

ORDINANCE NO. 145

AN ORDINANCE REZONING CERTAIN LANDS, CONSISTING OF 1.132 ACRES, MORE OR LESS, FROM RURAL RESIDENTIAL DISTRICT (R-R) TO GENERAL COMMERCIAL DISTRICT (B-2) AND THEREBY AMENDING THE ZONING MAP OF THE CITY OF GOSHEN

WHEREAS, the Planning Commission of the City of Goshen, Washington County, Arkansas gave notice required by law and set a hearing date of December 5, 2017 for hearing the matter of a petition of Remington Place, Inc., to rezone 1.132 acres from Rural Residential (R-R) to General Commercial District (B-2); and

WHEREAS, after notice required by law, the Goshen Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommended to the City Council that the 1.132 acres should be rezoned from Rural Residential (R-R) to General Commercial District (B-2) in that the purpose of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Goshen would suffer irreparable harm and damage, would be substantially deprived of the use of their property; and

WHEREAS, although the Planning Commission voted to recommend the property to be rezoned from Rural Residential (R-R) to General Commercial District (B-2), the Planning Commission also conditioned its recommendation upon the petitioner/developer seeking and obtaining all other approvals required for the project from the City Council and urged the City Council to include such condition in its approval;

WHEREAS, the Goshen City Council held its meeting on December 12, 2017, heard from

the public once again and on December 18, 2017 at a special meeting voted to rezone the 1.132 acres from Rural Residential (R-R) to Neighborhood Commercial District (B-1); and

WHEREAS, all the other requirements by City for the development of the entire tract of which this 1.132 are a part have been met; and

WHEREAS, the legal description of the property rezoned by vote of the City Council is the following:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 32, TOWNSHIP 17 NORTH, RANGE 28 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE NORTH 88°17'56" WEST 813.65 FEET, THENCE NORTH 01°41'58" EAST 587.65 FEET TO A FOUND 1/2" REBAR BEING ON THE NORTH RIGHT-OF-WAY LINE OF ARKANSAS HIGHWAY 45 (ALSO KNOWN AS W. BOWEN BLVD), THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE SOUTH 54°59'23" WEST 232.38 FEET TO A POINT, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 54°59'23" WEST 138.80 FEET TO A FOUND CAPPED REBAR (PLS 1298), THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 32°12'33" WEST 229.78 FEET TO A FOUND CAPPED REBAR (PLS 1298), THENCE SOUTH 61°24'53" WEST 197.22 FEET TO A FOUND 1/2" REBAR WITH CAP, SAID POINT BEING THE POINT OF BEGINNING, THENCE NORTH 36°11'43" WEST, 167.30 FEET TO A POINT, THENCE NORTH 60°26'20" EAST, 327.90 FEET TO A POINT, THENCE SOUTH 35°00'37" EAST 136.92 FEET TO A POINT, THENCE SOUTH 55°07'33" WEST 322.66 FEET BACK TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 49,310 SQUARE FEET OR 1.132 ACRES MORE OR LESS.


NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOSHEN, ARKANSAS:

SECTION 1: That Ordinance No. 35, the Amendments thereto, and the Zoning Map adopted thereby pertaining thereto of the City of Goshen, Arkansas, should be and the same is hereby amended to rezone the above described property from Rural Residential (R-R) to Neighborhood

Commercial District (B-1).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 18th day of December, 2017.



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon