O-21-77

ORDINANCE NO. _____

AN ORDINANCE WAIVING SECTION 7.2.3.B OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FOR PROPERTY LOCATED AT 6801 JOHN F. KENNEDY BOULEVARD TO ALLOW THE WAIVER OF LANDSCAPING REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Thomas R. Pownall of Thomas Engineering Company, 3810 Lookout Road, North Little Rock, Arkansas 72116, seeking a waiver of landscaping requirements for property located at 6801 John F. Kennedy Boulevard (see letter from Mr. Pownall and maps attached hereto respectively as Exhibit A and B); and

WHEREAS, the North Little Rock Planning Commission voted to require the items requested to be waived (9 affirmative votes) at a regularly scheduled meeting thereof held on August 10, 2021; and

WHEREAS, the applicant seeks waiver Section 7.2.3.B of Ordinance No. 9263 for the property located at 6801 John F. Kennedy Boulevard.

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

SECTION 1: That the following Section 7.2.3 of Ordinance No. 9263 ("the Zoning Ordinance") is hereby waived for 6801 John F. Kennedy Boulevard, more particularly described as Lot B-R1, Block 17 of the Indian Hills Subdivision of the City of North Little Rock, Pulaski County, Arkansas.

Section 7.2.3 – Street Trees

B. Trees shall be irrigated by an automatic underground irrigation system.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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: That it is hereby found and determined that the waiver of the above-described landscape requirements 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 Charlie Hight

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:10 **A.M.** _____ **P.M.**
By A Fields, City Atty
DATE 8/17/21

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

RECEIVED BY

EXHIBIT
tabbies
A

THOMAS ENGINEERING COMPANY
civil engineers land surveyors
3810 LOOKOUT RD NORTH LITTLE ROCK, AR 72116 (501) 753-4463
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

August 11, 2021

Mr. Shawn Spencer, Director
North Little Rock Planning Department
120 Main Street
North Little Rock, AR 72114

Ms. Amy Fields
City Attorney
North Little Rock City Attorney's Office
116 Main Street
North Little Rock, Arkansas 72114

RE: North View Missionary Baptist Church
6801 JFK Blvd, North Little Rock, AR
Automatic Irrigation System Variance Request

Dear Ms. Fields and Mr. Spencer:

Please accept this letter as our request for a variance associated with the automatic irrigation system requirement for the expansion of North View Missionary Baptist Church. We wish to be placed on the August 23rd, 2021 City Council Agenda.

The church is expanding its building footprint and agrees to install the three required street trees. However, given the Church does not have an irrigation system within its facility, and the required new system would only serve the three new trees, we feel this variance request is reasonable.

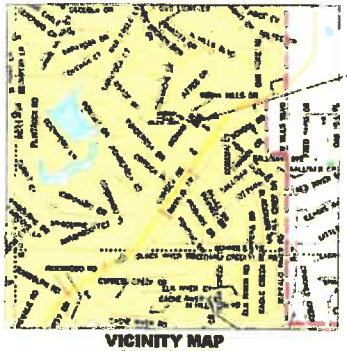
The following items are included with this submittal letter:

1. Site Plan showing the building expansion and tree locations.

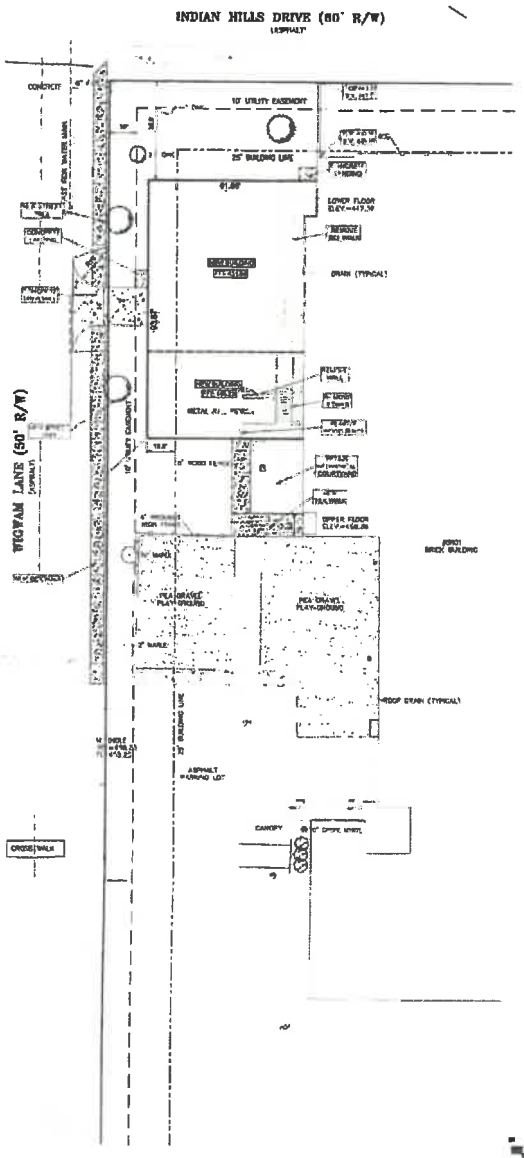
Please feel free to contact me with any questions.

