), AND A PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼), AND A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼), ALL IN SECTION THIRTY-ONE (31), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, SAID CENTERLINE OF SAID ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION THIRTY-ONE (31); THENCE ALONG THE NORTH LINE OF SAID FORTY (40) ACRE TRACT NORTH 86°59'53" WEST 272.18 FEET; THENCE LEAVING SAID NORTH LINE SOUTH 03°00'07" WEST 323.15 FEET TO THE INTERSECTION OF THE CENTERLINE OF THE EXISTING GRAVEL ROAD KNOWN AS SAID WASHINGTON COUNTY ROAD NO. 201 (KESSLER MOUNTAIN ROAD) AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 265 SOUTH (CATO SPRINGS ROAD) AS PER ARKANSAS STATE HIGHWAY COMMISSION JOB NO. 9497, SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE NORTH 55°07'55" WEST 117.33 FEET; THENCE NORTH 55°26'23" WEST 322.79 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 33°59'51" AND A RADIUS OF 506.82 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 300.73 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 71°32'59" WEST 296.34 FEET; THENCE NORTH 87°06'47" WEST 311.95 FEET; THENCE NORTH 86°55'45" WEST 1868.91 FEET TO THE TERMINUS OF SAID CENTERLINE, MORE OR LESS, AFFECTED BY SAID ANNEXATION; THE SIDE LINES OF SAID ROAD TO BE SHORTENED OR LENGTHENED AT SAID TERMINUS BOUNDARY.

LESS AND EXCEPT:

THOSE PORTIONS OF WASHINGTON COUNTY ROAD NO. 200 (JUDGE CUMMINGS ROAD) AFFECTED BY A CITY OF FAYETTEVILLE ANNEXATION PER ORDINANCE NO. 5190 RECORDED WITH THE CITY CLERK HAVING A FIFTY (50) FOOT RIGHT-OF-WAY EXTENDING TWENTY-FIVE (25) FEET EACH SIDE OF A CENTERLINE, SAID ROAD PORTION BEING IN PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) AND PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION THIRTY-ONE (31), AND PART OF THE FRACTIONAL SOUTH HALF (S ½) OF THE SOUTH HALF (S ½) OF SECTION THIRTY (30), ALL IN TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, SAID CENTERLINE OF SAID ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE ¼), SAID SECTION THIRTY (30); THENCE ALONG THE SOUTH LINE OF SAID SECTION NORTH 87°14'32" WEST 8.86 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY

NO. 265 SOUTH (CATO SPRINGS ROAD) AS PER ARKANSAS STATE HIGHWAY COMMISSION JOB NO. 9497; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 37°59'03" WEST 9.81 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF A GRAVEL ROAD KNOWN AS SAID WASHINGTON COUNTY 200 (JUDGE CUMMINGS ROAD), SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES: NORTH 88°17'56" WEST 957.47 FEET; NORTH 87°05'11" WEST 323.63 FEET; SOUTH 82°07'28" WEST 44.99 FEET; NORTH 52°16'47" WEST 44.69 FEET; NORTH 85°51'11" WEST 262.89 FEET; NORTH 86°24'16" WEST 1240.07 FEET; SOUTH 84°41'18" WEST 125.64 FEET; NORTH 83°12'13" WEST 228.12 FEET; NORTH 86°28'14" WEST 616.08 FEET; NORTH 82°23'29" WEST 108.38 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 67°34'09" AND A RADIUS OF 208.61 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 246.01 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 48°36'25" WEST 232.00 FEET; THENCE NORTH 17°05'30" WEST 66.98 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 40°52'22" AND A RADIUS OF 213.20 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 152.09 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 37°31'41" WEST 148.88 FEET TO THE EASTERLY BOUNDARY OF A PROPERTY DESCRIBED IN INSTRUMENT NUMBER 2005-48123 RECORDED WITH THE CIRCUIT CLERK OF SAID COUNTY, SAID EASTERLY BOUNDARY ALSO BEING THE TERMINUS OF SAID CENTERLINE; THE SIDE LINES OF SAID ROAD TO BE SHORTENED OR LENGTHENED AT SAID TERMINUS BOUNDARY.

SUBJECT TO A THIRTY FOOT (30') ACCESS EASEMENT AS DECRIBED IN BK. 1439, PG. 647 AND INSTRUMENT NO. 92-046191 BOTH BEING RECORDED WITH THE CIRCUIT CLERK, WASHINGTON COUNTY, ARKANSAS.

SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS WHETHER OR NOT OF RECORD.

TRACT #2B

DESCRIPTION:

A PART OF THE FRACTIONAL SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION THIRTY (30); ALSO A PART OF THE FRACTIONAL NORTHWEST QUARTER (NW $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-ONE (31); ALL BEING IN TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIN BEING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) IN SAID SECTION THIRTY (30) SAID WEST HALF (W $\frac{1}{2}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) IN SECTION THIRTY-ONE 31; THENCE ALONG THE NORTHERLY LINE OF SAID TRACT SOUTH 87°15'10" EAST 812.32 FEET; THENCE LEAVING SAID NORTHERLY LINE THE FOLLOWING COURSES:

SOUTH 42°00'05" WEST 459.26 FEET; SOUTH 09°10'03" WEST 205.19 FEET;
SOUTH 02°29'28" WEST 150.44 FEET; SOUTH 03°48'33" WEST 256.86 FEET;
SOUTH 21°48'47" WEST 147.86 FEET; SOUTH 62°14'23" WEST 144.10 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 05°48'45" AND A RADIUS OF 500.00 FEET; THENCE ALONG SAID CURVE AN ARC LENGTH OF 50.72 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 07°54'56" WEST 50.70 FEET; THENCE THE FOLLOWING COURSES:

SOUTH 05°00'34" WEST 407.82 FEET; NORTH 52°54'08" WEST 126.43 FEET;
NORTH 59°37'54" EAST 51.10 FEET; NORTH 04°57'24" EAST 189.85 FEET;
NORTH 43°07'14" WEST 75.11 FEET; NORTH 11°12'21" EAST 186.57 FEET;
NORTH 31°09'22" WEST 233.16 FEET; NORTH 31°09'22" WEST 10.18 FEET;

SOUTH 85°14'45" WEST 156.40 FEET; NORTH 68°47'27" WEST 82.18 FEET;
NORTH 84°30'33" WEST 125.56 FEET; NORTH 66°13'53" WEST 88.19 FEET;
NORTH 36°42'18" WEST 37.59 FEET; NORTH 36°42'18" WEST 93.51 FEET;
NORTH 61°48'52" WEST 181.49 FEET; SOUTH 78°45'57" WEST 173.51 FEET;
SOUTH 45°34'43" WEST 191.40 FEET; SOUTH 18°26'54" WEST 128.25 FEET;
SOUTH 69°00'04" WEST 151.67 FEET; SOUTH 03°46'38" WEST 198.74 FEET;
SOUTH 80°47'20" EAST 163.12 FEET; SOUTH 07°01'42" EAST 40.41 FEET;
SOUTH 25°18'23" WEST 179.24 FEET; SOUTH 73°04'21" WEST 80.35 FEET;
SOUTH 36°40'58" WEST 132.87 FEET; SOUTH 09°09'33" WEST 160.69 FEET;
SOUTH 04°29'50" EAST 94.14 FEET; SOUTH 30°22'45" WEST 35.11 FEET;
SOUTH 51°54'24" WEST 142.14 FEET; SOUTH 13°29'43" WEST 249.53 FEET;
SOUTH 59°18'19" EAST 167.23 FEET; SOUTH 12°14'10" EAST 61.68 FEET;
SOUTH 33°10'45" WEST 93.12 FEET; SOUTH 03°45'03" EAST 268.24 FEET;
NORTH 58°27'31" EAST 245.19 FEET; SOUTH 04°18'51" WEST 150.67 FEET;
SOUTH 52°21'44" WEST 384.50 FEET; NORTH 09°29'53" WEST 155.53 FEET;
SOUTH 82°59'00" WEST 136.94 FEET; NORTH 04°52'49" WEST 113.12 FEET;
NORTH 17°48'52" EAST 178.11 FEET; NORTH 45°00'58" WEST 126.58 FEET;
NORTH 37°07'18" WEST 120.86 FEET; NORTH 29°43'41" EAST 92.26 FEET;
NORTH 05°50'07" WEST 152.03 FEET; NORTH 02°12'58" WEST 248.61 FEET;
NORTH 28°33'12" EAST 86.25 FEET; NORTH 03°33'11" EAST 69.09 FEET;
NORTH 46°49'29" WEST 159.23 FEET; NORTH 25°07'29" WEST 274.91 FEET;
NORTH 04°45'59" EAST 193.96 FEET; NORTH 27°26'52" EAST 126.27 FEET;
NORTH 30°16'13" EAST 254.00 FEET; NORTH 74°09'23" EAST 137.05 FEET;
SOUTH 86°44'15" EAST 330.61 FEET; NORTH 58°07'31" EAST 324.29 FEET;
SOUTH 87°15'10" EAST 402.56 FEET; NORTH 02°05'17" EAST 660.00 FEET TO THE
NORTHERLY LINE OF THE FRACTIONAL NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST
QUARTER (SW ¼) IN SAID SECTION THIRTY (30); THENCE ALONG THE NORTHERLY LINE
OF SAID TRACT SOUTH 87°15'10" EAST 474.17 FEET TO THE POINT OF BEGINNING,
CONTAINING 47.813 ACRES MORE OR LESS.

