

ORDINANCE NO. _____

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 5800 ALPHA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM O-1 TO C-1 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; GRANTING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN A C-1 ZONE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Mr. Henry Rainey, 4749 Brandywine Cove, Sherwood, AR 72076, seeking a reclassification and special use of the herein described land to allow a daycare center, 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 8, 2015; 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 5800 Alpha Street in North Little Rock, Arkansas, 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 8, 2015.

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 is hereby amended by changing the classification of certain lands from O-1 to C-1 classification for property located at 5800 Alpha Street in North Little Rock, Pulaski County, Arkansas, and more particularly described as follows:

A tract of land in the Fractional Northwest Quarter (NW1/4 SW3/4) of Section Thirty-three (33), Township Two (2) North, Range Eleven (11) West, described as follows: Commerce at the Northeast corner of Spanish Grant No. 2431 which is marked by a rail run; thence Westerly along the North line of Spanish Grant No. 2431 a distance of 388 feet to its intersection with the West line of said Section 33 which point is marked by an 1¼" iron pipe; run thence North along the West line of Section 33 a distance of 105 feet until the North right-of-way line of the Arkansas Power and Light Company's transmission line to "Dixie" is intersected, which point is marked by an 1¼" iron pipe and is the point of beginning for the description of the lands herein conveyed. From the point of beginning thus established run North along the West line of Section 33 a distance of 887.3 feet to the Northwest Corner of the Fractional Southwest Quarter of Section 33, which is marked by an 1¼" iron pipe; run thence East along the North line of said Fractional Southwest Quarter of

Section 33 a distance of 685 feet to a point marked by an 1¼" iron pipe, which is the Northeast Corner of the tract herein conveyed; run thence South and parallel to the West line of said Section 33 a distance of 978 feet to a point marked by an 1¼" iron pipe (which is on the North line of a 70 foot easement for a road as shown on a survey hereinafter mentioned; then with an interior angle of 79 degrees 06 minutes run Westerly (along the North line of the easement aforesaid) a distance of 265 feet more or less to a point on the dividing line between Spanish Grants Nos. 2431 and 2418 produced Northward, which point is marked by 1¼" iron pipe; then with an interior angle of 264 degrees 00 minutes run Southerly (along the dividing line between Spanish Grants Nos. 2431 and 2418 produced as aforesaid) a distance of 70.2 feet to a point marked by an 1¼" iron pipe; then with an interior angle of 96 degrees 00 minutes run Westerly a distance of 225 feet to a point marked by a 1¼" iron pipe (which is on the North line of and 60 feet East of the Northwest Corner of a parcel of land identified as "A. P. & Lt. Co. Tract "B" on the survey previously referred to); then with an interior angle of 173 degrees 04 minutes run Westerly and along the North right-of-way line of Arkansas Power and Light Company's transmission line to "Dixie" a distance of 192 feet to the point of beginning. (See Exhibit "A" attached hereto.)

SECTION 2: That the Land Use Plan for the subject property described in Section 1 above is hereby amended as reflected on the map attached hereto as Exhibit "B" and incorporated by reference.

SECTION 3: That a special use for the herein described property is approved to allow a daycare center (see Exhibit "C" attached hereto), subject to the following:

- (a) Applicant must meet all applicable Federal, State, County and City requirements.
- (b) Access to playground(s) to be directly from the building.
- (c) Provide a 6-foot wood privacy fence around the playground(s) with an emergency exit away from the building.
- (d) Hours of operation to be 6:00 a.m. to midnight.
- (e) Playground(s) to meet DHS and City of North Little Rock requirements for playground surface and equipment.
- (f) Business license to be issued after Planning Staff confirmation of requirements.
- (g) Applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of electric power meter.
- (h) All daycare centers / home daycare facilities shall perform a sex offender residence check through the North Little Rock Police Department according to their rules and procedures to determine if a Level 3 or Level 4 registered sex offender resides within 2,000 feet of the proposed site for the daycare center / home daycare facility.

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 provisions shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 6: It is hereby found and determined that the City benefits from growth within its boundaries, that the rezoning and special use of the above-described land as provided for herein to allow a daycare center 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.

