

**ORDINANCE NUMBER 2011- 32**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BRYANT TO REZONE CERTAIN PROPERTY FROM C-1 (Community Commercial) & R-E (Residential - No Sewer) TO C-2 (Highway Commercial).**

**BE IT ORDAINED BY THE CITY COUNCIL OF BRYANT, ARKANSAS;**

Section 1. That certain real property described more fully below is hereby rezoned from a classification of C-1 & R-E to C-2 located in Ward 2.

Section 2. The comprehensive zoning ordinance and map of the City of Bryant is hereby amended to reflect the change of zoning classification set out in Section 1.


Section 3. The property affected by this ordinance is described as:

That part of the Northeast Quarter of the Southeast Quarter, Section 15, Township 1 South, Range 14 West, Saline County, Arkansas, described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of the Southeast Quarter; Thence North 90 Degrees 00 Minutes 00 Seconds East along the North line of said Northeast Quarter Southeast Quarter for 137.46 feet to the point of beginning; Thence continuing North 90 Degrees 00 Minutes 00 Seconds East along said North line 1,114.53 feet to the Northwest right-of-way line of State Highway #5; Thence along said right-of-way line the following courses: South 59 Degrees 59 Minutes 31 Seconds West 268.42 feet; Thence South 59 Degrees 56 Minutes 54 Seconds West 256.59 feet; Thence South 59 Degrees 57 Minutes 16 Seconds West 192.93 feet; Thence South 60 Degrees 00 Minutes 50 Seconds West 204.54 feet; Thence South 59 Degrees 42 Minutes 33 Seconds West 103.23 feet; Thence South 58 Degrees 32 Minutes 32 Seconds West 95.64 feet; Thence South 56 Degrees 41 Minutes 06 Seconds West 86.05 feet; Thence South 54 Degrees 59 Minutes 01 Seconds West 94.47 feet; Thence North 00 Degrees 21 Minutes 35 Seconds East leaving said right-of-way line 665.03 feet to the point of beginning, containing 8.31 acres, more or less.

Section 4. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

Dated: Nov. 29, 2011

Approved:   
Mayor Jill Dabbs

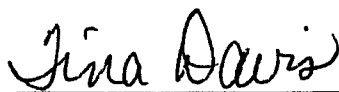
Attest:   
Heather Kizer, City Clerk

**BRYANT PLANNING COMMISSION**

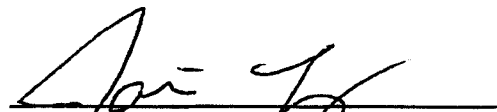
WHEREAS, the Bryant Planning Commission has considered the rezoning of certain property in Bryant, Arkansas from a classification of C-1 (Community Commercial) & R-E (Residential - No Sewer) to C-2 (Highway Commercial) for which a public hearing was held on November 14, 2011, authorized by Act 185 of the 1957 General Assembly, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Bryant Planning Commission that said property is hereby adopted for a classification of C-2 located in Ward 2 and will be submitted to the Bryant City Council in said form.

PASSED this 14th day of November, 2011.



Tina Davis, Secretary

  
Jonathan Long, Chairman



**CITY OF BRYANT**  
210 SW 3<sup>RD</sup> STREET  
BRYANT, AR 72022

## **DEVELOPMENT REVIEW STAFF REPORT TO PLANNING COMMISSION**

**PUBLIC HEARING DAY AND DATE: MONDAY, NOVEMBER 14, 2011**

<b>APPLICANT:</b>	<b>TOM BAXLEY</b>
<b>OWNER:</b>	<b>FRED &amp; ELAINE PATHMANN</b>
<b>REQUEST:</b>	<b>Request to Rezone Property from C-1 (Community Commercial) &amp; R-E (Residential – No Sewer)) to C-2 (Highway Commercial)</b>
<b>PROPERTY LOCATION:</b>	<b>6873 HIGHWAY 5 NORTH</b>

### **LOCATION**

This property is located @ old location of Crazy Cal's on Highway 5.

### **EXISTING ZONING DESIGNATION:**

The property is currently zoned C-1 (Community Commercial) & R-E (Residential – No Sewer).

### **SURROUNDING ZONING DESIGNATION:**

- North – R-2 (Residential – Single Family)
- South – R-E (Residential – Single Family)
- East – R-E (Residential – Single Family)
- West – R-E (Residential – Single Family)

### **EXISTING LAND USE:**

The property is currently unimproved vacant land.

