

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW OUTDOOR SPA DISPLAYS AND SALES IN A C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3929 MCCAIN BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Kiana Nieves of South East Spas, 2838 Okeechobee Boulevard, West Palm Beach, Florida 33409, seeking a Special Use to allow the outdoor display and sales of spas within the McCain Mall parking lot in a C3 zone located at 3929 McCain Boulevard, which application was duly considered and approved (5 affirmative votes; 1 against; 3 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on July 11, 2023.

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 to allow the outdoor display and sales of spa within the McCain Mall parking lot in a C3 zone located at 3929 McCain Boulevard in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

LOT 2-R/1 OF THE MCCAIN MALL ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (See maps and drawings attached hereto as Exhibit A.)

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

1. The placement of the tent shall not block and fire lane(s), ingress or egress.
2. Tents may not cover required access drives and/or driveways.
3. Maintain clear exits and aisle ways inside the tent.
4. The tent permit is valid for 7 days from the raising of the tent.
5. An approved tent permit must be secured prior to the installation/raising of the tent.
6. No open flame devices, heaters or cooking devices, parked vehicles, or gas engines are allowed within 20-feet of the tent. At no time can an open flame or straw and other combustible materials be placed under or near a tent.
7. Tents are to be placed a minimum of 20-feet from property lines and 10-feet from other structures.
8. The hours of the spa sale may not exceed the hours of the mall.
9. Applicant must meet all applicable Federal, State, County and City requirements
10. Applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License.
11. Business license to be issued after Planning Staff confirmation of requirements.

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

SPONSORS:

ATTEST:

Charlie Hight  
Council Member Charlie Hight *gaf*  
**FOR CONSIDERATION ONLY**

\_\_\_\_\_ Diane Whitbey, City Clerk

Vince Insalaco III  
Council Member Vince Insalaco III *gaf*  
**FOR CONSIDERATION ONLY**

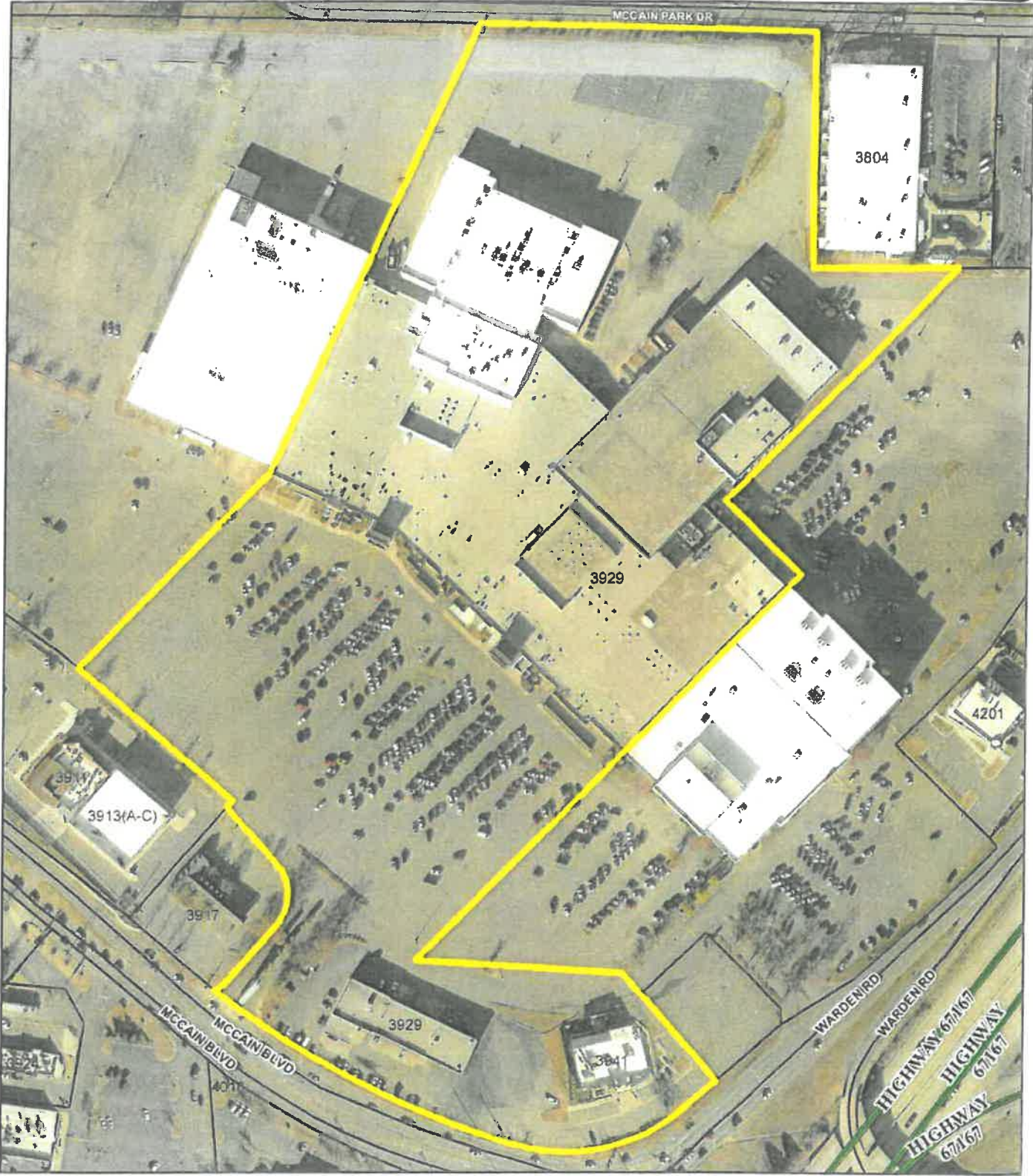
FILED	<u>10:36</u> A.M.	_____ P.M.
By	<u>A. Fields</u>	
DATE	<u>8-8-23</u>	
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>		
RECEIVED BY	<u>S. Ussery</u>	

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

# Special Use #2023-16



**Ortho Map**

1 inch = 200 feet



Date: 6/13/2023

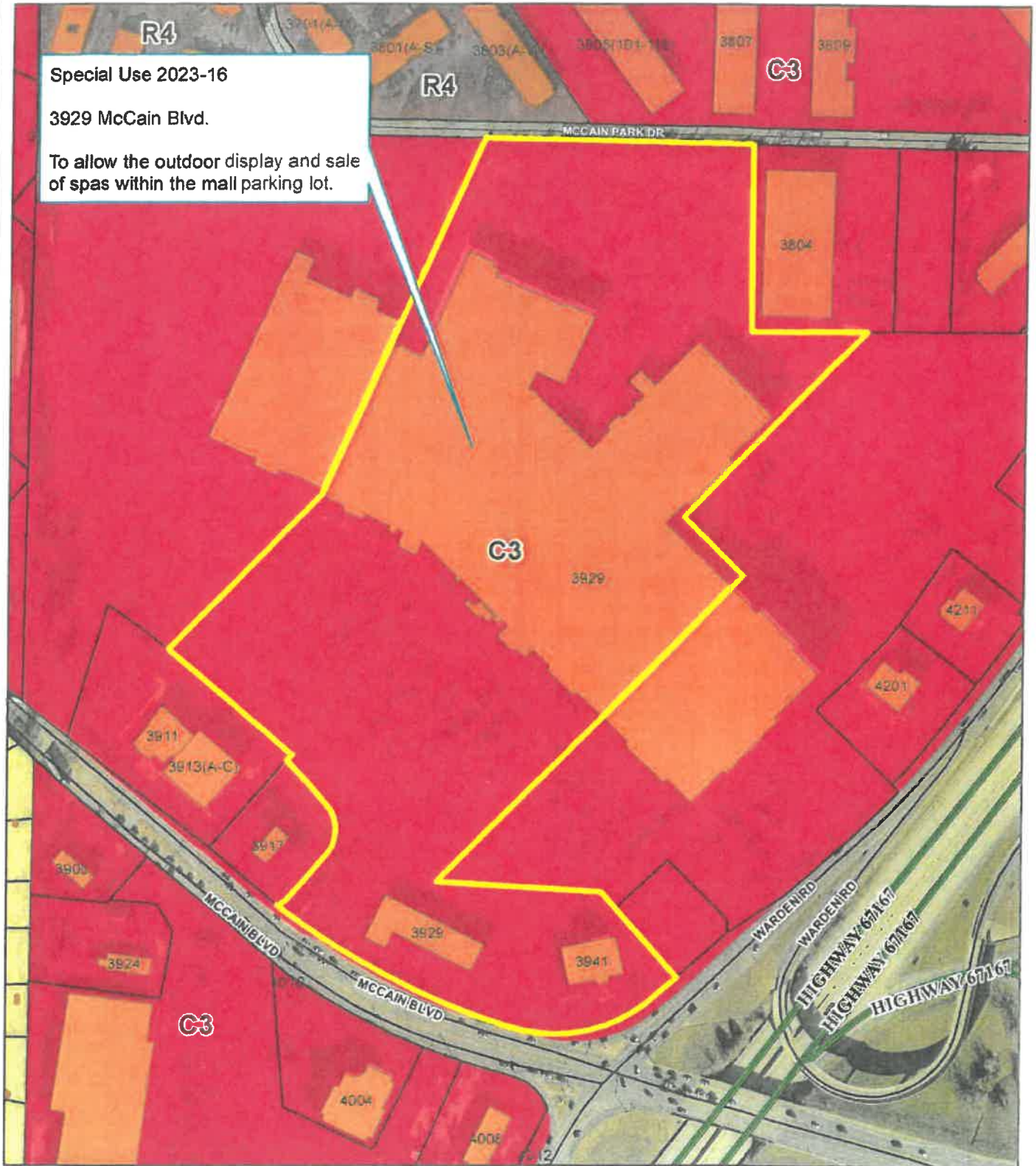
Not an actual survey

# Special Use #2023-16

Special Use 2023-16

3929 McCain Blvd.

To allow the outdoor display and sale of spas within the mall parking lot.



Zoning Map

1 inch = 250 feet

0 125 250 500 Feet



Date: 6/13/2023

Not an actual survey

Good Evening,

My company Spa East Spas located in West Palm Beach, FL is looking to host an event at your facility by using a portion of your parking lot. We have been in business for over 10 years and take pride in everything that we do, especially helping the communities maintain a healthy lifestyle. We think this will be a great area to promote the importance of maintaining one's health using a spa. We host these events every weekend in different cities and states.

We would love to create a long-term relationship with the McCain Mall and North Little Rock, AR. Here are a few bullet points that will provide you with an idea on how everything works with our spa tent sales:

- We are very big on presentation, We ensure that the area that we utilize is clean and free of debris once we finish our set-up process.
- Our tent is usually placed on Wednesday for the full day.
- Thursday will be our day when all the products(hot tub & Swim spas) will arrive, along with the rental equipment (forklift, dumpster, generator, porta potty)
- Friday, Saturday, and Sunday we are open to the public.
- We promote our event starting on Tuesdays the week of the event.
- We use Monday, Tuesday as our delivery days, spa that customers have purchased will be delivered during this timeframe.
- Wednesday is our last day which will be used as our load out day, all products and rental equipment will be picked up if no delays occur.

I have also provided some pictures below to give you an idea of how the area will look.

We are looking to host the event for the following dates: August 3rd to August 9th 2023 at the McCain Mall.

If you need any additional information or any questions, please feel free to reach out to me.

I look forward to working with you.

Thank you,

**Contact Information:**

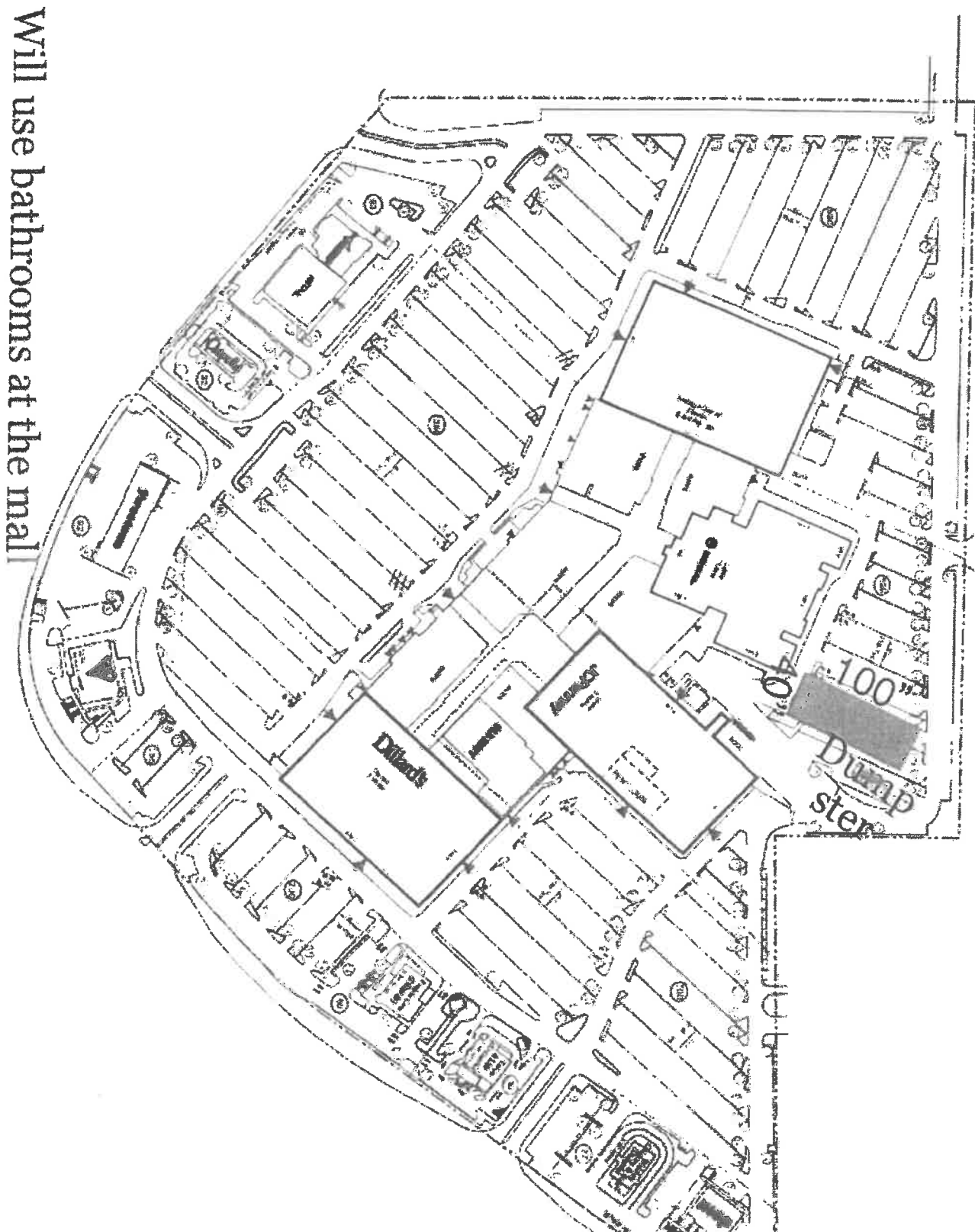
**Kiana Nieves**

**South East Spas**

**2838 Okeechobee Blvd, West Palm Beach FL 33409**

**Phone Number: 954-292-4189**

**Email: [Kiana@southeastspas.com](mailto:Kiana@southeastspas.com)**



Will use bathrooms at the mall