AN ORDINANCE TO APPROVE Α **PLANNED** ZONING DEVELOPMENT AND ESTABLISH A PLANNED COMMERCIAL DISTRICT TITLED MCDONALD'S USA SHORT-FORM PCD (Z-8610), LOCATED AT 104 SOUTH UNIVERSITY AVENUE, LITTLE ROCK, ARKANSAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LITTLE ROCK, ARKANSAS; AND, FOR OTHER PURPOSES.

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## NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY 11 **OF LITTLE ROCK, ARKANSAS:**

12 **Section 1.** That the zoning classification of the following described property be changed from C-3, 13 General Commercial, to PCD:

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15 A certain parcel of land situated in the City of Little Rock, Pulaski County, Arkansas, 16 begin a part of the Northeast <sup>1</sup>/<sub>4</sub> of the Southeast <sup>1</sup>/<sub>4</sub> of the Northeast <sup>1</sup>/<sub>4</sub> of Section 1, 17 Township 1 North, Range 13 West, being all of same land conveyed to Carrie On, LLC 18 an Arkansas Limited Liability Company, recorded November 24, 2009, as Document No. 19 2009078933 of the Pulaski County Records, said land being more particularly described 20 as follows: Commencing at the Northeast corner of the Southeast <sup>1</sup>/<sub>4</sub> of said Section 1; 21 thence S01°33'00''E, along the east line of Section 1, a distance of 205.00 feet; thence 22 S89°56'34"W a distance of 35.01 feet to a drill hole set in concrete on the west line of 23 South University Avenue, said point being the true point of beginning; thence 24 S00°31'39"E, along the said right-of-way line, a distance of 9.52 feet to a drill hole set in 25 concrete at an angle point; thence N89°34'16"W, continuing along the same, a distance of 26 0.62 feet to a drill hole set at an angle point; thence S01°02'31"W, continuing along the 27 west line of South University Avenue, a distance of 116.09 feet to a drill hole set in 28 concrete on the north line of land now or formerly conveyed to Mode Clayton Crow 29 Revocable Trust (Doc. No. 2007088582); thence N89°33'50"W, along the north line of 30 said land, the same being the south line of the south 125 feet of the north 330 feet of the 31 west 325 feet of the east 360 feet of the Southeast <sup>1</sup>/<sub>4</sub> of the Northeast <sup>1</sup>/<sub>4</sub> of said Section 1, 32 a distance of 321.20 feet to an "x"-cut found on concrete wall; thence N01°29'34"W, 33 along the east line of land now or formerly conveyed to PT Apartments Limited

Partnership (Doc. No. 2004090003), the same being the west line of the south 125 feet of
 the north 330 feet of the west 325 feet of the east 360 feet of the Southeast ¼ of the
 Northeast ¼ of said Section 1, a distance of 326.35 feet to the point of beginning;
 containing 40,420 square feet or 0.9279 acres of land, more or less, as surveyed in July of
 2010 by Jayme M. Malone, LS, Arkansas Land Surveyor No 1421 for and behalf of
 Milman Surveying, Inc., and is subject to all legal highways and easements of record.

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8 Section 2. That the approval of McDonald's USA Short-Form PCD 9 (Z-8610), located at 104 South University Avenue, is subject to compliance with the following additional 10 conditions:

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12 That the preliminary site development plan/plat be approved as submitted, including all 13 staff comments and conditions as outlined in the Planning Commission Agenda Staff 14 Report in paragraphs D, E, F and including any conditions indicated in the staff analysis 15 in paragraph H and subject to additional conditions imposed at the Planning Commission 16 Public Hearing as amended by the applicant.

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18 Section 3. That the preliminary site development plan/plat be approved as recommended by the19 Little Rock Planning Commission.

Section 4. That the change in zoning classification contemplated for McDonald's USA Short-Form PCD (Z-8610), located at 104 South University Avenue, is conditioned upon obtaining a final plan approval within the time specified by Chapter 36, Article VII, Section 36-454 (e) of the Code of Ordinances.

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

Section 6. That this Ordinance shall not take effect and be in full force until the final approval of theplan.

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

1	Section 8. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent	
2	with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.	
3	PASSED: October 3, 2011	
4	ATTEST:	APPROVED:
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7	Susan Langley, City Clerk	Mark Stodola, Mayor
8	APPROVED AS TO LEGAL FORM:	
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