### **FEE STATUS:**

Rezoning fee paid.

### **APPLICABLE CODES:**

- **Zoning Regulations**
  - Section 12
  - Highway Commercial District is the intended location for retail sales, wholesale sales, service, storage establishments, and light industry. This property has been used as an industrial business for many years.
- **Comprehensive Plan and Land Use Plan**

**DRC Staff Report**  
**6873 Hwy. 5 North Rezoning**  
**Public Hearing: 11/14/11**  
**Page 2**

- Proposed zoning is consistent with the Comprehensive Plan and the Bryant Land Use Plan.

**VARIANCES:**

No variances have been granted for this property.

**SPECIFIC DEPARTMENT HEAD COMMENTS:**

<b>RECOMMENDATION:</b>	<b>APPROVE</b>
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**Review Committee:**

LaVenia Jones, Planning & Community Development Director  
Monty Ledbetter, Public Works Director  
Randy Cox, Fire Chief

Greg Huggs, Chief Building Official  
Leon Black, Street Department Supt.  
Lance Penfield, Planning Commission



210 S.W. 3<sup>rd</sup> Street  
Bryant, AR 72022  
PHONE: 501-847-5559 ext. #505  
FAX: 501-847-5332  
EMAIL: ljones@cityofbryant.com

### APPLICATION FOR CHANGE IN ZONING DISTRICT BOUNDARIES

Property Owner  
Name/Signature: Fred W. Pathmann

Spouse  
Name/Signature: Elaine E. Pathmann

Property Address: 6873 Hwy 5 North, Bryant, AR 72022

Legal Description: Part of the NE 1/4, SE 1/4, Section 15, T-1-S, R-14-W.

City of Bryant, Saline County, Arkansas containing approximately  
8.3 acres.

Existing Zoning  
Classification: C-1 and R-E

Requested Zoning  
Classification Change: C-2

Plat of Property  
Is Attached: Yes

Vicinity Map of  
Property is attached: Yes

The undersigned property owner designates the following agent or attorney to represent the applicant at all hearings:

Name	Address	City	State	Phone No.
Tom Baxley	3304 Commonwealth Dr,	Bryant, AR	72022	501-847-5000
<u>Fred W. Pathmann</u>				
Property Owner Signature				
<u>Elaine Pathmann</u>				
Spouse Signature				
<u>406 Willowbend Circle, Hot Springs, AR 71913</u>				
Property Owner Mailing Address	City	State	Zip	
Phone: <u>501-623-6006</u>				

**Fred W and Elaine E Pathmann  
406 Willowbend Circle  
Hot Springs, AR 71919**

**September 15, 2011**

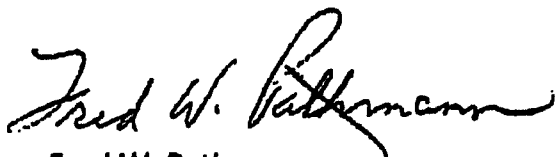
**City of Bryant Planning Commission  
210 SW 3<sup>rd</sup> Street  
Bryant, AR 72022**

**RE: 8.3 acres located at 6873 Hwy 5 North, Bryant, AR 72022**

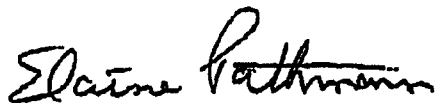
**Bryant Planning Commission:**

**We respectfully request to rezone the above described property from the current zoning of C-1 and R-E to a new zoning of C-2.**