SUBJECT TO A THIRTY FOOT (30') ACCESS EASEMENT AS DESCRIBED IN BK. 1439, PG.
647 AND INSTRUMENT NO. 92-046191 BOTH BEING RECORDED WITH THE CIRCUIT CLERK,
WASHINGTON COUNTY, ARKANSAS.

SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS WHETHER OR NOT OF RECORD.

TRACT #6

DESCRIPTION:

A PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) AND A
PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼), ALL
BEING IN SECTION THIRTY-SIX (36), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-
ONE (31) WEST, SAID WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN AT THE SOUTHEAST CORNER OF SAID NORTHWEST
QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) IN SAID SECTION THIRTY-SIX
(36); THENCE ALONG THE SOUTHERLY LINE OF SAID FORTY (40) ACRE TRACT NORTH
87°16'27" WEST 163.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG
SAID SOUTHERLY LINE NORTH 87°16'27" WEST 1180.33 FEET TO A FOUND IRON PIN
LOCATED IN THE CENTERLINE OF A GRAVEL ROAD; THENCE ALONG SAID CENTERLINE
NORTH 04°02'35" EAST 72.47 FEET; THENCE CONTINUING ALONG SAID CENTERLINE
NORTH 11°19'49" EAST 40.24 FEET TO THE BEGINNING OF A CURVE TO THE LEFT

HAVING A DELTA ANGLE OF 51°07'26" AND A RADIUS OF 101.22 FEET; THENCE CONTINUING ALONG SAID CENTERLINE ALONG SAID CURVE AN ARC LENGTH OF 90.32 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 24°09'50" WEST 87.35 FEET; THENCE NORTH 48°44'10" WEST 34.21 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 42°42'03" AND A RADIUS OF 215.87 FEET; THENCE CONTINUING ALONG SAID CENTERLINE ALONG SAID CURVE AN ARC LENGTH OF 160.88 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 67°02'42" WEST 157.18 FEET; THENCE CONTINUING ALONG SAID CENTERLINE NORTH 89°17'23" WEST 123.09 FEET; THENCE CONTINUING ALONG SAID CENTERLINE NORTH 87°11'38" WEST 161.28 FEET; THENCE LEAVING SAID CENTERLINE NORTH 01°57'34" EAST 1055.60 FEET TO A FOUND IRON PIN; THENCE SOUTH 87°31'37" EAST 1230.87 FEET TO A FOUND IRON PIN LOCATED ON A BLUFF LINE; THENCE LEAVING SAID BLUFF LINE SOUTH 87°31'37" EAST 436.24 FEET; THENCE SOUTH 01°57'34" WEST 1,324.69 FEET TO THE POINT OF BEGINNING CONTAINING 47.749 ACRES, MORE OR LESS.

LESS AND EXCEPT TWENTY-NINE AND ONE-HALF FEET (29.5') NORTHERLY AND EASTERLY OF THE CENTERLINE OF ARCHIE WATKINS ROAD (WASHINGTON COUNTY ROAD NO. 265) FOR CITY OF FAYETTEVILLE RIGHT-OF-WAY.

LESS AND EXCEPT: ONE SQUARE FOOT AT THE NORTHWESTERN MOST CORNER OF THE 47.749 ACRE TRACT, HEREIN DESCRIBED, BEING CONVEYED TO RICHARD P. ALEXANDER, JOHN NOCK AND J. MITCHELL MASSEY, BY A QUITCLAIM DEED RECORDED APRIL 18, 2006, AS LAND DOCUMENT #2006-15251 AND 2010-26593.

SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS WHETHER OR NOT OF RECORD.

Water Tank Tract

DESCRIPTION:

A PART OF THE FRACTIONAL NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY (30), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN AT THE NORTHEAST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼), SECTION THIRTY (30); THENCE ALONG THE NORTH LINE OF SAID TRACT NORTH 87°15'10" WEST 474.17 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE THE FOLLOWING COURSES:

SOUTH 02°05'17" WEST 660.00 FEET; NORTH 87°15'10" WEST 660.00 feet; NORTH 02°05'17" EAST 660.00 FEET TO SAID NORTH LINE OF SAID TRACT; THENCE ALONG SAID NORTH LINE SOUTH 87°15'10" EAST 660.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES, MORE OR LESS.

SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND/OR EASEMENTS WHETHER OR NOT OF RECORD.

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: ~~June 9, 2014~~ Updated June 11, 2014

SUBJECT: **RZN 14-4731: Rezone (REGIONAL PARK/MT. KESSLER RESERVE, 673):** Submitted by CITY STAFF for property located at MT. KESSLER PARK. The property is zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT SOUTHPASS 08-2898 and contains approximately 630 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

Staff recommends forwarding **RZN 14-4731** to the City Council with a recommendation for approval.

BACKGROUND:

The subject property is located along Cato Springs Road (south Razorback Road) just west of I-540 and the Fulbright Expressway. The property is a part of the SouthPass Planned Zoning District that was approved in 2008 on approximately 900 acres. The SouthPass development is still an approved project, but the property has since gone back to Chambers Bank.

The 630 acres owned by the City of Fayetteville includes the 200-acre regional park property deeded to the City as part of the Planned Zoning District approval, a 56-acre capped landfill, the 328-acre Mt. Kessler property purchased by the City with a 50/50 matching grant, and a 48-acre parcel deeded by Chambers Bank to be used as a parkland credit for future development. Surrounding land use and zoning is depicted on Table 1.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Single-family residential	Washington County
South	Single-family residential	Washington County
East	Single-family residential	Washington County, R-A Residential Agricultural
West	Single-family residential	Washington County

DISCUSSION:

Request: The request is to rezone 630 acres of R-PZD 08-2898 SouthPass Development to P-1, Institutional.

Public Comment: Staff has not received public comment.

<p>PLANNING COMMISSION ACTION: Required</p> <p>Date: <u>June 9, 2014</u> <input type="checkbox"/> Tabled <input checked="" type="checkbox"/> Forwarded <input type="checkbox"/> Denied</p> <p>Motion: <u>Winston</u> Second: <u>Chesser</u> Vote: <u>6-0-0</u></p> <p>CITY COUNCIL ACTION: Required</p> <p>Date: <u>July 1, 2014</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied</p>

INFRASTRUCTURE:

Streets: The site has access to Judge Cummings Road, an unimproved gravel road. The site also has access to Archie Watkins Road, an unimproved dirt road. Roadway improvements will be determined at the time of development.

Water: Public water is accessible to the site. A 2" water main exists on Archie Watkins Road. The property encompasses two city water storage tanks with a 30" outlet line. The feasibility to connect to this line will be determined by the Water Department.

Sewer: No public sanitary sewer is available to the site.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. This property is affected by the 100-year floodplain and the Streamside Protection Ordinance.

Fire: This development will be protected by Engine 6 located at 900 S. Hollywood. It is 3.1 miles from the station with an anticipated response time of 7 minutes to the beginning of the development. The Fayetteville Fire Department feels this development will have a moderate effect on calls for service and response times.

Police: The Police Department did not express any concerns with this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Map designates this property as a Natural Area, Residential Neighborhood Area, City Neighborhood Area and Civic and Private Open Space Parks.*

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: The 630-acre parcel is owned by the City of Fayetteville and is intended/required to be used as a community park and preserve. Rezoning the property to Institutional is the consistent with the land use plans for this property and consistent with the adopted land use plan.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The zoning is justified, since the property has been recently deeded to the City of Fayetteville. The Institutional zoning district is the district applied to all City parks and natural areas.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: Rezoning the property to Institutional will not appreciably increase traffic danger or congestion. The development of a regional park will increase traffic in the area. However, plans for the regional park were approved with the original PZD in 2008, so this request won't increase traffic congestion beyond the existing zoning. This request is to have the City owned park land and preserve area within a standard zoning district consistent with all other park property.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed zoning will decrease population density, since much of the land was intended to be developed with housing as part of the SouthPass proposal. The regional park will still be developed, but the remainder of the property is mostly within the Mount Kessler preserve and will not be developed.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Proposed zoning criteria
- Fire Department comments
- Applicant's letter
- Planned Zoning District materials
- Rezoning exhibit/survey
- Maps

TITLE XV UNIFIED DEVELOPMENT CODE

161.29 District P-1, Institutional

(A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

Front	30 ft.
Front, if parking is allowed between the right-of-way and the building	50 ft.
Side	20 ft.
Side, when contiguous to a residential district	25 ft.
Rear	25 ft.
Rear, from center line of public alley	10 ft.

(F) *Height regulations.* There shall be no maximum height limits in P-1 Districts, provided, however, that any building which exceeds the height of 20 feet shall be set back from any boundary line of any residential district a distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 60 % of the total area of such lot.

(Code 1965, App. A., Art. 5(XI); Ord. No. 2603; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.042; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5073, 11-06-07; Ord. 5195, 11-6-08; Ord. 5312, 4-20-10)



Zoning Review

To: Jesse Fulcher
From: Will Beeks
Date: May 8, 2014
Re: RZN 14-4731

This development will be protected by Engine 6 located at 900 S Hollywood Ave. It is 3.1 miles from the station with an anticipated response time of 7 minutes to the beginning of the development. The Fayetteville Fire Department feels this development will have a moderate effect on our calls for service or our response times.

If you have any questions please feel free to contact me.

