O-22-26

ORDINANCE NO. _____

AN ORDINANCE WAIVING CERTAIN PROVISIONS OF SECTION 5.11 OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FOR PROPERTY LOCATED AT 13101 HIGHWAY 70 TO ALLOW THE WAIVER OF FENCE REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Thomas R. Pownall of the Thomas Engineering Company, 3810 Lookout Road, North Little Rock, Arkansas 72116, seeking a waiver of fence requirements for property located at 13101 Highway 70 (see letter from Mr. Pownall and maps attached hereto respectively as Exhibit A and B); and

WHEREAS, the request has not been reviewed by the Planning Commission, and the applicant is seeking approval from the North Little Rock City Council; and

WHEREAS, a sign has been placed on the property and proper notice has been given to property owners within 200 feet of the subject location; and

WHEREAS, a legal advertisement of notice of a public hearing to be held March 28, 2022 at 6:00 p.m. has been placed in the newspaper.

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

SECTION 1: That the following provisions of Section 5.11.6 of the Ordinance No. 9263 ("the Zoning Ordinance") is hereby waived for 13101 Highway 70, more particularly described as:

TRACT OF LAND IN THE SE1/4 SECTION 19, W1/2 NW1/4 SECTION 29, AND SECTION 30, ALL IN TOWNSHIP 2 NORTH, RANGE 10 WEST, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST LOT CORNER OF LOT 1 TULIP FARMS ADDITION, THENCE N 82° 00' 46" E FOR 224.63 FEET;THENCE S 66° 54' 55" E FOR 1144.58 FEET; THENCE S 54° 49' 40" E FOR 489.68 FEET; THENCE S 28° 02' 29" W FOR 2813.39 FEET;THENCE N 64° 49' 11" W FOR 432.11 FEET; THENCE N 67° 21' 02" W FOR 929.73 FEET; THENCE S 42° 49' 23" W FOR 441.99 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 70 AS DEDICATED BY INSTRUMENT #2020085134; THENCE N 38° 48' 39" W ALONG SAIND RIGHT OF WAY LINE FOR 231.11 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3170.59 FEET; THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY LINE BY A CHORD BEARING N 40° 09' 20" W FOR 149.08 FEET; THENCE N 47° 42' 26" E FOR 704.64 FEET; THENCE N 22° 38' 20" E FOR 2380.28 FEET TO THE POINT OF BEGINNING, CONTAINING 5,017,806 SQUARE FEET OR

115.193 ACRES, MORE OR LESS:

Section 5.11.6 - Industrial Zoning Districts Requirements

A. Side yard fences shall not exceed six (6) feet in height

B. Rear yard fences shall not exceed eight (8) feet in height.

C. Front yard fences are not allowed.

SECTION 2: That the following provisions of Section 5.11.8 of Ordinance No. 9263 ("the Zoning Ordinance") is hereby waived for 13101 Highway 70:

5.11.8 : Barbed Wire Fences

A. Barbed wire may be permitted in the rear and side yards of Industrial Zoned Districts and C4 Zoning Districts.

C. The total height, including the barbed wire shall not exceed the permitted total height allowed by the Zoning District.

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 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: ATTEST:

Maurice Taylor

Council Member Maurice Taylor by AT Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:00 **A.M.** _____ **P.M.**

By A. Fields, City Atty

DATE 3-22-22

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

RECEIVED BY S. Usser

EXHIBIT
A

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

March 4, 2022

The Honorable Terry C. Hartwick
Mayor, City of North Little Rock
&
City of North Little Rock Council Members
300 Main Street
North Little Rock, AR 72119

RE: Fence Height Request
Lot 2, Tulip Farms Addition

Dear Mayor Hartwick and Council Members:

Please accept this letter to serve as our application to be placed on the March 28th, 2022, City of North Little Rock City Council Agenda regarding a fence height request within the industrial development of Lot 2, Tulip Farms addition.

The developers of Lot 2 are proposing to construct a 1.2 million square foot distribution facility on the property. Based on the tenant's Bulk Distribution (BDC) -Guideline for this location as well as their other facilities throughout the country, we request to install a black vinyl coated, 10 foot high chain link fence with 3 strands of barbed wire on top for security.

In support of this request, we have included the following items:

Exhibit A:	Site Plan showing overall development and fence location
Exhibit B:	Preliminary Plat of Lot 2
Exhibit C:	Property legal description
Photos:	Photos show a recently completed facility and the 10' high black vinyl fence with three strands of barbed wire on top.

