



Legislation Details (With Text)

**File #:** ORD-11:008    **Version:** 1    **Name:** Rezoning by Compton Dunlap Properties, LLC  
**Type:** Ordinance    **Status:** Passed  
**File created:** 1/12/2011    **In control:** City Council  
**On agenda:**    **Final action:** 2/1/2011  
**Title:** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 AND I-1 TO C-3 LUO GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 5716 & 5720 EAST JOHNSON AVENUE AS REQUESTED BY COMPTON DUNLAP PROPERTIES, LLC & C3, LLC  
**Sponsors:**  
**Indexes:** Rezoning  
**Code sections:**  
**Attachments:** 1. Plat, 2. MAPC Report

Date	Ver.	Action By	Action	Result
2/1/2011	1	City Council	Passed	Pass
1/18/2011	1	City Council	Waived Second Reading	Pass

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES  
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION I: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM (R-1) SINGLE FAMILY MEDIUM DENSITY DISTRICT & I-1 INDUSTRIAL TO (C-3 LU-O) GENERAL COMMERCIAL DISTRICT - LIMITED USE OVERLAY, THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION (R-1 TO C-3 LUO):

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 00°42'44" EAST, ALONG THE EAST LINE OF SAID SECTION 2, 83.67 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 49, THE POINT OF BEGINNING PROPER; THENCE SOUTH 89°13'12" WEST, ALONG SAID RIGHT-OF-WAY LINE, 104.39 FEET; THENCE NORTH 00°42'44" EAST, LEAVING SAID RIGHT-OF-WAY LINE, 336.44 FEET; THENCE SOUTH 89°17'16" EAST, 104.35 FEET TO THE EAST LINE OF SAID SECTION 2; THENCE SOUTH 00°42'44" EAST, ALONG SAID EAST LINE, 333.72 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 49, THE POINT OF BEGINNING PROPER,

CONTAINING 0.80 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

LEGAL DESCRIPTION (I-1 TO C-3 LUO):

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 00°42'44" EAST, ALONG THE WEST LINE OF SAID SECTION 2, 83.67 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE NORTH 00° 42'44" EAST, ALONG SAID WEST LINE, 333.72 FEET; THENCE NORTH 89°08'44" EAST, 210.19 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF MANCHESTER DRIVE; THENCE SOUTH 00°43'25" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 334.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 49; THENCE SOUTH 89°13'12" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 210.11 FEET, TO THE POINT OF BEGINNING PROPER, CONTAINING 0.66 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION II: THE REQUESTED REZONING CLASSIFICATION IS C-3 LIMITED USE OVERLAY (LU-O). THE LU-O IS FURTHER RESTRICTED AS FOLLOWS:

1. THE LIMITED USES SHALL EXCLUDE THE FOLLOWING:
  - ADULT ENTERTAINMENT
  - OFF-PREMISES ADVERTISEMENT
  
2. THE FOLLOWING LIMITED USES SHALL BE ALLOWED ONLY BY CONDITIONAL USE APPLICATION/APPROVAL BY THE MAPC:
  - CARWASH
  - CEMETERY
  - CONSTRUCTION SERVICES
  - CONVENIENCE STORE
  - FAST FOOD RESTAURANT
  - GAS STATION
  - GENERAL AND LIMITED VEHICLE REPAIR
  
3. THAT ALL FUTURE SITE PLANS SHALL BE APPROVED BY THE PLANNING COMMISSION WITH SAFE ACCESS EASEMENT MANAGEMENT INCLUDED ON INDIVIDUAL SITE PLANS. NO NEW WORK SHALL COMMENCE PRIOR TO FINAL SITE PLAN REVIEW AND APPROVAL BY THE MAPC.
  
4. A LIGHTING PLAN AND LANDSCAPING PLAN SHALL BE SUBMITTED TO THE MAPC, INCLUDING A 20 FT. LANDSCAPE BUFFER, INCLUDING PRIVACY FENCE WHERE THE SITE ABUTS EXISTING RESIDENTIAL USES.
  
5. THAT THE PROPOSED DEVELOPMENT SHALL SATISFY ALL REQUIREMENTS OF THE CITY ENGINEER, SATISFYING ALL REQUIREMENTS OF THE CURRENT STORMWATER DRAINAGE

DESIGN MANUAL.

6. THAT PRIOR TO ANY ISSUANCE OF CERTIFICATE OF OCCUPANCY OF NEW USES, ALL REQUIREMENTS STIPULATED BY ALL CITY, STATE AND LOCAL AGENCIES BE SATISFIED.

7. THAT THE OWNER SHALL COORDINATE ALL EGRESS/INGRESS WITH THE STATE HIGHWAY DEPARTMENT, CITY ENGINEERING DEPARTMENT AND THE PLANNING DEPARTMENT.

SECTION III: THE CITY CLERK IS HEREBY DIRECTED TO AMEND THE OFFICIAL ZONING DISTRICT BOUNDARY MAP OF THE CITY OF JONESBORO, ARKANSAS, INsofar AS IT RELATES TO THE LANDS DESCRIBED HEREINABOVE SO THAT THE ZONING CLASSIFICATION OF SAID LANDS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.

PASSED AND APPROVED this 1<sup>st</sup> day of February, 2011.