O-22- 47

**ORDINANCE NO. _____**

**AN ORDINANCE REPEALING ORDINANCE NO. 9283 TO REVOKE A CONDITIONAL USE FOR A CONTRACTOR'S OFFICE WITH OUTDOOR STORAGE LOCATED AT 7718 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, on September 14, 2020, the City Council of the City of North Little Rock, Arkansas ("the City") adopted Ordinance No. 9283 (attached hereto as Exhibit A), granting a conditional use of land for a contractor's office with outdoor storage located at 7718 MacArthur Drive; 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

WHEREAS, a legal advertisement of notice of a public hearing held May 10, 2022 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; 1 absent; 1 vacant) on May 10, 2021.

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

SECTION 1: That Ordinance No. 9283, adopted September 14, 2020, granting a conditional use of land for a contractor's office with outdoor storage located at 7718 MacArthur Drive is hereby repealed, and the conditional use granted therein is hereby revoked.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 that no business license was obtained for the previously granted conditional use, and there is an immediate need to revoke the conditional use in order to comply with the North Little Rock Zoning Ordinance and return the herein stated

use in order to comply with the North Little Rock Zoning Ordinance and 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 Terry C. Hartwick

SPONSORS:

ATTEST:

Terry C. Hartwick

Mayor Terry C. Hartwick

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

DATE 6-7-22

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

RECEIVED BY S. Ussery

EXHIBIT
A

O-20-82

ORDINANCE NO. 9283

**AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 7718 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO C4 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; GRANTING A CONDITIONAL USE TO ALLOW FOR A CONTRACTOR'S OFFICE WITH OUTDOOR STORAGE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Foundation Repair of Arkansas, P.O. Box 1963, Benton, 72018, seeking a rezone of the herein described land, which application was duly considered and approved (8 affirmative votes, 1 absent) by the North Little Rock Planning Commission at a regular meeting thereof held on August 11, 2020; and

WHEREAS, a Conditional Use for property herein described and being located at 7718 MacArthur Drive, North Little Rock, Arkansas, to allow for a contractor's office with outdoor storage was approved (8 affirmative, 1 absent) by the North Little Rock Planning Commission at the aforementioned meeting.

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

SECTION 1: That Ordinance No. 9263 of the City of North Little Rock, Arkansas ("the Zoning Ordinance") is hereby amended by changing the classification of certain land from C3 to C4, said property being located at 7718 MacArthur Drive in North Little Rock, Pulaski County, Arkansas and more particularly described as:

Lot 12 of Meadow Lane Acres in the City of North Little Rock, Pulaski County, Arkansas (see maps attached collectively hereto as Exhibit A.)

SECTION 2: That the Conditional Use for the subject property described in Section 1 above is hereby granted to allow for a contractor's office with outdoor storage, subject to the following:

1. Hours of Operation 7AM – 6PM; Monday – Friday
2. Provide full screen (including 8' tall wood privacy fence and trees every 20' as determined during Site Plan Review) between commercial and residential uses on the east and west sides.
3. Provide an 8' tall wood privacy fence set back 30' from the property line along Service Road as shown on the site plan.
4. Provide a buffer of 3 rows of evergreen trees along Service Road on the outside of the 8' tall wood privacy fence.
5. Meet the requirements of the Site Plan Review.

6. No access from Service Road is permitted.
7. No outdoor storage of materials is permitted.
8. The parking and storage of vehicles and equipment is limited to the rear yard.
9. Any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
10. Business license to be issued after Planning Staff confirmation of requirements.
11. 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 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: It is hereby found and determined that the rezoning and conditional use of the above-described land as provided for herein 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:

9/14/2020

APPROVED:

Joe A. Smith

Mayor Joe A. Smith

SPONSORS:

Steve Baxter

Council Member Steve Baxter

ATTEST:

Diane Whitbey, City Clerk

FILED 10:50 A.M. _____ P.M.

