

ORDINANCE NO. ____

AN ORDINANCE APPROVING A HILLSIDE CUT TO REMOVE MATERIALS ON PROPERTY LOCATED ALONG MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application has been duly made by Grant Garrett of Grant Garrett Excavation, Inc., 12913 I-30, Benton, Arkansas 72015, seeking approval for a hillside cut to remove materials on property located along MacArthur Drive immediately north and adjacent to the North Little Rock Fire Station at 6550 MacArthur Drive in the City of North Little Rock (see maps attached collectively hereto as Exhibit A); and

WHEREAS, the request has not been reviewed by the Planning Commission, and the applicant is seeking approval from the North Little Rock City Council; and

WHEREAS, a legal advertisement of notice of a public hearing to be held January 28, 2019 at 6:00 p.m. has been placed in the newspaper; and

WHEREAS, North Little Rock engineering staff have reviewed the site plan and hillside cut proposal and believe the hillside cut will be stable and will do no harm to abutting properties (see Exhibit B attached hereto).

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

SECTION 1: That a hillside cut for property located on the along MacArthur Drive immediately north and adjacent to the North Little Rock Fire Station at 6550 MacArthur Drive in the City of North Little Rock, as shown on the site plan attached hereto as Exhibit C, is hereby approved.

SECTION 2: All ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 by the City Council that hillside cuts pose particular risk to neighboring properties such that proper regulations are immediately necessary to ensure the lateral support of structures and the orderly development of the City, and accordingly, 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:

Ron Harris

Council Member Ron Harris

by AF

_____ Diane Whitbey, City Clerk

Steve Baxter

Council Member Steve Baxter

by AF

APPROVED AS TO FORM:

Amy Beckman Fields

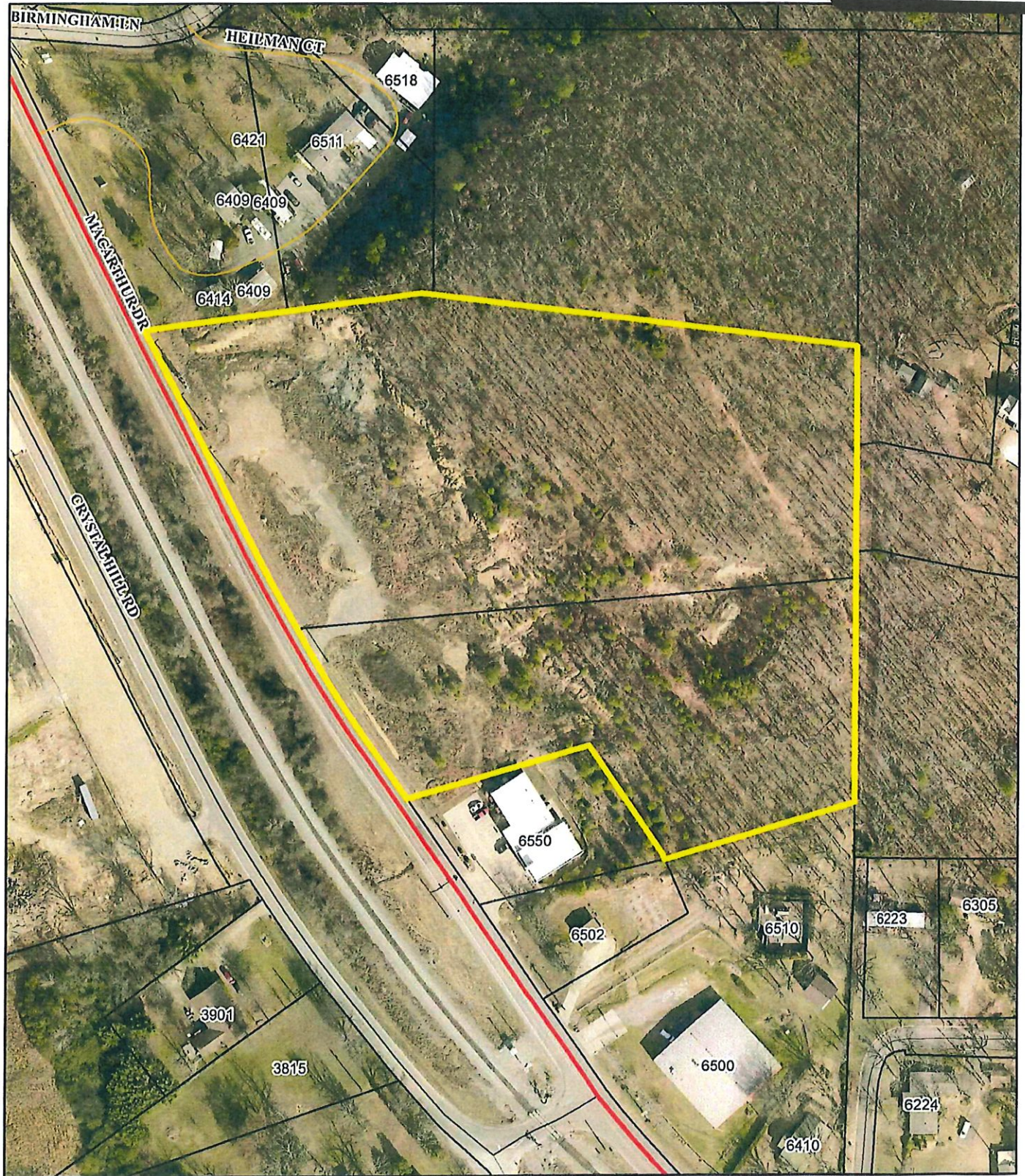
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED <u>11:15</u> A.M. _____ P.M.
By <u>city Atty Amy Fields</u>
DATE <u>1-22-19</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>K. Thomas</u>

Public Hearing Case # 2019-2

EXHIBIT
A.



Ortho Map

1 inch = 150 feet



Date: 1/17/2019

Public Hearing Case # 2019-2



Ortho Map

1 inch = 250 feet



Date: 1/17/2019



Engineering Department



Chris Wilbourn
Chief City Engineer

500 West 13th Street
North Little Rock, Arkansas 72114

Phone: (501)-371-8345
Fax: (501) 371-8348

January 18, 2019

To: Mayor and City Council Members

Re: Engineering Technical Review of Hillside Cut Plan Submittal

City Engineering has reviewed and approved for technical sufficiency and site stability both the Grading Plan and Haul Road Plan by Thomas Engineering (1/18/19) and the Geotechnical Report (1/15/19) by Garner Engineering for Lot 2 and Lot 3B, Block 0, Heilmans Subdivision located on North Highway 365.

City Engineering confirms that all public notice requirements of Article 14 Hillside Regulations have been met.

Sincerely,

A handwritten signature in blue ink that reads "Chris Wilbourn".

Chris Wilbourn, PE
NLR Chief Engineer

