

O-19- 12

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

**AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 7101 & 7205 HIGHWAY 70 FROM C-3 TO I-3 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 Thomas Engineering Company, 3810 Lookout Road, North Little Rock, Arkansas, 72116, seeking a rezone of the herein described land from C-3 to I-3, which application was duly considered and approved (7 affirmative votes, 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on January 8, 2019; 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 7101 & 7205 Highway 70, North Little Rock, Arkansas, from Light Industrial to Heavy Industrial was approved (7 affirmative votes, 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on January 8, 2019.

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 (the "Zoning Ordinance"), is hereby amended by changing the classification of certain land from C-3 to I-3, to allow for a scrap metal recycling business, said property being located at 7101 & 7205 Highway 70, in Pulaski County, Arkansas, and more particularly described as:

TRACT "A"

PART OF THE NE1/4 SE1/4 OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 11 WEST, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SECTION 28 AND THE NORTH RIGHT OF WAY LINE OF BANKHEAD HWY (U.S. HWY 70) THENCE WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE, 898.0 MORE OR LESS (DEED 898 FEET) TO A FOUND BOLT AND THE POINT OF BEGINNING; THENCE CONTINUING WESTERLY ALONG SAID NORTH RIGHT OF WAY, 178.00 FEET TO A FOUND REBAR; THENCE NORTH ALONG AN EXISTING FENCE, 812.67 FEET TO A FENCE POST SET IN CONCRETE AND BEING A POINT ON THE

SOUTH RIGHT OF WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD; THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE, 177.40 FEET TO A FENCE POST SET IN CONCRETE; THENCE SOUTH ALONG AN EXISTING FENCE LINE, 861.92 FEET TO THE POINT OF BEGINNING.

TRACT "B"

PART OF THE NE1/4 OF THE SE1/4 OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 11 WEST, IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF BANKHEAD HIGHWAY WITH THE EAST LINE OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 11 WEST AND RUN THENCE WESTWARD ALONG THE NORTH LINE OF SAID HIGHWAY, 646 FEET FOR THE POINT OF BEGINNING; THENCE RUN NORTH PARALLEL TO THE EAST LINE OF SAID SECTION, 928.2 FEET TO THE SOUTH LINE OF THE RIGHT OF WAY OF CHICAGO, ROCK ISLAND AND PACIFIC (See Exhibits A and B.)

SECTION 2: That the Land Use Plan for the subject property described in Section 1 above is hereby amended from Light Industrial to Heavy Industrial as reflected on the map attached hereto as Exhibit C 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 provision 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 City benefits from industrial development within its boundaries, that the rezoning of the above-described land as provided for herein to allow industrial development will not be detrimental to or interfere with other occupants in the area and 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 Joe A. Smith

SPONSOR:

ATTEST:

Linda Robinson  
Council Member Linda Robinson

Diane Whitbey

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED <u>11:15</u> A.M. _____ P.M.
By <u>City Atty Amy Fields</u>
DATE <u>1-22-19</u>
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY <u>W. Thomas</u>

# Rezone Case #2019-2



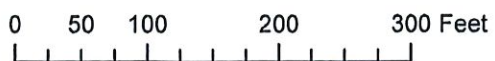
Rezone #2019-2  
 7101 & 7205 Highway 70  
 To rezone from C-3 to I-3 & to amend  
 the Land Use Plan from light industrial  
 to heavy industrial to allow for scrap  
 metal recycling



