

ORDINANCE NO. 6030

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, KNOWN AS BAYSHORE LIGHTHOUSE TREEHOUSE ANNEXATION, TO THE CITY OF HOT SPRINGS, ARKANSAS; MAKING SAME A PART OF THE CITY OF HOT SPRINGS; ASSIGNING SAID LANDS TO A ZONING DISTRICT; REVISING THE FUTURE LAND USE MAP; ASSIGNING SAID LANDS TO A BOARD DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, a Petition was filed with the County Clerk of Garland County, Arkansas, pursuant to Arkansas Code Annotated §14-40-601 *et seq.* by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Hot Springs, Arkansas; and that

WHEREAS, on the 18th of February, 2014, the County Court of Garland County, Arkansas, certified that the Petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Hot Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Hot Springs, Arkansas; and that

WHEREAS, Hot Springs Code §16-2-32(c) states: Following the entering of an order by the county court granting a petition for annexation, and during the 30 day waiting period during which proceedings may be instituted for having the annexation prevented, the planning commission shall conduct a public hearing to discuss the zoning of the proposed annexed areas and any modifications to the comprehensive plan that might be appropriate; and

WHEREAS, the time fixed by law for appealing from said Order of Annexation made by the County Court has expired, and no appeal has been taken from said Order; and that

WHEREAS, the Petitioners' representative Tim Reynolds requested PD Planned Development zone district; and that

WHEREAS, Planning Commission duly advertised and held a public hearing on March 13, 2014, to recommend a permanent zoning classification of PD Planned Development for the subject property and by unanimous vote recommend that the Board of Directors so zone the subject property, and also assign a Future Land Use Plan Map designation of Medium High Density Residential.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hot Springs, Arkansas, as follows:

SECTION 1. That the following described lands and territory contiguous to and adjoining the City of Hot Springs, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Hot Springs, Arkansas:

PART OF THE SE1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 19 WEST, GARLAND COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at the Southeast Corner of Seligman's Rest Subdivision (Found 1/2" Pipe); Run Thence South 0036'51" West 81.13 Feet to a 1/2" Pipe; Thence North 8853'38" West 40.01 Feet To a #5 Rebar Set at the Westerly Right of Way of Grand Point Drive; thence continue North 8853'38" West 668.66 Feet through a 1" pipe to the 400-foot contour of Lake Hamilton and to the Point of Beginning; thence reversing the last said course South 8853'38" East 708.67 feet to said 1/2" pipe; thence South 0019'17" East 196.26 feet to a 1/2" pipe on the east side of said Drive at the north line of the SE1/4 of said SE1/4; thence North 8956'06" East 1308.26 feet to a 1/2" pipe at the northeast corner of said SE1/4 SE1/4; thence South 0051'37" East 324.86 feet to a pipe; thence South 0132'28" West 652.15 feet; thence North 8449'50" West and along the south line of Bayshore Acres Subdivision 292.00 feet to a point on the 400-foot contour of Lake Hamilton; thence along the meanders of said contour 4812 feet, more or less, to the Point of Beginning, 2069.36 feet North 5556'34" West of the last said point. Containing 31.80 ACRES, more or less.

SECTION 2. That the above-described territory shall be and is hereby zoned PD Planned Development and the zoning map as adopted by the Zoning Code is hereby amended to the extent necessary to designate this zoning classification. Provided, further, that the comprehensive plan future land use map is also hereby amended to classify the above-described area as Residential Medium High.

SECTION 3 Future development beyond that which now is either recorded, approved or built is subject to local, state, and federal requirements in effect at the time of development.

SECTION 4 Approved plans and recorded plats shall govern uses and development standards for existing development and shall stand as the PD site plan where such plans exist.

SECTION 5 That the above-described territory shall be made a part of District 6 of the City of Hot Springs, Arkansas, and the same shall, henceforth, be a part of said District as fully as the existing part of said District.

PASSED: June 3, 2014

APPROVED: Ruth Carney
RUTH CARNEY, MAYOR

ATTEST: Lance Spicer
LANCE SPICER, CITY CLERK

APPROVED AS TO LEGAL FORM: Brian W. Albright
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF GARLAND

SUBSCRIBED AND SWORN to before me this 3 day of June, 2014.

Leslie Kauffman
Notary Public

My Commission Expires:

2-6-2022

LESLIE KAUFFMAN
Notary Public-Arkansas
Garland County
My Commission Expires 02-06-2022
Commission # 12385989