

O-18-79

ORDINANCE NO. _____

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 124 EUREKA GARDENS ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-1 ZONING CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) ZONING CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Young Chun, 12312 Cherryside Drive, Little Rock, AR 72211, seeking a reclassification from R-1 to Planned Unit Development (“PUD”) of the herein described land to allow for commercial business on property located at 124 Eureka Gardens Road, 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 September 11, 2018.

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 from Single Family to Quiet Business was approved (7 affirmative votes, 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on September 11, 2018.

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-1 to PUD to allow commercial business on said property being located at 124 Eureka Gardens Road and more particularly described as:

PART OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 11 WEST, PULASKI COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SAID NORTHWEST¼ OF THE SOUTHEAST¼ OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 11 WEST; THENCE EAST 20.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 454.00 FEET; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 72.37 FEET TO THE POINT OF BEGINNING FOR TRACT 1-A; THENCE NORTH 88 DEGREES 36 MINUTES 58 SECONDS EAST 145.06 FEET TO THE NORTHWEST C'ORNER OF TRACT 2; THENCE SOUTH 02 DEGREES

54 MINUTES 03 SECONDS WEST ALONG THE WESTERN BOUNDARY LINE OF SAID TRACT 2 A DISTANCE OF 118.00 FEET; THENCE SOUTH 86 DEGREES 18 MINUTES 02 SECONDS WEST 16.11 FEET; THENCE SOUTH 00 DEGREES 48 MINUTES 54 SECONDS WEST 20.09 FEET; THENCE SOUTH 66 DEGREES 14 MINUTES 23 SECONDS WEST ALONG THE NORTHERN SIDE OF A PRIVATE ASPHALT DRIVE A DISTANCE OF 129.95 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF EUREKA GARDENS ROAD; THENCE NORTH 00 DEGREES 10 MINUTES 18 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 74.40 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 21 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 4.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 116.00 FEET RETURNING TO THE POINT OF BEGINNING.

(See maps attached hereto as Exhibits "A" and "B.")

SECTION 2: That this reclassification shall be subject to the following conditions:

- 1) The allowable uses on the property are limited to a grocery store, gift shop, laundry mat, tobacco store, barber shop/beauty salon, and restaurant.
- 2) No new wall signage allowed that faces the abutting residential properties.
- 3) No expansion of the existing building allowed.
- 4) Any structures located on the lot shall meet all applicable Federal, State, County, and City requirements and codes.
- 5) Business license to be issued after Planning Staff confirmation of requirements.
- 6) Business license holder understands that failure to comply with these conditions may result in loss of Business License and/or removal of Electric Power Meter.

SECTION 3: That the Land Use Plan for the subject property described in Section 1 above is hereby amended from Single Family to Quiet Business as reflected on the map attached hereto as Exhibit C and incorporated by reference.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: 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 6: That it is hereby found and determined that the City benefits from commercial development within its boundaries, that rezoning the above-described land to allow a Planned Unit Development for commercial business is a proper use for the property, will enhance the surrounding 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

SPONSORS:

ATTEST:

