

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE FOR A DAY CARE CENTER IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2001 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Mr. Anthony Pettigrew, 1323 West 13th Street, Little Rock, AR 72202, seeking a special use to allow a daycare center at 2001 Parker Street in the City of North Little Rock, Arkansas; which application was duly considered and approved (8 affirmative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on October 11, 2016; and

WHEREAS, on October 26, 2016, the North Little Rock City Council passed Ordinance No. 8851 granting a special use to allow a daycare center in an R-3 zone for property located at 2001 Parker Street; and

WHEREAS, Section 17.9 of the Zoning Ordinance provides as follows:

“Section 17.9 – Revocation

In any case where a special use has not been established within one year after the date of the granting thereof, then without further action by the Planning Commission or the City Council, the special use authorization shall be null and void”; and

WHEREAS, the applicant failed to obtain a business license within the mandatory one year from the passage of Ordinance No. 8851; and

WHEREAS, applicant requests re-authorization of the special use to allow a daycare center in an R-3 zone in order to obtain a business license; and

WHEREAS, notice of a public hearing to be held August 13, 2018, at 6:05 p.m. has been properly given by the applicant to the property owners entitled to notice.

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

SECTION 1: That a special use is hereby granted for a day care center in an R-3 zone for the subject real property located at 2001 Parker Street, being more particularly described as:

Lot 6, Block 6, Missouri Pacific, in the City of North Little Rock, Pulaski County, Arkansas. (See maps attached hereto as Exhibits “A” and “B”.)

SECTION 2: That this special use shall be subject to the following conditions:

- (a) Applicant must meet all applicable Federal, State, County and City requirements.
- (b) Hours of operation will be 6 AM – 8 PM Monday – Friday.
- (c) The playground is to be directly accessed from the building.
- (d) The playground is to have an emergency exit away from the building;
- (e) The playground fence is to be a 6' wood privacy fence.
- (f) The playground is to meet Arkansas Department of Human Services and the City of North Little Rock requirements for playground surface and equipment.
- (g) A Business License is to be issued after the Planning Staff confirms compliance with requirements.
- (h) 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 2000 feet of the proposed site for the daycare center/home daycare facility.
- (i) The Applicant understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

SECTION 3: That all ordinances or parts of ordinances 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: That it is hereby found and determined that the City of North Little Rock promotes quality childcare within its boundaries, that the special use of the above-described lands to allow a daycare center, as provided for herein, will not be detrimental to or interfere with other occupants in the area and is immediately necessary in order to insure the proper and orderly growth of this land and the proper and orderly growth 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 Joe A. Smith

SPONSOR:

ATTEST:

Maurice Taylor
Council Member Maurice Taylor

Diane Whitbey
Diane Whitbey, City Clerk

APPROVED AS TO FORM:



Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED <u>11:17</u> A.M. _____ P.M.
By <u>City Atty Amy Fields</u>
DATE <u>8-7-18</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>K. Thomas</u>

Special Use #2016-12

EXHIBIT

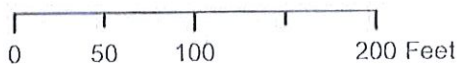
"A"

tabbles



Zoning Map

1 inch = 100 feet



Date: 8/22/2016

Not an actual survey

Special Use #2016-12

EXHIBIT

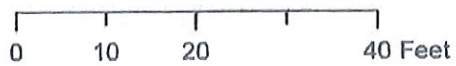
tabbiter

"B"



Ortho Map

1 inch = 20 feet



Date: 8/22/2016

Not an actual survey