

O-19- 72

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. 9037 TO REVOKE A SPECIAL USE 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, on October 26, 2016, the City Council of the City of North Little Rock, Arkansas (the "City") adopted 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, Article 17, Section 17.9 of the North Little Rock Zoning Ordinance (Ordinance No. 7697) provides that applicants who are granted a special use must establish said use within one year from date of approval, and failure to do so within the allotted time will result in notice of termination of the special use; and

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

WHEREAS, the applicant requested re-authorization of the special use to allow a daycare center in an R-3 zone, which was granted by the North Little Rock City Council on August 13, 2018 through passage of Ordinance No. 9037; and

WHEREAS, the City discovered there were irregularities with the applicant's application to the Department of Human Services for a daycare center permit; and

WHEREAS, the applicant has been notified of the revocation hearing held during the May 28, 2019 City Council meeting at 6:00 p.m.

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

SECTION 1: That Ordinance No. 9037, adopted August 13, 2018, granting a special use of land for a daycare center in an R-3 zone at certain real property located at 2001 Parker Street is hereby repealed and the special use granted therein is hereby revoked.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 the applicant has failed to comply with the requirements for the granted special use, and there is an immediate need to revoke the special use in order to comply with the North Little Rock Zoning Ordinance and to 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 Joe A. Smith

SPONSORS:

ATTEST:

Maurice Taylor by CF
Council Member Maurice Taylor

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy B. Fields by CF
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	<u>10:45</u>	A.M.	_____	P.M.
By	<u>A. Fields City Atty</u>			
DATE	<u>5/21/19</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			