

ORDINANCE NO. ____

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT WINDSONG DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-2 TO C-3 AND TO THE GREENBELT ZONING 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 Halff + Marlar, 5318 John F. Kennedy Boulevard, North Little Rock, Arkansas, 72116, seeking a rezone of the herein described land from R-2 to C-3 and to the Greenbelt Zoning classification, which application was duly considered and rejected (0 affirmative votes, 6 no, 1 recusal) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on February 12, 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 at Windsong Drive, North Little Rock, Arkansas, from Single Family to Community Shopping was rejected (0 affirmative votes, 6 no, 1 recusal) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on February 12, 2019; and

WHEREAS, the applicant now seeks to appeal the decision of by the North Little Rock Planning Commission to City Council; and

WHEREAS, the applicant is required to provide notice to property owners within 200 feet when the North Little Rock Planning Commission has a negative recommendation to the City Council; and

WHEREAS, the applicant has provided notice of a public hearing to be held May 13, 2019 at 6:00 p.m. to property owners within 200 feet of the subject property.

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 R-2 to C-3 to allow for commercial development and to the Greenbelt Zoning classification, said property being located at Windsong Drive, in North Little Rock, Pulaski County, Arkansas, and more particularly described as:

Part of the N 1/2, SE1/4, Section 12, Township 2 Part of the N1/2, SE1/4, Section 12, Township 2 North, Range 13 West, Pulaski County, Arkansas more particularly described as following:

Commencing at the Southwest corner of said Section 12; Thence S89 56'17"E, 889.15' to the East Right-of-Way Windsong Drive & the Point of Beginning; Thence S87 57'46"E, 321.30' to the West Right-of-Way of I-430; Thence along said West Right-of-Way N52 19'27"E, 246.18'; Thence continue along said West Right-of-Way N15 09'33"E, 317.53'; thence N80 39'34"W, 349.03'; Thence S81 18'34"W, 114.18'; Thence S03 35'18"E, 115.16'; Thence N86 11'33"W, 176.68' to the East Right-of-Way line of Windsong Drive; Thence along said East Right-of-Way line S04 06'08"E, 382.69' to the Point of Beginning. Containing 5.56 acres. Less and except:

A 70' greenbelt adjacent to and south and east of the following described line:
Park of the NE ¼ SE ¼, section 12 township 2 North, range 13, west, Pulaski county, Arkansas more particularly described as:

Commencing at the NW corner of lot 1 English commercial Subdivision to the city of NLR, Pulaski County, AR; thence N 04'06'08"W a distance of 382.69 ' along the east line of Windsong Dr. to the point of beginning; thence S 86'11'33"E a distance of 176.68'; thence N03'35'18"W a distance of 115.16'; thence N81'18'34"E a distance of 114.18'; thence S80'39'34"E a distance of 349.03' to the west ROW line of interstate 430 and the point of termination. Containing 1.21 acres more or less. (See maps attached hereto collectively as Exhibit A.)

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. 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 4: It is hereby found and determined that the City benefits from commercial development within its boundaries, that the rezoning of the above-described land as provided for herein to allow commercial 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:

Ron Harris
Council Member Ron Harris *R.H.*

ATTEST:

