

ORDINANCE NO. _____

AN ORDINANCE GRANTING A WAIVER TO ALLOW VARIANCES FOR AN ELECTRONIC CHANGEABLE COPY POLE SIGN IN A C-3 ZONE ON CERTAIN REAL PROPERTY LOCATED AT 12201 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, a request has been made by Thomas Engineering, 3810 Lookout Road, North Little Rock, AR 72116, on behalf of Sweet "P" Enterprises (owner of Popeye's Louisiana Kitchen), seeking certain variances for an electronic changeable copy pole sign on the herein described land (*see* letter request of Mr. John R. Pownall of Thomas Engineering attached hereto as Exhibit A; and

WHEREAS, the request has not gone before the Planning Commission, but proper notice has been given to property owners within 200 feet of the subject location and a public hearing set before City Council for December 11, 2017; and

WHEREAS, the request seeks a waiver to allow variances of a Planning Commission requirement and Zoning Ordinance requirements pursuant to Sections 14.103 (D)(1) (Maumelle Boulevard Sign Overlay District), 14.19 (C) (i) and (ii) (Electronic Changeable Copy Signs) as follows:

Planning Commission Requirement – No freestanding (pole) sign is permitted.

Section 14-103 (D)(1) – Maumelle Boulevard Sign Overlay District prohibits freestanding signs.

Section 14.19.C(i) – Electronic changeable copy sign located on streets with four vehicular traffic lanes with a median greater than 30 feet in average width prohibits free standing electronic signs.

Section 14.23.C(ii) – Height of electronic changeable copy signs limited to ten (10) feet.

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

SECTION 1: That a waiver to allow variances of a Planning Commission requirement and Sections 14.103(D)(1), 14.19.C(i) and 14.19.C(ii) of the North Little Rock Zoning Ordinance for an electronic changeable copy pole sign on property located at 12201 Maumelle Boulevard in the City of North Little Rock, Arkansas is hereby approved as follows:

- (a) The prohibition by the North Little Planning Commission and the Maumelle Sign Overlay District free standing sign are waived to allow a freestanding pole sign.

- (b) The prohibition of electronic changeable copy signs to be located on streets with four vehicular traffic lanes with a median greater than 30 feet in average width is waived to allow a freestanding electronic changeable copy pole sign with the guarantee by owner that it will meet all City guidelines and requirements for operation thereof.
- (c) The 10-foot maximum height limitation is waived to allow the changeable copy sign to be twenty-five (25) feet tall.

See Exhibits B, C, and D (site map, letter of owner guarantee for sign operation and drawing of sign) attached hereto and incorporated herein by reference.

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 variances for a changeable copy pole sign in the Maumelle Boulevard corridor is compatible with other signage in the immediate area and will not detract from the aesthetic appearance of the locale, and that the immediate passage of this Ordinance is necessary in order to ensure the proper and orderly growth and development of this land and 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:

Ron Harris
Council Member Ron Harris *by AP*

ATTEST:

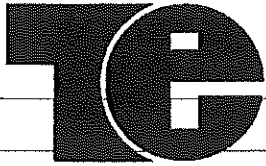
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	11:21	A.M.	_____	P.M.
By	City Atty Amy fields			
DATE	12-5-17			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>K. Thomas</u>			



THOMAS ENGINEERING COMPANY

civil engineers

land surveyors

3810 LOOKOUT RD

NORTH LITTLE ROCK, AR 72116
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

(501)753-4463

FAX (501)753-6814

November 29, 2017

Members of the North Little Rock Council

RE: Sign Waiver
Popeye's Louisiana Kitchen
Lot 1, WNLR Commercial Addition

Dear City Council Members:

Sweet "P" Enterprises, the owner of Popeye's Louisiana Kitchen, is requesting a waiver of the monument sign requirement to allow a pylon pole sign with electronic changeable messaging on Lot 1, WNLR Commercial Addition at the intersection of Maumelle Boulevard and Paul Eells Drive.

The owner is aware of and willing to comply with the City requirements for electronic changeable signage. This site borders on Maumelle Boulevard which has higher traffic speeds (55 mph) and a wider right-of-way width that makes it more difficult for customers to see a monument sign. For this reason the owner is requesting a pylon sign with greater visibility.