Maurice Taylor
Council Member Maurice Taylor

Diane Whitbey, City Clerk

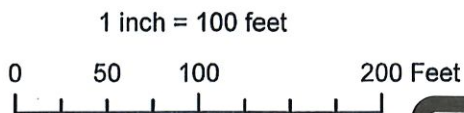
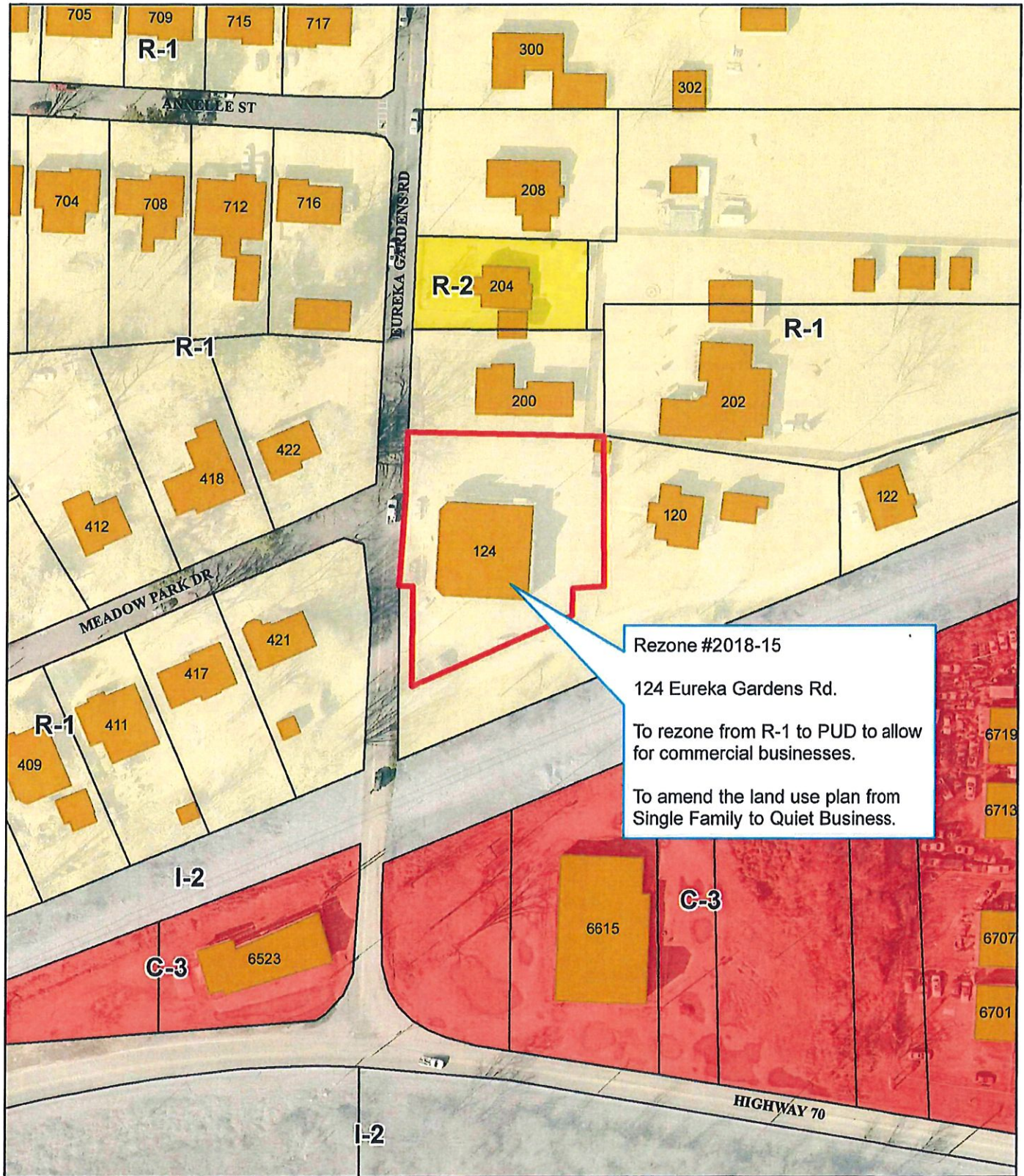
APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	<u>11:20</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>09-18-2018</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			

