

ORDINANCE NO. 6082 Book 3679 Page 47

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, LOCATED ON CATALINA CIRCLE, 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 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 30th of June, 2015, the County Court of Garland County, Arkansas, found 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 requested C-4 (Regional Commercial/Open Display) zone district; and that

WHEREAS, Planning Commission duly advertised and held a public hearing on July 2, 2015, to recommend a permanent zoning classification for the subject property and by unanimous vote amended the applicant's request to recommend the Board of Directors zone the subject property C-2

(General Business District), and also amend the Future Land Use Plan Map consistent with the zoning [Linear Commercial Corridor].

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 SE1/4 of Section 25, Township 3 South, Range 20 West, Garland County, Arkansas, being more particularly described as follows: Commence at the NE corner of the said SE1/4 SE1/4; thence South 632.39'; thence West 179.64' to the West line of Arkansas Highway No.7; thence S 21° 10' 32" W 265.20' to a 1/2" rebar on the Westerly line of Catalina Circle and the Point of Beginning; thence 226.75' along said Westerly line of said Catalina Circle, on a curve to the right, having a radius of 363.16' to a 1/2" rebar that bears S 38° 07' 01" W 224.98' from the last said point; thence N 34° 31' 37" West 329.0' to a 1/2" rebar at the record 400' contour of Lake Hamilton; thence N 35° 19' 40" E, along said contour, 35.80' to a 1/2" rebar; thence N 6° 28' 53" W 4.58' to the face of a block wall; thence N 78° 51' 35" E, along said wall, 12.07'; thence N 78° 39' 03" E, along said wall, 78.54' to a chain link fence post; thence N 57° 08' 07" E 40.39' to a 1/2" rebar on the South side of an asphalt drive; thence S 83° 24' 14" E, along said drive, 127.32' to a 1/2" rebar; thence S 86° 18' 43" E, along said drive, 39.12' to a chiseled "X" in a concrete drive; thence N 73° 11' 20" E 51.63' to a 1/2" rebar; thence 10.03' on a curve to the right, having a radius of 5.0' to a 1/2" rebar on the West line of Catalina Circle that bears S 49° 21' 08" E 8.43'; thence Southerly along the said west line of Catalina Circle, 160.25' on a curve to the right, having a radius of 767.31' to the Point of Beginning, bearing S 14° 05' 22" W 159.96' from the last said point, describing 1.67 acres, more or less.

SECTION 2. That the above-described territory shall be and is hereby zoned C-2 General Business District, 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 Linear Commercial Corridor.

SECTION 3 Future development is subject to local, state, and federal requirements in effect at the time of development.

