

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 9130, AS AMENDED BY ORDINANCE NO. 9154, WHICH GRANTED A CONDITIONAL USE TO ALLOW A TIRE SHOP AND AN AUTO DETAIL BUSINESS IN A C-4 ZONE FOR PROPERTY LOCATED AT 923 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Ordinance No. 9130, adopted May 28, 2019, granted a conditional use to allow a tire shop and an auto detail business in a C-4 zone for property located at 923 East Broadway Street (See maps attached hereto collectively as Exhibit A); and

WHEREAS, Ordinance No. 9154, adopted July 22, 2019, amended Ordinance No. 9130 to update the hours of operation and remove the curb requirements; and

WHEREAS, the applicant is seeking approval from the North Little Rock City Council to amend the conditional use set out in Ordinance No. 9130, as amended by Ordinance No. 9154, to remove the prohibition of auto repairs not associated with the removal/replacement of tires, which request was duly consider and approved (7 affirmative votes, 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on December 10, 2019.

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

SECTION 1: That Section 2 of Ordinance No. 9130, as amended by Ordinance No. 9154, is hereby amended as follows:

Editor's note: Deletions are denoted in "red" by ~~strikethrough~~ and additions in "blue" by underline

Tire Store Conditions:

1. Hours of operation: 6:00 a.m. to 10:00 p.m.
2. Store tires in a dry securable area of the primary structure. No outside open-air storage of tires.
3. Up to 30 tires for sale may be displayed outside under a non-permeable cover during business hours. This is considered temporary tire storage. Tires shall be kept neat and organized, preferably in metal racks. Temporary outside displayed tires for sale shall be kept a maximum of 10 feet from the primary structure.
4. Isolate tires from other stored materials that may create hazardous products if there is a fire, including, but not limited to, lead acid batteries, fuel tanks, solvent barrels, and pesticide containers.
5. Store no more than 100 tires per 1,500 square feet of inside storage space.
6. Tire retailers should schedule regular pick-up of tires by a licensed carrier to avoid excessive amounts of tires stored on the property.

7. Vehicles are only to be repaired/maintained inside the building.
- ~~8. No auto repair other than those associated with removal/replacement of tires.~~
- ~~9. 8. No outdoor PA/music permitted.~~
- ~~10. 9. Provide 4 street trees.~~
- ~~11. 10. Allow two shipping containers as accessory structures in rear of property as shown on drawing. Accessory structure permits required. One shipping containers not to exceed 40 ft x 8 ft x 8 ½ ft. & one shipping container not to exceed 20 ft x 8 ft x 8 ½ ft.~~
- ~~12. 11. East side of the eastern most shipping container to have the appearance of the building.~~
- ~~13. 12. Provide 60 ft buffer or opaque fence on NW property line beginning 60 ft off of E. Broadway.~~
- ~~14. 13. Shipping containers not habitable.~~
- ~~15. 14. Applicant must meet all applicable Federal, State, County and City requirements,~~
- ~~16. 15. Business license to be issued after Planning Staff confirmation of requirements.~~
- ~~17. 16. Applicant/owner understands that failure to comply with these conditions may result in loss of the Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.~~

Auto Detail Conditions:

1. Hours of operation: 6:00 a.m. to 10:00 p.m.
2. A three chamber sand/oil interceptor is required. Please make submittal to North Little Rock Wastewater for review and approval.
3. Complete requirements of ADEQ.
4. All work to be done inside the building.
5. Provide 4 street trees.
6. Applicant must meet all applicable Federal, State, County and City requirements,
7. Business license to be issued after Planning Staff confirmation of requirements, Applicant/owner understands that failure to comply with these conditions may result in loss of the Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.

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 auto repairs not associated with the removal or maintenance of tires is compatible with other commercial development and businesses in the area, will not detract from other nearby businesses, and that the herein amendments to the conditional use of the above-described land is immediately necessary in order to insure the proper and orderly growth and development 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*  
\_\_\_\_\_  
Council Member Maurice Taylor