Diane Whitbey, City Clerk

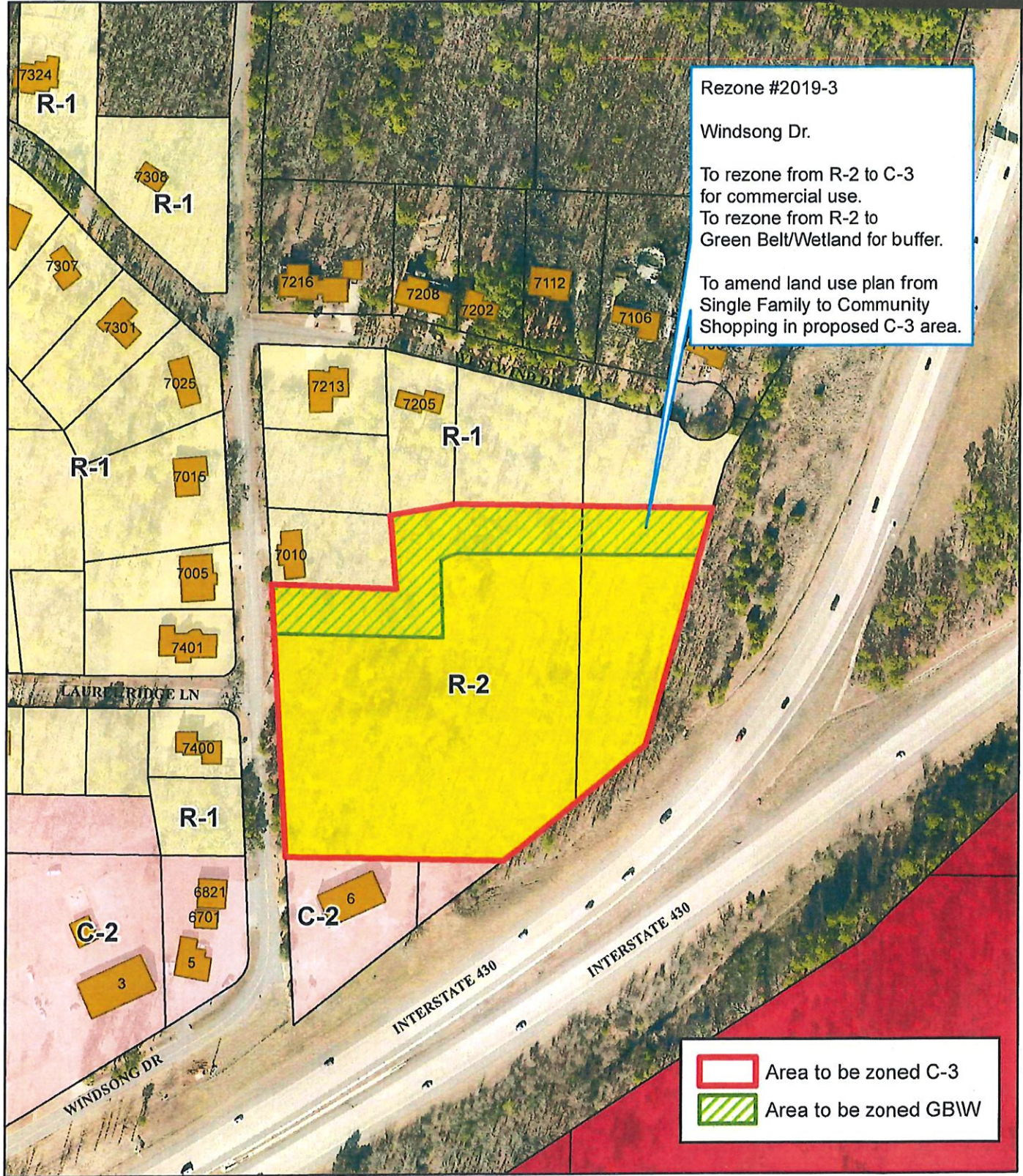
APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney



PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

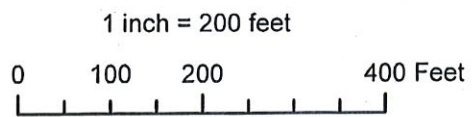
FILED	<u>11:00</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>5-7-19</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>S. Ussery</u>			