Will Beeks
Assistant Fire Marshal
Fayetteville Fire Department



April 30, 2014

Craig Honchell, Chair
Fayetteville Planning Commission
City of Fayetteville, Arkansas
113 W. Mountain St.
Fayetteville AR 77201

Re: Rezone Request- Fayetteville Regional Park

Dear Planning Commission Chair,

Please accept this letter as a formal request to rezone the Regional Park property located at 2600 W. Judge Cummings Rd. from R-PZD, Residential Planned Zoning District, to P-1, Institutional. The property is currently owned by the City of Fayetteville and is part of the land formerly known as Southpass. The development plan for the area was created and established in 2006 including a mix of uses, centered around a 200 acre regional park. The development climate has significantly changed since that time and a development timeframe for the surrounding area is not known.

This rezoning request is a continued effort to standardize the zoning of park properties throughout the City as well as to place the land in a more appropriate zoning for park development. The zoning allows cultural and recreational facilities as permitted uses and is the zoning that is best suited for park property as it is designed to protect and facilitate use of property owned by larger public institutions.

The city is currently contracted with a consultant to finalize the master plan for the park which includes soccer, baseball and softball fields, volleyball, basketball and tennis courts, as well as playgrounds, pavilions, trails, an amphitheater, great lawn, parks office and maintenance facility and associated parking. Additionally, a large scale development for phase one of the park is anticipated to be submitted in July. Phase one of the park will include soccer, baseball, the great lawn, a pavilion and associated restrooms and parking.

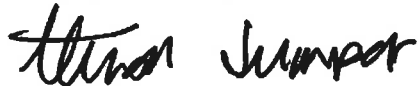
Water will be available via a 24" line from the City of Fayetteville water tanks located at the top of Judge Cummings Rd.

Sewer is not currently available and the City is planning for an onsite sewer package plant.

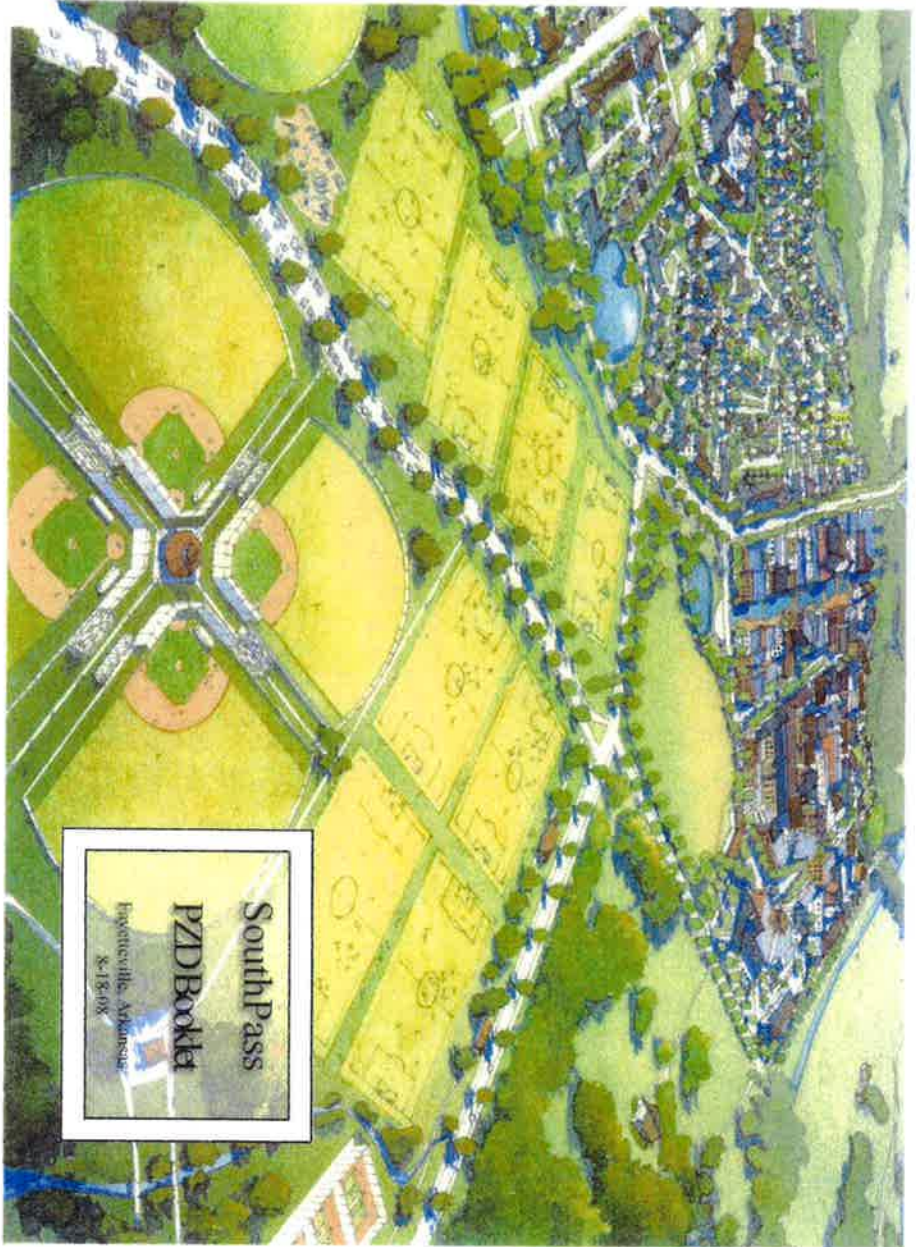
The proposed zoning is consistent with the Future Land Use Map and will allow for civic park and recreational space. It is not anticipated that P-1, Institutional zoning will create appreciably more traffic danger or congestion. The current R-PZD zoning established a planning area for the park, effectively keeping the use the same.

A property line adjustment has been submitted for the property and will affect the parcel numbers. Final parcel numbers and deeds will be provided once the property line adjustment has been filed.

Kindest Regards,

A handwritten signature in black ink that reads "Alison Jumper". The signature is written in a cursive, flowing style.

