

ORDINANCE NO. _____

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED SOUTH OF MINE ROAD, NORTH OF LOOP ROAD, AND WEST OF KELLOGG ACRES ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM THE PRESENT (UNZONED) TO C-3 BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Mr. Ben Eiler, 205 North Dudney, Magnolia, AR 71753, seeking a rezone of the herein described land, which application was duly considered and denied (3 affirmative votes; 4 negative votes; 2 absent) by the North Little Rock Planning Commission at a regular meeting thereof held on August 12, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Ordinance No. 7697 of the City of North Little Rock, Arkansas, is hereby amended by changing the classification of certain land from the present (unzoned) to C-3 zone for property located south of Mine Road, north of Loop Road and west of Kellogg Acres Road in North Little Rock, Arkansas, as shown on the attached map and more particularly described as follows:

The legal description of the request is: Part of the NW 1/4 and the SW 1/4 of Sec 30, T3N, R11W, Pulaski County, Arkansas & lots 14, 15 & 16 Sylvan Hills Addition, more particularly described as follows: Beginning at a found stone being the SW Corner of the NW 1/4 of said Section 30; Thence North 01 Degrees 21 Minutes 38 Seconds East along the West line of said Section 30 for 551.95 feet; Thence South 55 Degrees 45 Minutes 23 Seconds East 437.23 feet to a point on the North right-of-way line of Mine Road; Thence along said North right-of-way North 34 Degrees 08 minutes 57 Seconds East for 656.55 feet; Thence South 55 Degrees 46 Minutes 39 Seconds East for 293.03 feet; Thence South 15 Degrees 05 Minutes 51 Seconds West for 480.42 feet; Thence South 51 Degrees 24 Minutes 59 Seconds East for 588.94 feet; Thence North 46 Degrees 27 Minutes 13 Seconds East for 301.22 feet to a point on the Westerly right-of-way of Kellogg Road; Thence along the said Westerly right-of-way line along the following bearings and distances: South 43 Degrees 06 Minutes 04 Seconds East for 227.05 feet; Thence along a curve to the right having a radius of 216.33 feet and a chord bearing and distance of South 15 Degrees 43 Minutes 58 Seconds East for 198.90 feet; Thence South 11 Degrees 38 Minutes 10 Seconds West for 496.68 feet; Thence along a curve to the left having a radius of 355.64 feet and a chord bearing and distance of South 07 Degrees 05

Minutes 52 Seconds East for 228.44 feet; Thence South 25 Degrees 49 Minutes 53 Seconds East for 172.30 feet; Thence along a curve to the right having a radius of 1341.42 feet and a chord bearing and distance of South 19 Degrees 02 Minutes 21 Seconds East for 317.30 feet; Thence South 12 Degrees 14 Minutes 50 Seconds East for 65.61 feet; Thence along a curve to the right having a radius of 990.98 feet and a chord bearing and distance of South 04 Degrees 24 Minutes 41 Seconds East for 270.21 feet; Thence South 03 Degrees 25 Minutes 28 Seconds West for 110.63 feet; Thence along a curve to the left having a radius of 2565.00 feet and a chord bearing and distance of South 01 Degrees 56 Minutes 43 Seconds West for 132.41 feet; Thence South 00 Degrees 27 Minutes 59 Seconds West for 178.67 feet; Thence leaving the said Westerly right-of-way line South 67 Degrees 52 Minutes 45 Seconds West for 119.03 feet to a point on the Northerly right-of-way line of loop road; Thence along the said Northerly right-of-way along the following bearings and distances; North 37 Degrees 45 Minutes 28 Seconds West for 187.69 feet; Thence along a curve to the left having a radius of 376.38 feet and a chord bearing and distance of North 44 Degrees 32 Minutes 35 Seconds West for 88.94 feet; Thence North 51 Degrees 19 Minutes 45 Seconds West 107.37 feet to a point on the boundary line of Block 6, Sylvan Hills Addition; Thence along the said boundary line along the following bearings and distances: North 38 Degrees 24 Minutes 06 Seconds East for 102.49 feet; Thence North 03 Degrees 18 Minutes 59 Seconds West for 244.19 Feet; Thence North 16 Degrees 10 Minutes 34 Seconds West for 201.74 Feet; Thence North 51 Degrees 19 Minutes 39 Seconds West for 1487.51 Feet; Thence South 79 Degrees 22 Minutes 49 Seconds West for 359.70 Feet to a point on the West line of said Section 30; Thence North 01 Degrees 31 Minutes 52 Seconds East for 604.78 Feet to the point of beginning and containing 55.71 acres more or less. (See Exhibits "A" and "B" attached hereto.)

SECTION 2: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 3: It is hereby found and determined that the reclassification of the above-described land as provided for herein is immediately necessary in order to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR:

Alderman Murry Witcher

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b