

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

**AN ORDINANCE WAIVING CERTAIN SECTIONS OF ARTICLE 7 OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FOR CERTAIN REAL PROPERTY LOCATED AT 5220 NORTSHORE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, TO ALLOW THE WAIVER OF SCREENING AND BUFFERING REQUIREMENTS ALONG THE WESTERN PERIMETER OF THE PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Brian Dale of Joe White & Associates, 25 Rahling Circle, Suite A-2, Little Rock, Arkansas 72223, seeking a waiver of screening and buffering requirements for the eastern perimeter of certain real property located at 5220 Northshore Drive (see letter and maps attached hereto respectively as Exhibit A and B); and

WHEREAS, the North Little Rock Planning Commission voted to require the items requested to be waived (7 affirmative votes; 2 absent) at a regular meeting thereof held on June 13, 2023.

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

SECTION 1: That the following portions of Article 7 of the Ordinance No. 9263 (“the Zoning Ordinance”) is hereby waived for 5220 Northshore Drive, more particularly described as:

LOTS 2A AND 2B, BLOCK 4 OF THE NORTSHORE BUSINESS PARK ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS.

**Section 7.2.4 – Buffers Between Dissimilar Uses**

Buffers shall be established with new development activity to reduce the impact on existing neighborhoods and uses. The buffer provisions apply: (a) when different land uses or Zoning Districts abut each other, or (b) when different land uses or Zoning Districts are separated by rights-of-way of twenty (20) feet or less. Buffer area dimensional requirements shall be:

- C. The required buffer area depth shall not include any easements.
- D. Each side and rear yard buffer areas shall be five (5) percent of the lot width and depth. Buffer areas shall not be less than six (6) feet or greater than forty (40) feet.

**Section 7.3.2 – Class B – Half Screens**

- A. Trees from Table B or C shall be spaced every twenty (20) feet; or trees from Table D shall be used if beneath overhead power lines and spaced every twenty (20) feet.
- B. Only trees and shrubs from the approved planting list will count toward any requirements unless approved by the Planning Commission.
- C. A six (6) foot tall, continuous opaque screen shall be provided. An opaque screen may include one of the following: wall, fence, site grading, or plantings. The opaque screen must be opaque in all seasons.
- D. Trees shall be irrigated by an automatic underground irrigation system.

**Section 7.5.1 – Table A: Buffer/Screen of Dissimilar Land Uses**

New Development C3, Abutting Property Zone or Use I2 – Full Screen

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

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: 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:

ATTEST:

Steve Baxter  
Council Member Steve Baxter *by AF*

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

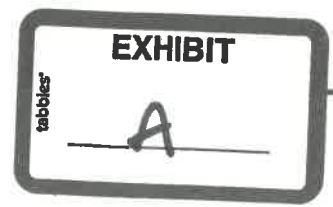
Ron Harris  
Council Member Ron Harris *by AF*

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED <u>10:50</u> A.M. _____ P.M.
By <u>A. Fields</u>
DATE <u>10-3-23</u>
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY <u>S. Hssery</u>



**JOE WHITE & ASSOCIATES, INC.**  
CIVIL ENGINEERING - CONSULTING SERVICES - LAND SURVEYING

September 6, 2023

Ms. Donna James  
City of North Little Rock  
Community Planning  
515 West Pershing Street  
North Little Rock, Arkansas 72214

RE: **Bowen Hefley Orthopedics**  
5220 Northshore Drive

Dear Mayor and Alderman,

Bowen Hefley Orthopedics is proposing a new clinic at 5220 Northshore Drive (across the street from Arkansas Surgical Hospital).

Because the clinic is zoned commercial, and the remaining properties are zoned industrial, this project is required to provide a Buffer/Screen against the adjacent industrial uses.

We have worked closely with the Planning Staff to develop the attached landscape plan. The developer, BHO, would like to request a waiver for the below:

*Waiver request -*

*7.3.2: Class B - Half Screens*

- A. Trees from Table B or C shall be spaced every twenty (20) feet; or trees from Table D shall be used if beneath overhead power lines and spaced every twenty (20) feet.*
- B. Only trees and shrubs from the approved planting list will count toward any requirements unless approved by the Planning Commission.*
- C. A six (6) foot tall, continuous opaque screen shall be provided. An opaque screen may include one (1) of the following: wall fence, site grading, or plantings. The opaque screen must be opaque in all seasons.*
- D. Trees shall be irrigated by an automatic underground irrigation system.*

*7.2.4: Buffers Between Dissimilar Uses*

*Buffers shall be established with new development activity to reduce the impact on existing neighborhoods and uses. The buffer provisions apply: (a) when different land uses or Zoning Districts abut each other; or (b) when different land uses or Zoning Districts are separated by rights-of-way of twenty (20) feet or less. Buffer area dimensional requirements shall be:*

- C. The required buffer area depth shall not include any easements.*
- D. Each side and rear yard buffer areas shall be five (5) percent of the lot width and depth. Buffer areas shall not be less than six (6) feet or greater than forty (40) feet.*

*7.5.1: Table A: Buffer Screening of Dissimilar Land Uses*

*New Development (3) Abutting Property Zone or Use (2) Full Screen*

Please accept this letter to serve as our applications for the above referenced submittal, and place this item on the October 9, 2023, City Council meeting. Do not hesitate to call should you have any questions or require any additional information. Your help with this application is greatly appreciated.