Alison Jumper
Park Planning Superintendent



**CITY COUNCIL
APPROVED**

DATE: 11-01-08

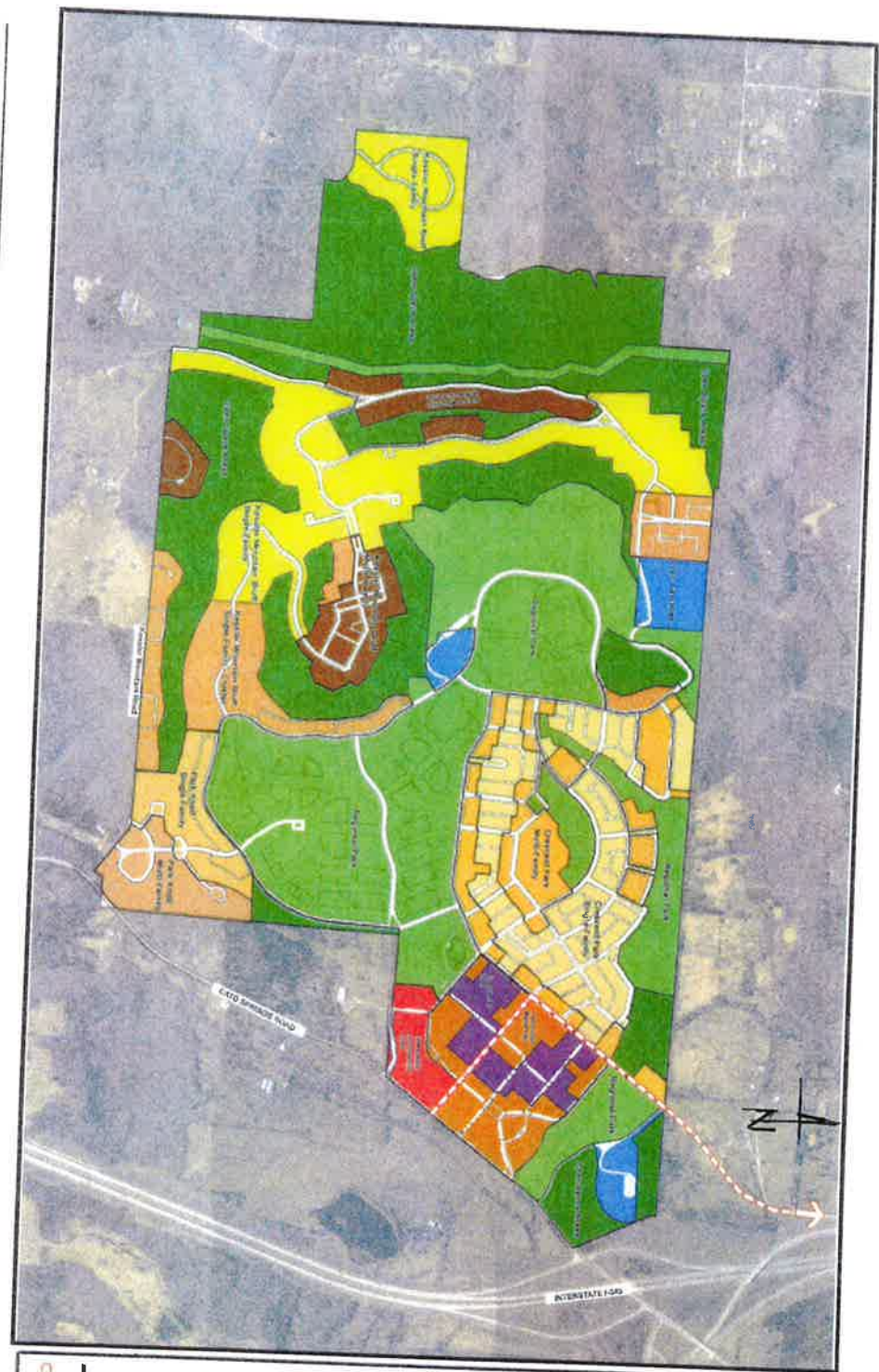
52, 11/01/08



SouthPass Master

Description	Current County Zoning	Current City Zoning R-A	PA-1A Town Center Commercial Core	PA-1B Town Center Mixed-Use	PA-1C Town Center Lofts	PA-2A Crescent Park Single-Family	PA-2B Crescent Park Apartments	PA-3A Kessler Mt. Bluff Single Family
Permitted Uses Agriculture Unit 1 Single-family dwellings	Unit 1 Agriculture Unit 2 Single-family dwellings	Unit 1 Cn-wide uses by right Unit 2 Public Protection and Unit 3 Public Protection and Unit 4 Public Protection and Unit 5 Agriculture Unit 6 Animal Husbandry Unit 7 Single-family dwellings Unit 8 Single-family dwellings Unit 9 Manufactured Homes Unit 10 Manufactured Homes Unit 11 Liquor stores	Unit 1 Cn-wide uses by right Unit 2 Cultural and recreational facilities Unit 3 Government facilities Unit 4 Offices, studios, and related services Unit 5 Eating places Unit 6 Retail, model and amusement facilities Unit 7 Neighborhood shopping Unit 8 Shopping goods Unit 9 Commercial recreation small sites Unit 10 Home Occupations Unit 11 Professional offices Unit 12 Multi-family dwellings Unit 13 Liquor stores	Unit 1 Cn-wide uses by right Unit 2 Cultural and recreational facilities Unit 3 Government facilities Unit 4 Offices, studios, etc Unit 5 Eating facilities Unit 6 Neighborhood shopping Unit 7 Shopping goods Unit 8 Commercial recreation small sites Unit 9 Home Occupations Unit 10 Professional Offices Unit 11 Multi-Family Dwellings Unit 12 Liquor Stores	Unit 1 Cn-wide uses by right Unit 2 Public Protection and Utility Unit 3 Facility Unit 4 Cultural and Recreational Unit 5 Government Facilities Unit 6 Theaters, Studios, etc Unit 7 Hotel, Motel and amusement Unit 8 Home Occupations Unit 9 Multi-Family Dwellings Unit 10 Accessory Dwellings	Unit 1 Cn-wide uses by conditional use permit Unit 2 Public Protection and Utility Unit 3 Facility Unit 4 Cultural and Recreational Unit 5 Government Facilities Unit 6 Eating Places Unit 7 Neighborhood Shopping Goods Unit 8 Home Occupation Unit 9 Professional Offices Unit 10 Accessory Dwellings	Unit 1 Cn-wide uses by right Unit 2 Three-Family Dwellings Unit 3 Offices, Studios, etc Unit 4 Multi-Family Dwellings Unit 5 Multi-Family Dwellings	Unit 1 Cn-wide uses by right Unit 2 Single Family Dwellings
Conditional Uses By review of Washington County Planning Board	Unit 1 Cultural and recreational facilities Unit 2 Government facilities Unit 3 Commercial recreation large sites Unit 4 Home occupations Unit 5 Artisans & communication facilities	Unit 1 Cn wide uses by conditional use permit Unit 2 Cultural and recreational facilities Unit 3 Government facilities Unit 4 Commercial recreation large sites Unit 5 Home occupations Unit 6 Artisans & communication facilities	Unit 1 Cn-wide uses by conditional use permit Unit 2 Dance Halls Unit 3 Outdoor music establishment Unit 4 Sidewalk cafes	Unit 2 Cn-wide uses by conditional use permit Unit 29 Dance Halls Unit 30 Outdoor Music Establishment Unit 40 Sidewalk cafes	Unit 2 Cn-wide uses by conditional use permit Unit 13 Eating Facilities Unit 15 Neighborhood Shopping Goods Unit 16 Shopping Goods Unit 17 Professional Offices Unit 18 Sidewalk cafes	Unit 2 Cn-wide uses by conditional use permit Unit 13 Eating Facilities Unit 15 Neighborhood Shopping Goods Unit 16 Shopping Goods Unit 17 Professional Offices Unit 18 Sidewalk cafes	Unit 2 Cn-wide uses by conditional use permit Unit 3 Public Protection and Utility Unit 4 Cultural and Recreational Facilities Unit 5 Government Facilities Unit 6 Eating Places Unit 7 Neighborhood Shopping Goods Unit 8 Home Occupation Unit 9 Professional Offices Unit 10 Sidewalk Cafes	Unit 2 Cn-wide uses by conditional use permit Unit 3 Public Protection and Utility Unit 4 Cultural and Recreational Facilities Unit 5 Government Facilities Unit 6 Eating Places Unit 7 Neighborhood Shopping Goods Unit 8 Home Occupation Unit 9 Professional Offices Unit 10 Sidewalk Cafes
Lot Area Minimum	Single-family 1 acre	2 acres	No Maximum	No Maximum	N/A	2,800 sq ft	40 ft	Lot 1-52 shall have a minimum lot width of 60 feet Lots 53-103 shall have a minimum lot width of 70 feet
Lot Area Maximum	Single-family 1 acre	2 acres	No Maximum	No Maximum	N/A	2,800 sq ft	40 ft	Lot 1-52 shall have a maximum lot width of 60 feet Lots 53-103 shall have a maximum lot width of 70 feet
Land Use per Dwelling Unit	Single-family 1 acre	2 units	No Bedroom One Bedroom Two or more Bedrooms 670 sq ft 800 sq ft 1,000 sq ft minimums	No Bedroom One Bedroom Two or more Bedrooms 670 sq ft 800 sq ft 1,000 sq ft minimums	No Bedroom One Bedroom Two or more Bedrooms 670 sq ft 800 sq ft 1,000 sq ft minimums	Single-Family 2,800 sq ft	No Bedroom One Bedroom Two or more Bedrooms 670 sq ft 800 sq ft 1,000 sq ft minimums	Single-family 5,000 sq ft
Density	Single-family 1 unit per acre	1/2 units/acre	1.6 Units per acre or less 10,206 sq ft per acre or less	2.8 Units per acre or less 3,881 sq ft per acre or less	3.5 Units per acre or less 1,111 sq ft per acre or less	5.47 Units per acre or less	26.79 Units per acre or less 262 sq ft per acre or less	1 Units per acre or less
Height Regulations	None	Any building over 15 ft shall be set back from and boundary line of any residential district a distance of 55 ft maximum No front or side yard setback of less than 15 ft	Front - 75% of lot width at the street frontage shall be covered by buildings at the right-of-way line. The DTU does not apply to Cato Springs Rd and Judge's Curving Rd Side Internal - 0 ft Side Internal Lot - 5 ft Side Street - 6 ft Rear - 0 ft	Front - 70% of building footage is required to be built up to the Bldg to Line Side Internal - 0 ft Side Internal Lot - 5 ft Side Street - 6 ft Rear - 0 ft	Front - 50% of building footage is required to be built up to the Bldg to Line Side Internal - 0 ft Side Internal Lot - 5 ft Side Street - 6 ft Rear - 0 ft	Front - Minimum - 8 ft Maximum - 15 ft 4 ft from wall 4 ft from eave 4 ft on opposite P/L Rear - 0 ft Rear Garage - 7.5 ft If abutting side front rear lot line	Front - Side - Zone recessed from the ROW 4 ft from wall 4 ft from eave 4 ft on opposite P/L Rear - 0 ft Rear Garage - 7.5 ft If abutting side front rear lot line	Front - Minimum - 0 ft Maximum - 15 ft 6 ft from wall 4 ft from eave 4 ft on opposite P/L Rear - 0 ft Rear Garage - 7 ft
Building Area	Not in excess 40% of total lot area	None	No Maximum	N/A	N/A	70% Maximum	70% Maximum	70% Maximum