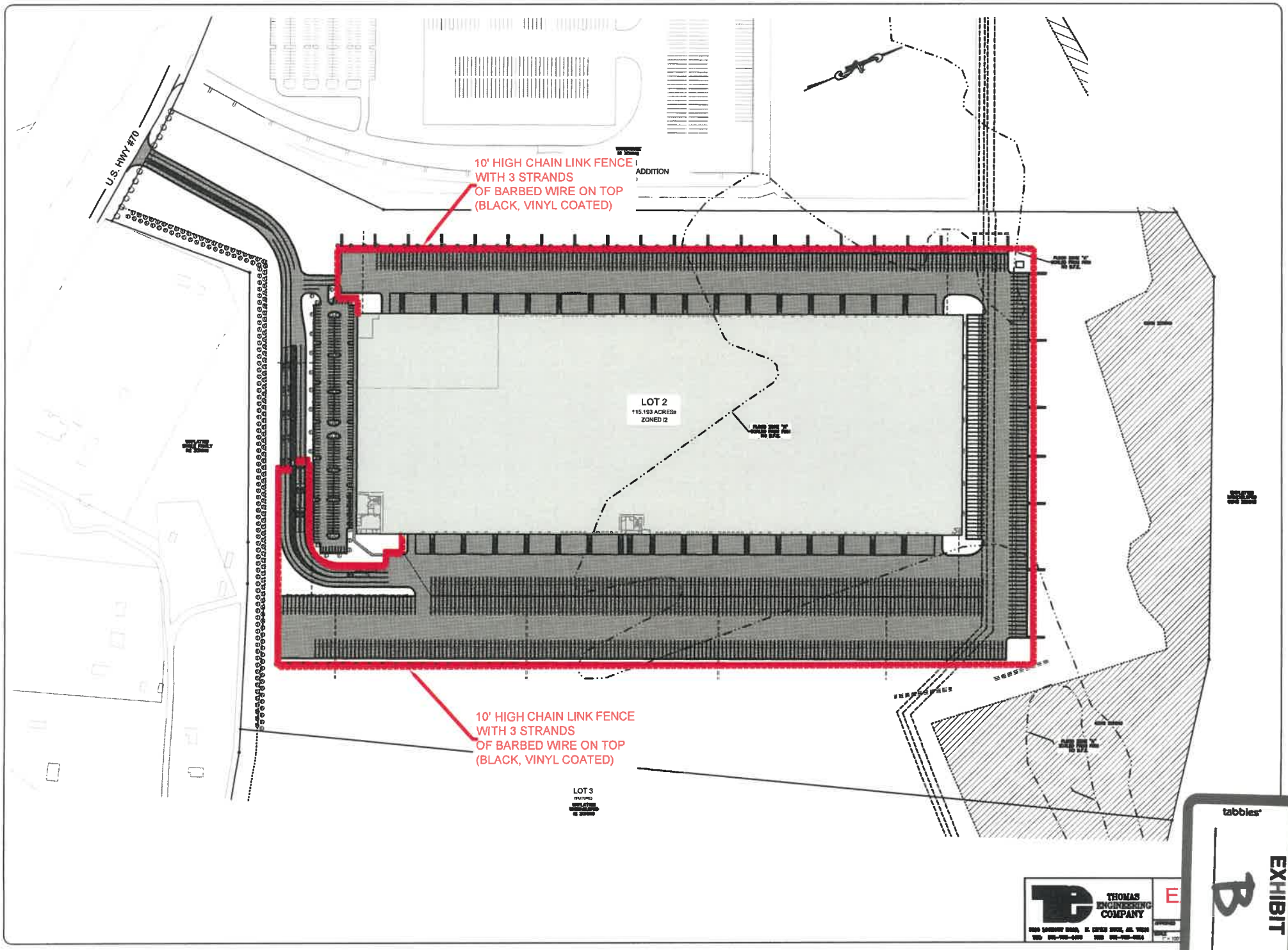
Applicant: Thomas R. Pownall, Thomas Engineering Company
3810 Lookout Road
North Little Rock, AR 72116
501-753-4463