Sincerely,

Thomas R. Pownall, P.E.
Vice President



VICINITY MAP



SITE & GRADING PLAN
GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE WHOLLY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.

2. WARRANTIES/CLAIMS
THE DESIGNS REPRESENTED BY THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN CONDITIONS AND USES INTENDED AT THIS TIME. HOWEVER, NEITHER THOMAS ENGINEERING COMPANY, INC., NOR ITS PERSONNEL CAN OR DO WARRANTY THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THOMAS ENGINEERING COMPANY PERSONNEL INSPECT AND CONTROL THE PHYSICAL CONSTRUCTION ON A CONTEMPORARY BASIS AT THE SITE.

3. SAFETY NOTES TO CONTRACTOR
IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

THE SITE OF THE ENGINEER OR OWNER TO CONSTRUCTION SITE REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES ON, OR IN NEAR THE CONSTRUCTION SITE.

4. ALL SLOPES TO BE GRADED TO 3:1 OR FLATTER UNLESS OTHERWISE INDICATED ON THE SHEET.

5. SEE ARCHITECTURAL PLANS FOR DETAILS ON CONCRETE RAMPS AND SIDEWALKS ATTACHED TO BUILDINGS.

6. ALL STORM DRAIN LINES AND UTILITY LINES UNDER THE PAVE SHALL BE BACK FILLED WITH CRUSHED STONE.

7. ENGINEER'S NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

8. FINISH GRADE CONTOURS ARE INDICATED ALONG TOP OF COMPLETED STRUCTURES, TOP OF PAVEMENT AND OUTER LINE OF CURB, UNLESS DIMENSIONS SHOWN. FOR ROUGH GRADING, CONTRACTOR SHALL ALLOW FOR DEPTHS OF TOPSOIL AND CONCRETE STRUCTURES. FOR FINISH GRADING, CONTRACTOR SHALL INSTALL TOPSOIL AND CONCRETE STRUCTURES TO FINISH GRADE AS SHOWN ON THIS SHEET.

9. GRADE TO DRAIN AWAY FROM BUILDING AT MINIMUM 1% SLOPE.

10. REINFORCED CONCRETE PIPE (RCP) SHALL BE CLASS III.

11. ALL DIMENSIONS ARE SHOWN TO THE BACK OF CURB.

LEGEND

SHOWS CONCRETE SIDEWALK

SHOWS CONCRETE PAVEMENT

LEGAL DESCRIPTION

LOT 8A & 9, BLOCK 17
INDIAN HILLS III ADDITION

SITE PLAN REVIEW NOTES

1. SITE CONTAINS A CHURCH
2. BASIS OF BEARINGS: PARID
3. THE PROPERTY IS NOT SHOWN IN THE 100 YEAR FLOOD PLAIN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 05002C0255 G DATED JULY 6, 2015.
4. THIS PROPERTY IS ZONED R-1
5. THIS LOT CONTAINS 2.71 ACRES, MORE OR LESS.
7. ALL NEW LANDSCAPED AREAS, INCLUDING TREES, SHALL HAVE AUTOMATIC IRRIGATION.

LEGEND

PROPERTY LINE
FENCE AS NOTED
CURB & GUTTER
SEWER LINE
UTILITY POLE & GUY
SANITARY SEWER CLEAN OUT
SANITARY SEWER MANHOLE
FIRE HYDRANT
WATER VALVE
LIGHT POLE
SIGN
BOLLARD
SHOWS FOUND SURVEY MARKER AS DESCRIBED