10 DESCRIPTION

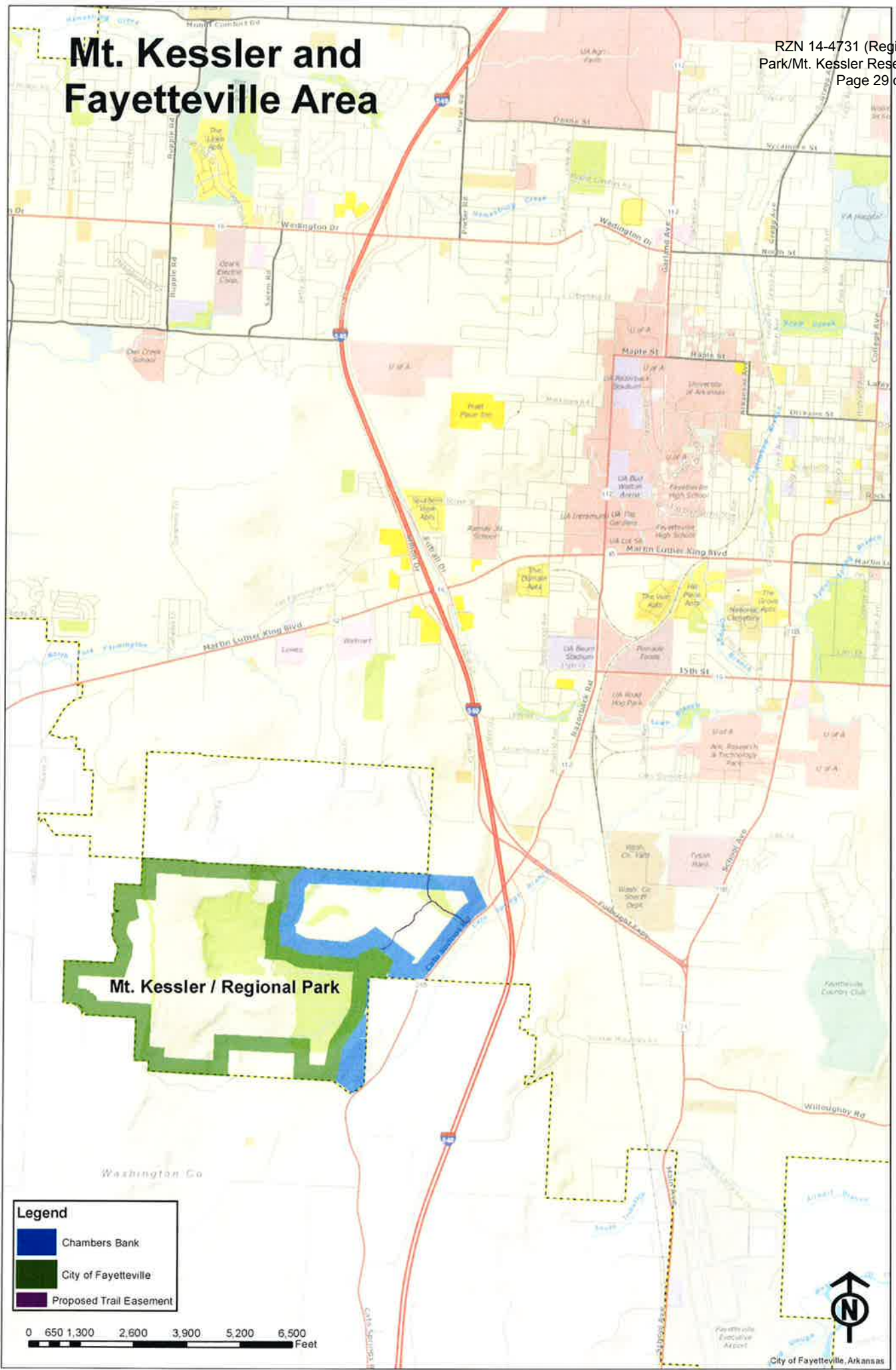


LEGEND

	PA-1A Towncenter Commercial Core Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-1B Towncenter Mixed-Use Min. lot area: 5,000 sq. ft. Min. front lot width: 100 feet
	PA-1C Towncenter Lotts Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-2A Crescent Park Single-Family Min. lot area: 6,500 sq. ft. Min. front lot width: 100 feet
	PA-2B Crescent Park Apartment Min. lot area: 4,000 sq. ft. Min. front lot width: 100 feet
	PA-3A Kessler Mountain Bluff Single-Family Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	P-3B Kessler Mountain Bluff Multi-Family Min. lot area: 4,000 sq. ft. Min. front lot width: 100 feet
	PA-3C Kessler Mountain Bluff Single-Family Cluster Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-4A Park Knoll Single-Family Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-4B Park Knoll Multi-Family Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-5 Civic Facilities Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-6A Regional Park Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	PA-BB Open Space Area Min. lot area: 10,000 sq. ft. Min. front lot width: 100 feet
	Project Boundary
	Future Route of Shiloh Rd. Extension

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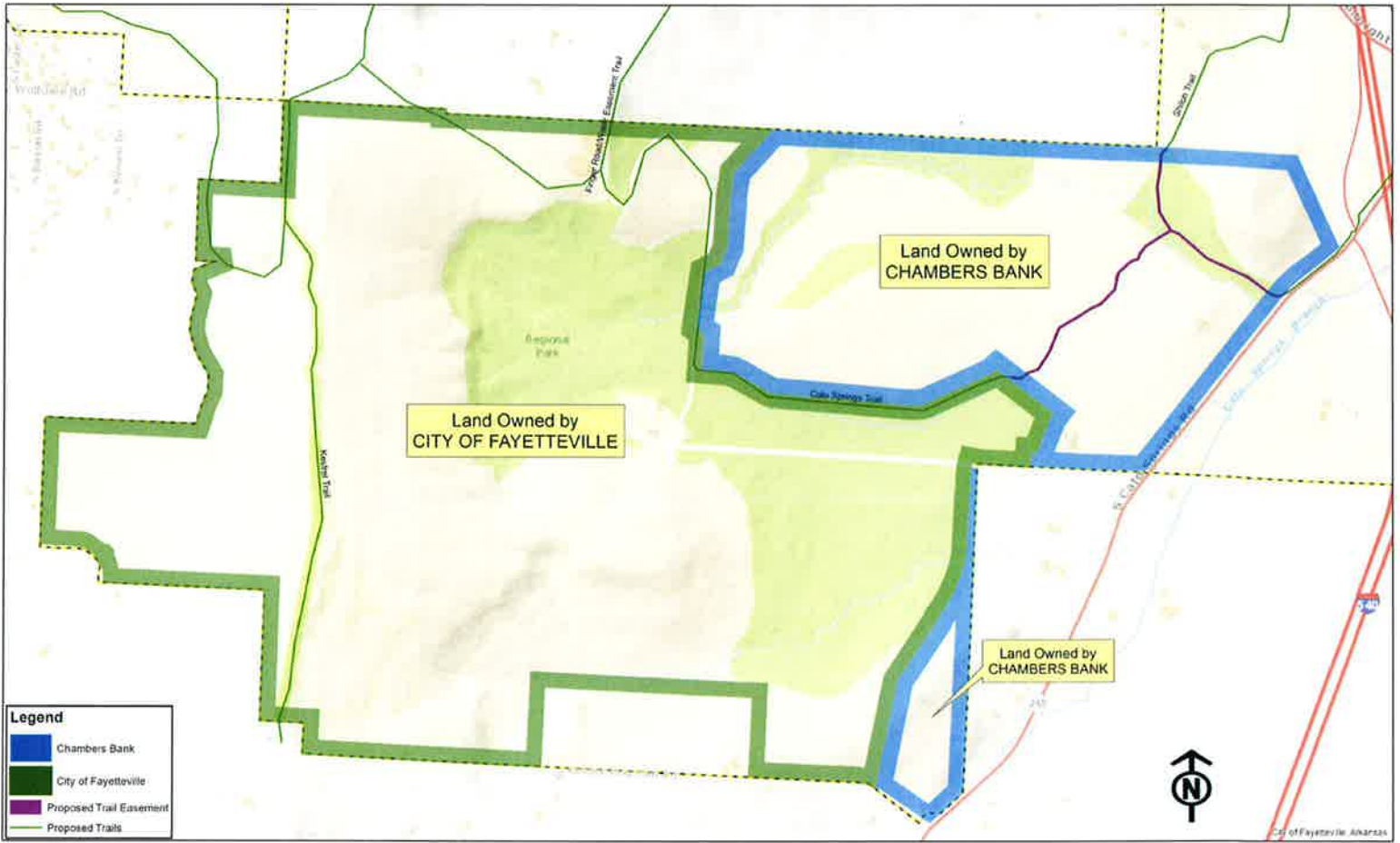
Mt. Kessler and Fayetteville Area



Legend

- Chambers Bank
- City of Fayetteville
- Proposed Trail Easement





Legend

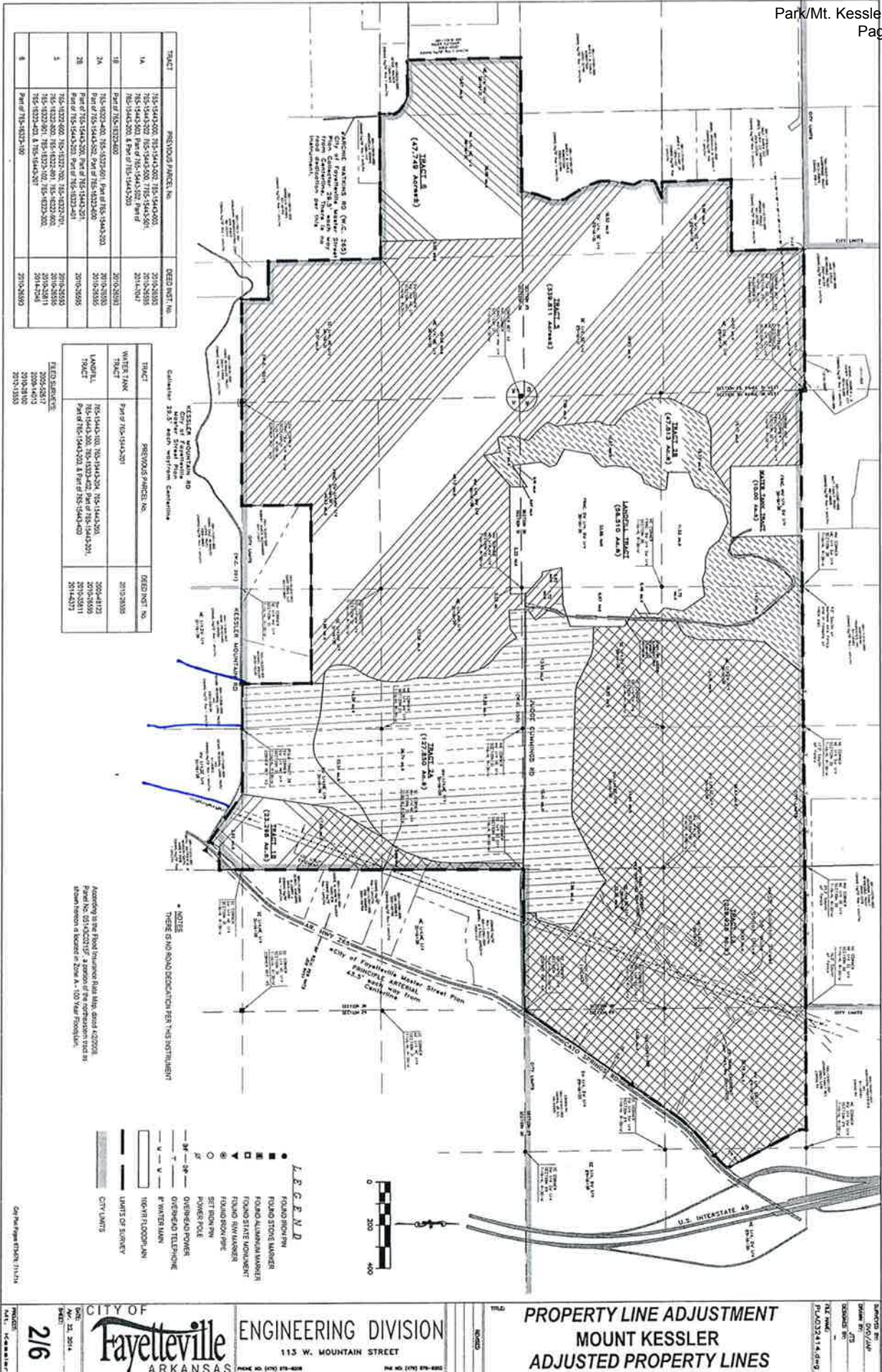
- Chambers Bank
- City of Fayetteville
- Proposed Trail Easement
- Proposed Trails



