

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
NOVEMBER 2, 2020 AGENDA**

<p>Subject:</p> <p>Authorization to recognize a variance from Floodplain Standards - Natural State Wellness Dispensary</p> <p>Submitted By:</p> <p>Public Works Department</p>	<p>Action Required:</p> <p style="text-align: center;">Ordinance √ Resolution</p>	<p>Approved By:</p> <p style="text-align: right;">Bruce T. Moore City Manager</p>
<p style="text-align: center;">SYNOPSIS</p> <p style="text-align: center;">FISCAL IMPACT</p> <p style="text-align: center;">RECOMMENDATION</p> <p style="text-align: center;">BACKGROUND</p>	<p>A resolution to recognize a variance from the Floodplain Standards the Natural State Wellness Dispensary, located at 900 South Rodney Parham Road.</p> <p>None.</p> <p>Approval of the resolution.</p> <p>The applicant, Natural State Wellness Dispensary, operating as Little Rock House of Cannabis, recently constructed a 2,472 square-foot at-grade structure located at 900 South Rodney Parham Road south of Interstate 630. The structure is located within the 100-Year Floodplain Zone AE, with a base flood elevation (“BFE”) of 315.8 feet above mean sea level as shown on the effective June 7, 2019, Flood Insurance Rate Map (“FIRM”).</p> <p>The applicant designed and constructed the top of finished floor of the new nonresidential structure to an elevation of 316.3 feet MSL. To be in compliance with the current Flood Insurance Rate Map Standards, the floor should have been constructed to an elevation of 316.8 feet, one (1)-foot above the base flood elevation (Section 13-60(1)(b) of the Municipal Code).</p>	

**BACKGROUND
CONTINUED**

At time of project design and review of the Building Permit application in February 2019, the proposed floor elevation was in compliance with Flood Insurance Rate Map requirements because a different base flood elevation and map was in effect. At that time, the Governing Map was the July 6, 2015, map. After the issuance of the Building Permit, new rate maps were adopted by the City of Little Rock showing an increase in the base flood elevation of 0.8 feet. Because a Certificate of Occupancy was not issued to Natural State Wellness prior to the new maps taking effect, the Federal Emergency Management Agency has advised staff that this structure is not in compliance with the Code.

Therefore, for compliance with City Code, the elevation of the top of the finished floor is required to be raised to an elevation of at least 316.8 feet MSL, or the structure floodproofed. The purpose of the one (1)-foot freeboard is to protect the structure from damage if the flood levels in Rock Creek rise to the predicted 100-Year Flood levels.

The applicant requests the approval of a variance from Section 13-60(1)(b) of City Code to continue operations of their newly-constructed facility without making alterations to the structure as required by Section 13-60(1)(b). Staff recommends approval of the variance due to circumstances described herein. The structure is constructed above the base flood elevation, but not one (1)-foot above as would usually be required.