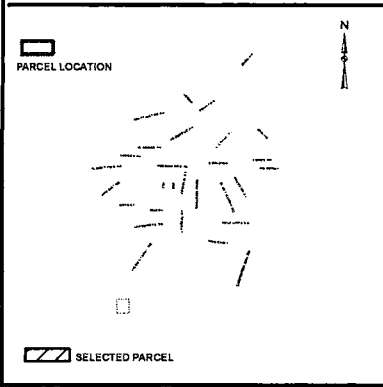
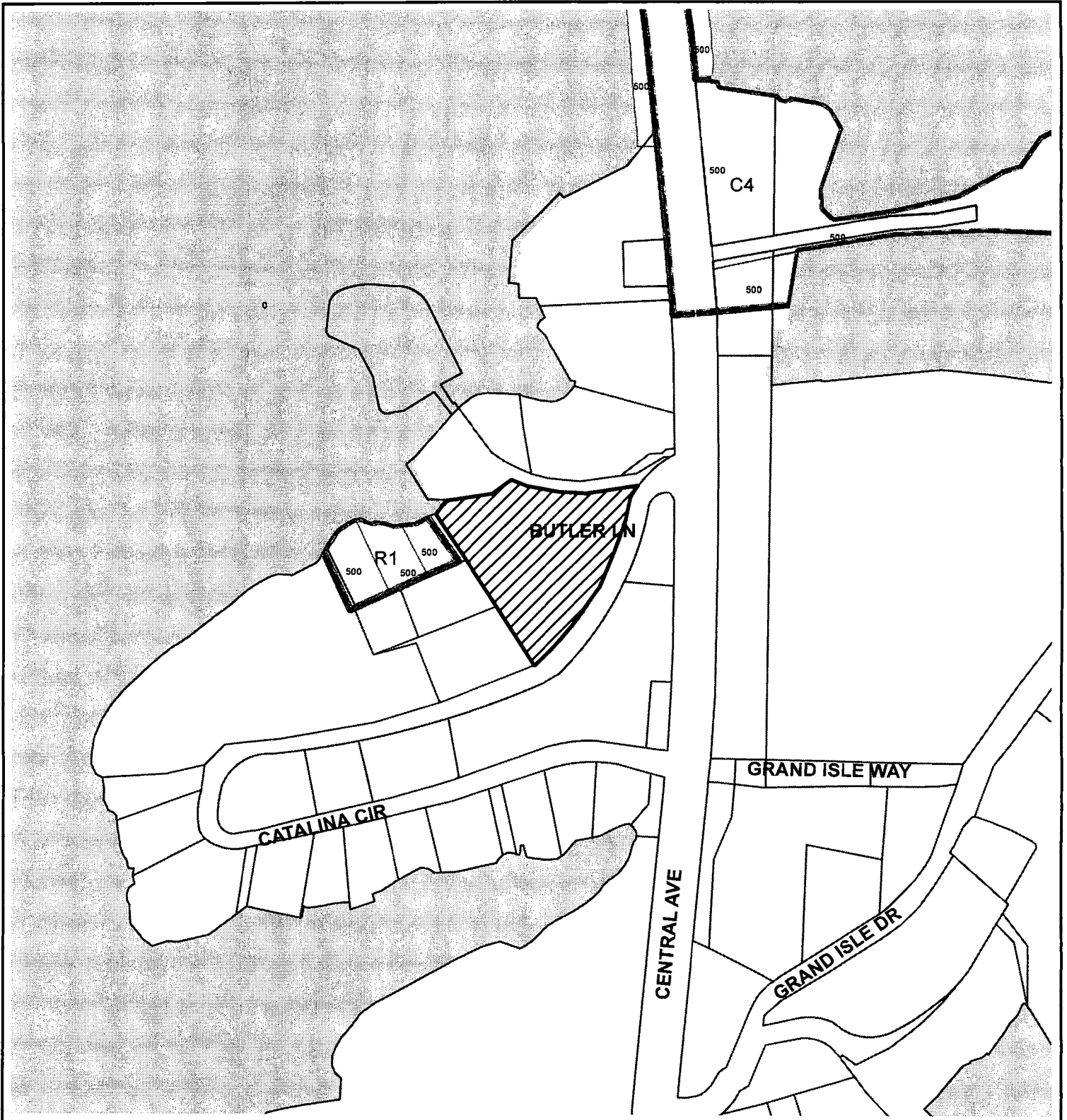
SECTION 4. That the above-described territory shall be made a part of District 5 of the City of Hot Springs, Arkansas, and the same shall, henceforth, be a part of said District as fully as the existing part of said District.

PASSED: August 4, 2015

APPROVED: Ruth Carney
RUTH CARNEY, MAYOR

ATTEST: Lance Spicer
LANCE SPICER, CITY CLERK

APPROVED AS TO LEGAL FORM: [Signature]
BRIAN W. ALBRIGHT, CITY ATTORNEY



CITY OF HOT SPRINGS
 PLANNING & DEVELOPMENT DEPARTMENT

INITIAL ZONING DESIGNATION
PATEL ANNEXATION
RECOMMENDATION FOR C-2 ZONING
APPROX. 106 CATALINA CIRCLE
BOARD OF DIRECTORS