

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED ON RIVER ROAD, WEST OF DIVISION AND SOUTH OF 7<sup>TH</sup> STREET, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) TO R-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Mr. David Jones, Marlar Engineering, 5318 John F. Kennedy Boulevard, North Little Rock, AR 72116, seeking a reclassification of the herein described land, which application was duly considered and approved (6 affirmative votes; 1 negative vote; 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on July 14, 2009; and

WHEREAS, the City adopted the North Little Rock Land Use Plan with amended land use maps in December 2002 (Ordinance No. 7507); and

WHEREAS, a revised Land Use Plan for the property herein described and being located south of the intersection of Highway 165 and Blaze Drive in North Little Rock, Arkansas, from its present TND zoning to the proposed R-4 (multi-family) classification, was approved (6 affirmative votes; 1 negative vote; 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on July 14, 2009.

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 TND (Traditional Neighborhood Development) to R-4 classification on property located on River Road, west of Division Street and south of 7<sup>th</sup> Street, in North Little Rock, Pulaski County, Arkansas, and more particularly described as follows:

A tract of land in the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  , and the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec 34, T2N, R12W, Pulaski County, Arkansas more particularly bounded and described as follows: commencing at the W  $\frac{1}{4}$  corner Sec. 34, T2N, R12W thence S01°34'55"W 393.19' to a point on the N ROW of River Road (60' ROW); thence with said N ROW S57°35'12"E 54.08'; thence along a curve to the right 75.81' having a radius of 307.07' and having a chord bearing and distance of S50°30'49"E 75.62'; thence

S43°26'25"E 157.03'; thence along a curve to the right 82.75' having a radius of 727.62' and having a chord bearing and distance of S40°10'55"E 82.71'; thence S36°55'25"E 251.46'; thence along a curve to the left 54.30' having a radius of 838.93' and having a chord bearing and distance of S38°46'40"E 54.29'; to the POB thence leaving said N ROW N41°49'23"E 937.62'; thence S62°06'49"E 341.05'; thence S09°29'54"W 678.29'; thence N80°30'06"W 135.57'; thence S14°10'50"W 28.18'; thence N70°43'47"W 37.61'; thence S09°29'55"W 350.27' to a point on the N ROW of River Road (60' ROW), thence with said ROW, along a curve to the left 27.22' having a radius of 1736.08' and having a chord bearing and distance of N54°21'11"W 27.22' to a point which bears N59°04'28"E 0.61' from a found rebar with cap rls 1375; thence N54°48'10"W 288.31' to a point which bears N65°17'09"E 0.34' from a found rebar with cap rls 1375; thence along a curve to the right 119.88' having a radius of 1146.30' and having a chord bearing and distance of N51°48'25"W 119.82' to a point which bears N43°54'41"W 0.27' from a found rebar with cap rls 1375; thence N48°48'40"W 52.11'; thence N48°49'15"W 140.10'; thence along a curve to the right 119.86' having a radius of 838.93' and having a chord bearing and distance of N44°43'31"W 119.76'; to the POB containing 13.00 acres more or less. (See Exhibits "A", "B" and "C" attached hereto.)

SECTION 2: That the Land Use Plan for the subject property described in Section 1 above is hereby amended as reflected on the map attached hereto as Exhibit "D" and incorporated by reference.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provisions shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that the reclassification and amended land use plan 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:

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Mayor Patrick H. Hays

SPONSOR:

ATTEST:

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Alderman Maurice Taylor

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

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C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b