O-22- 115

ORDINANCE NO. _____

AN ORDINANCE WAIVING CERTAIN SECTIONS OF ARTICLE 15 OF THE SUBDIVISION ORDINANCE (ORDINANCE NO. 7946) FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE PLANNING JURISDICTION OF THE CITY OF NORTH LITTLE ROCK TO ALLOW THE WAIVER OF HALF STREET REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by John R. Pownall of Thomas Engineering, 3810 Lookout Road, North Little Rock, Arkansas 72116, seeking a waiver of half street requirements for certain real property bordered by Westwind Drive, Lonesome Dove Tail, and Windsong Drive ("the Property")(see letter from Mr. Pownall 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 built (9 affirmative votes) at a regularly scheduled meeting thereof held on October 11, 2022; and

WHEREAS, the applicant seeks waiver of certain sections of Article 15 of Ordinance No. 7946 for the Property.

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

SECTION 1: That the following Section 15.3 of the Ordinance No. 7946 ("the Subdivision Ordinance") is hereby waived for the Property, more particularly described as Lots 1-6 of Marion Woods Estate, Pulaski County, Arkansas:

Section 15.3 – Street Paving

Street paving widths shall be in conform to the following:

A. Street paving widths shall be in conformance with the requirements set forth in this regulation, however, no developer shall be required to install a street width of more than 48 feet.

B. Street pavement shall be install according to standards adopted by this regulation and by the City Engineer.

SECTION 2: That the following Section 15.4 of the Ordinance No. 7946 ("the Subdivision Ordinance") is hereby waived for the Property:

Section 15.4 – Curbs and Gutters

Curbs and gutters shall conform to the following:

A. Curbs and gutters shall be installed on all streets except as this regulation may direct.

B. Installations shall be in accordance with standards adopted by the City Council.

SECTION 3: That the following Section 15.8 of the Ordinance No. 7946 ("the Subdivision Ordinance") is hereby waived for the Property:

Section 15.8 – Storm Drainage

Storm drainage shall conform to the following:

A. Every subdivision shall be served by storm drainage facilities including drains, sewers, catch basins, culverts, and other facilities.

B. All drainage facilities shall be so designed to serve the entire drainage area.

C. All surface water drainage shall be transported to existing storm sewers or to drainage facilities approved by the City Engineer.

D. Inlet spacing shall be at a maximum spacing of 500 feet.

SECTION 4: That the following provision of Section 15.11 of the Ordinance No. 7946 ("the Subdivision Ordinance") is hereby waived for the Property:

Section 15.11 – Street Lights

A. Residential Streets and Subdivisions – Street lights shall be installed at every intersection and spaced approximately at 200 foot intervals within the block. Street lights shall be installed within the street right of ways. Street lights within the block should be near the common, side yard lot lines.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6: 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 7: 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:

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

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

By Amy Fields CA

DATE 1/16/08

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

RECEIVED BY _____

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

November 22, 2022

North Little Rock City Council
120 Main Street
North Little Rock, AR 72114

RE: Marion Woods Estate
Pulaski County, Arkansas

Dear NLR Council Members:

The owner of Marion Woods Estate, Susi Witkowski, has plans to develop 6 estate lots in Pulaski County bordered by Westwind Drive, Lonesome Dove Trail, and Windsong Drive. These lots are in Pulaski County but are in the North Little Rock planning jurisdiction. This subdivision was submitted to the NLR Planning Commission and approved at their October 11, 2022 meeting with the requirement for half street improvements (street, drainage, curb and gutter, sidewalk and crosswalks).

The purpose of this letter is to request from the City Council a waiver of half street improvements on Lonesome Dove Trail and Windsong Drive.

The rural nature of the area and proposed lot sizes in this subdivision are reasons to allow for the waiver.

If you have any questions, please give me a call.

