O-21- 78

ORDINANCE NO. _____

AN ORDINANCE WAIVING CERTAIN SECTIONS OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FOR PROPERTY LOCATED AT 2100 MAIN STREET TO ALLOW THE WAIVER OF SCREENING AND LANDSCAPING REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Bear Davidson of Davidson Engineering, PLLC, seeking a waiver of screening and landscape requirements for property located at 2100 Main Street (see letter from Mr. Davidson 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 of certain segments of Sections 7.2.2 and 7.3.1 of Ordinance No. 9263 for the property located at 2100 Main Street.

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

SECTION 1: That the following segment of Section 7.2.2 of the Ordinance No. 9263 ("the Zoning Ordinance") is hereby waived for 2100 Main Street, more particularly described as Lot 6, Block 8 of the North Argenta Subdivision in the City of North Little Rock, Pulaski County, Arkansas:

Section 7.2.2: Landscaping Strip

A. Landscape strips shall be required along all front, side, and rear yards adjacent to parking areas, driveways, or vehicle maneuvering areas.

    1. Front yard landscape strips shall be at least four (4) feet in width unless facing a street, in which case, the strip shall be at least six (6) feet in width.

SECTION 2: That the following segments of Section 7.3.1 of the Ordinance No.9263 ("the Zoning Ordinance") is hereby waived for 2100 Main Street:

Section 7.3.1: Class A – Full Screens

A. Trees from Table B or C shall be spaced every twenty (20) feet; or trees from Table E shall be spaced with no visual breaks

C. An eight (8) foot tall, continuous screen shall be provided.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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

Nathan Hamilton

Council Member Nathan Hamilton

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
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A

DAVIDSON ENGINEERING

210 W. Arch Ave., Suite D
Searcy, Arkansas 72143
(501) 388 - 2178

August 11, 2021

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

RE: Site Plan Waiver Request
Parking Addition for Lot 6, Blk 8, North Argenta (2100 Main Street)
Lexon Investments, LLC (Drew Hill)

Mr. Spencer,

On behalf of Drew Hill (Lexon Investments, LLC), we would like to request that the attached site plan be submitted to the City Council Meeting on August 8, 2021.

We would like to request the following waivers:

- Waiver of Section 7.2.2.A.1

  The required 6' landscaping strip adjacent to the parking area would eliminate one (1) of the five (5) proposed parking spaces. There is currently an approximately 7' wide greenspace between the edge of the sidewalk and the first parking space that will remain greenspace. We request that the additional 6' of greenspace not be required. Other than the 20' section adjacent to the parking lot, all other portions of the site abutting a public right of way have ample greenspace (more than the required 6').

- Waiver of Section 7.3.1 Class A- Full Screen

  The site plan calls for a continuous row of Burford hollies along the area adjacent to residential uses. When the plants reach maturity, they will satisfy the requirement for an 8' opaque screen. However, at completion of construction, the only way to satisfy this requirement would be to demolish the existing architectural fencing and replace it with an 8' opaque fence. The existing fencing includes decorative brick columns with bronze caps and 4' wood pickets between columns. The existing fencing matches the façade of the structure and is believed to be constructed at the same time as the structure (around 1930 per tax records). In lieu of demolishing this historic fencing, the owner wishes to replace the dilapidated wood pickets with decorative wrought iron fencing and preserve the existing brick columns. We respectfully request that the Council waive the requirements of Section 7.3.1 and allow the proposed fencing repairs and plantings in lieu of a wooden privacy fence.