Mt. Kessler / Regional Park

February 3rd, 2014





TRACT	PREVIOUS PARCEL No.	DEED INST. No.
1A	785-1544-000, 785-1544-001, 785-1544-002, 785-1544-003, 785-1544-004, 785-1544-005, 785-1544-006, 785-1544-007, 785-1544-008, 785-1544-009, 785-1544-010, 785-1544-011, 785-1544-012, 785-1544-013, 785-1544-014, 785-1544-015, 785-1544-016, 785-1544-017, 785-1544-018, 785-1544-019, 785-1544-020, 785-1544-021, 785-1544-022, 785-1544-023, 785-1544-024, 785-1544-025, 785-1544-026, 785-1544-027, 785-1544-028, 785-1544-029, 785-1544-030, 785-1544-031, 785-1544-032, 785-1544-033, 785-1544-034, 785-1544-035, 785-1544-036, 785-1544-037, 785-1544-038, 785-1544-039, 785-1544-040, 785-1544-041, 785-1544-042, 785-1544-043, 785-1544-044, 785-1544-045, 785-1544-046, 785-1544-047, 785-1544-048, 785-1544-049, 785-1544-050, 785-1544-051, 785-1544-052, 785-1544-053, 785-1544-054, 785-1544-055, 785-1544-056, 785-1544-057, 785-1544-058, 785-1544-059, 785-1544-060, 785-1544-061, 785-1544-062, 785-1544-063, 785-1544-064, 785-1544-065, 785-1544-066, 785-1544-067, 785-1544-068, 785-1544-069, 785-1544-070, 785-1544-071, 785-1544-072, 785-1544-073, 785-1544-074, 785-1544-075, 785-1544-076, 785-1544-077, 785-1544-078, 785-1544-079, 785-1544-080, 785-1544-081, 785-1544-082, 785-1544-083, 785-1544-084, 785-1544-085, 785-1544-086, 785-1544-087, 785-1544-088, 785-1544-089, 785-1544-090, 785-1544-091, 785-1544-092, 785-1544-093, 785-1544-094, 785-1544-095, 785-1544-096, 785-1544-097, 785-1544-098, 785-1544-099, 785-1544-100, 785-1544-101, 785-1544-102, 785-1544-103, 785-1544-104, 785-1544-105, 785-1544-106, 785-1544-107, 785-1544-108, 785-1544-109, 785-1544-110, 785-1544-111, 785-1544-112, 785-1544-113, 785-1544-114, 785-1544-115, 785-1544-116, 785-1544-117, 785-1544-118, 785-1544-119, 785-1544-120, 785-1544-121, 785-1544-122, 785-1544-123, 785-1544-124, 785-1544-125, 785-1544-126, 785-1544-127, 785-1544-128, 785-1544-129, 785-1544-130, 785-1544-131, 785-1544-132, 785-1544-133, 785-1544-134, 785-1544-135, 785-1544-136, 785-1544-137, 785-1544-138, 785-1544-139, 785-1544-140, 785-1544-141, 785-1544-142, 785-1544-143, 785-1544-144, 785-1544-145, 785-1544-146, 785-1544-147, 785-1544-148, 785-1544-149, 785-1544-150, 785-1544-151, 785-1544-152, 785-1544-153, 785-1544-154, 785-1544-155, 785-1544-156, 785-1544-157, 785-1544-158, 785-1544-159, 785-1544-160, 785-1544-161, 785-1544-162, 785-1544-163, 785-1544-164, 785-1544-165, 785-1544-166, 785-1544-167, 785-1544-168, 785-1544-169, 785-1544-170, 785-1544-171, 785-1544-172, 785-1544-173, 785-1544-174, 785-1544-175, 785-1544-176, 785-1544-177, 785-1544-178, 785-1544-179, 785-1544-180, 785-1544-181, 785-1544-182, 785-1544-183, 785-1544-184, 785-1544-185, 785-1544-186, 785-1544-187, 785-1544-188, 785-1544-189, 785-1544-190, 785-1544-191, 785-1544-192, 785-1544-193, 785-1544-194, 785-1544-195, 785-1544-196, 785-1544-197, 785-1544-198, 785-1544-199, 785-1544-200	2010-28393 2010-28394 2010-28395 2010-28396 2010-28397 2010-28398 2010-28399 2010-28400 2010-28401 2010-28402 2010-28403 2010-28404 2010-28405 2010-28406 2010-28407 2010-28408 2010-28409 2010-28410 2010-28411 2010-28412 2010-28413 2010-28414 2010-28415 2010-28416 2010-28417 2010-28418 2010-28419 2010-28420 2010-28421 2010-28422 2010-28423 2010-28424 2010-28425 2010-28426 2010-28427 2010-28428 2010-28429 2010-28430 2010-28431 2010-28432 2010-28433 2010-28434 2010-28435 2010-28436 2010-28437 2010-28438 2010-28439 2010-28440 2010-28441 2010-28442 2010-28443 2010-28444 2010-28445 2010-28446 2010-28447 2010-28448 2010-28449 2010-28450 2010-28451 2010-28452 2010-28453 2010-28454 2010-28455 2010-28456 2010-28457 2010-28458 2010-28459 2010-28460 2010-28461 2010-28462 2010-28463 2010-28464 2010-28465 2010-28466 2010-28467 2010-28468 2010-28469 2010-28470 2010-28471 2010-28472 2010-28473 2010-28474 2010-28475 2010-28476 2010-28477 2010-28478 2010-28479 2010-28480 2010-28481 2010-28482 2010-28483 2010-28484 2010-28485 2010-28486 2010-28487 2010-28488 2010-28489 2010-28490 2010-28491 2010-28492 2010-28493 2010-28494 2010-28495 2010-28496 2010-28497 2010-28498 2010-28499 2010-28500

TRACT	PREVIOUS PARCEL No.	DEED INST. No.
WATER TANK	785-1544-101, 785-1544-102, 785-1544-103, 785-1544-104, 785-1544-105, 785-1544-106, 785-1544-107, 785-1544-108, 785-1544-109, 785-1544-110, 785-1544-111, 785-1544-112, 785-1544-113, 785-1544-114, 785-1544-115, 785-1544-116, 785-1544-117, 785-1544-118, 785-1544-119, 785-1544-120, 785-1544-121, 785-1544-122, 785-1544-123, 785-1544-124, 785-1544-125, 785-1544-126, 785-1544-127, 785-1544-128, 785-1544-129, 785-1544-130, 785-1544-131, 785-1544-132, 785-1544-133, 785-1544-134, 785-1544-135, 785-1544-136, 785-1544-137, 785-1544-138, 785-1544-139, 785-1544-140, 785-1544-141, 785-1544-142, 785-1544-143, 785-1544-144, 785-1544-145, 785-1544-146, 785-1544-147, 785-1544-148, 785-1544-149, 785-1544-150, 785-1544-151, 785-1544-152, 785-1544-153, 785-1544-154, 785-1544-155, 785-1544-156, 785-1544-157, 785-1544-158, 785-1544-159, 785-1544-160, 785-1544-161, 785-1544-162, 785-1544-163, 785-1544-164, 785-1544-165, 785-1544-166, 785-1544-167, 785-1544-168, 785-1544-169, 785-1544-170, 785-1544-171, 785-1544-172, 785-1544-173, 785-1544-174, 785-1544-175, 785-1544-176, 785-1544-177, 785-1544-178, 785-1544-179, 785-1544-180, 785-1544-181, 785-1544-182, 785-1544-183, 785-1544-184, 785-1544-185, 785-1544-186, 785-1544-187, 785-1544-188, 785-1544-189, 785-1544-190, 785-1544-191, 785-1544-192, 785-1544-193, 785-1544-194, 785-1544-195, 785-1544-196, 785-1544-197, 785-1544-198, 785-1544-199, 785-1544-200	2000-41812 2010-28393 2010-28394 2010-28395 2010-28396 2010-28397 2010-28398 2010-28399 2010-28400 2010-28401 2010-28402 2010-28403 2010-28404 2010-28405 2010-28406 2010-28407 2010-28408 2010-28409 2010-28410 2010-28411 2010-28412 2010-28413 2010-28414 2010-28415 2010-28416 2010-28417 2010-28418 2010-28419 2010-28420 2010-28421 2010-28422 2010-28423 2010-28424 2010-28425 2010-28426 2010-28427 2010-28428 2010-28429 2010-28430 2010-28431 2010-28432 2010-28433 2010-28434 2010-28435 2010-28436 2010-28437 2010-28438 2010-28439 2010-28440 2010-28441 2010-28442 2010-28443 2010-28444 2010-28445 2010-28446 2010-28447 2010-28448 2010-28449 2010-28450 2010-28451 2010-28452 2010-28453 2010-28454 2010-28455 2010-28456 2010-28457 2010-28458 2010-28459 2010-28460 2010-28461 2010-28462 2010-28463 2010-28464 2010-28465 2010-28466 2010-28467 2010-28468 2010-28469 2010-28470 2010-28471 2010-28472 2010-28473 2010-28474 2010-28475 2010-28476 2010-28477 2010-28478 2010-28479 2010-28480 2010-28481 2010-28482 2010-28483 2010-28484 2010-28485 2010-28486 2010-28487 2010-28488 2010-28489 2010-28490 2010-28491 2010-28492 2010-28493 2010-28494 2010-28495 2010-28496 2010-28497 2010-28498 2010-28499 2010-28500