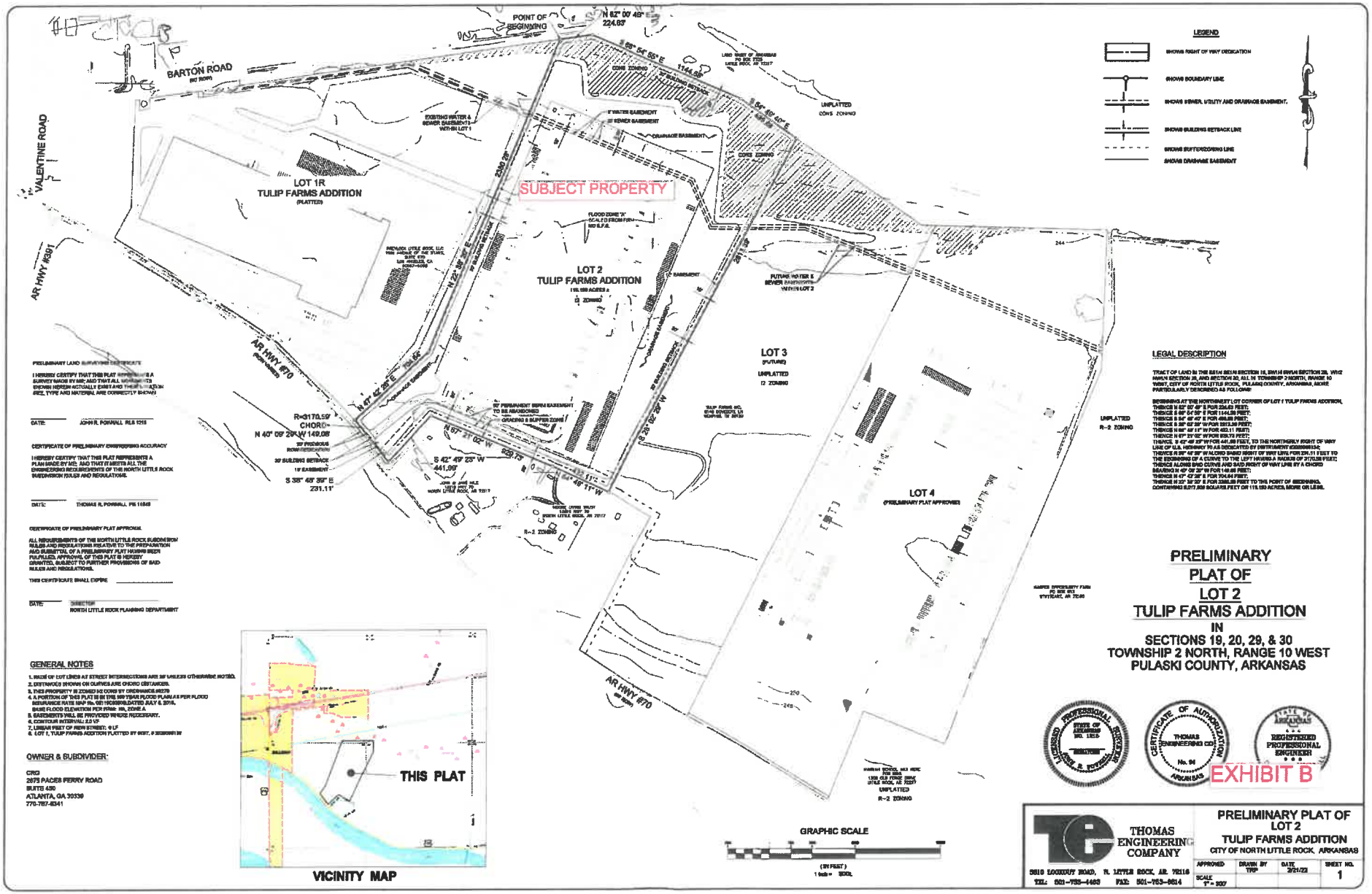
Developer: CRG Services Management, LLC
a Missouri limited liability company

Please feel free to contact me with any questions.