PRELIMINARY PLAN
NOT FOR CONSTRUCTION

STATE OF ARKANSAS — REGISTERED PROFESSIONAL ENGINEER — No. 11943 — THOMAS R. POWELL

CERTIFICATE OF AUTHORIZATION — THOMAS ENGINEERING CO. — No. 86 — ARKANSAS

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

THOMAS ENGINEERING COMPANY
2810 LOOKOUT ROAD, N. LITTLE ROCK, AR. 72116
TEL: 501-753-4403 FAX: 501-753-6816

SITE PLAN REVIEW
NORTH VIEW BAPTIST CHURCH
NORTH LITTLE ROCK, ARKANSAS

APPROVED	DRAWN BY	DATE	SHEET NO.
	TRP	06/29/21	C1.0
	SCALE 1" = 20'		

site review.dwg

PLOTTED: 9/4/2021

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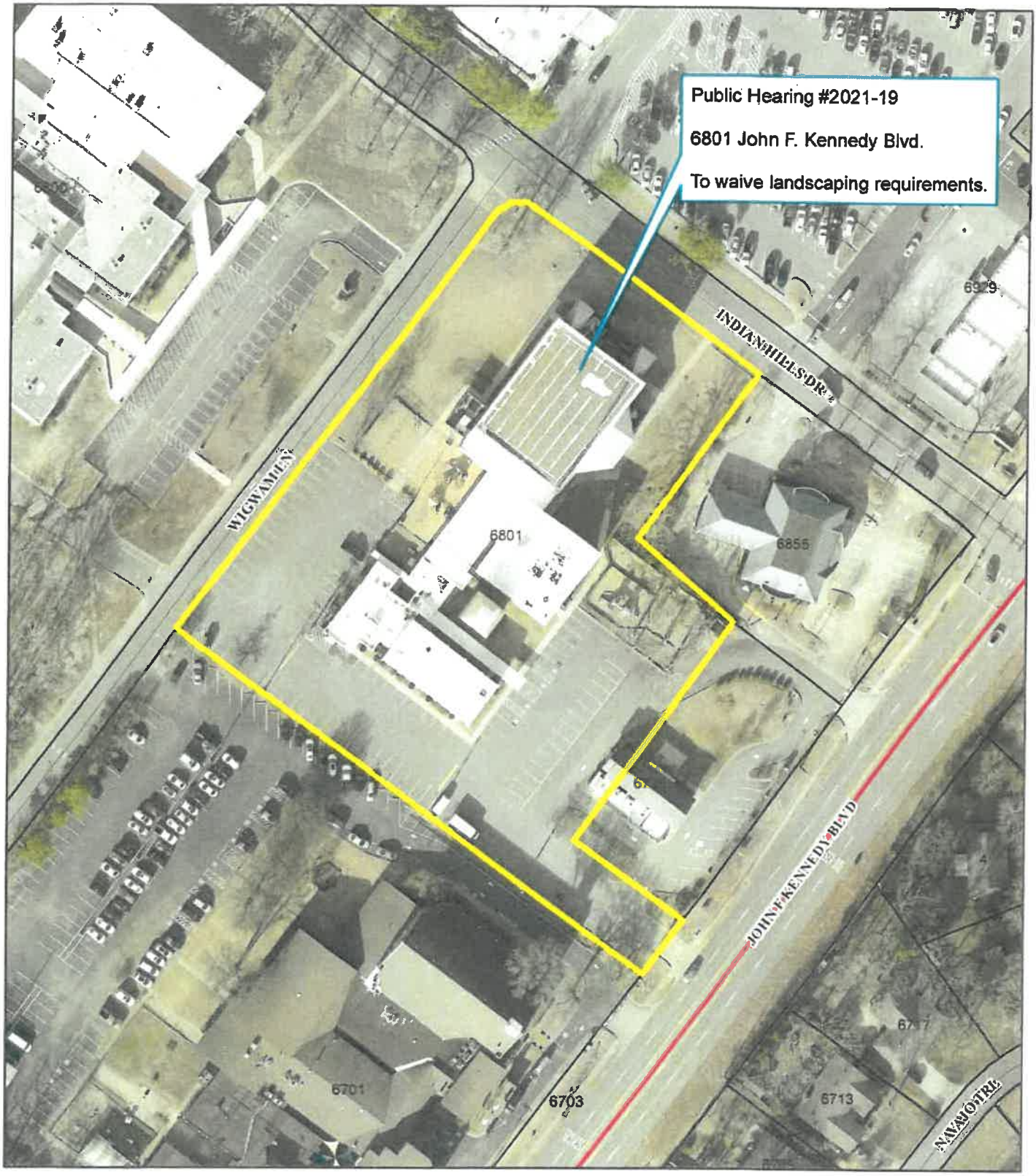
EXHIBIT
B

Public Hearing Case # 2021-19



Ortho Map

1 inch = 100 feet

0 50 100 200 300 Feet

N W E S

Date: 8/12/2021