Rezone Case #2019-3



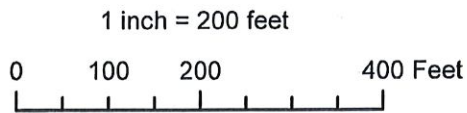
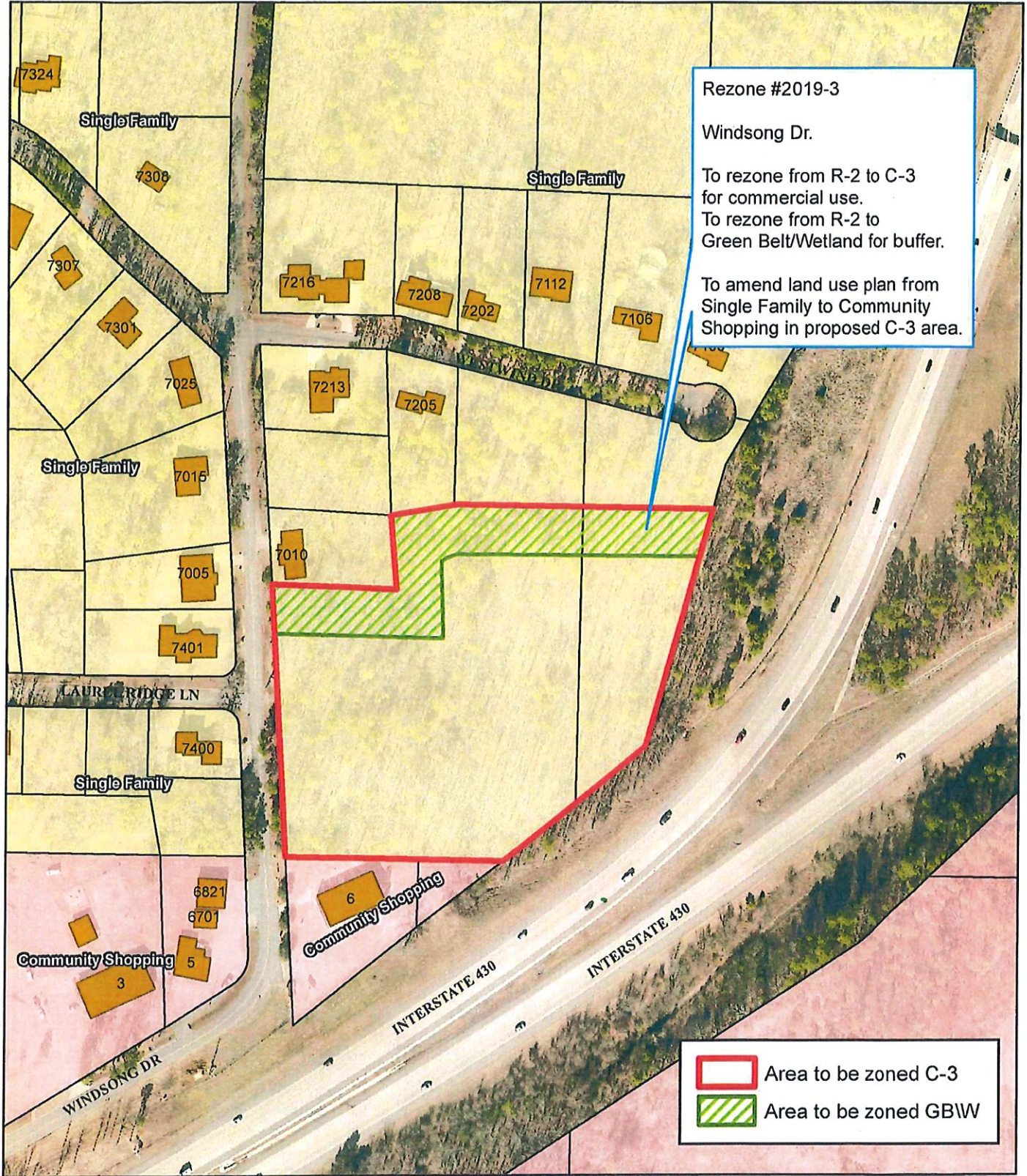
Rezone #2019-3
 Windsong Dr.
 To rezone from R-2 to C-3 for commercial use.
 To rezone from R-2 to Green Belt/Wetland for buffer.
 To amend land use plan from Single Family to Community Shopping in proposed C-3 area.

