O-22- 67

ORDINANCE NO. ____

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A RESIDENCE AND COMMERCIAL BUSINESS WITHIN A SINGLE STRUCTURE IN AN C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4121 JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Dennis Tuyen, 4121 John F. Kennedy Boulevard, North Little Rock, Arkansas 72116, seeking a special use to allow a residence and commercial business within a single structure in an C3 zone for property located at 4121 John F. Kennedy Boulevard, 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 a residence and commercial business within a single structure in a C3 zone for the subject real property located at 4121 John F. Kennedy Boulevard in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

LOT 10 OF THE PARK HILL 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. Meet the requirements of the Building Official/Code including but not limited to:
    a. The residence shall meet the requirements of the International Building Code:
        i. Section 1029 of the Building Code requires Emergency escape and rescue openings from each bedroom. This may be accomplished by a door or window directly to the outside.
        ii. Section 420 of the Building Code requires fire partitions separating the Business Occupancy from the Residential Occupancy.
        iii. Section 314 and 315 of the Residential code requires the installation of smoke detectors and carbon monoxide detectors.
        iv. The electrical will need updating in regards to GFCI's in wet and damp locations IAW the NEC.
        v. These are life safety requirements that need to be implemented before this mixed use occupancy is allowed.

2. Meet the requirements of the Fire Marshall including but not limited to:
    a. The residence shall meet the requirements of the 2012 Arkansas Fire Prevention Code including:
        i. The nonresidential area of the live/work unit may not be more than 50 percent of the total area. (Volume 2 Section 419.1.1)
        ii. Not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time. (Volume 2 Section 419.1.1)
        iii. Smoke detectors shall be installed in each room used for sleeping purposes and in the immediate vicinity outside every sleeping area. (Volume 1 & 2 Section 907.2)
        iv. Windows, called emergency escape and rescue openings in the Fire and Building Code, shall be provided in each sleeping room that does not have an exterior door. These openings shall have a minimum clear opening of 5 square feet. They shall have a minimum clear opening height of 24 inches. They shall have a minimum clear opening width of 20 inches. The bottom of the clear opening shall not be higher than 44 inches from the floor. (Volume 1 & 2 Section 1029)
3. Must apply for a commercial remodel permit and submit plans for commercial plan review prior to any modifications to the structure.
4. 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.

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:

Nathan Hamilton

Council Member Nathan Hamilton By AF Diane Whitbey, City Clerk

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, CA

DATE 7/5/20

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

RECEIVED BY _____

EXHIBIT
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Special Use #2022-06

NLR Community Planning

Ortho Map

1 inch = 30 feet

0 15 30 60 Feet

N W E S

Date: 5/5/2022

Not an actual survey

Special Use #2022-06

Zoning Map

1 inch = 100 feet

0 50 100 200 Feet

Date: 5/5/2022

Not an actual survey