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ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A PLANNED ZONING DEVELOPMENT AND TO ESTABLISH A PLANNED COMMERCIAL DEVELOPMENT TITLED TRACT 404, CHENAL VALLEY PCD, LOCATED AT THE NORTHEAST CORNER OF HIGHWAY 10 AND MORGAN CEMETERY ROAD (Z-9765), LITTLE ROCK, PULASKI COUNTY, ARKANSAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LITTLE ROCK, ARKANSAS; TO REAFFIRM THE PASSAGE OF LITTLE ROCK, ARK., ORDINANCE NO. 22,257 (MAY 16, 2023), TO APPROVE THIS SAME PLANNING COMMERCIAL DEVELOPMENT; AND FOR OTHER PURPOSES.

WHEREAS, on May 16, 2023, the Board of Directors of the City of Little Rock, Arkansas ("the City"), upon the regular call of the docket, approved Little Rock, Arkansas, Ordinance No. 22,257, which created a Planning Commercial Development, Titled Tract 404, Chenal Valley PCD, located at the northeast corner of Highway 10 and Morgan Cemetery Road (Z-9765), Little Rock, Pulaski County, Arkansas, and amended the official zoning map of the City; and,

WHEREAS, pursuant to Little Rock, Ark., Rev. Code §36-85 (1988), a question has arisen as to whether an aggrieved party in a zoning decision who petitions for an appeal is required to send notices, or whether the petitioner for rezoning should send notices of an appeal, has been raised, and the parties and involved financial institutions wish to make clear, in an abundance of caution, that no possible question exists, the matter is being brought back voluntarily by the owners and petitioners for rezoning for the City to reaffirm the passage of Little Rock, Ark., Ordinance No. 22,257 (May 16, 2023).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The zoning classification of the following described property, as approved for change in Little Rock, Ark., Ordinance No. 22,257 (May 16, 2023), is reaffirmed as being changed from R-2, Single-Family District, to PCD, Planned Commercial Development:

Z-9765: DESCRIBED AS PART OF THE NW ¼ OF SECTION 16, T-2-N, R-14-W, PULASKI COUNTY, ARKANSAS, LYING NORTH OF ARKANSAS STATE HIGHWAY NO. 10, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE N89°06'00"W ALONG THE NORTH LINE OF SAID SECTION 16,

1 **3,650.36 FEET TO THE POINT OF BEGINNING; THENCE S03°17'19"E, 280.12**
2 **FEET; THENCE S00°55'01"W, 275.72 FT. TO A POINT ON THE NORTH RIGHT-**
3 **OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 10, BEING 40.00 FEET**
4 **FROM THE CENTERLINE THEREOF; THENCE N61°13'28"W ALONG SAID**
5 **SOUTH RIGHT-OF-WAY LINE, 374.22 FEET; THENCE NORTHWESTERLY**
6 **CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE BEING THE ARC**
7 **OF A 1,472.60-FOOT RADIUS CURVE TO THE LEFT, A CHORD BEARING AND**
8 **DISTANCE OF N73°21'04"W, 612.00 FEET; THENCE N01°07'35"W, 214.24 FT.**
9 **TO A POINT ON THE NORTH LINE OF SAID SECTION 16; THENCE**
10 **S89°004'37"E ALONG SAID NORTH LINE, 907.98 FEET TO THE POINT OF**
11 **BEGINNING, CONTAINING 7.2289 ACRES, MORE OR LESS.**

12 **Section 2.** That the preliminary site development plan/plat be approved as presented to the Little Rock
13 Planning Commission.

14 **Section 3.** That the change in zoning classification contemplated for Tract 404, Chenal Valley PCD,
15 located at the northeast corner of Highway 10 and Morgan Cemetery Road (Z-9765), is conditioned upon
16 obtaining final plan approval within the time specified by Chapter 36, Article VII, Section 36-454 (e) of
17 the Code of Ordinances.

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

19 **Section 5.** That the map referred to in Chapter 36 of the Code of Ordinances of the City of Little Rock,
20 Arkansas, and Designated District Map be and is hereby amended to the extent and in the respects necessary
21 to affect and designate the change provided for in Section 1 hereof.

22 **Section 6.** A copy of Little Rock, Ark., Ordinance No. 22,257 (May 16, 2023) is hereby attached to
23 this ordinance as Exhibit A for the purpose to facilitate future reference.

24 **Section 7. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
25 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
26 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
27 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
28 ordinance.