*Diane Whitbey*  
\_\_\_\_\_  
Diane Whitbey, City Clerk

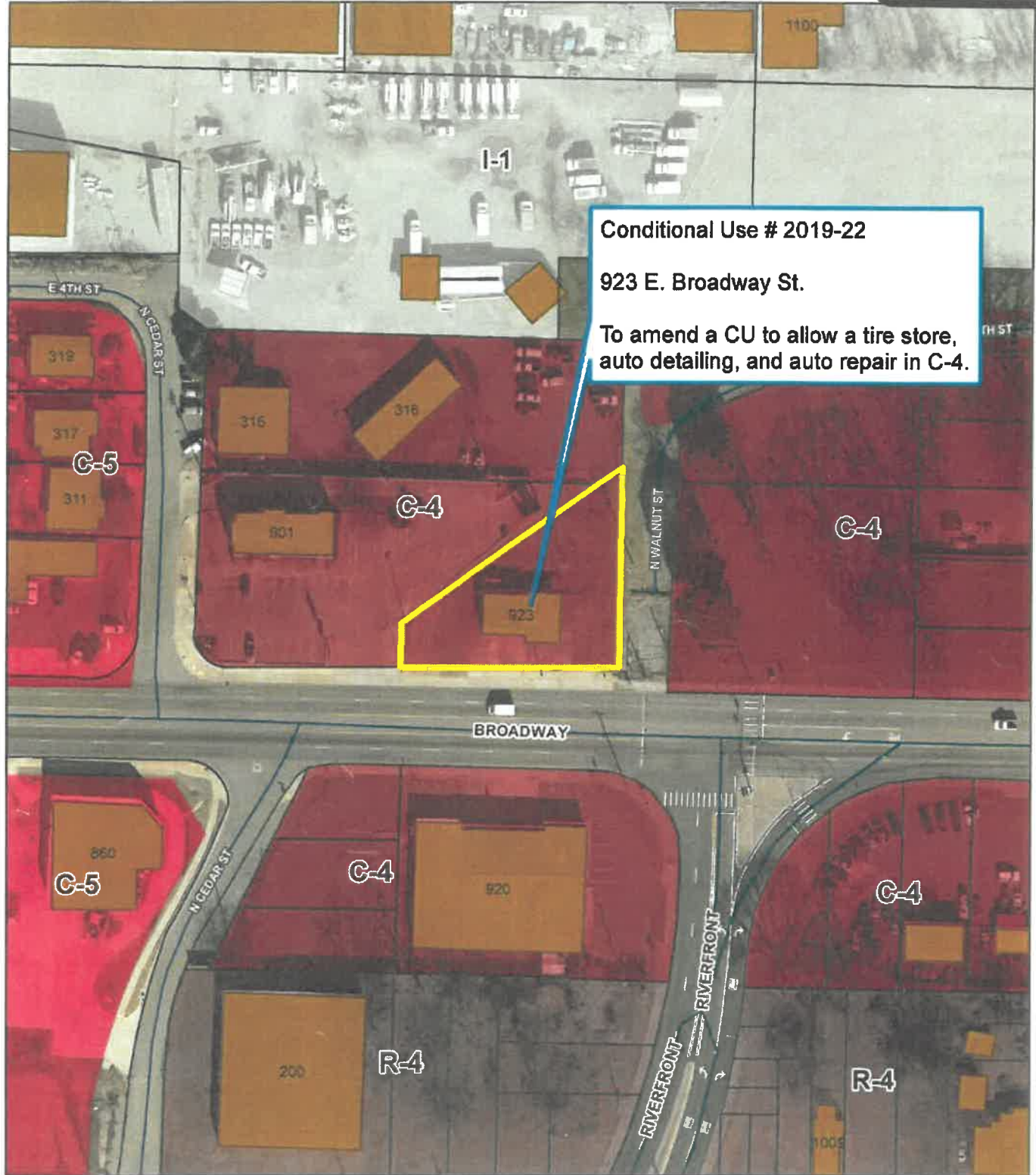
APPROVED AS TO FORM:

*Amy Beckman Fields*  
\_\_\_\_\_  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED <u>11:05</u> A.M. _____ P.M.
By <u>Asst. City Atty Marie Miller</u>
DATE <u>2-4-2020</u>
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY <u>K. Thomas</u>

# Conditional Use # 2019-22



Conditional Use # 2019-22  
 923 E. Broadway St.  
 To amend a CU to allow a tire store,  
 auto detailing, and auto repair in C-4.



1 inch = 100 feet

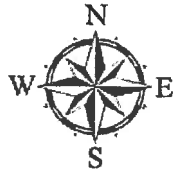
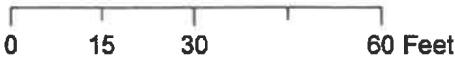


# Conditional Use # 2019-22



Ortho Map

1 inch = 30 feet



Date: 10/31/2019

Map is not to survey accuracy