O-23-05

ORDINANCE NO. _____

AN ORDINANCE DEFERRING CERTAIN SECTIONS OF ARTICLE 15 OF THE SUBDIVISON ORDINANCE (ORDINANCE NO. 7946) FOR PROPERTY LOCATED NORTH OF 4800 NORTHSHORE LANE TO ALLOW THE DEFERRAL OF HALF STREET IMPROVEMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a request was duly made by Eugene Pfeifer of NorthShore Business Park, 16623 Cantrell Road, Suite 2A, Little Rock, Arkansas, 72223, seeking a deferral of street improvements for property located 150 feet north of 4800 NorthShore Lane (see letter from Mr. Pfeifer and maps attached hereto respectively as Exhibit A and B); and

WHEREAS, the applicant seeks deferral of the requirements of certain sections of Article 15 of Ordinance No. 7946 for the extension of NorthShore Lane.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the requirements of the following sections of Article 15 of Ordinance No. 7946 (the "Subdivision Ordinance") are hereby deferred for construction half street improvements for the extension of NorthShore Lane for land being added to 4800 NorthShore Lane, more particularly described as Lot 4R Block 8 of the NorthShore Business Park Addition to the City of North Little Rock, Pulaski County, Arkansas (and which will be described as Lot 4RR Block 8 of the NorthShore Business Park Addition upon acquisition of the additional property and replat of the property):

Section 15.1 – Improvements

Every developer engaging in the subdividing and development of land as identified in this regulation shall be required to install, at his own expense, or to have installed by the appropriate public utility the following improvements.

Section 15.2 Street Grading.
Street grading shall conform to the following:

A. All streets shall be cleared and graded as approved by the City Engineer. On streets with a right-of-way greater than 100 feet the extent of grading shall be as specified by the Planning Commission and approved by the City Engineer. On such streets, the Planning Commission may consult with the appropriate agency, regarding specifications for grading.
B. Finished grades shall be at levels approved by the City Engineer or the appropriate agency.

Section 15.3 Street Paving.
Street paving shall conform to the following:

A. Street paving widths shall be in conformance with the requirements set forth in this regulation, however, no developer shall be required to install a street width of more than 48 feet.
B. Street pavements shall be installed according to standards adopted by this regulation and by the City Engineer.

Section 15.4 Curbs and Gutters.
Curbs and gutters shall conform to the following:
A. Curbs and gutters shall be installed on all streets except as this regulation may direct.
B. Installations shall be in accordance with standards adopted by the City Council.

Section 15.5 Sidewalks.
Sidewalks shall conform to the following:
A. Sidewalks shall be installed per the requirements of this regulation and the Master Street Plan.
B. Installation shall be in accordance with ADA standards and approved by the City Engineer.

SECTION 2: That the street improvements deferred by this ordinance shall only be deferred until the earlier of the following events, at which time the street improvements required by Article 15 of the Subdivision Ordinance will be required to be constructed:

(1) The development of Lots 1 and 2 as shown on the map marked Exhibit 2 to Mr. Pfeifer's letter;

(2) The development of a second entrance to the Business Park; or

(3) Five (5) years from the date of filing of the replat of Lot 4R Block 8 of the NorthShore Park Business Addition, to reflect the acquisition of the additional property.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: 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 5: That it is hereby found and determined that the waiver of the above-described street improvements as provided for herein is to be in the best interests of the City, 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 Terry C. Hartwick

SPONSOR:

Council Member Ron Harris

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED 10:25 A.M. _____ P.M.

By Amy Fields, CA

DATE 1-17-23

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY S. Ussery

NORTH SHORE

BUSINESS PARK

Your premier business address at
Interstate 430 and Crystal Hill Road

January 10, 2023

Terry Hartwick, Mayor
City Council Members
City of North Little Rock, AR

Via: Email

Re: Street Deferral for Plat approval

Gentlemen,

I am requesting a conditional deferral of building the extension of NorthShore Lane along the 150' of land being added to Lot4R Block 8 NorthShore Business Park making it Lot 4RR in order to gain Planning Department approval to plat the lot. The conditions I am requesting are that the road will be built upon the earlier to occur of

(1) My development of Lots 1 and 2 previously approved in a preliminary plat; or
(2) development of a second entrance to the Business Park along this route for which I will pay my appropriate share; or
(3) the passage of 5 years from the date the plat is filed.