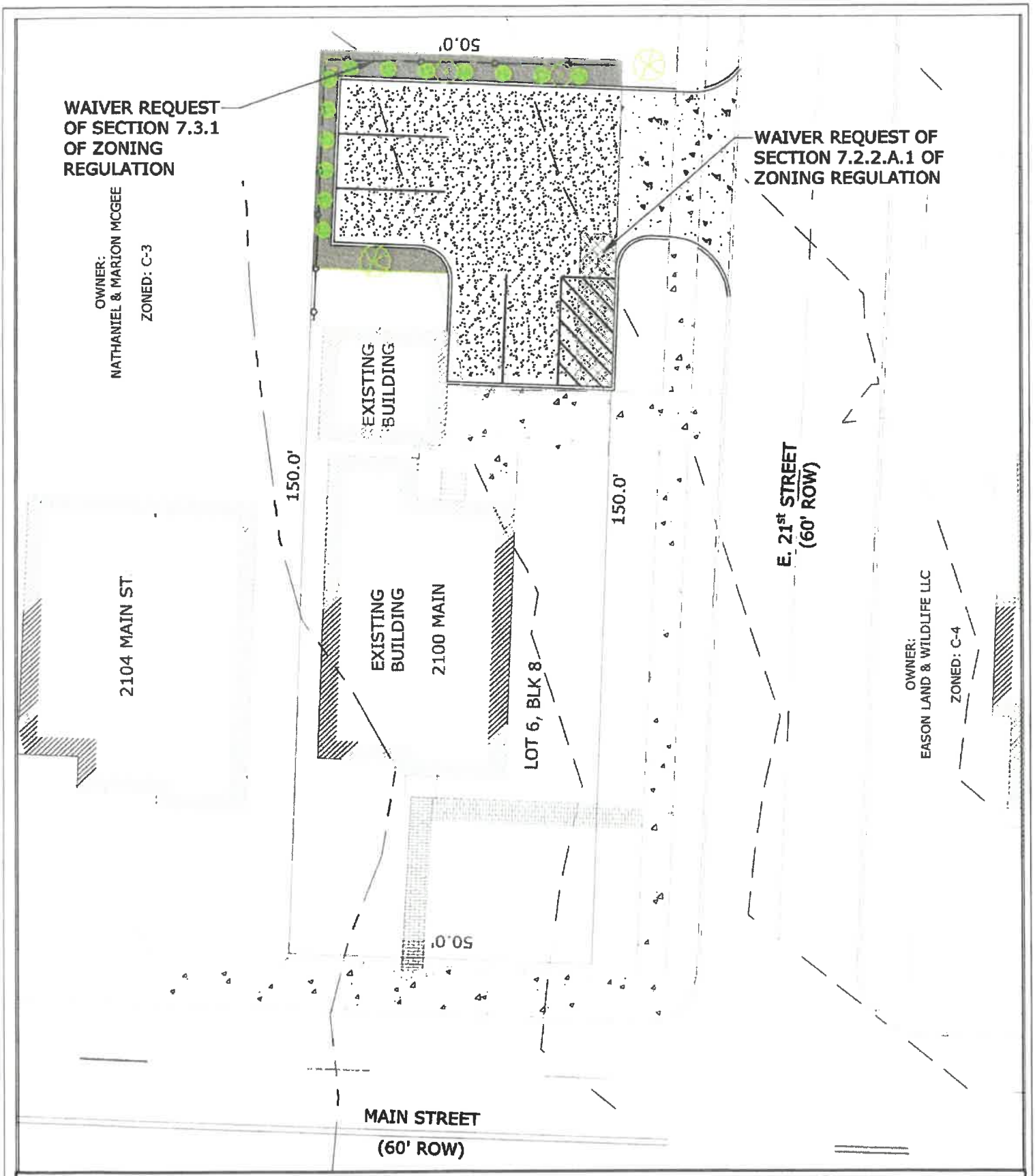
If you have any questions, comments, or concerns regarding these waiver requests, please give me a call.

Thank you,
Davidson Engineering, PLLC

BDD

Bear Davidson, PE

Attached: Site Plan for City Council Waiver Request



EXHIBIT

B

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SITE PLAN

FOR CITY COUNCIL

WAIVER REQUEST

SCALE: 1"=20'

Public Hearing Case # 2021-20

Ortho Map

1 inch = 50 feet

0 25 50 100 150 Feet

N W E S

Date: 8/12/2021