Enclosed with this application is a site plan showing the location of the proposed sign along with the Popeye's building and parking area. Also enclosed is a drawing of the sign in elevation view showing dimensions and square footage of sign surface area.

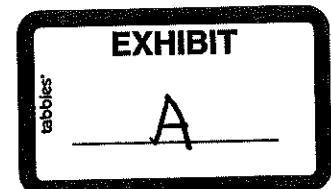
A review fee of \$220.00 is also enclosed.

Thank you for your consideration in this matter.

Sincerely,

John R. Pownall, P.E.
Engineer

JRP/ab



EXHIBIT

5/1/2017

12

- LEGEND**
- 3'-0" CONCRET DRIVEWAY
 - 3'-0" CONCRET PAVEMENT
 - 3'-0" HEAVY DUTY ASPHALT PAVEMENT

SEE PLAN FOR NOTES

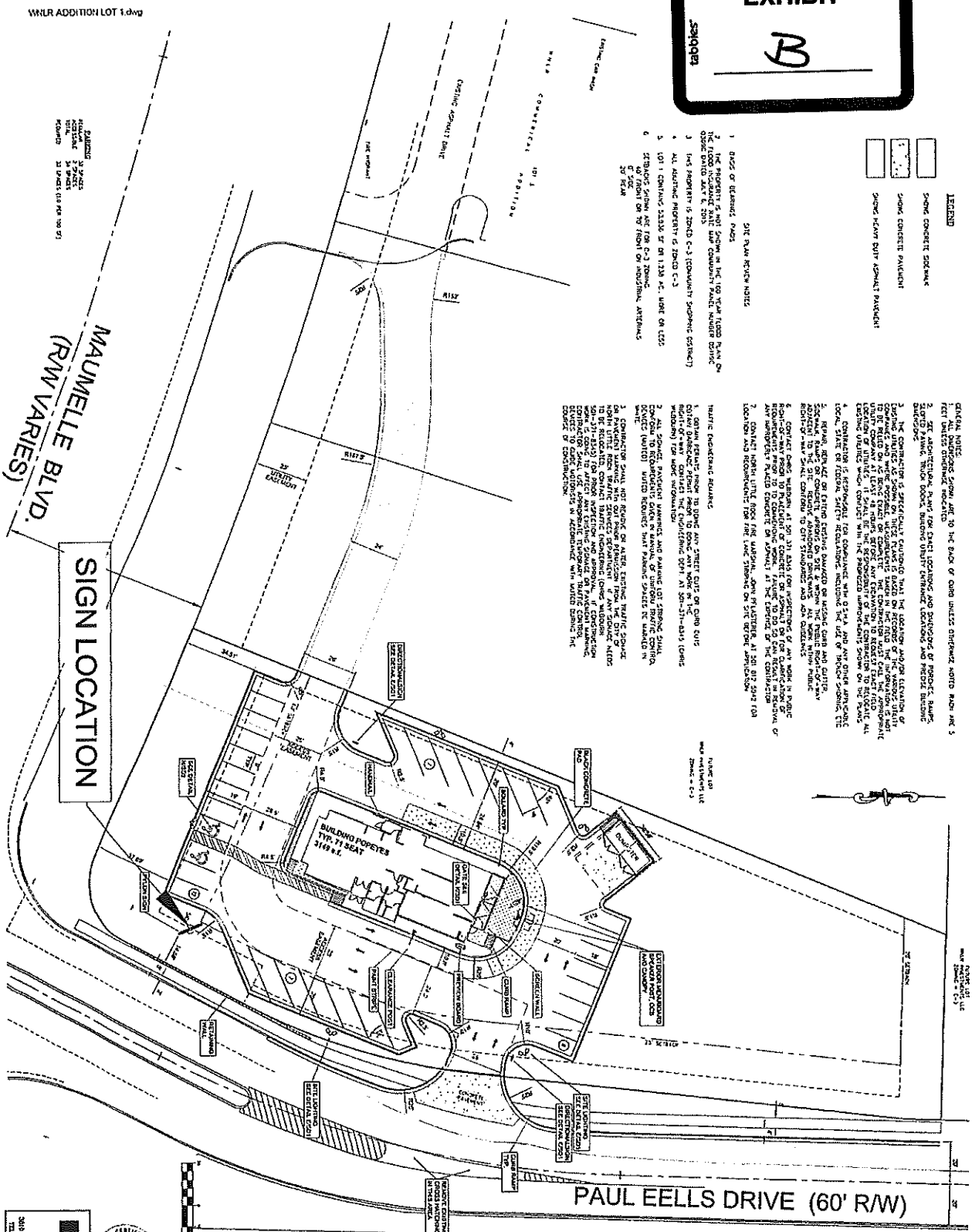
1. BASE OF DRIVEWAY PAVED
2. THE PROPERTY IS NOT COVERED BY THE 1978 ZONING ORDINANCE, BUT IS COVERED BY THE 2005 ZONING ORDINANCE DATED MAY 6, 2005.
3. THIS PROPERTY IS ZONED C-3 (COMMUNITY SHOPPING DISTRICT)
4. ALL ADDRESS PROPERTY IS ZONED C-3
5. LOT 1 CONTAINS 3,333.57 SQ. FT. OR 12.81 AC. MORE OR LESS
6. STRIPES SHALL BE 12" ON 12" AC. MARK ON LOTS
7. SEE PLAN