(*You have previously approved abandoning the utility easement that separated the two portions of* Lot 4RR and we are replacing that easement and the utilities utilizing it in a new easement adjacent to the north side of Lot 4RR.)

I would appreciate your putting this on the Council agenda for approval at the January 23rd meeting so that following the meeting I can get the plat approved and close the sale to Sanders for expansion of his North Little Rock business.

The owner, Sanders Investment 4,LLC (DBA Sanders Supply) presently uses its existing curb cut along its 150' frontage of NorthShore Lane and that curb cut will adequately serve the expanded business and there is no expectation or desire of using any portion of the deferred street. The existing fence and gate at the end of paved NorthShore lane will remain in place.

Building a mere 150' of street is prohibitively expensive when compared to building it as part of a larger project. I will undoubtedly have a larger project in the future and this portion will be built at that time.

Exhibit 1 shows what is to be platted as Lot 4RR, the existing gate and fence, existing NorthShore Lane and *the future extension of NorthShore Lane to be deferred.*

Exhibit 2 shows the potential land to be served by ending the deferral and building the extension. Lots 1A and 2 are already a part of a previously approved preliminary plat. Obviously, I have every incentive to build this extension as part of a larger project in the future.

EXHIBIT
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A

Ron Harris, Ward 3 Councilman will sponsor this request

I earnestly request your approval

Best regards

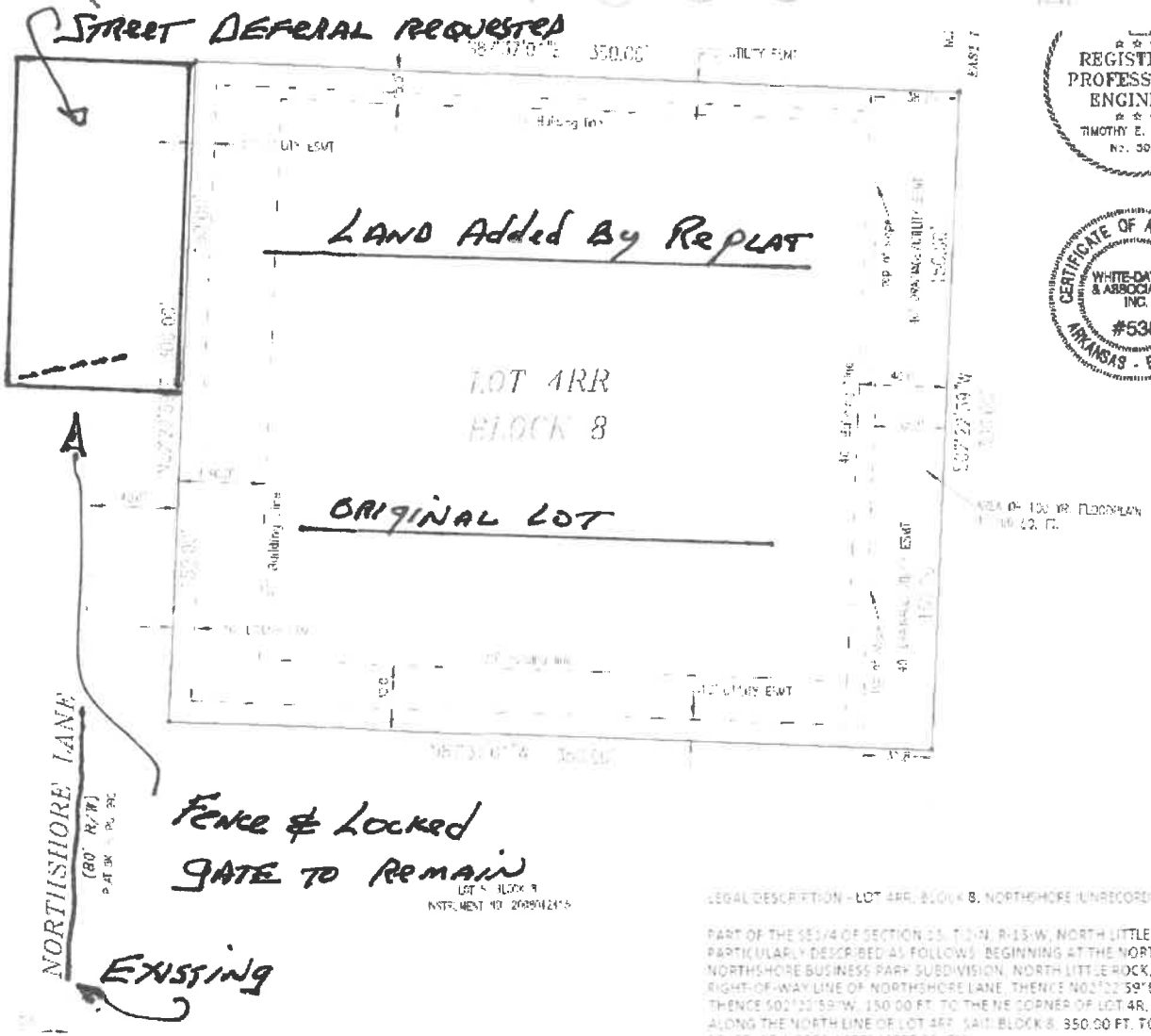
Gene Pfeifer, President
NorthShore Business Park