**Sincerely,**



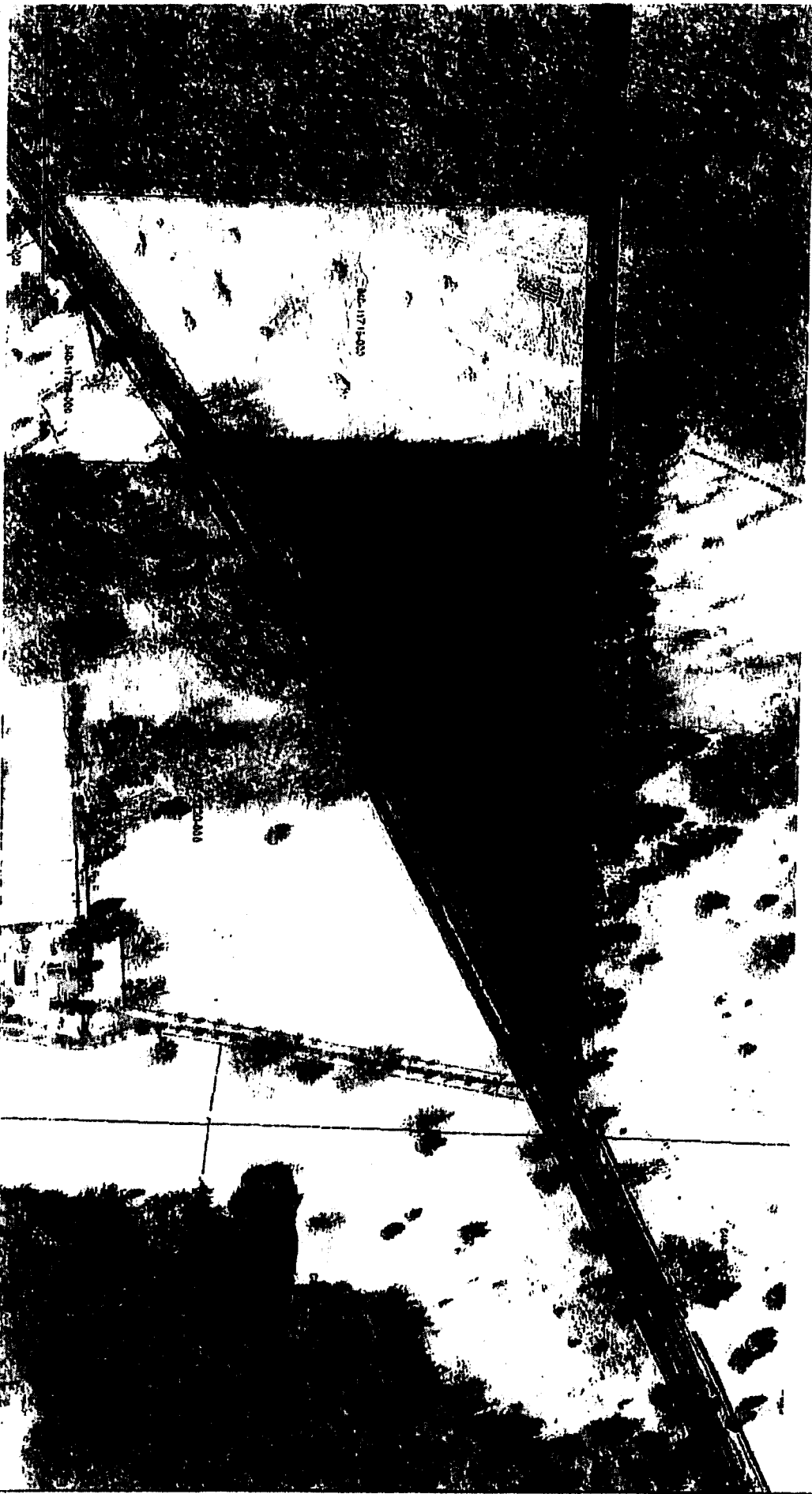
**Fred W. Pathmann**



**Elaine E. Pathmann**

# GeoStor 6.0

Powered by ArcGIS Server

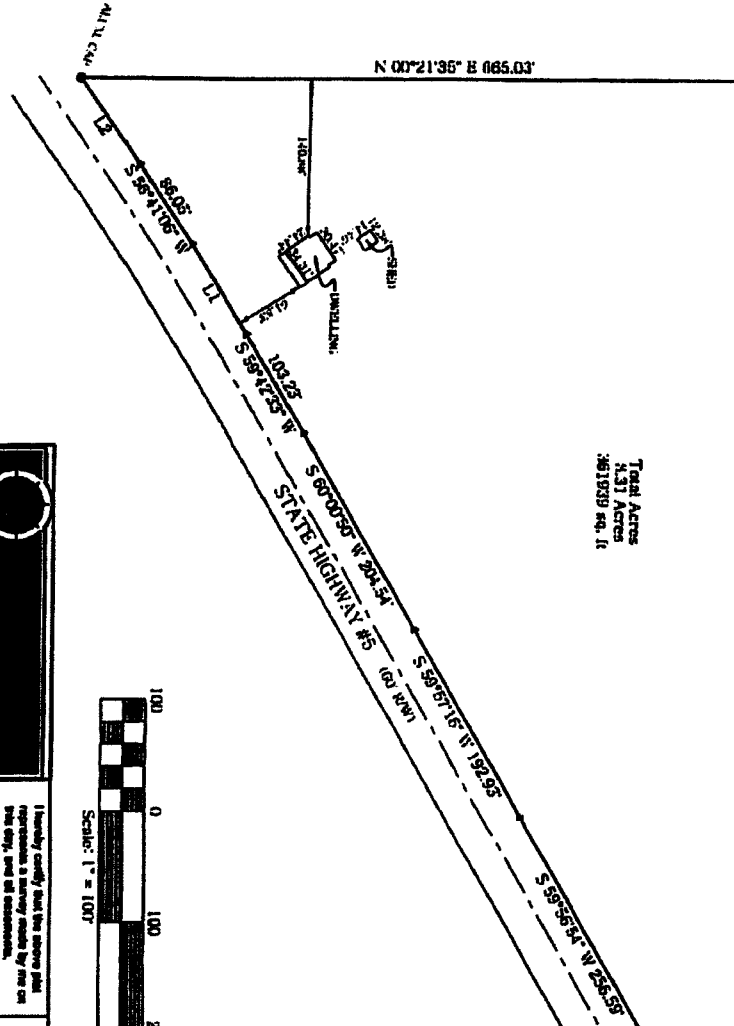


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PLS. REFER  
TO THE  
PREVIOUS  
SECTION 15  
T-4-N-R-11-W

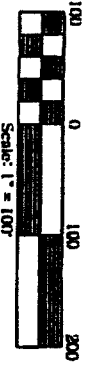
N 90°00'00" E  
137'16" 0.24 388'  
20.0°  
42.19' 7'  
WOODY DRIVE (30' B/W)  
N 90°00'00" E 1111.53'  
(MIDLINE OF ROADWAY)

N 00°21'36" E 065.03'



Total Acres  
1.51 Acres  
361939 sq. ft.

**PROPERTY DESCRIPTION**  
THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 15, TOWNSHIP 1 SOUTH, RANGE 14 WEST, SALINE COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 FOR 127.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 90°00'00" EAST ALONG SAID NORTH LINE 1114.53 FEET TO THE NORTHWEST CORNER OF SAID NE 1/4 OF THE SE 1/4; THENCE ALONG SAID NORTHWEST CORNER OF STATE HIGHWAY #5 20.0° TO THE NORTHWEST CORNER OF SAID NE 1/4 OF THE SE 1/4; THENCE SOUTH 59°56'54" WEST 258.59 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 59°57'16" WEST 192.58 FEET TO THE SOUTH CORNER OF SAID NE 