29 **Section 8. Repealer.** All laws, ordinances, resolutions, or parts of the same that are inconsistent with
30 the provisions of this ordinance are hereby repealed to the extent of such inconsistency, provided that Little
31 Rock, Ark., Ordinance No. 22,257 (May 16, 2023), is not repealed but is reaffirmed by the terms and
32 conditions of this ordinance.

33 **PASSED: September 19, 2023**

1 **ATTEST:**

APPROVED:

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Susan Langley, City Clerk

Frank Scott, Jr., Mayor

5 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

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EXHIBIT A

2023026391



PRESENTED 04-22-2023 1:30:00 PM RECORDED 05-22-2023 01:36:34 PM
In Official Records of Terri Hollingsworth Circuit/County Clerk
PULASKI CO. AR FEE \$20.00

ORDINANCE NO. 22,257

AN ORDINANCE TO APPROVE A PLANNED ZONING DEVELOPMENT AND TO ESTABLISH A PLANNED COMMERCIAL DEVELOPMENT, TITLED TRACT 404, CHENAL VALLEY PCD, LOCATED AT NORTHEAST CORNER OF HIGHWAY 10 AND MORGAN CEMETERY ROAD (Z-9765), LITTLE ROCK, PULASKI COUNTY, ARKANSAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS.

Section 1. That the zoning classification of the following described property be changed from R-2. Single-Family District, to PCD, Planned Commercial Development:

Z-9765: DESCRIBED AS PART OF THE NW1/4 OF SECTION 16, T-2-N, R-14-W, PULASKI COUNTY, ARKANSAS, LYING NORTH OF ARKANSAS STATE HIGHWAY NO. 10, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE N89°06'10"W ALONG THE NORTH LINE OF SAID SECTION 16, 3650.36 FT. TO THE POINT OF BEGINNING; THENCE S03°17'19"E, 280.12 FT.; THENCE S00°55'01 "W, 275.72 FT. TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 10, BEING 40.00 FT. FROM THE CENTERLINE THEREOF; THENCE N61°13'28"W ALONG SAID SOUTH RIGHT-OF-WAY LINE, 374.22 FT.; THENCE NORTHWESTERLY CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE BEING THE ARC OF A 1,472.60-FOOT RADIUS CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF N73°21'04"W, 612.99 FT.; THENCE N01°07'35"W, 214.24 FT. TO A POINT ON THE NORTH LINE OF SAID SECTION 16; THENCE S89°04'37"E ALONG SAID NORTH LINE, 907.98 :FEET TO THE POINT OF BEGINNING, CONTAINING 7.2289 ACRES, MORE OR LESS.

Section 2. That the preliminary site development plan/plat be approved as presented to the Little Rock Planning Commission.

1 **Section 3.** That the change in zoning classification contemplated for Tract 404, Chenal Valley PCD, located
2 at Northeast corner of Highway 10 and Morgan Cemetery Road (Z-9765) is conditioned upon obtaining final
3 plan approval within the time specified by Chapter 36, Article VII Section 36-454 (e) of the Code of
4 Ordinances.

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

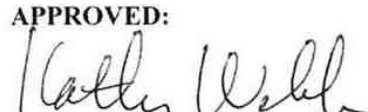
6 **Section 5.** That the map referred to in-Chapter 36 of the Code of Ordinances of the City of Little Rock,
7 Arkansas, and Designated District Map be and is hereby amended to the extent and in the respects necessary
8 to affect and designate the change provided for in Section I hereof.

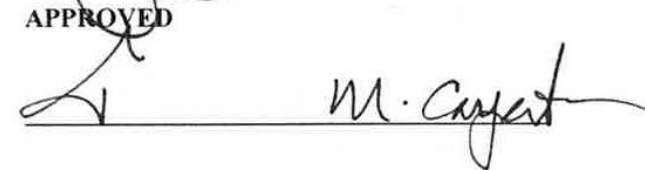
9 **Section 6. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or word
10 of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall
11 not affect the remaining portions of the ordinance which shall remain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

