

1 **AND THE ADJACENT FLOODWAY FOR BRODIE CREEK AS SHOWN ON**
2 **FIRM PANEL 05119C0431G DATED JULY 6, 2015, DESCRIBED AS THE**
3 **FLOODWAY ACROSS BLOCKS 2, 3, 6, & 8 HERRICK HEIGHTS, AN**
4 **ADDITION TO PULASKI COUNTY, ARKANSAS LESS AND EXCEPT LOT 4,**
5 **BLOCK 3 OF SAID HERRICK HEIGHTS ADDITION, CONTAINING**
6 **APPROXIMATELY 4.9 ACRES, MORE OR LESS.**

7 **Section 2.** That the preliminary site development plan/plat be approved as recommended by the Little
8 Rock Planning Commission including the following additional conditions:

- 9 1. Construct a single-lane roundabout or traffic signal at the intersection of South Bowman Road
10 and Brodie Creek Trail, including landscape and restoration of landscape within the right-of-
11 way provided when warranted, and when the need is met as determined by the City with the
12 various phases of the proposed apartment development. If the need for the improvement has
13 not been met by the final phase of the proposed apartment development the developer will place
14 the cost of the improvement with the City in the form of an in-lieu payment and allow the funds
15 to remain with the City for a period of five (5) years from the date of completion of the final
16 phase of the proposed apartment development. If a traffic signal is constructed the constructed
17 signal improvements consist of necessary poles, foundations, mast arms, signal heads,
18 pedestrian poles and heads for pedestrians crossings as needed, conduits, wiring, cabinet,
19 controller, radio, video equipment, electrical service connection and all incidental work related
20 there to. Provide a fifty (50)-foot wide buffer along the northern boundary of the PRD, Planned
21 Residential Development. No trees are to be removed from the buffer, but additional plant
22 materials may be added as part of an approved Landscape Plan. That portion of the PRD
23 marked "Proposed Residential" will be developed as single-family residential, with lots widths
24 and home sizes similar to those in either the Brodie Creek and/or Woodlands Edge
25 developments.

26 **Section 3.** That the change in zoning classification contemplated for Herrick Heights Long-Form PD-
27 R, located on the west side of South Bowman Road between Brodie Creek Subdivision and the Pointe at
28 Brodie Creek Apartments (Z-8503-D), is conditioned upon obtaining final plan approval within the time
29 specified by Chapter 36, Article VII, Section 36-454 (e) of the Code of Ordinances.

30 **Section 4.** That this ordinance shall not take effect and be in full force until the final plan approval.

31 **Section 5.** That the map referred to in Chapter 36 of the Code of Ordinances of the City of Little Rock,
32 Arkansas, and designated district map be and is hereby amended to the extent and in the respects necessary
33 to affect and designate the change provided for in Section 1 hereof.

1 **Section 6. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
2 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
3 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
4 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
5 ordinance.

6 **Section 7. Repealer.** All laws, ordinances, resolutions, or parts of the same that are inconsistent with
7 the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

8 **PASSED: September 20, 2016**

9 **ATTEST:**

APPROVED:

10
11 _____
12 **Susan Langley, City Clerk**

Mark Stodola, Mayor

13 **APPROVED AS TO LEGAL FORM:**

14
15 _____
16 **Thomas M. Carpenter, City Attorney**

17 //
18 //
19 //
20 //
21 //
22 //
23 //
24 //
25 //
26 //
27 //
28 //
29 //
30 //
31 //
32 //
33 //
34 //
35 //