



Legislation Details (With Text)

File #: ORD-23:041 **Version:** 2 **Name:** REZONING FROM RS-7 & C-4 TO C-3 LUO & C-4 FOR PROPERTY LOCATED AT 3703 S. CULBERHOUSE STREET AS REQUESTED BY JEREMY BEVILL ON BEHALF OF MICHAEL DANIELS

Type: Ordinance **Status:** Passed

File created: 11/15/2023 **In control:** City Council

On agenda: **Final action:** 12/19/2023

Title: AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RS-7 & C-4 TO C-3 LUO & C-4 FOR PROPERTY LOCATED AT 3703 S. CULBERHOUSE STREET AS REQUESTED BY JEREMY BEVILL ON BEHALF OF MICHAEL DANIELS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Rezoning Application, 2. 15 LOT ZONING-EXISTING, 3. 15 LOT ZONING-EXISTING EXTENDED, 4. 15 LOT ZONING-PROPOSED, 5. 15 LOT ZONING-PROPOSED EXTENDED, 6. 23901300 RZ 2 PLAT, 7. Certified Mail, 8. Deed, 9. Exhibit A, 10. Sign Photos (2), 11. Updated Plat C-4 C-3 LUO, 12. Staff Summary - Culberhouse - CC, 13. Publication Fee Receipt, 14. 23901300_RZFINAL, 15. C-3 C-4

Date	Ver.	Action By	Action	Result
12/19/2023	2	City Council	Passed	Pass
12/5/2023	1	City Council	Amended	Pass
11/21/2023	1	City Council	Held at one reading	

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RS-7 & C-4 TO C-3 LUO & C-4 FOR PROPERTY LOCATED AT 3703 S. CULBERHOUSE STREET AS REQUESTED BY JEREMY BEVILL ON BEHALF OF MICHAEL DANIELS

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: RS-7 SINGLE FAMILY RESIDENTIAL DISTRICT AND C-4 NEIGHBORHOOD COMMERCIAL DISTRICT

TO: C-3 LUO GENERAL COMMERCIAL DISTRICT AND C-4 LUO NEIGHBORHOOD COMMERCIAL DISTRICT

THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

TRACT 1

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 03 EAST IN CRAIGHEAD COUNTY, ARKANSAS, ALSO BEING PART OF LOT 1 OF THE RECORD PLAT OF SARTIN MINOR PLAT AS FILED IN BOOK C, PAGE 187 OF THE RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N00°08'52"W, A DISTANCE OF 675.38 FEET TO THE CENTERLINE OF A PROPOSED EXTENSION OF SOUTHERN RIDGE BOULEVARD AND ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE N00°08'52"W, A DISTANCE OF 189.52 FEET; THENCE N89°00'31"E, A DISTANCE OF 803.74 FEET; THENCE S01°09'17"E, A DISTANCE OF 235.77 FEET; THENCE S13°29'00"W, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF A PROPOSED EXTENSION OF SOUTHERN RIDGE BOULEVARD; THENCE N76°31'00"W ALONG SAID CENTERLINE, A DISTANCE OF 91.48 FEET; THENCE S13°29'00"W, A DISTANCE OF 40.00 FEET; THENCE S00°09'24"E, A DISTANCE OF 82.26 FEET; THENCE S88°59'43"W, A DISTANCE OF 60.01 FEET; THENCE N00°09'24"W, A DISTANCE OF 97.71 FEET; THENCE N13°29'00"E, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF A PROPOSED EXTENSION OF SOUTHERN RIDGE BOULEVARD; THENCE N76°31'00"W ALONG SAID CENTERLINE, A DISTANCE OF 133.06 FEET; THENCE ALONG SAID CENTERLINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 420.00 FEET, AN ARC LENGTH OF 106.00 FEET, AND A CHORD BEARING OF N83°44'49"W FOR A CHORD DISTANCE OF 105.72 FEET; THENCE ALONG SAID CENTERLINE S89°01'23"W, A DISTANCE OF 415.14 FEET TO THE POINT OF BEGINNING, CONTAINING 4.03 ACRES, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT 2

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 03 EAST IN CRAIGHEAD COUNTY, ARKANSAS, ALSO BEING PART OF LOT 1 OF THE RECORD PLAT OF SARTIN MINOR PLAT AS FILED IN BOOK C, PAGE 187 OF THE RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N00°08'52"W, A DISTANCE OF 864.90 FEET; THENCE N89°00'31"E, A DISTANCE OF 803.74 FEET; THENCE S01°09'17"E, A DISTANCE OF 170.01 FEET TO THE POINT OF BEGINNING; THENCE N89°01'35"E, A DISTANCE OF 465.52 FEET TO THE WEST RIGHT-OF-WAY OF CULBERHOUSE ROAD; THENCE S00°32'18"W ALONG SAID RIGHT OF WAY, A DISTANCE OF 199.99 FEET; THENCE S00°49'25"E ALONG SAID RIGHT OF WAY, A DISTANCE OF 226.12 FEET; THENCE N90°00'00"W, A DISTANCE OF 431.62 FEET; THENCE N75° 12'23"W, A DISTANCE OF 145.66 FEET; THENCE N00°09'24"W, A DISTANCE OF 258.74 FEET; THENCE N13°29'00"E, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF A PROPOSED EXTENSION OF SOUTHERN RIDGE BOULEVARD; THENCE ALONG SAID CENTERLINE S76° 31'00"E, A DISTANCE OF 91.48 FEET; THENCE N13°29'00"E, A DISTANCE OF 40.00 FEET; THENCE N01°09'17"W, A DISTANCE OF 65.76 FEET TO THE POINT OF BEGINNING, CONTAINING 5.23 ACRES, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT3

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36,

TOWNSHIP 14 NORTH, RANGE 03 EAST IN CRAIGHEAD COUNTY, ARKANSAS, ALSO BEING PART OF LOT 1 OF THE RECORD PLAT OF SARTIN MINOR PLAT AS FILED IN BOOK C, PAGE 187 OF THE RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N00°08'52"W, A DISTANCE OF 494.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°08'52"W, A DISTANCE OF 180.40 FEET TO THE CENTERLINE OF A PROPOSED EXTENSION OF SOUTHERN RIDGE BOULEVARD; THENCE N89°01'23"E ALONG SAID CENTERLINE, A DISTANCE OF 415.14 FEET; THENCE ALONG SAID CENTERLINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 420.00 FEET, AN ARC LENGTH OF 106.00 FEET, AND A CHORD BEARING OF S83°44'49"E FOR A CHORD DISTANCE OF 105.72 FEET; THENCE S76°31'00"E ALONG SAID CENTERLINE, A DISTANCE OF 133.06 FEET; THENCE S13°29'00"W, A DISTANCE OF 40.00 FEET; THENCE S00°09'24"E, A DISTANCE OF 97.71 FEET; THENCE S88°59'43"W, A DISTANCE OF 130.01 FEET; THENCE N00°09'24"W, A DISTANCE OF 9.98 FEET; THENCE S89°33'56"W, A DISTANCE OF 300.15 FEET; THENCE S01°46'25"E, A DISTANCE OF 9.98 FEET; THENCE S88°58'16"W, A DISTANCE OF 210.06 FEET TO THE POINT OF BEGINNING CONTAINING 2.51 ACRES, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT 4

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 03 EAST IN CRAIGHEAD COUNTY, ARKANSAS, ALSO BEING PART OF LOT 1 OF THE RECORD PLAT OF SARTIN MINOR PLAT AS FILED IN BOOK C, PAGE 187 OF THE RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N89°00'46"E, A DISTANCE OF 1054.18 FEET TO THE POINT OF BEGINNING; THENCE N00°00'00"E, A DISTANCE OF 212.50 FEET; THENCE N90°00'00"E TO THE WEST RIGHT-OF WAY OF CULBERHOUSE ROAD, A DISTANCE OF 218.48 FEET; THENCE S00°49'25"E ALONG SAID RIGHT OF WAY, A DISTANCE OF 14.37 FEET, THENCE S29°13'27"W ALONG SAID RIGHT OF WAY, A DISTANCE OF 11.84 FEET; THENCE S01°31'35"E ALONG SAID RIGHT OF WAY, A DISTANCE OF 45.08 FEET; THENCE S37°08'16"E ALONG SAID RIGHT OF WAY, A DISTANCE OF 10.10 FEET; THENCE S00°39'48"E ALONG SAID RIGHT OF WAY, A DISTANCE OF 130.89 FEET; THENCE S89°00'46"W, A DISTANCE OF 221.76 FEET TO THE POINT OF BEGINNING CONTAINING 1.06 ACRES, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT 5

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 03 EAST IN CRAIGHEAD COUNTY, ARKANSAS, ALSO BEING PART OF LOT 1 OF THE RECORD PLAT OF SARTIN MINOR PLAT AS FILED IN BOOK C, PAGE 187 OF THE RECORDS OF CRAIGHEAD COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N89°00'46"E, A DISTANCE OF 510.19 FEET TO THE POINT OF BEGINNING; THENCE N00°09'24"W, A DISTANCE OF 392.23 FEET; THENCE N88°59'43"E, A DISTANCE OF 130.01 FEET; THENCE N00°09'24"W, A DISTANCE OF 100.01 FEET; THENCE N88°59'43"E, A DISTANCE OF 60.01 FEET; THENCE S00°09'24"E, A DISTANCE OF 176.48 FEET; THENCE S75°12'23"E, A DISTANCE OF 145.66 FEET; THENCE S90°00'00"E, A DISTANCE OF 431.62

FEET TO THE WEST RIGHT-OF-WAY OF CULBERHOUSE ROAD; THENCE S00°49'25"E ALONG SAID RIGHT OF WAY, A DISTANCE OF 60.00 FEET; THENCE S90°00'00"W, A DISTANCE OF 218.48 FEET; THENCE S00°00'00"W, A DISTANCE OF 212.50 FEET; THENCE S89°00'46"W, A DISTANCE OF 543.99 FEET TO THE POINT OF BEGINNING CONTAINING 4.45 ACRES, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION II: THE REZONING OF THIS PROPERTY SHALL ADHERE TO THE FOLLOWING STIPULATIONS:

1. The proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. The C-3 and C-4 Limited Use Overlay shall prohibit the following uses:
 - a. Auditorium or Stadium
 - b. Carwash
 - c. Cemetery
 - d. Communication Tower
 - e. Construction Sales and Service
 - f. Entertainment, Adult
 - g. Golf Course
 - h. Homeless Shelter
 - i. Hotel or Motel (Except for small boutique lodging, 30 rooms or less)
 - j. Medical Marijuana Dispensary
 - k. Parking Lot, Commercial
 - l. Pawn Shops
 - m. Recreational Vehicle Park
 - n. Service Station
 - o. Sign, Off-Premises
 - p. Utility, Major
 - q. Utility, Minor
 - r. Freight Terminal
 - s. Agricultural, Animal
 - t. Any Business that Remains Open 24 Hours Per Day

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 19TH DAY OF DECEMBER, 2023.