By Amy Fields CA

DATE 9-8-20

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

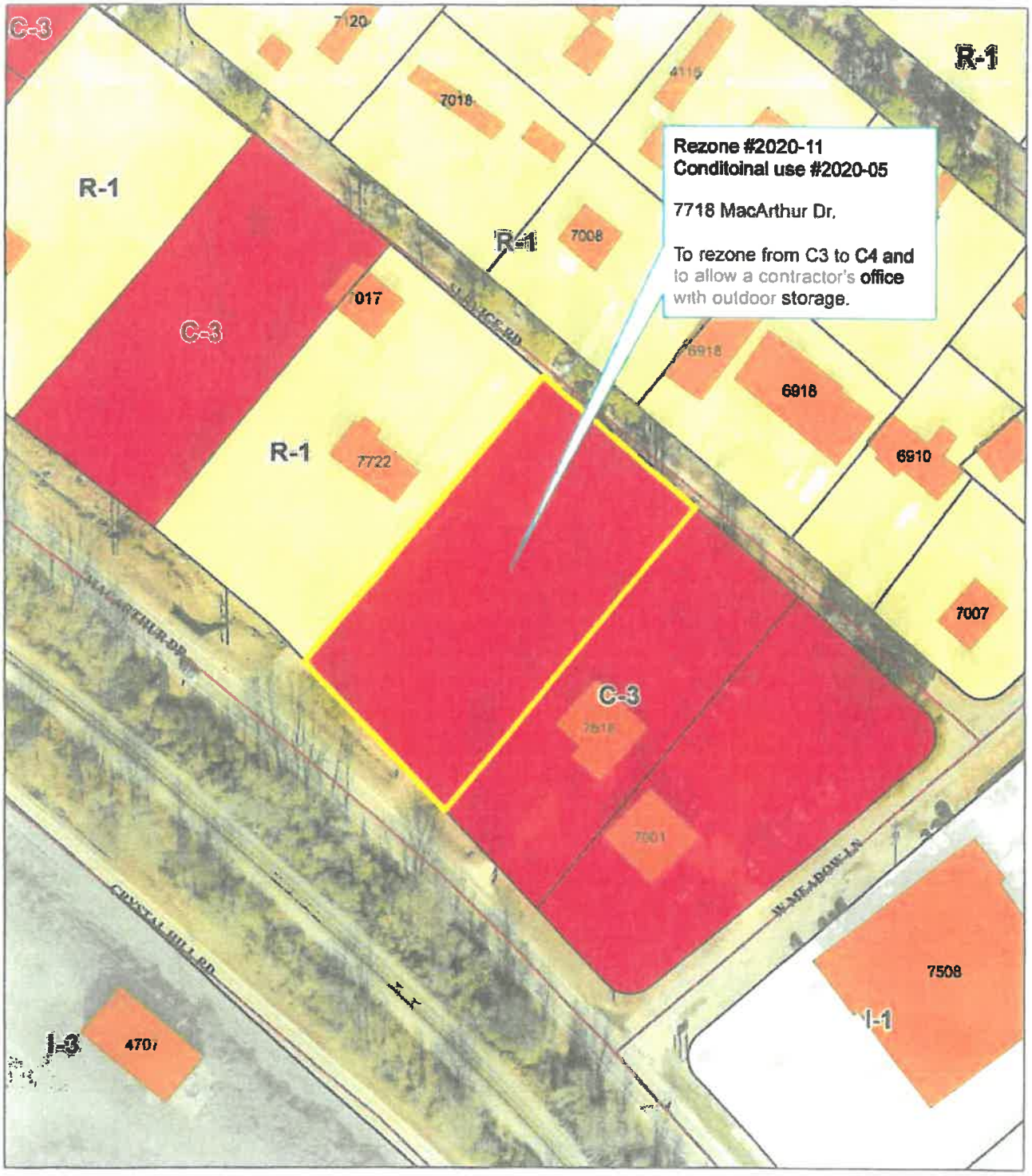
RECEIVED BY _____

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

# Rezone Case #2020-11 & Conditional Use #2020-05




Zoning Map

1 inch = 100 feet

0 50 100 200 Feet

Date: 6/26/2020

EXHIBIT

A

# Rezone Case #2020-11 & Conditional Use #2020-05

Ortho Map

1 inch = 50 feet

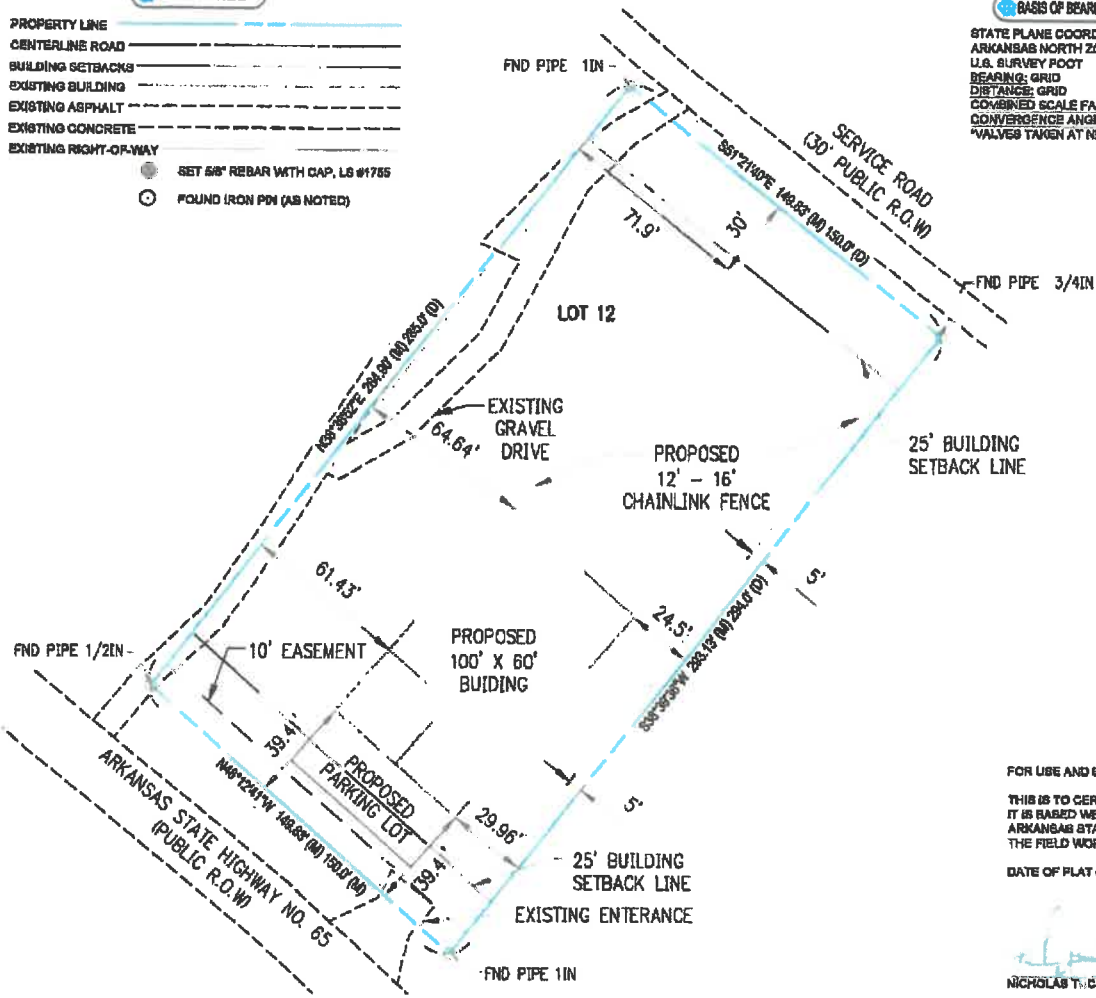
0 25 50 100 Feet

N
W E
S

Date: 6/26/2020

## DRAWING LEGEND

- PROPERTY LINE
- CENTERLINE ROAD
- BUILDING SETBACKS
- EXISTING BUILDING
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING RIGHT-OF-WAY
- SET 5/8" REBAR WITH CAP, LS #1755
- FOUND IRON PIN (AS NOTED)




## BASIS OF BEARING

STATE PLANE COORDINATES
ARKANSAS NORTH ZONE, NAD 1983
U.S. SURVEY FOOT
BEARING: GRID
DISTANCE: GRID
COMBINED SCALE FACTOR: 1.000024763860
CONVERGENCE ANGLE: -0° 10' 57.22718125"
*VALVES TAKEN AT NE CORNER OF LOT*

N

SCALE IN FEET
40' 0 40'

## FLOOD ZONE NOTE

BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN ON THIS SURVEY IS WITHIN ZONE X, ZONE X BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FEMA FIRM MAP COMMUNITY PANEL NUMBER 05011C0330G, DATED JULY 06, 2015, BASED UPON SURVEYOR'S INTERPRETATION OF THE LOCATION OF THE FLOOD HAZARD BOUNDARY LIMITS IN RELATION TO THE PROPERTY LINES.