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

15 **PASSED: May 16, 2023**

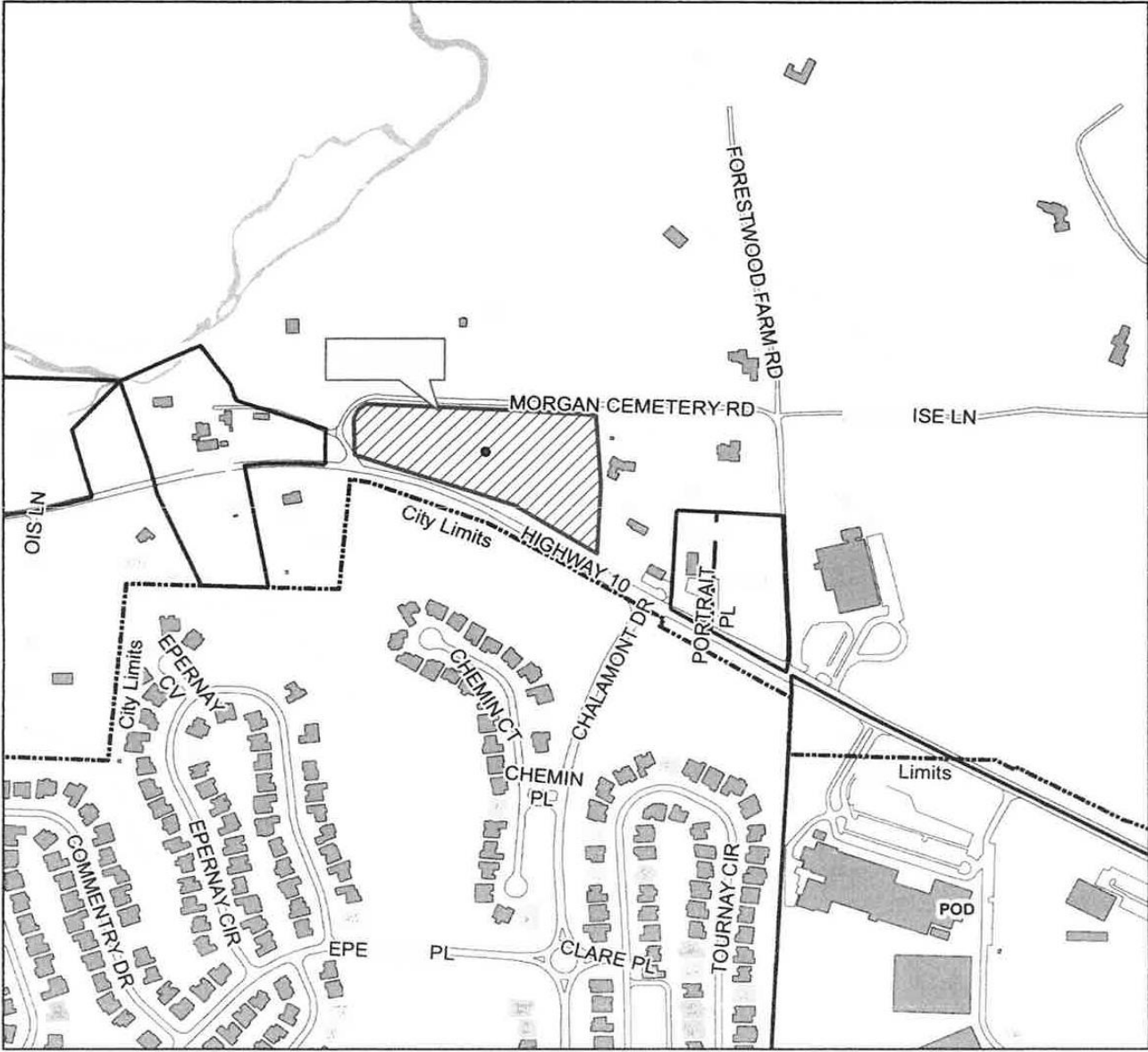
16 **ATTEST:**
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19 Susan Langley, City

16 **APPROVED:**
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19 Kathy Vice-Mayor

