O-22-28

ORDINANCE NO. _____

AN ORDINANCE WAIVING SECTION 9.11.A OF THE SUBDIVISION ORDINANCE (ORDINANCE NO. 7946) FOR PROPERTY LOCATED AT 4300 STOCKTON DRIVE TO ALLOW THE WAIVER OF SIDEWALK REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Bear Davidson of Davidson Engineering, 210 W. Arch Ave., Suite D, Searcy, Arkansas 72143, seeking a waiver of sidewalk requirements for property located at 4300 Stockton Drive (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 that were requested to be waived (8 affirmative votes; 1 absent) at a regularly scheduled meeting thereof held on March 8, 2022; and

WHEREAS, the applicant seeks waiver of Section 9.11.A of Ordinance No. 7946 for the property located at 4300 Stockton Drive.

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

SECTION 1: That the following Section 9.11.A of the Ordinance No. 7946 ("the Subdivision Ordinance") is hereby waived for 4300 Stockton Drive, more particularly described as Lot 6R, Block 3, Springhill Development of the City of North Little Rock, Pulaski County, Arkansas:

Section 9.11 - Sidewalks

Sidewalks shall be a minimum of 5 feet wide and shall be installed within the dedicated right-of-way adjacent to the property line. Sidewalks shall be required as follows:

A. Both sides of local, collector, and arterial streets in commercial and residential areas.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 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 Nathan Hamilton by AF
FOR CONSIDERATION ONLY

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:30 **A.M.** _____ **P.M.**
By A. Fields
DATE 4-5-22

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

RECEIVED BY S. Hosey

DAVIDSON ENGINEERING

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

EXHIBIT
A

March 31, 2022

Mr. Shawn Spencer
Planning Director
City of North Little Rock

RE: SD2022-14 Kum and Go Subdivision, Lot 2R & Springhill Development, Block 3, Lot 6R (Replat at 4300 Stockton Dr.)
March 8, 2022 Planning Commission Approval Condition 4.a. "Provide 5' sidewalks and ramps with a minimum of 5' green space between sidewalk and curb to ADA standards and City standards for lot 6R or a performance bond."

Mr. Spencer,

This letter is to request a waiver of the above-mentioned condition of Planning Commission Approval for the replat at 4300 Stockton Drive.

The owner of the Mastech property's (4300 Stockton) only involvement in the replat was to sell an approximately 30' strip of land to their neighbor on the west. They do not wish to complete any redevelopment or new construction. Additionally, there are no sidewalks along that south side of Stockton, which is fully built out. Not only is the requirement for the 4300 Stockton property owner to build sidewalks along Stockton impractical, it also would be a "sidewalk to nowhere."

We respectfully request that the City Council grant a waiver for that portion of sidewalk along Stockton Drive. This would not impact the requirement for sidewalks along Smokey Lane.

If you have questions, please give me a call. Otherwise, we would like to be placed on the agenda for the next available Council meeting if possible.

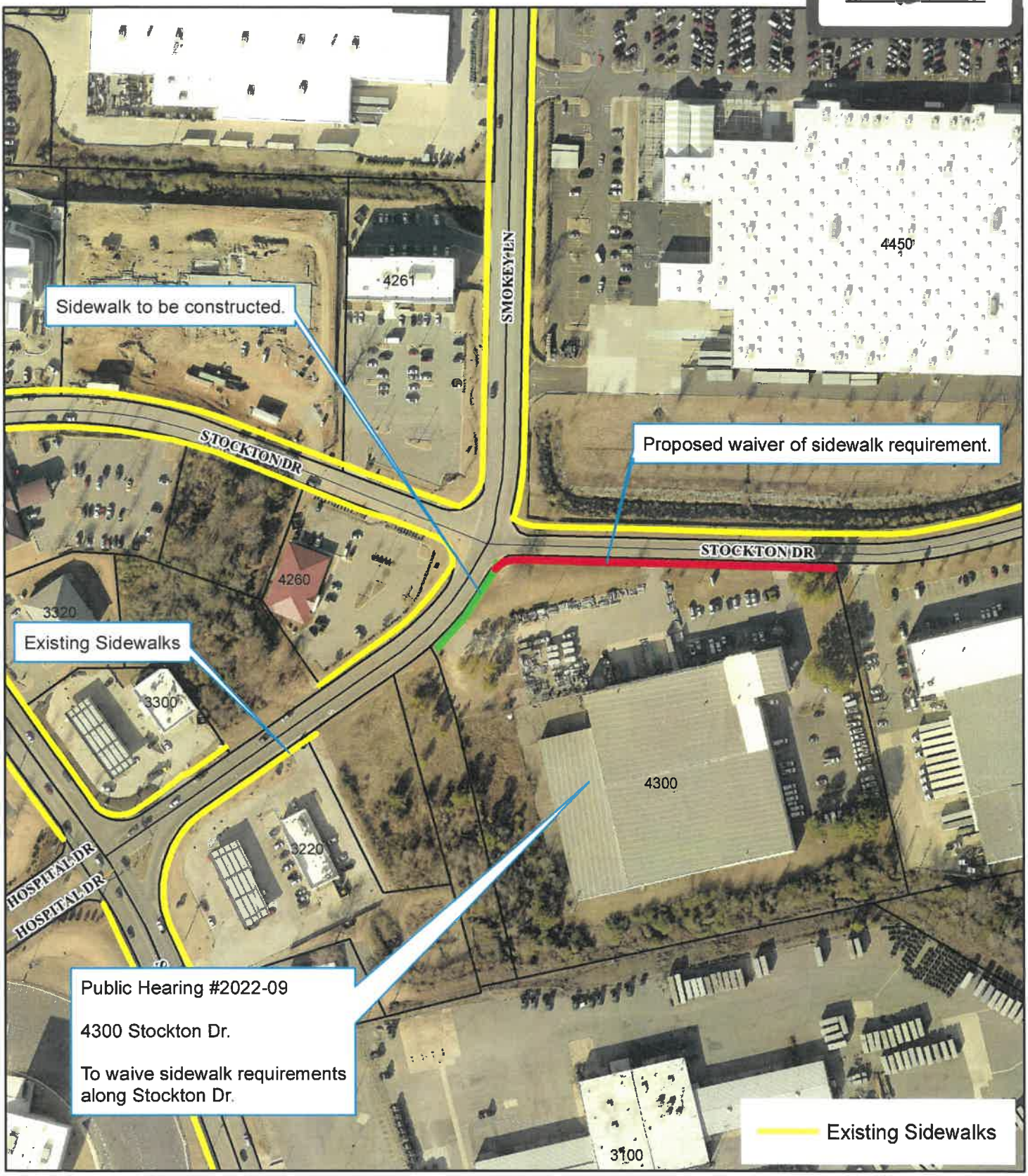
Thank you,

BD

Bear Davidson, PE

Public Hearing Case # 2022-09

EXHIBIT B



Ortho Map

1 inch = 200 feet

0 100 200 400 600 Feet

N W E S

Date: 4/1/2022

STOCKTON DRIVE
SIDEWALK WAIVER REQUEST
SMOKEY LANE
LOT 6R, BK 3, SPRINGHILL DEVELOPMENT (341,299 SQ FT) 7.835 ACRES
ZONED: C-3
LOT 2R, KUM AND GO #152 COMMERCIAL SUBDIVISION (53,235 SQ FT) 1.222 ACRES
ZONED: C-3
SHARED ACCESS EASEMENT
SIDEWALK WAIVER REQUEST
SCALE: 1"=100'