GENERAL NOTES:

1. ALL DIMENSIONS SHOWN ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED. ROAD AND 1'-0" CURB DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DRIVEWAY UNLESS OTHERWISE NOTED.
3. THE CONTRACTOR IS SPECIFICALLY ADVISED THAT THE LOCATION AND/OR EXTENSION OF DRIVEWAYS AND WALKWAYS SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF NORTH LITTLE ROCK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NORTH LITTLE ROCK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NORTH LITTLE ROCK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NORTH LITTLE ROCK.
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5. REPAIR, REPEAT OR EXTEND EXISTING DRIVEWAYS OR WALKWAYS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NORTH LITTLE ROCK.
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TRAFFIC ENGINEERING NOTES:

1. CONDUCT VISUAL SURVEY TO DETERMINE STREET CURB OR CURB CUTS
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GRAPHIC SCALE

1" = 10' (1:12)

DATE: 3 JULY 2017

PROJECT NUMBER: 12160 3374

REVISIONS:

1. 3 JULY 2017

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THOMAS ENGINEERING COMPANY

3600 DORSET ROAD, NORTH LITTLE ROCK, AR 72118

TEL: 501-752-4143 FAX: 501-752-4841

POPEYE'S RESTAURANT

SWEET "P" ENTERPRISES INC.

12201 MAUMELLE BOULEVARD NORTH LITTLE ROCK, ARKANSAS 72113

ODA

ODD ARCHITECTS INC.

2203 S. UNIVERSITY BLVD. SUITE 200

MEMPHIS, TN 38104

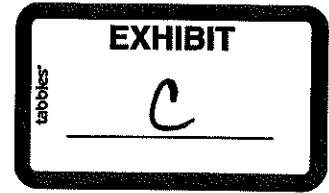
TEL: 901-525-7777 FAX: 901-525-7778

POPEYE'S RESTAURANT-MAUMELLE

SWEET "P" ENTERPRISES INC.