## LEGAL DESCRIPTION

LOT 12 OF MEADOWLANE ACRES, PULASKI COUNTY, ARKANSAS, AS RECORDED IN PLAT BOOK 4, AT PAGE 130, RECORDS OF CIRCUIT CLERK, PULASKI COUNTY, ARKANSAS.

## SURVEY CERTIFICATION

FOR USE AND BENEFIT OF: CHRIS ROBINSON

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MOST CURRENT ARKANSAS STATE MINIMUM STANDARDS FOR SURVEYS OF THIS TYPE. THE FIELD WORK WAS COMPLETED ON 05/09/2020.

DATE OF PLAT OR MAP: 05/10/2020.

NICHOLAS TUCKER, LS #1755

LICENSED PROFESSIONAL SURVEYOR
STATE OF ARKANSAS
NO. 1755
NICHOLAS B. TUCKER
06/12/2020

STATE PLAT CODE: PLATTED SUBDIVISION

BOUNDARY PLAT
LOT 12
MEADOWLANE ACRES
6919 SERVICE ROAD

PREPARED FOR:
CHRIS ROBINSON

NORTH LITTLE ROCK, PULASKI COUNTY ARKANSAS

| REV. | DESCRIPTION | DATE |
|---|---|---|
| | | |

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CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC. NO. 189
ARKANSAS LICENSED

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| | |
|---|---|
| PROJECT NO. | 0020F500 |
| ISSUE DATE: | 06/10/2020 |
| CONTACT: | N.TUCKER |
| CHECKED BY: | |
| SHEET NO.: | 1 OF 1 |