Rezone Case #2018-15



Date: 7/31/2018

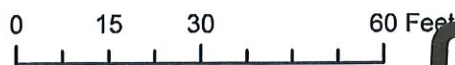


Rezone Case #2018-15



Ortho Map

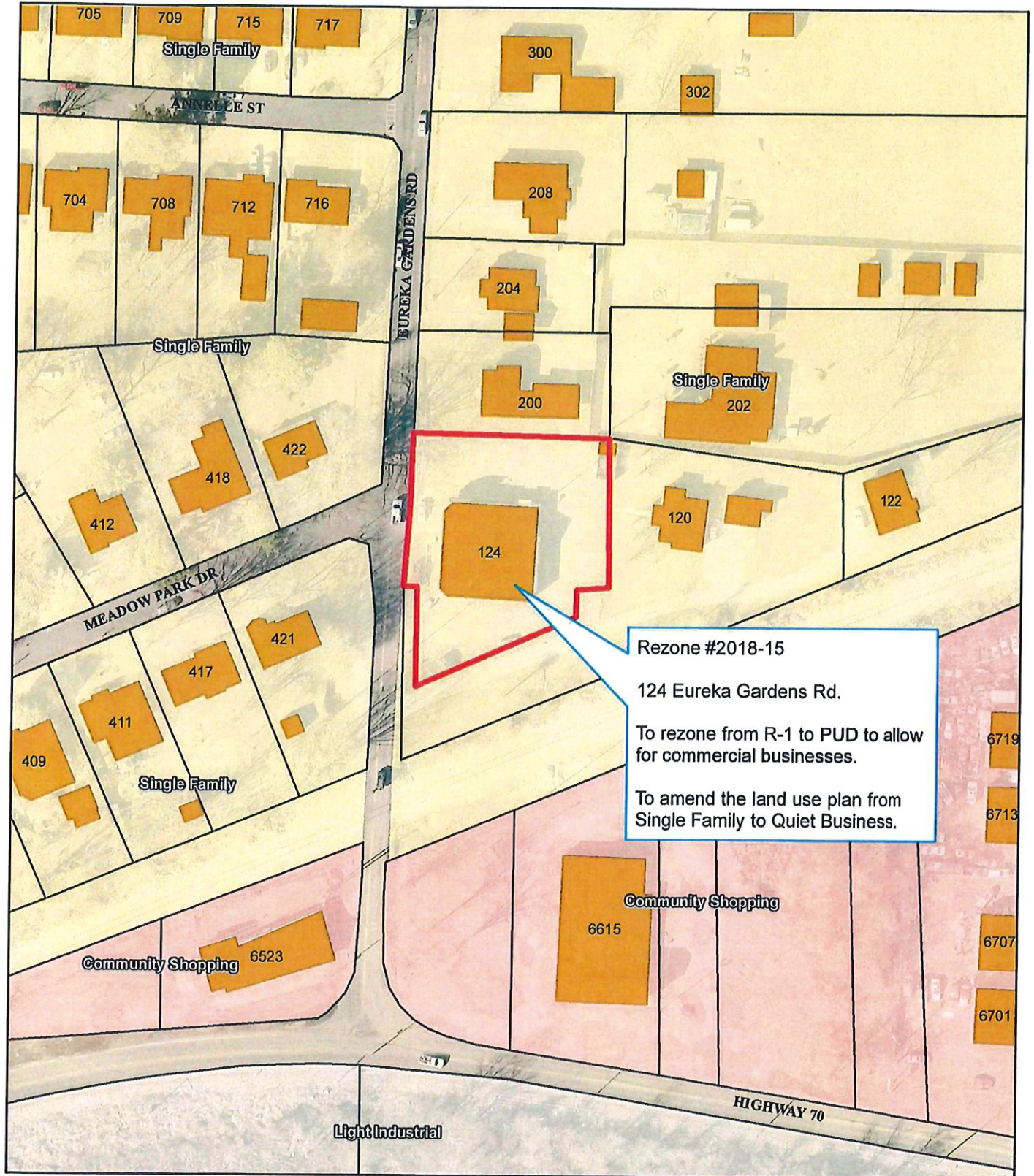
1 inch = 30 feet



Date: 7/11/2018



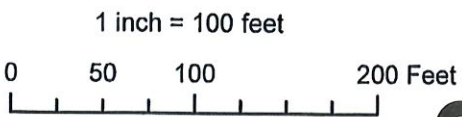
Rezone Case #2018-15



Rezone #2018-15
124 Eureka Gardens Rd.
To rezone from R-1 to PUD to allow for commercial businesses.
To amend the land use plan from Single Family to Quiet Business.



Land Use Map



Date: 7/31/2018

tabblier

EXHIBIT

 C