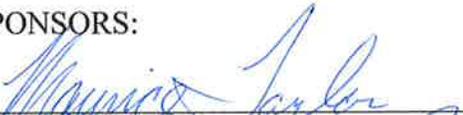
PASSED:

APPROVED:

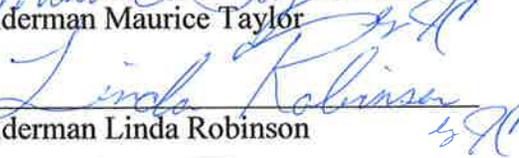
Mayor Joe A. Smith

SPONSORS:

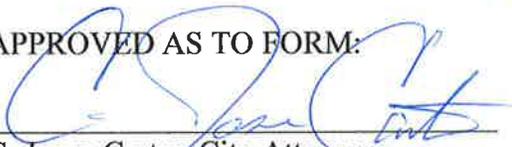
ATTEST:


Alderman Maurice Taylor

Diane Whitbey, City Clerk


Alderman Linda Robinson

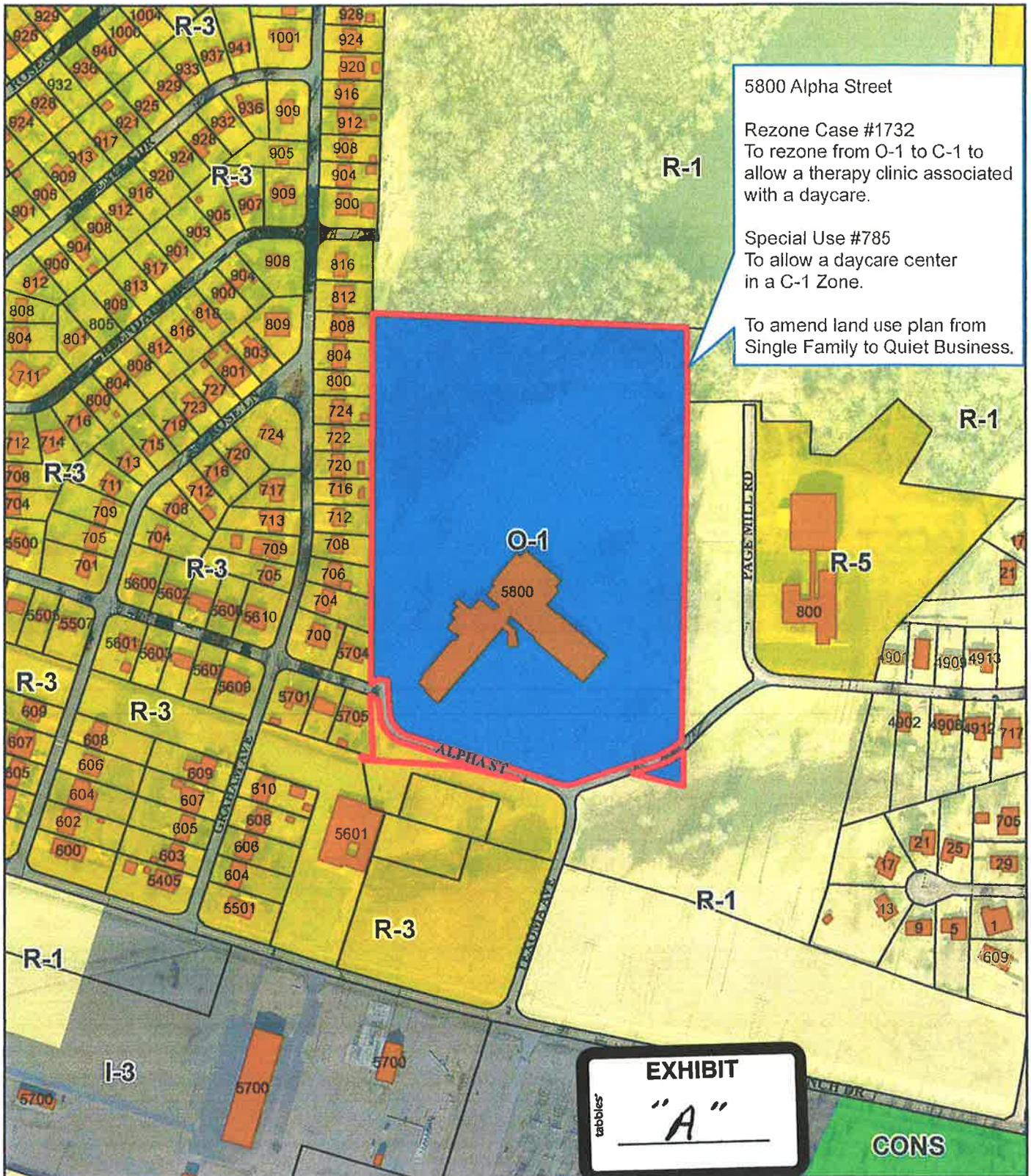
APPROVED AS TO FORM:


C. Jason Carter, City Attorney

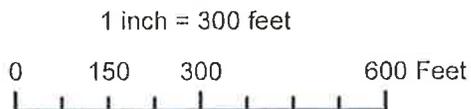
PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:35</u>	A.M.	_____	P.M.
By	<u>City Atty Jason Carter</u>			
DATE	<u>10-20-15</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>Jo Thomas</u>			

Rezone Case #1732 and Special Use #785

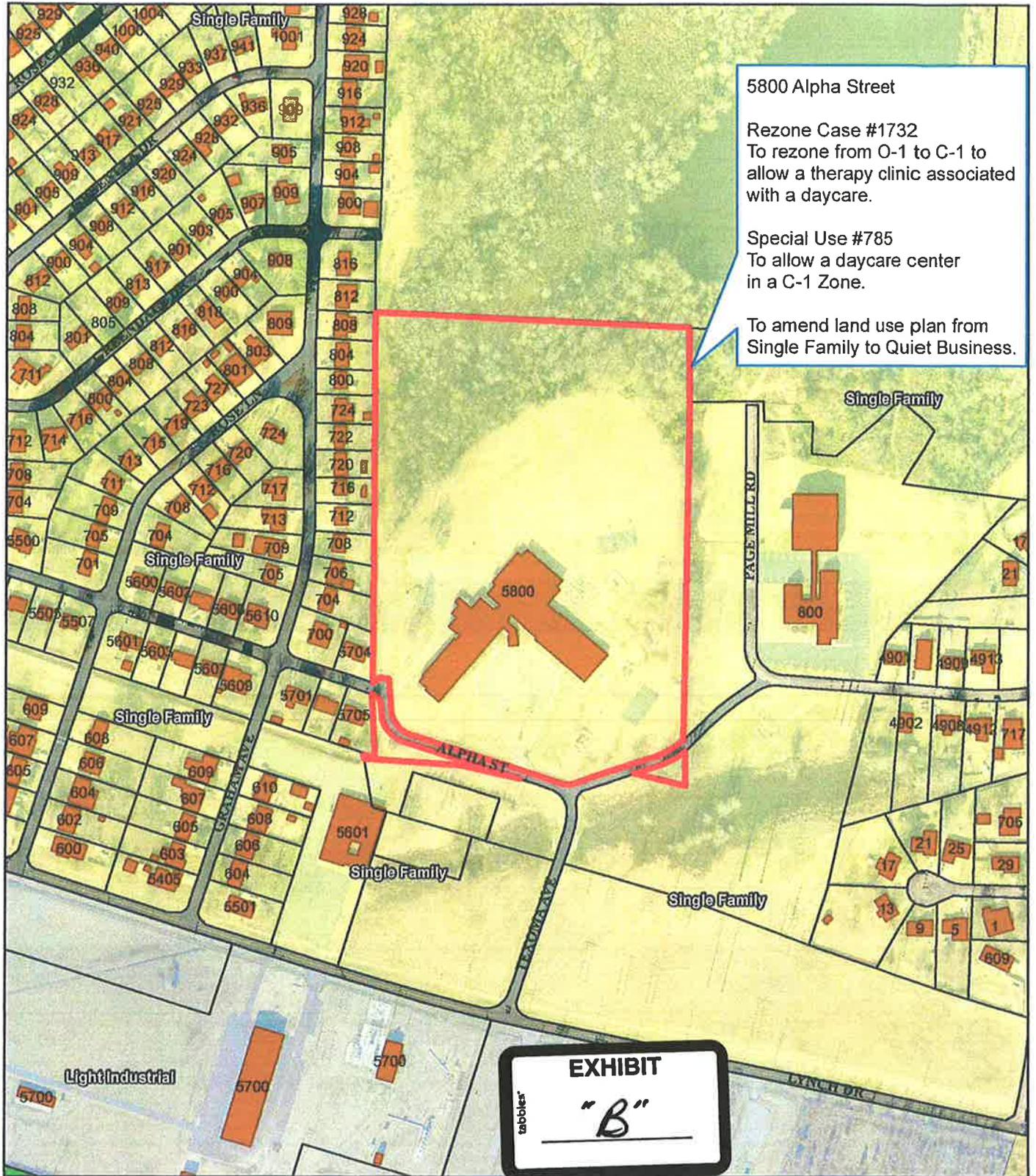


Zoning Map

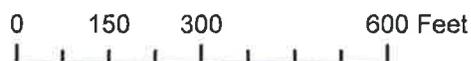


Date: 7/29/2015

Rezone Case #1732 and Special Use #785



1 inch = 300 feet



Land Use Map

Date: 7/29/2015

Rezone Case #1732 and Special Use #785

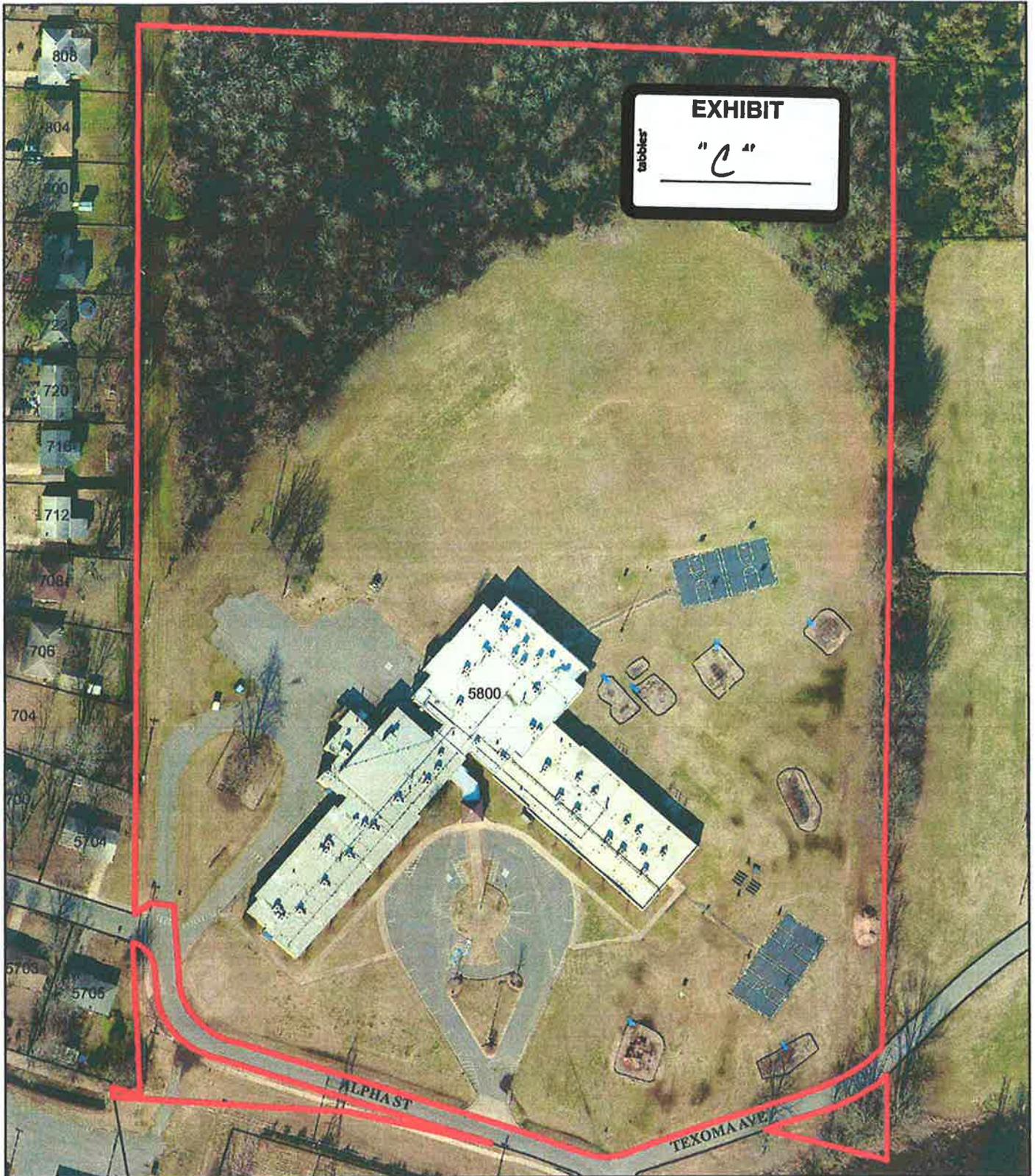
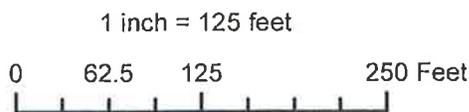


EXHIBIT
tabbles
"C"



Ortho Map



Date: 7/29/2015