1/4 OF THE SE 1/4; THENCE SOUTH 87°11'50" WEST 204.56 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 59°56'54" WEST 226.59 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 59°56'54" WEST 208.12 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°21'36" EAST 65.03 FEET TO THE POINT OF BEGINNING, CONTAINING 1.51 ACRES, MORE OR LESS.



SUBJECT	SECTION	INSTANCE
1	S. 37.5000' N	85.57'
2	S. 51.5000' W	211.17'

**LEGEND**  
 ○ FOUND MONUMENT  
 ○ SET REBAR/CAP STIPS  
 ● COMPUTED POINT  
 —— CONTROL POINT  
 —— FENCE

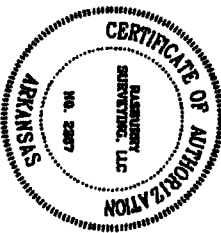
204 W. State Street  
 Benton, AR 72018  
 Office: (501) 882-8823  
 E-Mail: arland@arland.com

FILE: C:\DRAWINGS\15-10\BALANCE.PDF  
 STATE CODE: 800-018-149-Q-15-240-03-1388

I hereby certify that the above plat represents a survey made by me in my own hand, and all measurements, computations, and interpretations are based on the data furnished to me, and are true and correct to the best of my knowledge and belief. I am not responsible for any errors or omissions which may occur in the reproduction of this plat for any other than the purpose for which it was prepared.