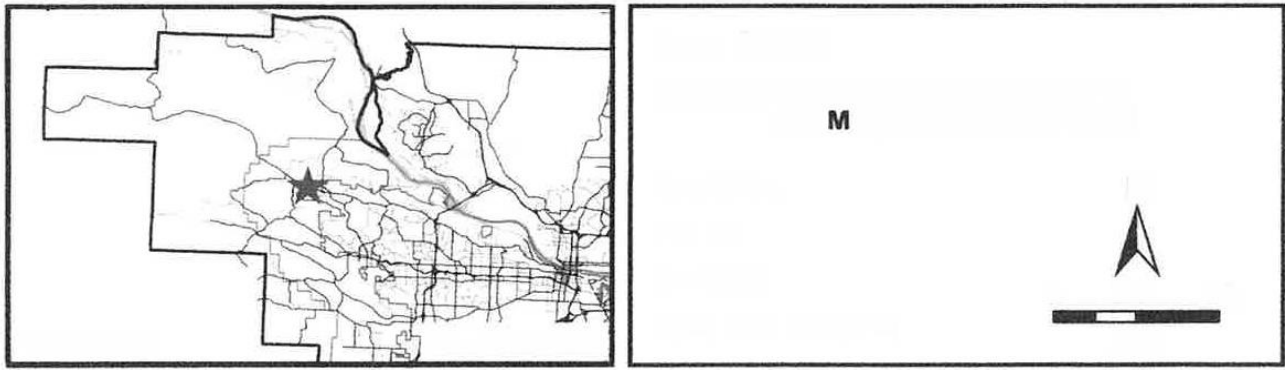
19 **APPROVED**
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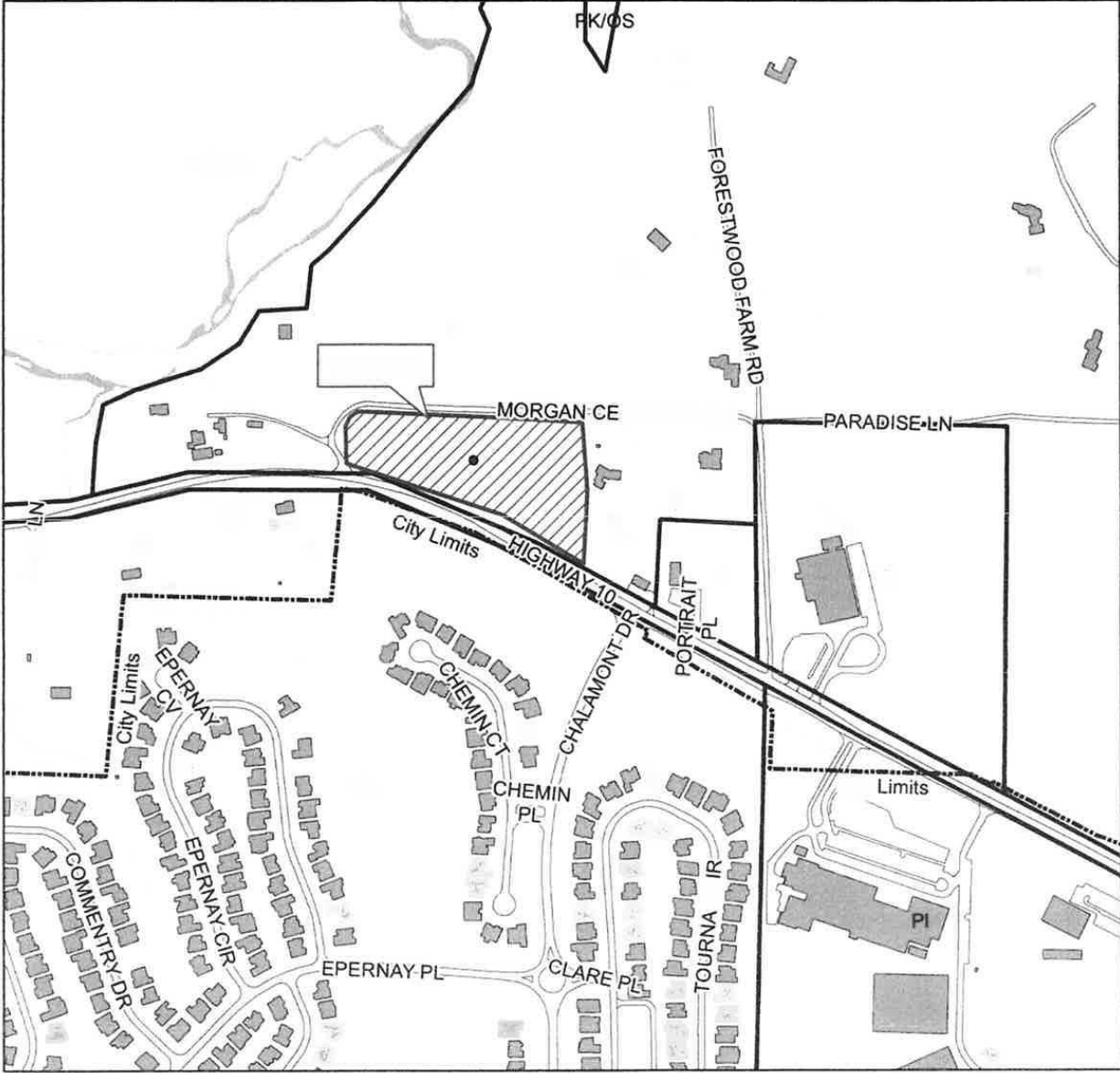
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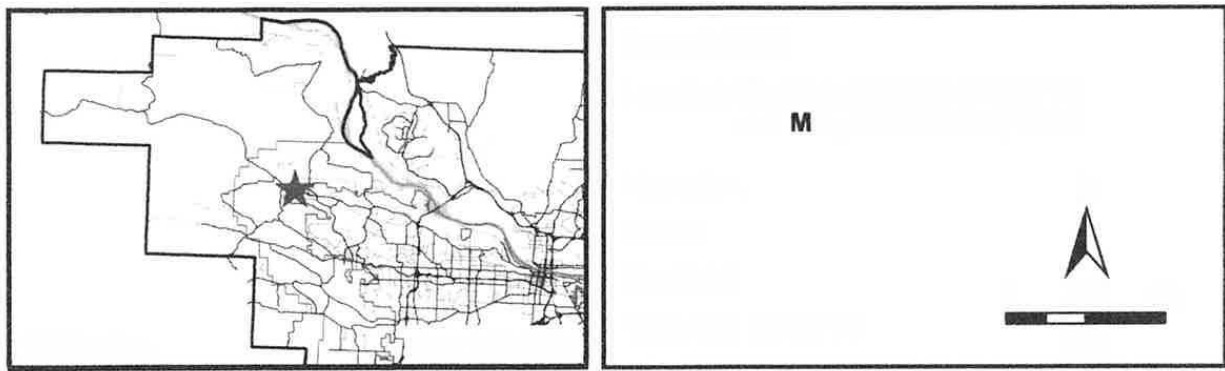
Area Zoning



