

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

**AN ORDINANCE REPEALING ORDINANCE NO. 9498 TO REVOKE A CONDITIONAL USE FOR AN AFTER SCHOOL PROGRAM LOCATED AT 5301 MCCLANAHAN DRIVE, SUITE B1, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, on August 22, 2022, the City Council of the City of North Little Rock, Arkansas (“the City”) adopted Ordinance No. 9498 (attached hereto as Exhibit A), granting a conditional use of land for an after school program located at 5301 McClanahan Drive; and

WHEREAS, Article 8, Section 8.1.3(C) of the North Little Rock Zoning Ordinance (Ordinance No. 9263) provides that applicants who are granted a conditional use must obtain a business license and/or required building permits from the City within one year from date of approval, and failure to obtain a permit within the allotted time will result in notice of termination of the conditional use; and

WHEREAS, the owner of the above mentioned real property failed to obtain a business license for the conditional use; and

WHEREAS, a legal advertisement of notice of a public hearing held September 10, 2024 at 4:00 p.m. was placed in the newspaper and notice was mailed to the applicant for a revocation hearing at the North Little Rock Planning Commission meeting; and

WHEREAS, the North Little Rock Planning Commission approved revocation of the conditional use (8 affirmative; 1 absent) on September 10, 2024.

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

SECTION 1: That Ordinance No. 9498, and the conditional use of land for an after school program located at 5301 McClanahan Drive, Suite B1, is hereby repealed.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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: It is hereby found and determined that no building permit was obtained for the previously granted conditional use, and there is an immediate need to revoke the conditional use in order to comply with the North Little Rock Zoning Ordinance and return the herein stated real property to its original status 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

SPONSORS:

ATTEST:

TERRY C. Hartwick  
Mayor Terry C. Hartwick *by AT*

\_\_\_\_\_  
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	<u>9:45</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>10.8.24</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u>S. Ussery</u>			



0-22-81

ORDINANCE NO. 94-8

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN AFTER SCHOOL PROGRAM IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5301 MCCLANAHAN DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Walter Sims, 812 Silver Hill Road, North Little Rock, Arkansas 72118, seeking a conditional use for property located at 5301 McClanahan Drive to allow an after school program in a C4 zone, which application was duly considered and approved (9 affirmative votes) by the North Little Rock Planning Commission at a regularly scheduled meeting held on August 9, 2022.

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

SECTION 1: That a Conditional Use is approved for an after school program in a C4 zone for the subject real property located at 5301 McClanahan Drive in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

LOT 6, BLOCK 4 OF THE SOMERS COMMERCIAL PARK SUBDIVISION IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS  
(See maps attached hereto as Exhibit A.)

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

1. Hours of operation from 8 am to 8 pm Monday through Saturday.
2. Meet the minimum requirements of DHS for the number of children to be served and provide the required child to staff ratio as required by DHS.
3. Meet DHS requirement for recreational activities.
4. Applicant shall meet all applicable Federal, State, County, and City requirements.
5. All daycare centers/home daycares shall perform a sex offender residence check through the NLR Police Department according to their rules and procedures, to determine if a Level 3 or Level 4 registered sex offender resides within 2,000 feet of the proposed site for the daycare center/home daycare facility.
6. Business license to be issued after Planning Staff confirmation of requirements.
7. Applicant/owner understands that failure to comply with these conditions may result in loss of the Conditional Use 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 conditional 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:

[Signature]

APPROVED:

Terry C. Hartwick

Mayor Terry C. Hartwick

SPONSOR:

Charlie Hight  
Council Member Charlie Hight

ATTEST:

[Signature]  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

[Signature]  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/k

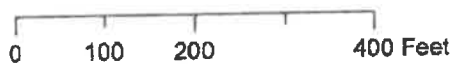
FILED	11:01	A.M.		P.M.
By	Amy Fields, GA			
DATE	8/16/07			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			

# Conditional Use # 2022-10



Zoning Map

1 inch = 200 feet



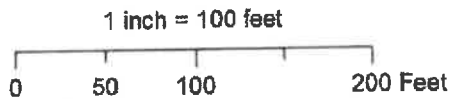
Date: 6/15/2022

Map is not to survey accuracy

# Conditional Use # 2022-10



Ortho Map



Date: 6/15/2022

Map is not to survey accuracy