

ORDINANCE NO. 51-16

**AN ORDINANCE REZONING IDENTIFIED PROPERTY  
AND AMENDING THE ZONING MAP**

**WHEREAS**, the City Planning Commission has heretofore held a public hearing upon request No.18-8-16 to rezone certain properties hereinafter described, and, having considered said request, recommended on August 9, 2016, that said change be made;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:**

**SECTION 1:** That the following properties to-wit:

Part of the Southwest Quarter, and part of the East Half of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½” rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N02°38’35”E, 1568.71 feet; Thence leaving said West Line, N90°00’00”E, 1776.18 feet to the westerly line of Phoenix Metals, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record July 5, 2013 as plat 1930; Thence along said westerly line, N50°24’51”E, 393.82 feet to the northwesterly corner of said Lot 1, said corner being marked with an existing concrete nail; Thence along the northerly line of said Lot 1, S39°33’58”E, 307.02 feet to the Point of Beginning, said point being marked with a set ½” rebar with cap stamped MWC 1369; Thence leaving said northerly line, N50°25’50”E, 1218.11 feet to a set ½” rebar with cap stamped MWC 1369; Thence S39°33’09”E, 43.13 feet to an existing ½” rebar; Thence N50°23’58”E, 308.08 feet to a set ½” rebar with cap stamped MWC 1369; Thence N39°32’37”W, 586.06 feet to the easterly right-of-way line of the future realigned Wells Lake Road and a set ½” rebar with cap stamped MWC 1369; Thence along said right-of-way line the following courses: 1087.67 feet along the arc of a curve to the left, said curve having a radius of 1150.00 feet and being subtended by a chord having a bearing of N48°41’35”E and a distance of 1047.58 feet to a set ½” rebar with cap stamped MWC 1369; N21°35’52”E, 619.57 feet to a set ½” rebar with cap stamped MWC 1369; 72.16 feet along the arc of a curve to the right, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of

N67°32'06"E and a distance of 64.67 feet to the southerly right-of-way line of Frontier Road and a set ½" rebar with cap stamped MWC 1369; Thence along said southerly right-of-way line the following courses: 66.34 feet along the arc of a curve to the right, said curve having a radius of 2950.00 feet and being subtended by a chord having a bearing of S65°53'02"E and a distance of 66.34 feet to a set ½" rebar with cap stamped MWC 1369; S60°31'14"E, 983.66 feet to the westerly right-of-way line of Chad Colley Boulevard and a set ½" rebar with cap stamped MWC 1369; Thence along said westerly right-of-way line the following courses: 62.02 feet along the arc of a curve to the right, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of S21°02'06"E and a distance of 57.23 feet to a set ½" rebar with cap stamped MWC 1369; 346.64 feet along the arc of a curve to the left, said curve having a radius of 2166.50 feet and being subtended by a chord having a bearing of S13°52'02"W and a distance of 346.27 feet to a set ½" rebar with cap stamped MWC 1369; 1392.34 feet along the arc of a curve to the right, said curve having a radius of 1941.50 feet and being subtended by a chord having a bearing of S29°49'42"W and a distance of 1362.70 feet to a set ½" rebar with cap stamped MWC 1369; S50°22'23"W, 1987.45 feet to an existing nail at the northeast corner of said Phoenix Metals, Lot 1; Thence along said northerly line of Lot 1, N39°33'58"W, 865.50 feet to the Point of Beginning. Containing 86.75 acres, more or less.

AND

Part of Government Lot 1 of the Northwest Quarter, and part of the Northeast Quarter of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½" rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N02°38'35"E, 3353.13 feet; Thence leaving said West Line, N90°00'00"E, 2414.45 feet to the right-of-way centerline of Wells Lake Road and the Point of Beginning; Thence along said centerline the following courses: N50°24'17"E, 1342.31 feet; N42°51'32"E, 153.67 feet; N33°20'27"E, 175.58 feet; 60.43 feet along the arc of a curve to the right, said curve having a radius of 70.00 feet and being subtended by a chord having a bearing of N58°04'27"E and a distance of 58.57 feet; N86°24'51"E, 57.75 feet to a point on the centerline of Frontier Road, said point also being on the Fort Smith-Barling City Limit Line; Thence along an irregular curve in said centerline of Frontier Road, being subtended by the following chords, said chords also being concurrent with said City Limit Line: S69°57'47"E, 150.86 feet to an existing City Limit Line monument; S61°56'38"E, 221.35 feet; S60°30'31"E, 108.46 feet; Thence leaving said centerline, S29°26'59"W, 60.12 feet to a point on the southerly right-of-way line of said Frontier Road; Thence 66.34 feet along the arc of a curve to the left, said curve having a radius of 2950.00 feet and being subtended by a chord having a bearing of N65°53'02"W and a distance of 66.34 feet to an existing 1/2" rebar with cap stamped MWC 1369; Thence 72.16 feet along the arc of a curve to the left, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of S67°32'06"W and a distance of 64.67 feet to an existing 1/2" rebar with cap stamped MWC 1369; Thence S21°35'52"W, 619.57 feet to an existing 1/2" rebar with cap stamped MWC 1369; Thence 1238.62 feet along the arc of a curve to the right, said curve having a radius of 1150.00 feet and being subtended by a chord having a bearing of S52°27'12"W and a distance of 1179.61 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence S83°18'32"W, 116.26 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N39°33'58"W, 542.46 feet to the Point of Beginning. Containing 28.33 acres, more or less, and being subject to public road rights-of-way and any easements of record or fact.

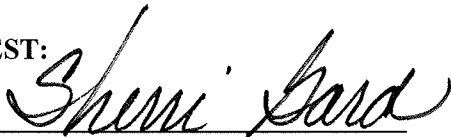
Containing 115.08 acres total, more or less.

more commonly known as 7000 Chad Colley Boulevard, should be, and is hereby rezoned from a Planned Zoning District (PZD) and Not Zoned (NZ) to a Planned Zoning District (PZD) by Classification. The approved change in zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zone Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk. In accordance with the project booklet, a Master Plan will be submitted to the Planning Commission for final approval prior to the approval of any development plans or building permits.

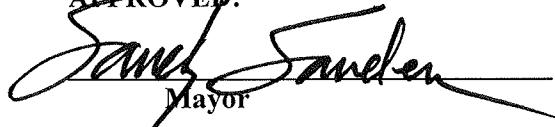
The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS 6<sup>th</sup> DAY OF September, 2016.

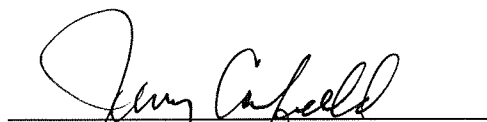
ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED:

  
\_\_\_\_\_  
Mayor

Approved as to form:

  
\_\_\_\_\_  
Publish One Time