



Legislation Details (With Text)

**File #:** ORD-09:065    **Version:** 1    **Name:** Rezoning by David Abernathy  
**Type:** Ordinance    **Status:** Passed  
**File created:** 9/10/2009    **In control:** City Council  
**On agenda:**    **Final action:** 10/6/2009  
**Title:** AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 GENERAL COMMERCIAL FOR PROPERTY LOCATED AS 1212 PARAGOULD DRIVE AS REQUESTED BY DAVID ABERNATHY  
**Sponsors:**  
**Indexes:** Rezoning  
**Code sections:**  
**Attachments:** 1. Staff\_Summary\_RZ09-17 \_David Abernathy Rezoning\_Council, 2. Plat - David Abernathy

Date	Ver.	Action By	Action	Result
10/6/2009	1	City Council	Passed	Pass
9/15/2009	1	City Council	Waived Second Reading	Pass

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIE FOR DAVID ABERNATHY  
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION I: TITLE 14, 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 TO (C-3 LU-O) GENERAL COMMERCIAL DISTRICT - LIMITED USE OVERLAY, THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

LOT 39 OF KEY WEST SUBDIVISION, PHASE II, TO THE CITY OF JONESBORO, ARKANSAS, AS SHOWN BY PLAT RECORDED IN PLAT CABINET "C" PAGE 122, SUBJECT TO DECLARATION OF COVENANTS AND RESRTICTIONS RECORDED IN DEED RECORD 621, PAGE 948 AT JONESBORO, ARKANSAS, AND TO EASEMENTS AS SHOWN ON RECORDED PLAT.

CONTAINING 0.69 ACRES, MORE OR LESS, BEING 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 AND SHALL ADHERE TO THE FOLLOWING STIPULATIONS SET FORTH:

1. THE LIMITED USE SHALL EXCLUDE THE FOLLOWING:

- CARWASH

- CONVENIENCE STORE
  - ADULT ENTERTAINMENT
  - HOTEL/ MOTEL
  - PAWN SHOP
  - GAS STATION
  - OFF PREMISE ADVERTISEMENT
  - GENERAL AND LIMITED VEHICLE REPAIR
2. THE FACILITY (USE SPECIFIED) SHALL BE MANAGED AND OPERATED DURING HOURS LIMITED TO 8:00 a.m. TO 7:00 p.m. THE FACILITY SHALL BE LOCKED FROM PUBLIC USE BEYOND SAID HOURS.
  3. THE FINAL SITE PLAN SHALL BE REVIEWED AND APPROVED BY THE MAPC PRIOR TO PERMIT ISSUANCE. SUCH SUBMITTAL SHALL INCLUDE ARCHITECTURAL AND ENGINEERING DRAWINGS.
  4. A FINAL LANDSCAPING PLAN SHALL BE SUBMITTED FOR APPROVAL BY THE MAPC TO SOFTEN THE APPEARANCE FROM THE RESIDENTIAL ABUTTING AS WELL AS ILLUSTRATING ALL FENCING AND SCREENING.
  5. PRIOR TO FINAL PERMIT APPROVAL, ALL PLANS AND CONSTRUCTION DOCUMENTS SHALL SATISFY ALL CITY, STATE, AND LOCAL AGENCY APPROVALS REGARDING INFRASTRUCTURE

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 ADOPTED this 6<sup>th</sup> day of October, 2009.