O-~~19~~-21-33

ORDINANCE NO. ____

AN ORDINANCE REPEALING ORDINANCE NO. 9133 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 115 EAST 24TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on May 28, 2019, the City Council of the City of North Little Rock, Arkansas ("the City") adopted Ordinance No. 9133 (attached hereto as Exhibit A), granting a conditional use of land for a school located at 115 East 24th Street in North Little Rock; and

WHEREAS, Article 8, Section 8.1.3(C) of the North Little Rock Zoning Ordinance (Ordinance No. 9263) provides that applicants who are granted a conditional use must obtain a business license from the City within one year from date of approval, and failure to obtain a permit within the allotted time will result in notice of termination of the conditional use; and

WHEREAS, the owner of the above mentioned real property has not obtained a business license for the conditional use, and the North Little Rock Planning Department has mailed the owner a notice of revocation of their conditional use; and

WHEREAS, a legal advertisement of notice of a public hearing held April 13, 2021 at 4:00 p.m. was placed in the newspaper for a revocation hearing at the North Little Rock Planning Commission meeting; and

WHEREAS, the North Little Rock Planning Commission approved revocation of the conditional use (7 affirmative; 2 absent) on April 13, 2021.

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

SECTION 1: That Ordinance No. 9133, adopted May 28, 2019, granting a conditional use of land for a school is hereby repealed and the conditional use granted therein is hereby revoked at certain real property located 115 East 24th Street.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: 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 4: It is hereby found and determined due to the inability to build a school in the subject property above, and there is an immediate need to revoke the conditional use in order to comply with the North Little Rock Zoning Ordinance and to return the herein stated real property

to its original status 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:

Terry C. Hartwick

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:50 A.M. _____ P.M.
By A. Fields
DATE 4-20-21

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

RECEIVED BY S. Usery

EXHIBIT
tabbies
A

O-19-71

ORDINANCE NO. 9133

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A SCHOOL IN A C-3 ZONE AT 115 EAST 24TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Halff + Marlar, 5318 J.F.K. Boulevard, North Little Rock, Arkansas 72116, seeking a conditional use for property located at 115 East 24th Street to allow a school, 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 May 14, 2019.

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

SECTION 1: That a conditional use is approved for a school in a C-3 for the subject real property located 115 East 24th Street in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Lot A, Block 9, Wildberger's Addition in the City of North Little Rock, Pulaski County, Arkansas (See maps attached hereto collectively as Exhibit A).

SECTION 2: That this conditional use shall be subject to the following:

1. Meet the requirements of the Site Plan Review.
2. Business license to be issued after Planning Staff confirmation of requirements.
3. Any structures located on the lot shall meet all applicable Federal, State, County, and City requirements and codes.
4. Business license holder understands that failure to comply with these conditions may result in loss of the Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.

SECTION 3: That all ordinances or parts of ordinance 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: It is hereby found and determined that a school as described herein is compatible with other businesses in the area and that the conditional use of the above-described land is immediately necessary in order to insure the proper and orderly growth and development 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:

5-28-19

APPROVED:

Joe A. Smith

Mayor Joe A. Smith

SPONSOR

Joe A. Smith

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED 10:45 A.M. _____ P.M.

By A Fields City Atty

DATE 5/21/19

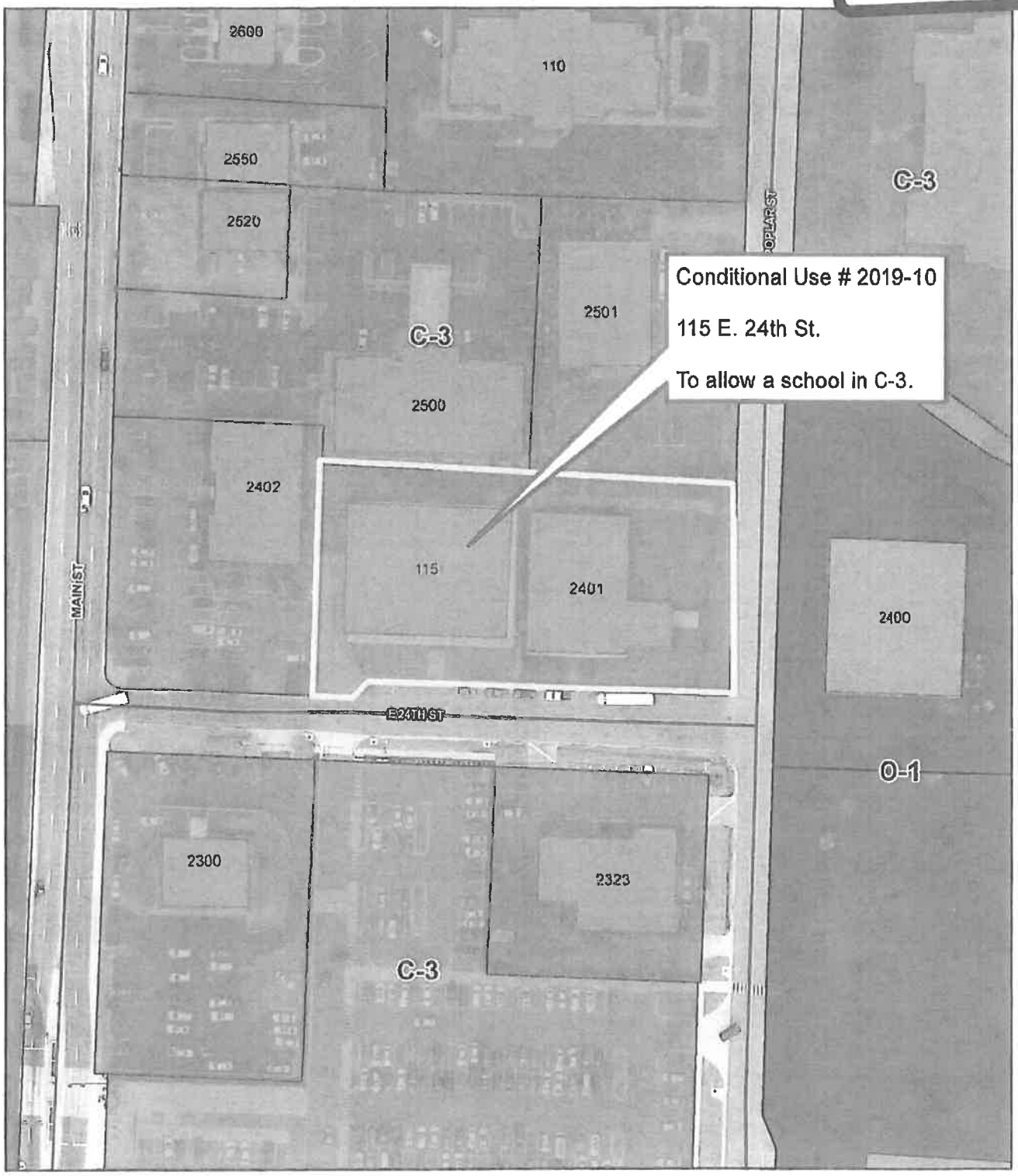
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY

EXHIBIT

tabbies A.

Conditional Use # 2019-10



Zoning Map

1 inch = 100 feet

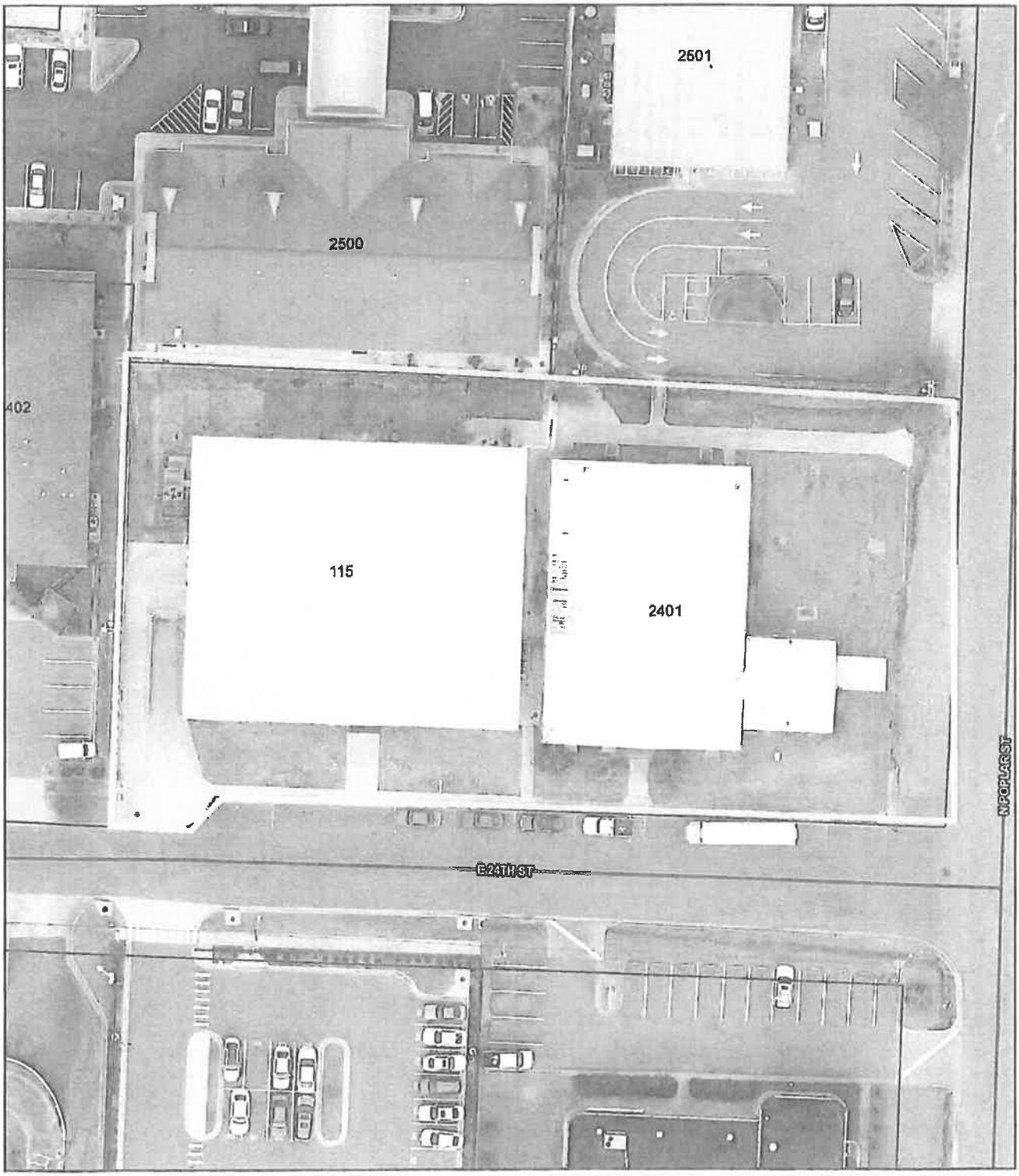
0 50 100 200 Feet

N W E S

Date: 3/27/2019

Map is not to survey accuracy

Conditional Use # 2019-10



Ortho Map

1 inch = 50 feet

0 25 50 100 Feet

N W E S

Date: 3/27/2019

Map is not to survey accuracy