FOR USE AND BENEFIT OF:  
**FRED W. PATMANN, JR.  
 AND BLANE E. PATMANN  
 AND DAVID PENFIELD WOODY**  
 REALTORS  
 PROPERTY ADDRESS:  
 STATE HIGHWAY #5  
 SALINE COUNTY, AR

DATE: 9-14-11  
 DRAWN BY: DCR  
 JOB#: 125-11  
 CHECKED BY: JAN



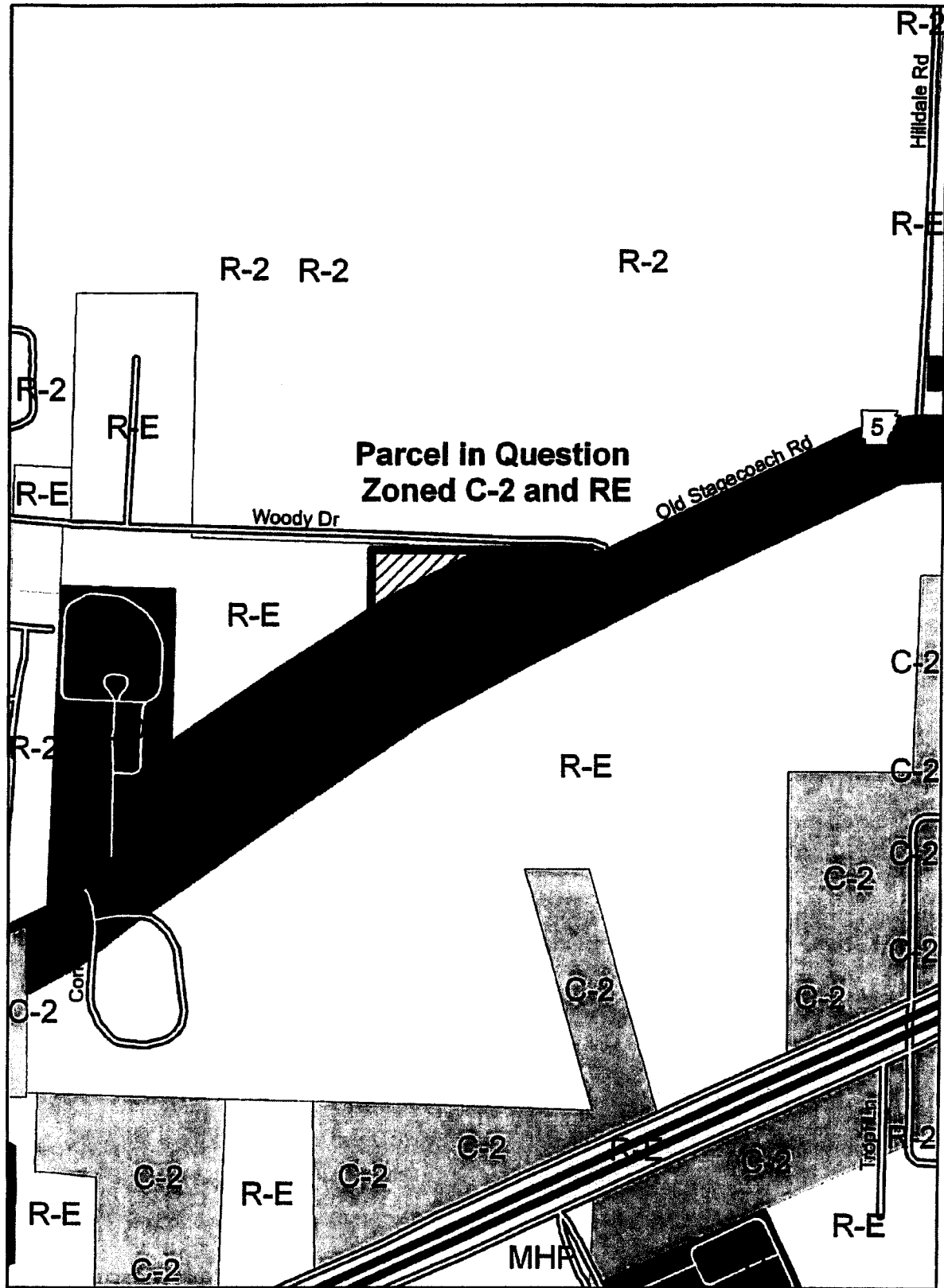
THE HEAKING SYSTEM IS BASED ON A SURVEY BY URYAN T. DE SCHI DATED AUGUST 15, 2002



6873 Hwy. 5 North

# Bryant Zoning Verification

September 16, 2011



0 2,200 Feet