CC: Amy Fields, NLR City Attorney
Shawn Spencer, NLR Planning Director
Ron Harris, Ward Three Councilman

be Acrobat Reader (64-bit)

NSBP Revised Prel ... 48RR PLAT DRAFT....

Exhibit 1



REGISTERED PROFESSIONAL ENGINEER
TIMOTHY E. DATERS
No. 5053

CERTIFICATE OF AUTHORIZATION
WHITE-DATERS & ASSOCIATES, INC.
#538
ARKANSAS - ENGINEER

PLAN MADE BY ME, AND THAT THE ENGINEERING REQUIREMENTS OF THE NORTH LITTLE ROCK SUBDIVISION RULES AND REGULATIONS HAVE BEEN COMPLIED WITH

DATE OF DESCRIPTION

TIMOTHY E. DATERS
REGISTERED PROFESSIONAL ENGINEER NO. ... ARKANSAS

CERTIFICATE OF RECORDING

LEGAL DESCRIPTION - LOT 4RR, BLOCK 8, NORTHSHORE (UNRECORDED)

PART OF THE SE1/4 OF SECTION 25, T2N, R13W, NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 4R, BLOCK 8, NORTHSHORE BUSINESS PARK SUBDIVISION, NORTH LITTLE ROCK, ARKANSAS, SAID CORNER LYING ON THE EAST RIGHT-OF-WAY LINE OF NORTHSHORE LANE, THENCE N02°22'59"E, 150.00 FT. THENCE S87°37'01"E, 350.00 FT THENCE S02°22'59"W, 150.00 FT. TO THE NE CORNER OF LOT 4R, BLOCK 8, SAID SUBDIVISION. THENCE N87°37'01"W ALONG THE NORTH LINE OF LOT 4RR, SAID BLOCK 8, 350.00 FT. TO THE POINT OF BEGINNING, CONTAINING 52,500 SQ. FT. OR 1.2052 ACRES MORE OR LESS.