According to the Flood Insurance Rate Map, dated 4/27/2006, Parcel No. 0514-0203157, a portion of the representation post is within Special Flood Hazard Area, Zone A, 100 Year Floodplain.

City File # 2011-11-14

**PROPERTY LINE ADJUSTMENT
MOUNT KESSLER
ADJUSTED PROPERTY LINES**

CITY OF Fayetteville ARKANSAS ENGINEERING DIVISION
115 W. MOUNTAIN STREET
PHONE NO. 479-510-1100 FAX NO. 479-510-1101

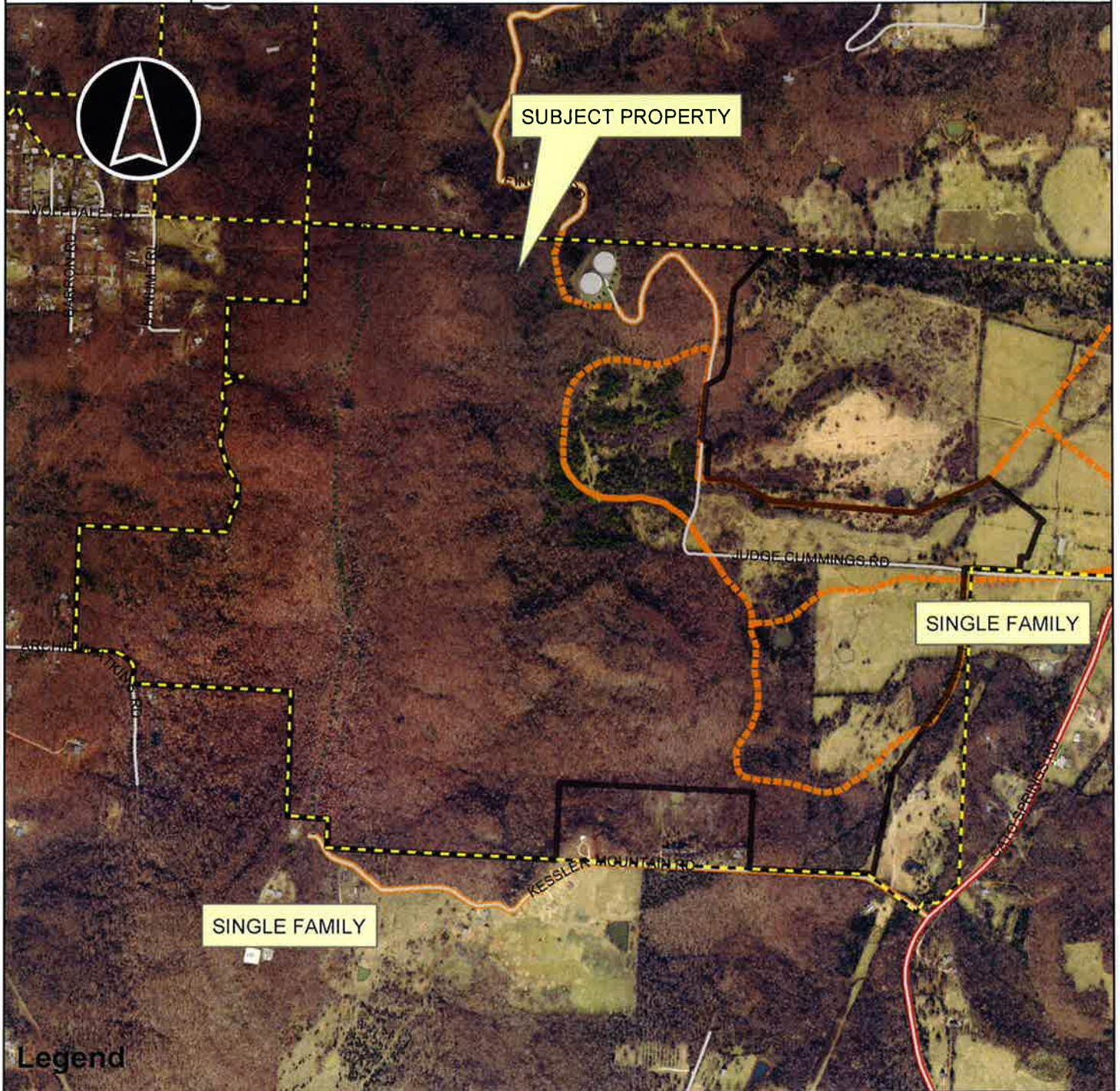
SIGNED BY: CAG/JAH
DATE: 11/25/11
DRAWN BY: JAH
CHECKED BY: JAH
FILE NO.: 2011-11-14
PROJECT NO.: P-02314-019

PROJECT: 2/16
DATE: 11/25/11
DRAWN BY: JAH
CHECKED BY: JAH

RZN14-4731

KESSLER RESERVE

Close Up View



Legend

Multi-Use Trail (Existing)

Future Trails

Fayetteville City Limits

RZN14-4731

Footprints 2010

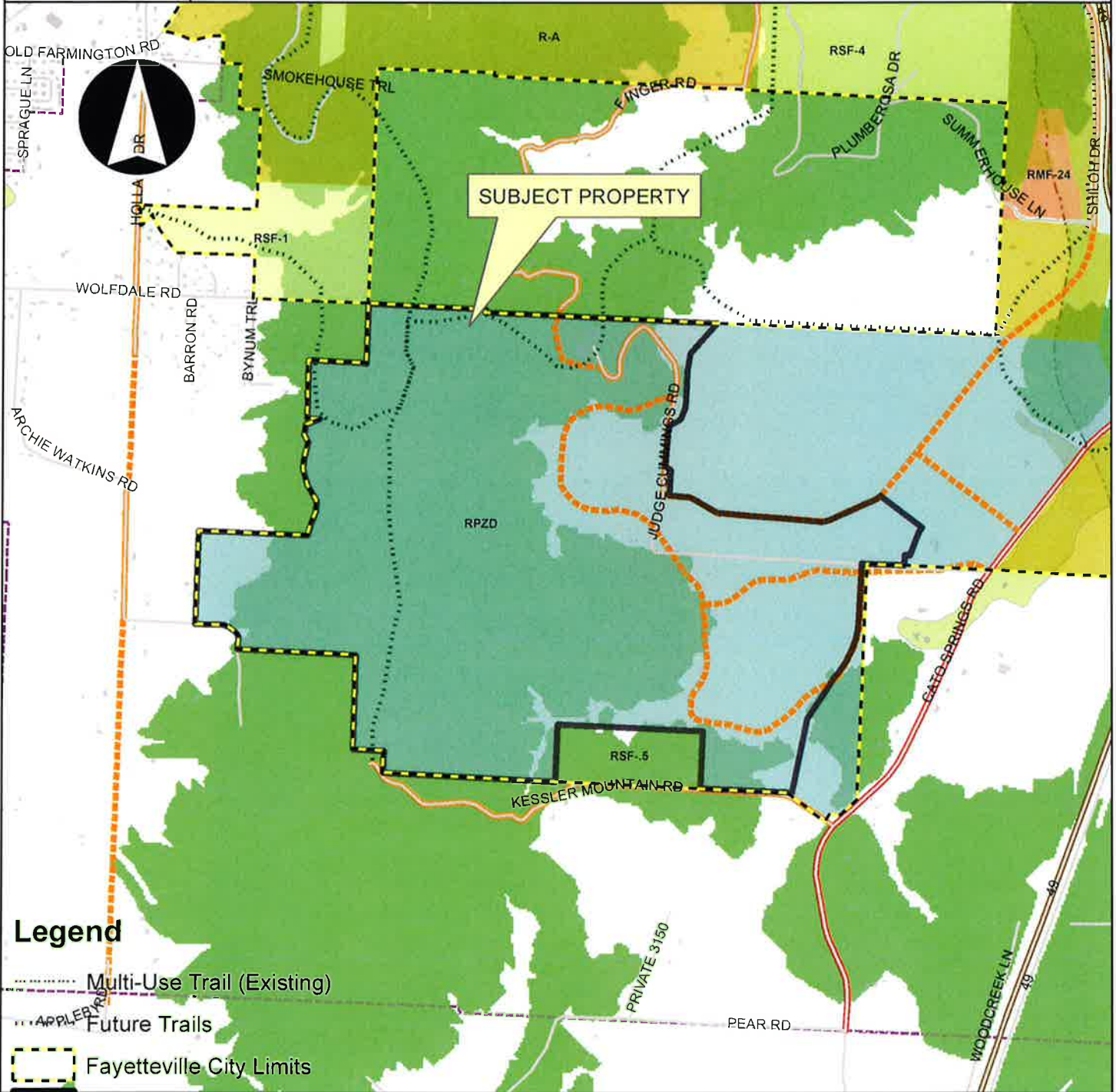
Design Overlay District



RZN14-4731

KESSLER RESERVE

Close Up View



Legend

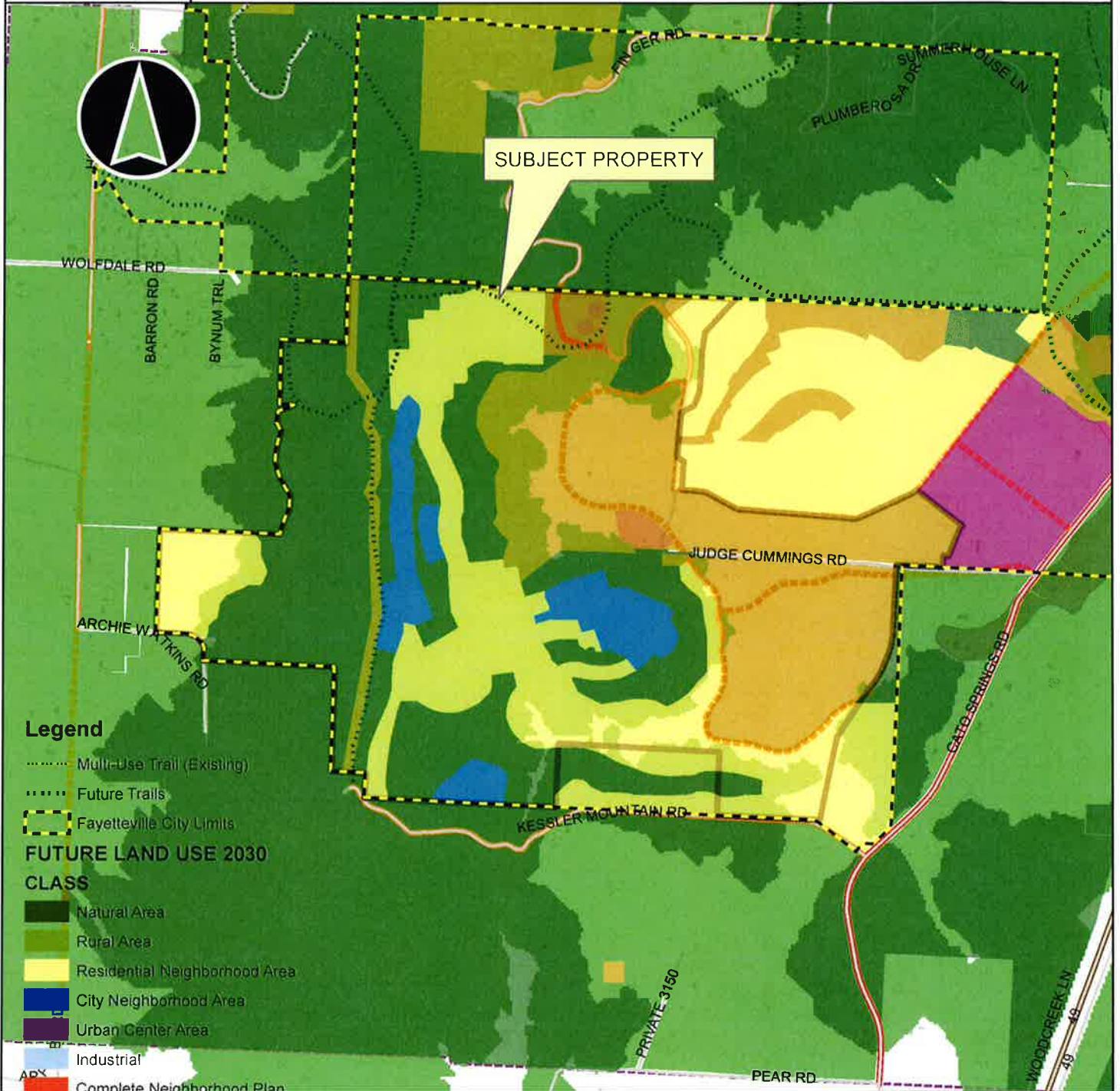
- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits
- Overview RZN14-4731
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN14-4731

MT. KESSLER RESERVE

Future Land Use



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial
- Complete Neighborhood Plan

Civic and Private Open Space/Parks

Civic Institutional

Non-Municipal Government

ROW

RZN14-4731

Design Overlay District

Design Overlay District

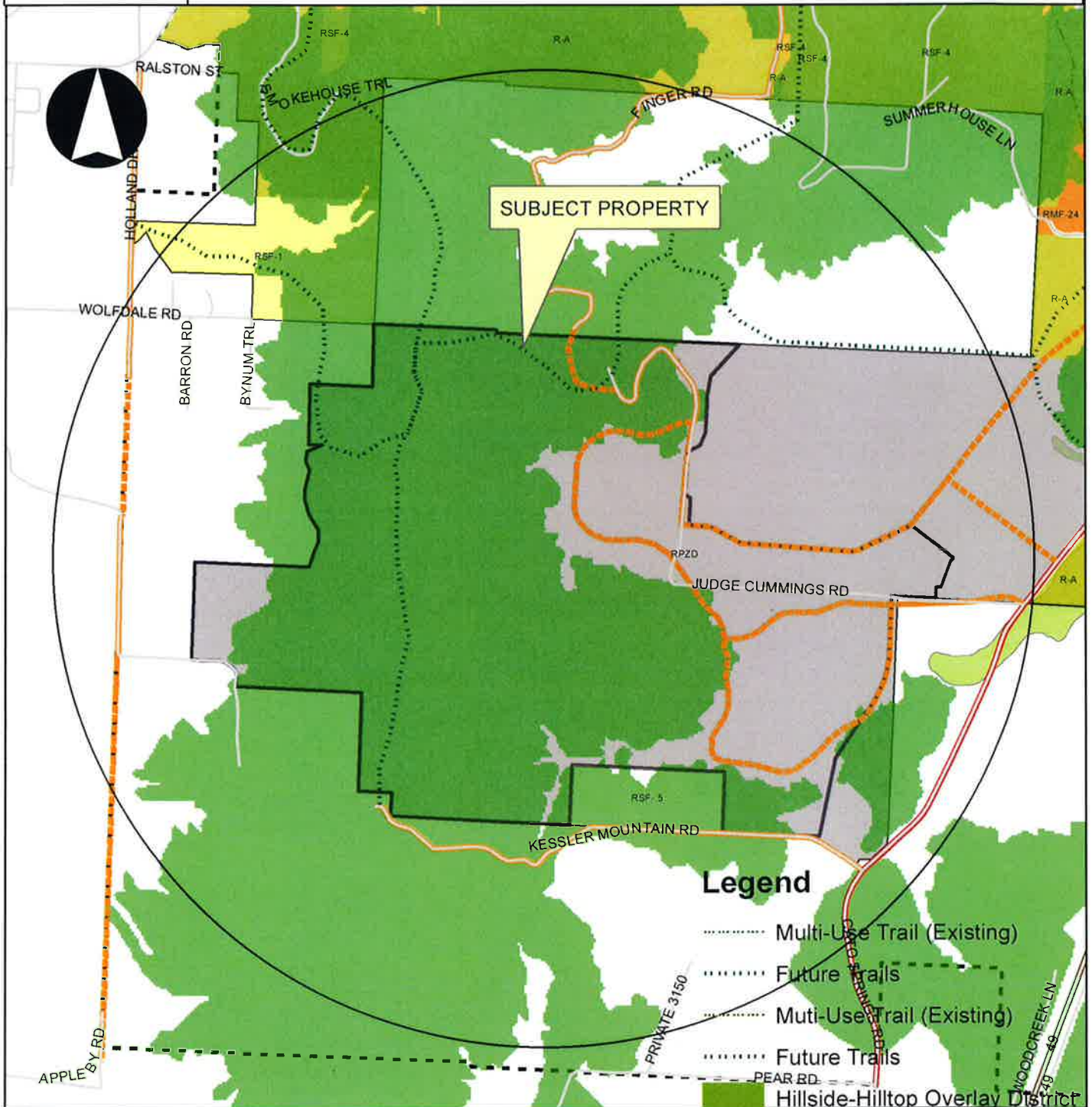
Planning Area



RZN14-4731

MT. KESSLER RESERVE

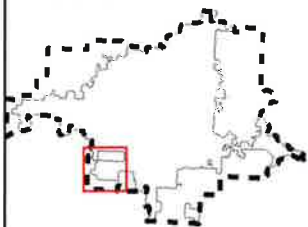
One Mile View



Legend

- Multi-Use Trail (Existing)
- Future trails
- Multi-Use Trail (Existing)
- Future Trails
- Hillside-Hilltop Overlay District

Overview



Legend

- Subject Property
- RZN14-4731

Boundary

0 0.25 0.5



- RZN14-4731
- Design Overlay District
- Planning Area
- Fayetteville

1
Miles