12201 MAUMELLE BOULEVARD NORTH LITTLE ROCK, ARKANSAS 72113

C1



Date: December 1, 2017

To: Mr. Shawn Spencer
North Little Rock Planning Director

From: Mr. Danny Gilliland
Sweet "P" Enterprises

Subject: Sign – Maumelle Blvd

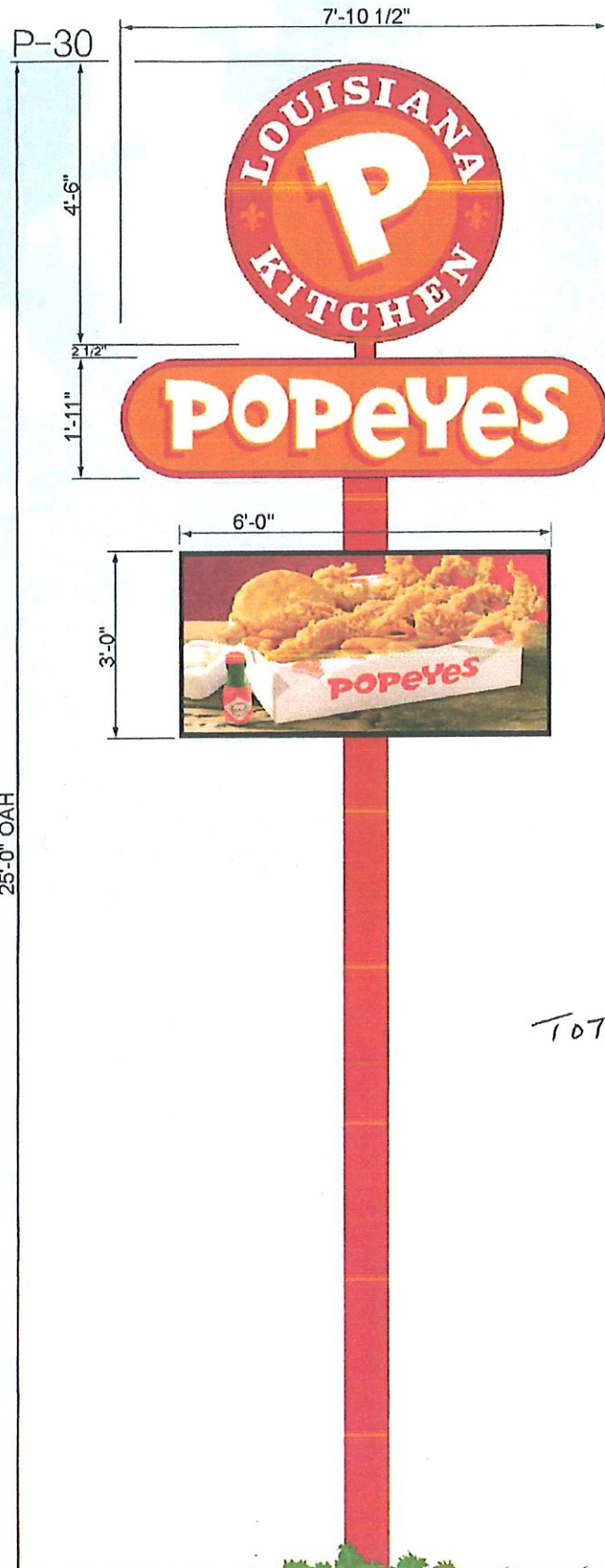
I understand the rules for operating a LED sign and I am responsible for the operation of the sign and guaranteeing that it will meet the City of North Little Rock's guidelines.

Mr. Danny Gilliland

A handwritten signature in black ink that reads "Danny Gilliland". The signature is written in a cursive style.

Danny Gilliland
Sweet "P" Enterprises, Inc.
1037 Lantrip Road
Sherwood, AR 72120
501 834-0286
dannyg@sweetpenterprises.com

Front Elevation



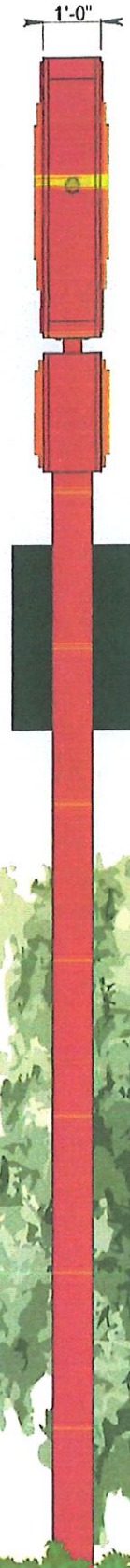
15.90 SF

14.31 SF

18.0 SF

TOTAL 48.21 SF

Side Elevation



ELECTRICAL NOTES
 Sign Company, CSES #0712 is the primary electrical sign.
 Permit to erect sign must be obtained from local authority.
 Each sign must have:
 1. An antenna wire connected to the sign.
 2. Grounding wire connected to the sign.
 3. Three wires (one ground) to the sign.

Phone: 855-346-9898 Fax: 318-346-9494

www.ccesigns.com