41°F Cloudy

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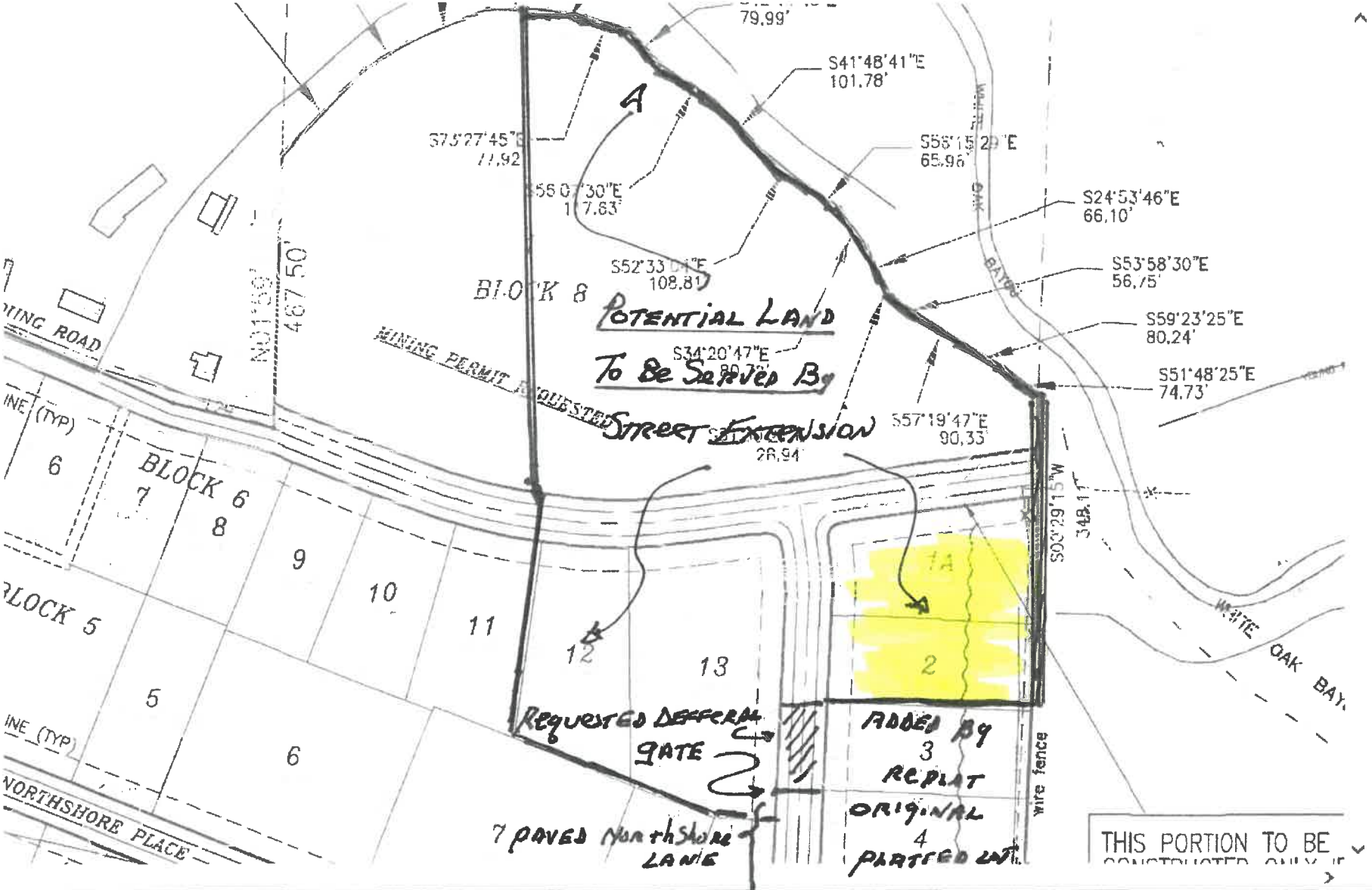
low Help

NSBP Revised Prel ... ×

Exhibit 2



41°F Cloudy

0 75 150 300 Feet

N

Date: 1/12/2023

This map is not survey accurate.

Date: 1/12/2023

This map is not survey accurate.