Sincerely,

John R. Pownall

John R. Pownall, P.E.
Engineer

JRP/ab

cc: Susi Witkowski

Public Hearing Case # 2022-39

EXHIBIT

B

NLR PLANNING

Ortho Map

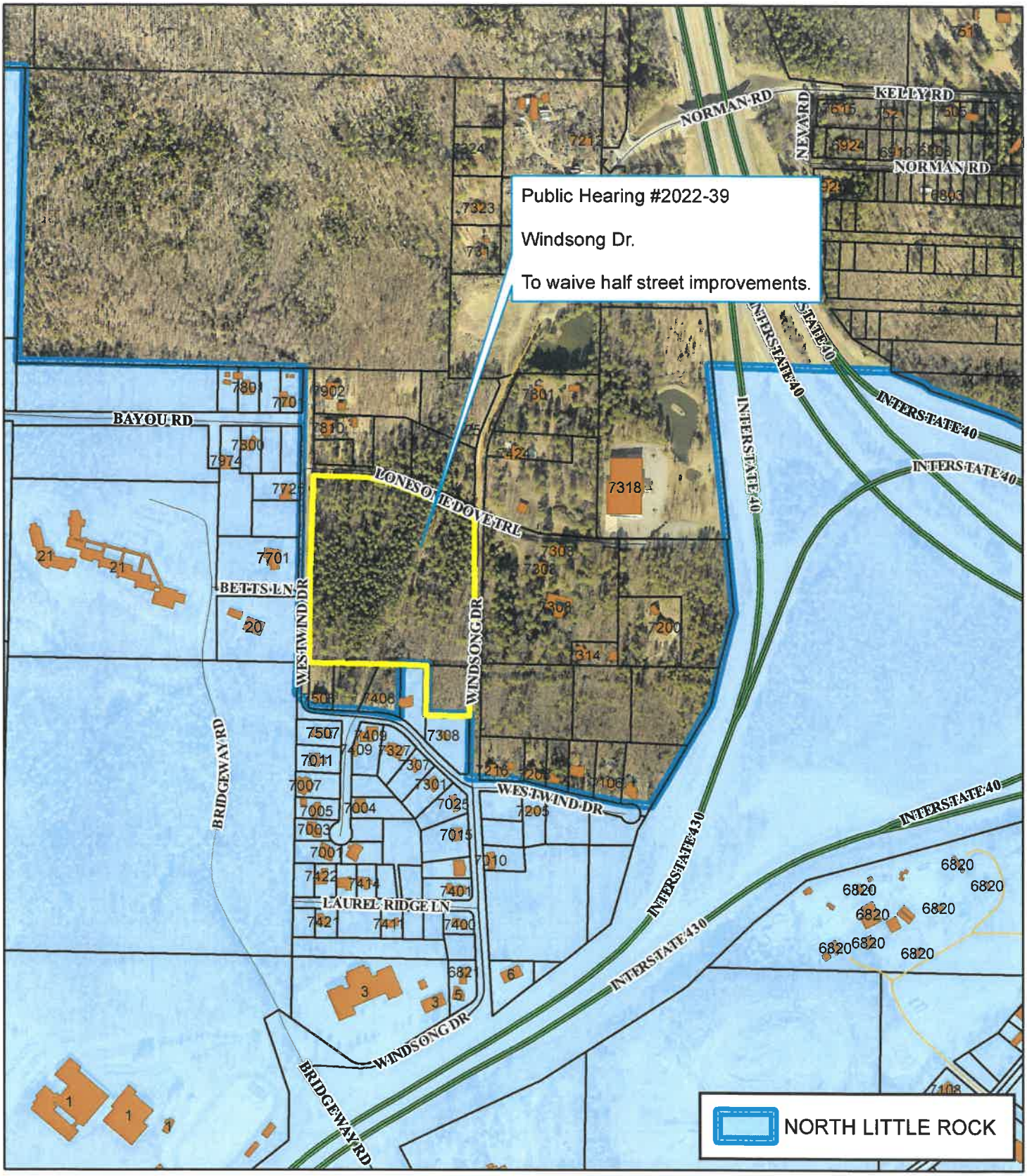
1 inch = 150 feet

0 75 150 300 450 Feet

N W E S

Date: 11/29/2022

Public Hearing Case # 2022-39



Area Map

1 inch = 600 feet

0 300 600 1,200 1,800 Feet

N W E S

Date: 11/29/2022