O-22-66

ORDINANCE NO. ____

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN ASSISTED LIVING FACILITY WITHIN AN R4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 720 NORTH PINE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Andre Elliot, 5705 Lowrance Drive, North Little Rock, Arkansas 72118, seeking a special use to allow an assisted living facility within an R4 zone for property located at 720 North Pine Street, which application was duly considered and approved (8 affirmative votes; 1 vacant) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on June 14, 2022.

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

SECTION 1: That a Special Use is approved for an assisted living facility within an R4 zone for the subject real property located at 720 North Pine Street in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

LT 1 & 30' N & ADJ TO LT 1 BEING S1/2 E8TH ST CLOSED PER ORD #3515 4-25-66, GREEN'S 2ND ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, AR (See maps attached hereto as Exhibit A.)

SECTION 2: That this Special Use shall be subject to the following:

1. Approval letter from the Arkansas Department of Human Services, Office of Long Term Care prior to the issuance of a Zoning Certificate for a Business License.
2. The maximum number of clients to be served at this location is 3 persons.
3. Andre Elliot or Patricia Elliott must maintain active supervision of the facility at all times.
4. The Fire Marshall must approve the use of the residence for an assisted living home. The applicant must provide written approval from the Fire Marshall's office along with an inspection report prior to the issuance of a zoning certificate for a business license.
    a. Meet the requirements of the 2012 Arkansas Fire Prevention Code including:
        i. If persons receiving care are not capable of self-preservation a 13-D fire sprinkler system shall be installed. (Volume 2 Section 310.5.1)
        ii. There cannot be more than five persons receiving care if there are care recipients not capable of self-preservation. (Volume 2 Section 310.5.1)

5. A Domestic Fire Sprinkler System must be installed as required by the Fire Marshall.
6. A Business License is to be issued after Planning Staff confirmation of requirements.
7. Business license holder understands the failure to comply with these conditions may result in loss of the Special Use approval and/or loss of Business license and/or removal of electric power meter.
8. All structures on the site shall meet all applicable Federal, State, County and City requirements and codes.

SECTION 3: That all ordinances or parts of ordinance 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 special use as described herein is compatible with other businesses in the area and is immediately necessary in order to insure the proper and orderly growth and development 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 by AF

Council Member Maurice Taylor Diane Whitbey, City Clerk

Linda Robinson by AF

Council Member Linda Robinson

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney
PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:45 A.M. _____ P.M.
By Amy Fields AF
DATE 11/5/08
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED BY