Sincerely,

Thomas R. Pownall, P.E.
Vice President


U.S. HWY #70
ADDITION
10' HIGH CHAIN LINK FENCE
WITH 3 STRANDS
OF BARBED WIRE ON TOP
(BLACK, VINYL COATED)
LOT 2
115.193 ACRES±
ZONED I2
10' HIGH CHAIN LINK FENCE
WITH 3 STRANDS
OF BARBED WIRE ON TOP
(BLACK, VINYL COATED)
LOT 3
THOMAS
ENGINEERING
COMPANY
SPR AS SUBMITTED 2-22-22.dwg
PLOTTED: 3/8/2022
tabbies
EXHIBIT
B



PRELIMINARY LAND SURVEYING CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME; AND THAT ALL MONUMENTS SHOWN HEREIN ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

DATE: _____ JOHN R. POWELL RLS 1218

CERTIFICATE OF PRELIMINARY ENGINEERING ACCURACY

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A PLAN MADE BY ME; AND THAT IT MEETS ALL THE ENGINEERING REQUIREMENTS OF THE NORTH LITTLE ROCK SUBDIVISION RULES AND REGULATIONS.

DATE: _____ THOMAS R. POWELL PE 11648

CERTIFICATE OF PRELIMINARY PLAT APPROVAL

ALL REQUIREMENTS OF THE NORTH LITTLE ROCK SUBDIVISION RULES AND REGULATIONS RELATIVE TO THE PREPARATION AND SUBMITTAL OF A PRELIMINARY PLAT HAVING BEEN FULFILLED, APPROVAL OF THIS PLAT IS HEREBY GRANTED, SUBJECT TO FURTHER PROVISIONS OF SAID RULES AND REGULATIONS.

THIS CERTIFICATE SHALL EXPIRE _____

DATE: _____ NORTH LITTLE ROCK PLANNING DEPARTMENT

GENERAL NOTES

1. BASIS OF LOT LINES AT STREET INTERSECTIONS ARE 25' UNLESS OTHERWISE NOTED.
2. DISTANCES SHOWN ON CURVES ARE CHORD DISTANCES.
3. THIS PROPERTY IS ZONED I2 CONS BY ORDINANCE #6279
4. A PORTION OF THIS PLAT IS IN THE 100 YEAR FLOOD PLAIN AS PER FLOOD INSURANCE RATE MAP No. 05 REVISED/ADOPTED JULY 6, 2016. BASE FLOOD ELEVATION PER FIRM: NA, ZONE A
5. EASEMENTS WILL BE PROVIDED WHERE NECESSARY.
6. CONTOUR INTERVAL 2.0 VF
7. LINEAR FEET OF NEW STREET: 0 LF
8. LOT 1, TULIP FARMS ADDITION PLATTED BY ROW, # [illegible]

OWNER & SUBDIVIDER:

CRG
2973 PACES FERRY ROAD
SUITE 430
ATLANTA, GA 30339
770-787-8341

LEGAL DESCRIPTION

TRACT OF LAND IN THE SE1/4 SE1/4 SECTION 19, SW1/4 SW1/4 SECTION 20, W1/2 NW1/4 SECTION 29, AND SECTION 30, ALL IN TOWNSHIP 2 NORTH, RANGE 10 WEST, CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE S 68° 54' 55" E FOR 1144.58 FEET;
THENCE S 54° 50' 40" E FOR 498.88 FEET;
THENCE S 36° 02' 30" W FOR 1012.36 FEET;
THENCE N 68° 48' 11" W FOR 452.11 FEET;
THENCE N 67° 21' 02" W FOR 520.73 FEET;
THENCE, S 42° 49' 25" W FOR 441.99 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 70 AS DEDICATED BY INSTRUMENT 2000[illegible];
THENCE N 35° 49' 39" W ALONG SAID RIGHT OF WAY LINE FOR 231.11 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3170.59 FEET;
THENCE ALONG SAID CURVE AND SAID RIGHT OF WAY LINE BY A CHORD BEARING N 40° 09' 29" W FOR 149.08 FEET;
THENCE N 47° 42' 25" E FOR 704.64 FEET;
THENCE N 22° 39' 26" E FOR 2380.26 FEET TO THE POINT OF BEGINNING, CONTAINING 5,217,308 SQUARE FEET OR 119.780 ACRES, MORE OR LESS.