Best Regards,

  
Brian Dale

# Public Hearing Case # 2023-15

EXHIBIT  
tabbles  
B



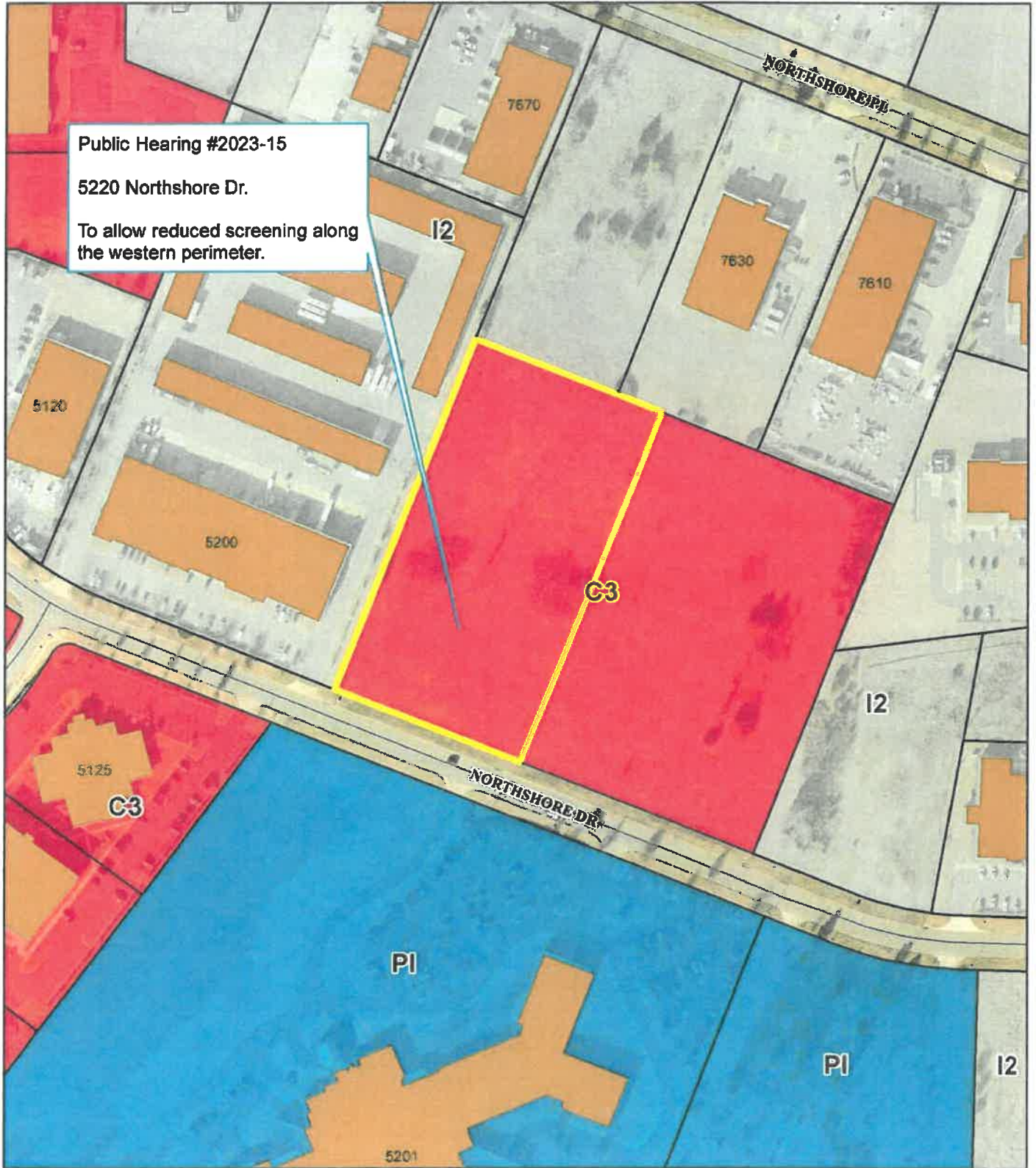
Ortho Map

1 inch = 100 feet



Date: 9/21/2023

# Public Hearing Case # 2023-15



Public Hearing #2023-15  
5220 Northshore Dr.  
To allow reduced screening along  
the western perimeter.

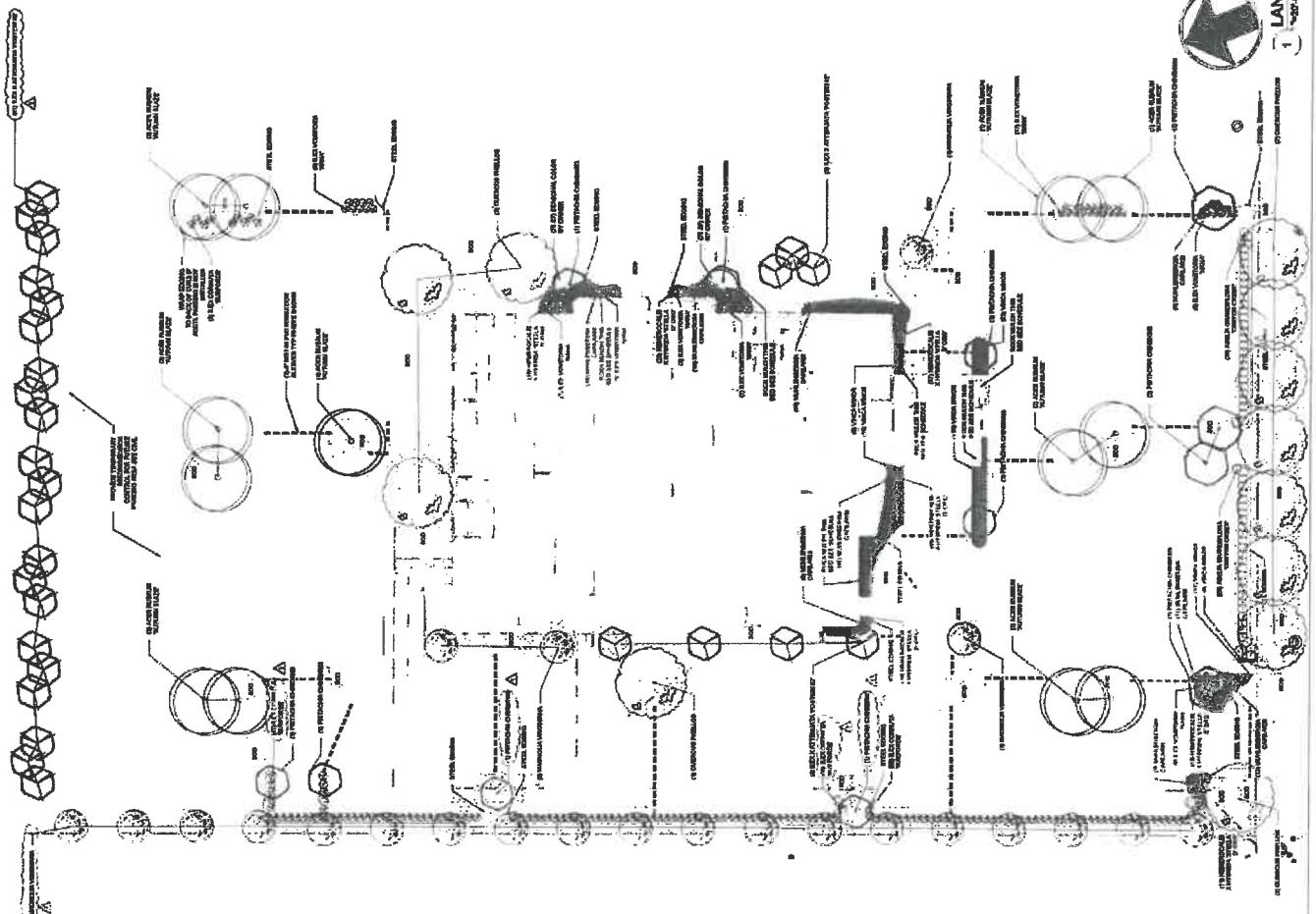


Zoning Map

1 inch = 200 feet



Date: 9/21/2023



- NOTES:**
1. REFER TO THESE LEAF FOR LANDSCAPE DETAILS AS WELL AS INFORMATION AND LANDSCAPE NOTES.
  2. SEE ALL WEBS SPECIM AS SHOWN WITH THESE OTHER SOIL.
  3. PROVIDE MIN 4" MILLER TO ALL PLANTING BEDS, GRADECOVERED AREAS AND TERRACE UNLESS OTHERWISE NOTED TO REQUIRE ROCK BENCH.
  4. SEE CIVIL DRAWINGS FOR EXTENT OF CLEARANCE/DEMOLITION.
  5. OWNER: BHO NORTHSHORE  
11111 WOODCREST  
LITTLE ROCK, AR 72204
- PROJECT ENGINEER:** BHO NORTHSHORE  
11111 WOODCREST  
LITTLE ROCK, AR 72204
- LANDSCAPE ARCHITECT:** BOWEN HEFLEY  
2724 CREST CRY  
BIRMINGHAM, AL 35209

6. CONTACT ARKANSAS UTILITY LOCATION SERVICES (1) NUMBER 1 DAYS PRIOR TO INSTALLING LANDSCAPE OR ROSEATION.
7. INSTALL CONTINUOUS STEEL EDGE ALONG ALL PLANTING BEDS.
8. SEE ARCHITECTURAL DRAWINGS FOR ALL PLANTING BEDS. ALL PLANTING BEDS SHALL BE CONSTRUCTED TO MATCH EXISTING FINISH GRADE. ALL PLANTING BEDS SHALL BE CONSTRUCTED TO MATCH EXISTING FINISH GRADE. ALL PLANTING BEDS SHALL BE CONSTRUCTED TO MATCH EXISTING FINISH GRADE.
9. REFER TO ALL PERMITS AND REGULATIONS FOR ALL PLANTING BEDS.
10. REFER TO ALL PERMITS AND REGULATIONS FOR ALL PLANTING BEDS.
11. REFER TO ALL PERMITS AND REGULATIONS FOR ALL PLANTING BEDS.

SYMBOL	TYPE	DESCRIPTION	NOTES
(1)	WATERING SYSTEM	WATERING SYSTEM	WATERING SYSTEM
(2)	PLANTING	PLANTING	PLANTING
(3)	STRUCTURE	STRUCTURE	STRUCTURE
(4)	UTILITY	UTILITY	UTILITY
(5)	OBSTACLE	OBSTACLE	OBSTACLE
(6)	BOUNDARY	BOUNDARY	BOUNDARY
(7)	PROPERTY LINE	PROPERTY LINE	PROPERTY LINE
(8)	EXISTING	EXISTING	EXISTING
(9)	PROPOSED	PROPOSED	PROPOSED
(10)	AS-BUILT	AS-BUILT	AS-BUILT
(11)	ADJUSTED	ADJUSTED	ADJUSTED
(12)	REMOVED	REMOVED	REMOVED
(13)	TO BE REMOVED	TO BE REMOVED	TO BE REMOVED
(14)	TO BE ADDED	TO BE ADDED	TO BE ADDED
(15)	TO BE CHANGED	TO BE CHANGED	TO BE CHANGED
(16)	TO BE DELETED	TO BE DELETED	TO BE DELETED
(17)	TO BE RELOCATED	TO BE RELOCATED	TO BE RELOCATED
(18)	TO BE REPLACED	TO BE REPLACED	TO BE REPLACED
(19)	TO BE MAINTAINED	TO BE MAINTAINED	TO BE MAINTAINED
(20)	TO BE PROTECTED	TO BE PROTECTED	TO BE PROTECTED
(21)	TO BE PRESERVED	TO BE PRESERVED	TO BE PRESERVED
(22)	TO BE RESTORED	TO BE RESTORED	TO BE RESTORED
(23)	TO BE RECONSTRUCTED	TO BE RECONSTRUCTED	TO BE RECONSTRUCTED
(24)	TO BE REFINISHED	TO BE REFINISHED	TO BE REFINISHED
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(26)	TO BE REPLACED	TO BE REPLACED	TO BE REPLACED
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(98)	TO BE REPLACED	TO BE REPLACED	TO BE REPLACED
(99)	TO BE RELOCATED	TO BE RELOCATED	TO BE RELOCATED
(100)	TO BE REDESIGNED	TO BE REDESIGNED	TO BE REDESIGNED

CONFIRMATION RESPONSIBLE FOR THE VERIFICATION OF ALL QUANTITIES

**L1.0 LANDSCAPE PLAN (100% CD)**

**BOWEN HEFLEY ORTHOPEDICS**

AN AFFILIATE TO THE CITY OF MOBILE LITTLE ROCK  
 PROJECTS: BOWEN HEFLEY ORTHOPEDICS  
 PROJECT: BOWEN HEFLEY ORTHOPEDICS  
 PROJECT: BOWEN HEFLEY ORTHOPEDICS

**JOE WHITE & ASSOCIATES, INC.**  
 CIVIL ENGINEERS AND ARCHITECTS  
 1000 W. UNIVERSITY BLVD., SUITE 100  
 LITTLE ROCK, AR 72202

DATE: 04-20-23 SCALE: 1" = 30'

PROJECT NUMBER: 23-1049



**LANDSCAPE PLAN**