 Area to be zoned C-3
 Area to be zoned GBW



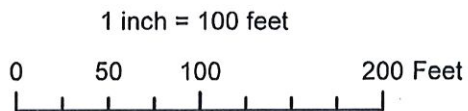
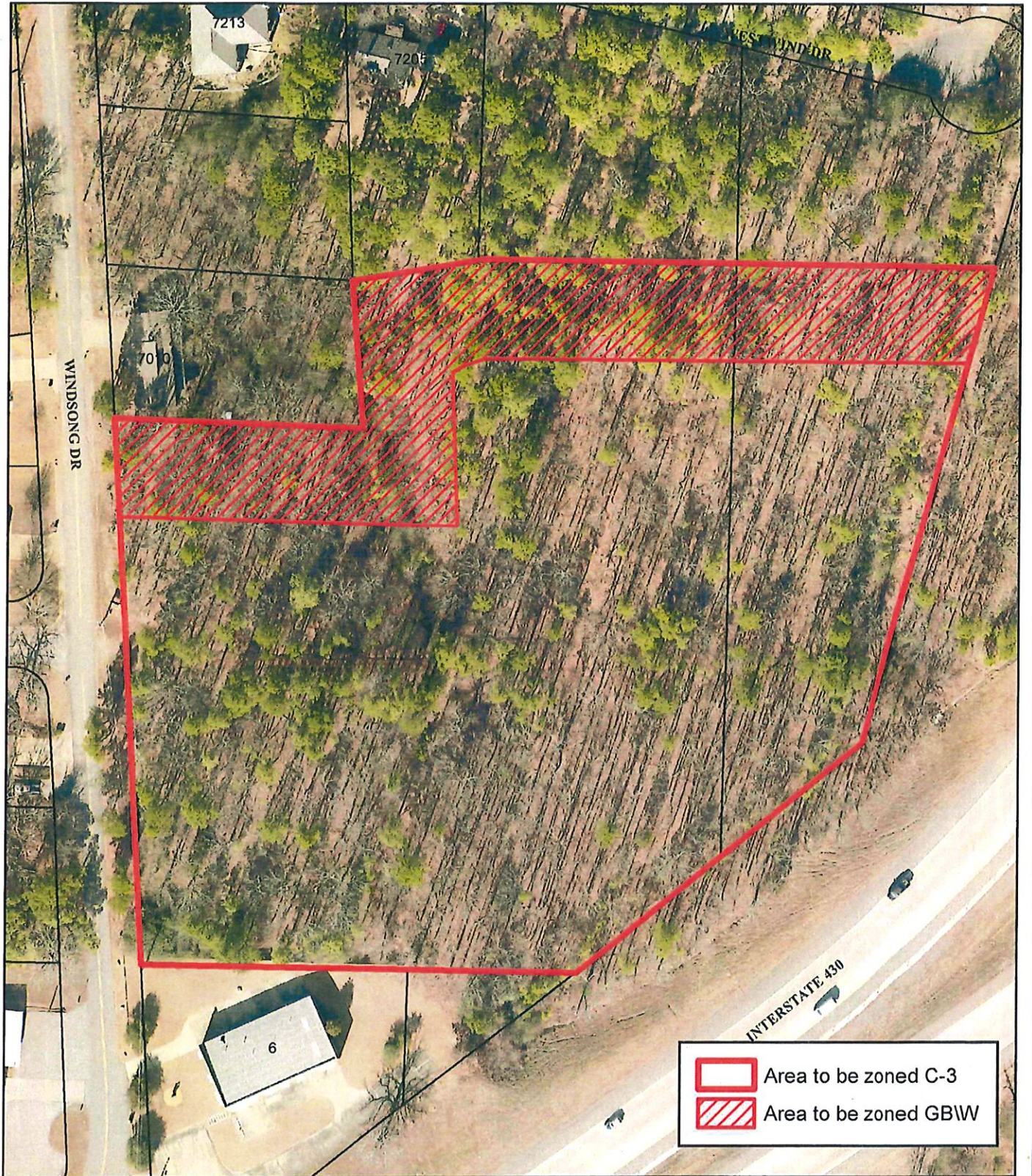
Date: 1/22/2019

Rezone Case #2019-3



Date: 1/22/2019

Rezone Case #2019-3



Date: 1/18/2019