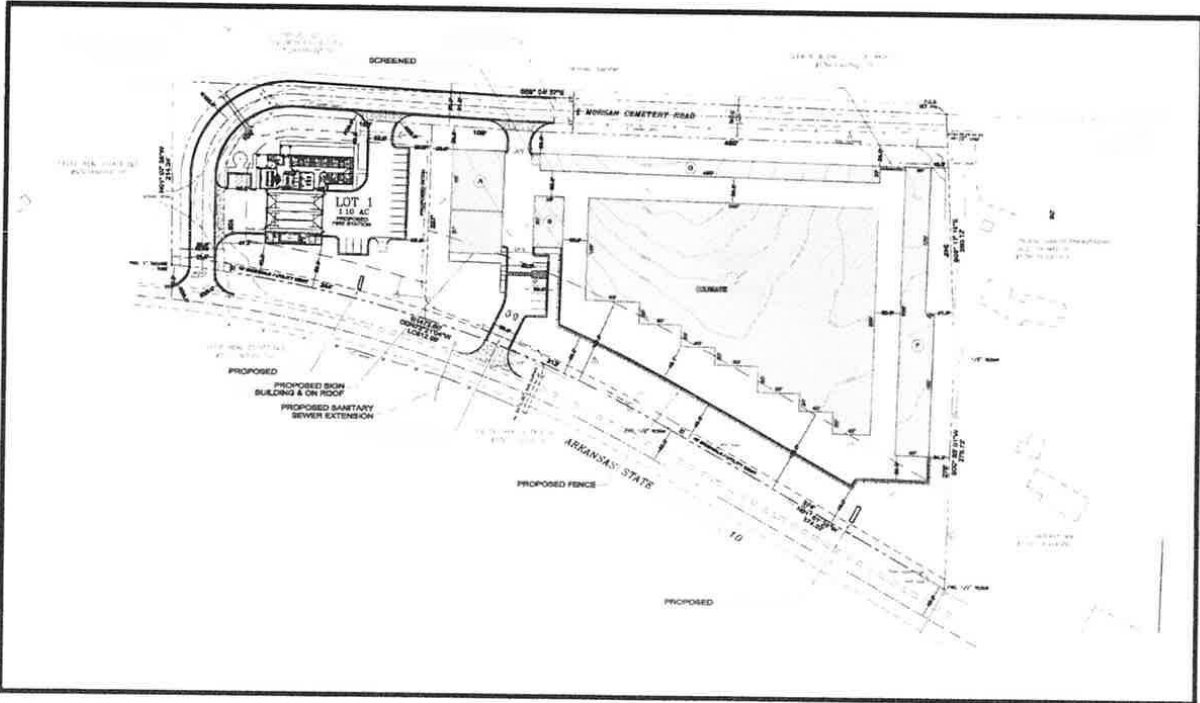
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Land Use Plan



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