# Rezone Case #2019-2



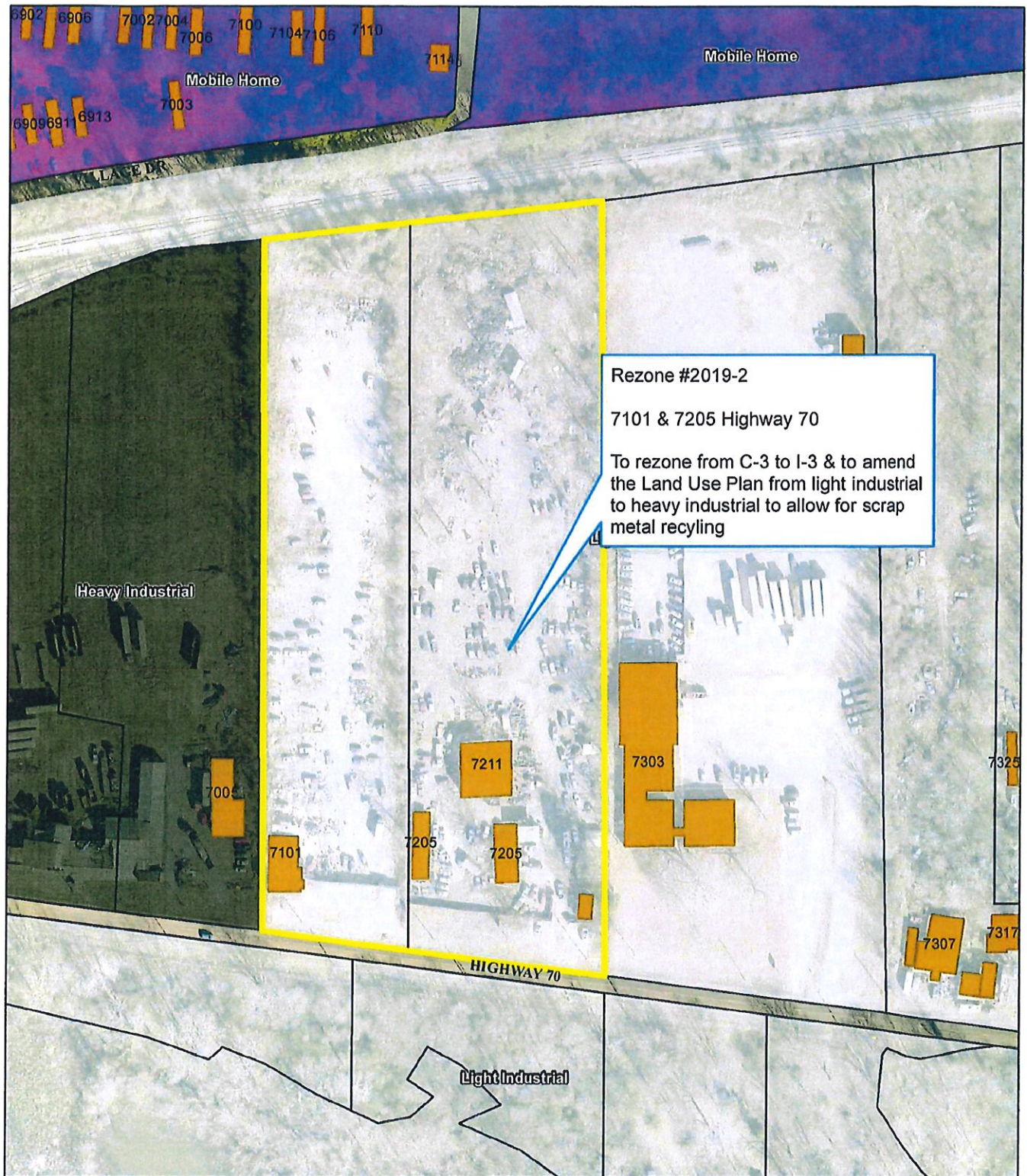
1 inch = 133.3 feet



Ortho Map

Date: 12/13/2018

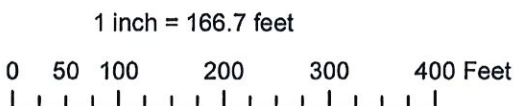
# Rezone Case #2019-2



Rezone #2019-2  
7101 & 7205 Highway 70  
To rezone from C-3 to I-3 & to amend the Land Use Plan from light industrial to heavy industrial to allow for scrap metal recycling



Land Use Map



Date: 12/13/2018