PRELIMINARY PLAT OF LOT 2 TULIP FARMS ADDITION IN SECTIONS 19, 20, 29, & 30 TOWNSHIP 2 NORTH, RANGE 10 WEST PULASKI COUNTY, ARKANSAS

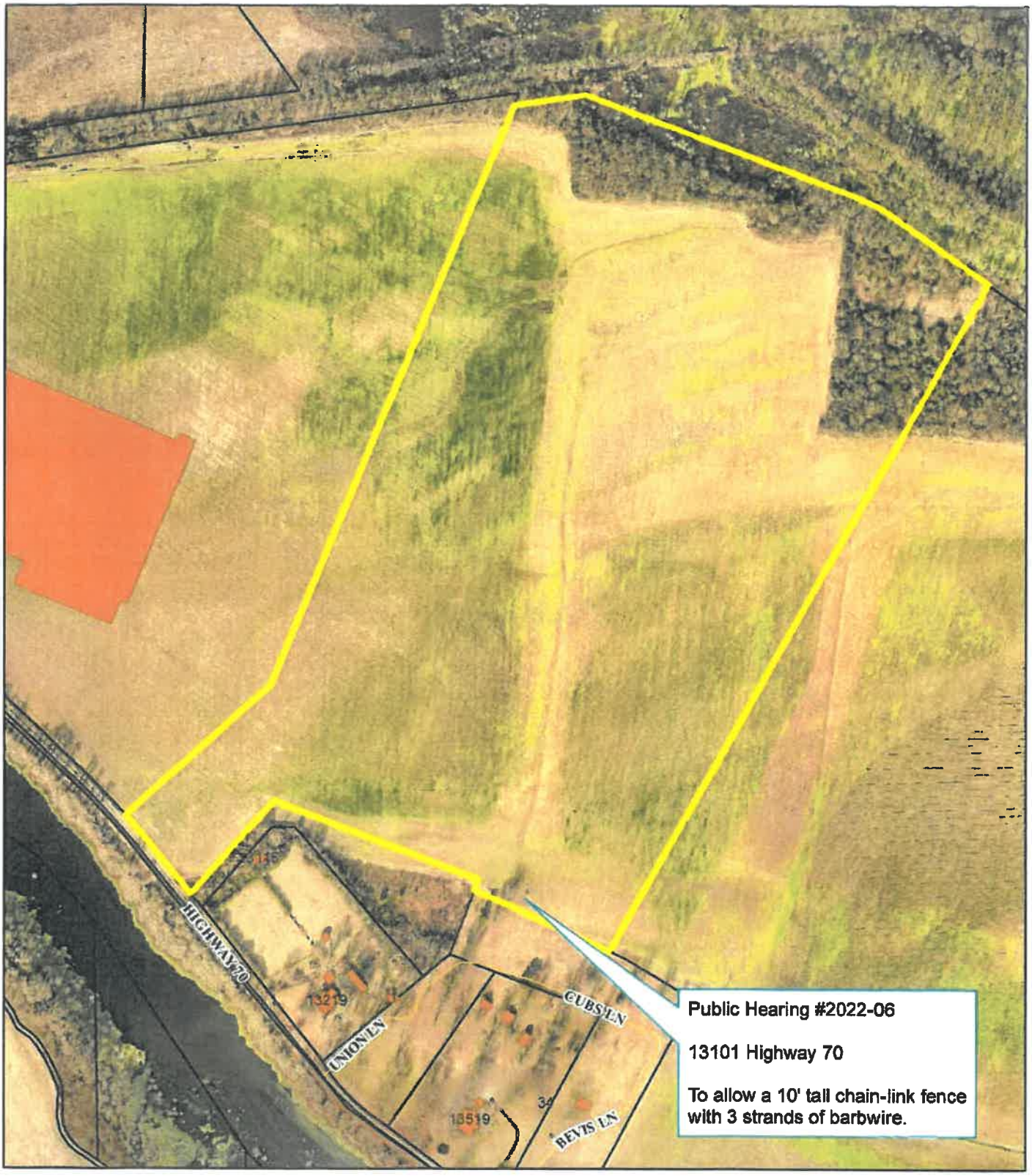
EXHIBIT B

THOMAS ENGINEERING COMPANY
5610 LOCKSLEY ROAD, N. LITTLE ROCK, AR. 72116
TEL: 501-753-1460 FAX: 501-753-9614

PRELIMINARY PLAT OF LOT 2 TULIP FARMS ADDITION CITY OF NORTH LITTLE ROCK, ARKANSAS			
APPROVED	DRAWN BY TRP	DATE 2/21/22	SHEET NO. 1
SCALE 1" = 300'			

PLOTTED: 2/22/2022
TULIP FARMS - LOT 2 PREPLAT.dwg

Public Hearing Case # 2022-06



NLR Community Planning

Ortho Map

1 inch = 500 feet

0 250 500 1,000 1,500 Feet

N W E S

Date: 3/9/2022