

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING FEE IN-LIEU OF SIDEWALK CONSTRUCTION FOR CERTAIN REAL PROPERTY LOCATED AT 7001 JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Zachary Mills of Toth & Associates, 1550 East Republic Road, Springfield, Missouri 65804, has requested a fee in-lieu of sidewalk construction for certain real property located at 7001 John F. Kennedy Road (see letter and application attached respectively as Exhibit A and B); and

WHEREAS, the City Engineer has reviewed the request and recommended that the City Council approve the fee in lieu of sidewalk construction; and

WHEREAS, it is in the best interests of the City that the applicant pay the fee in the amount of One Thousand Nine Hundred Twenty and 00/100 Dollars (\$1,920.00).

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

SECTION 1: That the request for fee in-lieu of sidewalk construction is hereby approved for the subject real property located at 7001 John F. Kennedy Boulevard, being more particularly described as Lot 1, Block 300 of the Indian Hills Addition to the City of North Little Rock, Pulaski County, Arkansas (see maps attached hereto as Exhibit C).

SECTION 2: That the fee, in the amount of \$1,920.00, shall be paid to the Ward 4 account for fees in-lieu of sidewalk construction.

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 it is in the best interests of the City of North Little Rock to approve the fee in lieu of sidewalk construction, and the immediate passage of this Ordinance is necessary in order to insure the proper and orderly growth of this land and the City, 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:

Vince Insalaco III  
Council Member Vince Insalaco III

Charlie High  
Council Member Charlie High

ATTEST

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

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	10:10	A.M.	P.M.
By	Christina Fielding		
DATE	9.5.23		
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>			
RECEIVED BY	S. Ussery		



1550 East Republic Road  
Springfield, MO 65804  
tothassociates.com  
417.888.0645



August 23<sup>th</sup>, 2023

RE: Seven Brew Coffee – 7001 JFK Blvd

Please accept this letter for approval of a fee in-lieu of sidewalk for the proposed 7-Brew located at 7001 JFK Blvd. Construction of the sidewalk is not feasible due to the existing grade within the right of way from the site to the street. On the east side of the site there is an existing slope of ~25%. Additionally, there is no sidewalk connectivity along the north side of JFK Blvd for approximately 400' in either direction of the site. A fee in lieu of sidewalk has been requested using an installed cost of \$8.00/S.F. The estimated length of 5' sidewalk between driveway approaches is 48'. The proposed fee in lieu of sidewalk is \$1920.00.

If you have additional comments or questions, please don't hesitate to call me at 417-888-0645.

Respectfully,

A handwritten signature in blue ink, appearing to read 'S.W. Barry'.

Shawn W. Barry, PE  
Vice President





# City of North Little Rock Sidewalk In-lieu of Form

7-1-2022

Address of Request: 7001 JFK BLVD, NLR, AR 72116

Business name: BREW CREW, LLC

Applicant / contact name: BRANDON SEBALD

Applicant / contact phone(s): office: 914-384-1998 cell: \_\_\_\_\_

Planning Commission case number: SD

Linear feet of sidewalk: 48' Width of sidewalk: 5'

Estimated cost (dirt work, material and labor, other) to install sidewalk: \$ 1,920.00

Person / firm providing the estimate: Scott Murry - Brew Crew 2 LLC

Items to be attached to this application. City Engineer may request additional documentation after submittal. Check the boxes below on items that are attached.

- Letter of Request stating reason for in-lieu of request (on letterhead with all contact info).
- Planning Commission final letter, showing the sidewalk requirement.
- Map(s) showing location of sidewalks for the in-lieu of request (8.5x11).
- Sidewalk estimate calculation sheet.

Once **ALL** of the above documents have been assembled, the applicant will submit the documents as a group to the City Engineer's office. City Engineers office (501-371-8339) is located at 700 W. 29<sup>th</sup> Street. Documents can also be sent to David Cook (dcook@nlr.ar.gov) in PDF format. If any of the required items are not provided, the application will be returned.

City Engineer name: Elston Welch Request located in Ward: 4

City Engineer's recommendation is based on (check all that apply):

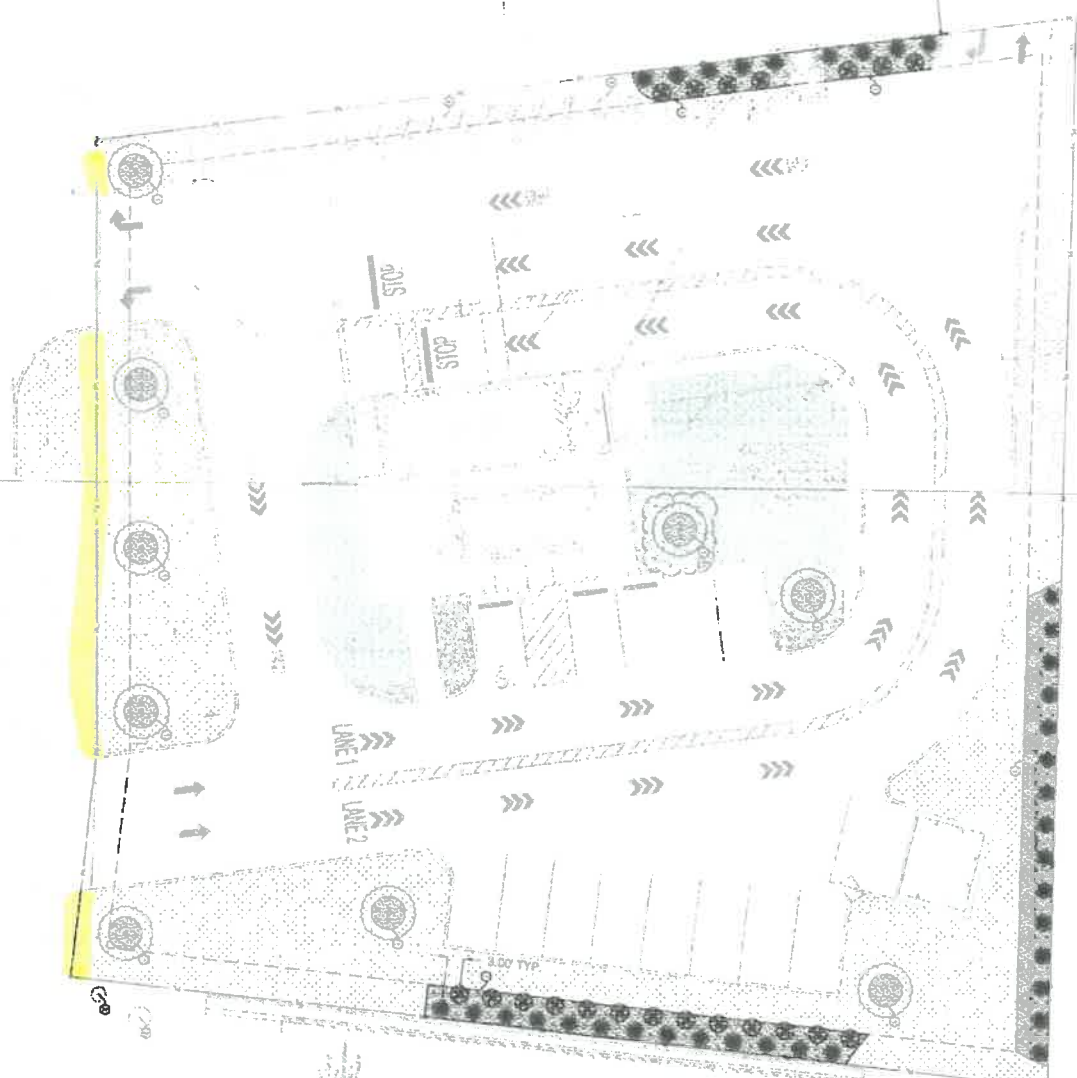
- There are no existing or planned sidewalk networks in the area.
- There are physical improvements present along an existing or proposed street that would prevent reasonable installation.
- There are other situations unique to the site that make the requirement to construct sidewalks impracticable or unnecessary.

City Engineer's recommendation on paying the in-lieu of fee (circle one): YES NO

Total cost (if approved) to be deposited into the Ward in-lieu of fee account: \$ 1,920

City Engineer's Comments (additional sheets may be attached):

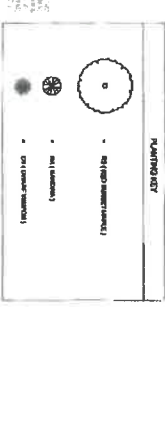
Once a recommendation is made, the City Engineer will keep the original paperwork for their files, and send a copy to the applicant, the City Attorney's office, the Planning Department and the 2 Council Members of the Ward the request is located. It is the applicant's responsibility to contact the Council Member (one or both) to request that the application be placed on the City Council agenda. The Council Member will then contact the City Attorney to determine the date of the meeting.



- GENERAL LANDSCAPE NOTES**
1. ALL PLANTING SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.
  2. PLANTING SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.
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  20. PLANTING SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.

**PLANTING LIST**

TYPE	COMMON NAME (SCIENTIFIC NAME)	QUANTITY	REMARKS	CONTRACTOR	INSTALL DATE
1	...	...	...	...	...
2	...	...	...	...	...
3	...	...	...	...	...
4	...	...	...	...	...
5	...	...	...	...	...
6	...	...	...	...	...
7	...	...	...	...	...
8	...	...	...	...	...
9	...	...	...	...	...
10	...	...	...	...	...
11	...	...	...	...	...
12	...	...	...	...	...
13	...	...	...	...	...
14	...	...	...	...	...
15	...	...	...	...	...
16	...	...	...	...	...
17	...	...	...	...	...
18	...	...	...	...	...
19	...	...	...	...	...
20	...	...	...	...	...



**GRASSING LOT NUMBER**  
 1. ALL GRASSING SHALL BE INSTALLED WITHIN THE SPECIFIED GRASSING AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.

**ROBERT TREES**  
 1. ALL ROBERT TREES SHALL BE INSTALLED WITHIN THE SPECIFIED ROBERT TREE AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.

**LANDSCAPE NOTES**  
 1. ALL LANDSCAPE NOTES SHALL BE INSTALLED WITHIN THE SPECIFIED LANDSCAPE NOTES AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.

**NOTES**  
 1. ALL NOTES SHALL BE INSTALLED WITHIN THE SPECIFIED NOTES AREAS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT PERIOD.

**ATTORNEY'S ONE CALL**  
 811

**AT10TH**  
 ARCHITECTURAL TRENDS & DESIGN, INC.

**SEVEN 7 BREW**  
 DRIVE THRU COFFEE

**7 BREW COFFEE**  
 NORTH LITTLE ROCK JFK #02 SITE PLAN REVIEW

7001 JOHN F. KENNEDY BLVD.,  
 NORTH LITTLE ROCK, AR 72116  
 LOT 1 BLOCK 300, INDIAN HILLS SUBDIVISION

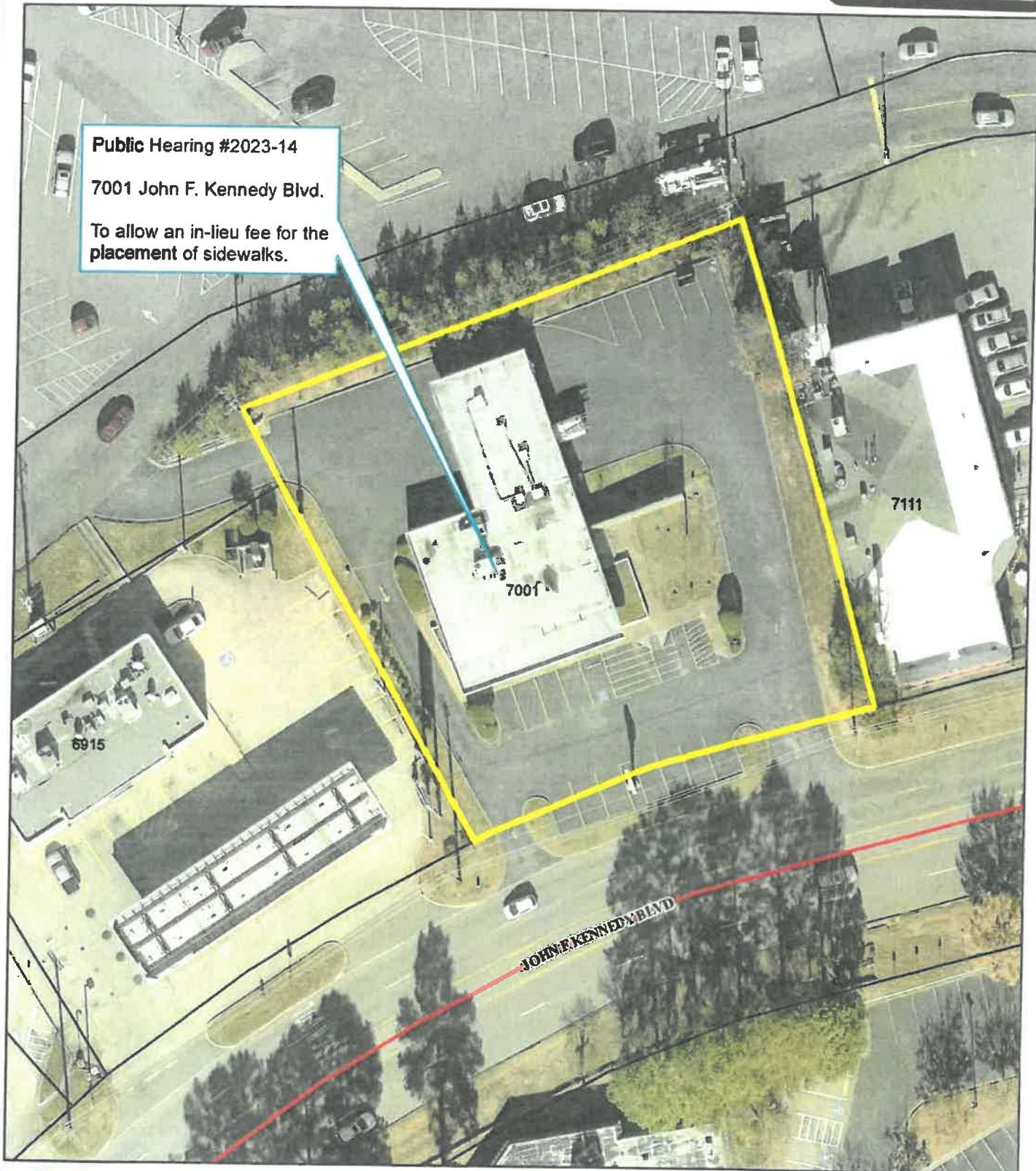
**CS.1**  
 LANDSCAPE PLAN

DATE: JANU. 26, 2023

# Public Hearing Case # 2023-14

tabbies  
**EXHIBIT**  
**C**

**Public Hearing #2023-14**  
7001 John F. Kennedy Blvd.  
To allow an in-lieu fee for the placement of sidewalks.



**Ortho Map**

1 inch = 50 feet



Date: 8/28/2023