

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3535 HIGHWAY 161 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Tim Blair, 3510 Kiehl Avenue, Apartment 1010, Sherwood, Arkansas 72120, seeking a conditional use for property located at 3535 Highway 161 to allow a car lot, which application was duly considered and approved (7 affirmative votes, 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on February 12, 2019.

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

SECTION 1: That a conditional use is approved for a car lot in a C-4 zone for the subject real property located at 3535 Highway 161 in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Part of the North half of the Southeast quarter of section 20, township 2 North, Range 11 West in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Commencing at the Northeast corner of Said North half of the Southeast quarter; thence South 821 feet; thence South 45 degrees, 56 minutes, 56 seconds East 258 feet to a point on the westerly ROW line of Arkansas state 161; thence along said ROW South 43 degrees 11 minutes, 45 seconds West 50 feet to the point of beginning; thence continuing along said ROW South 43 degrees 11 minutes, 45 seconds West 100 feet; thence leaving said ROW North 45 degrees 56 minutes, 56 seconds West 180 feet. Thence North 43 degrees 11 minutes, 45 seconds East 100 feet; thence South 45 degrees 56 minutes, 56 seconds East 180 feet to the point of beginning; containing .41 acres, more or less. (See maps attached hereto collectively as Exhibit A).

SECTION 2: That this conditional use shall be subject to the following:

1. The hours of operation shall be from 5:00 a.m. to 8:00 p.m., Monday through Saturday.
2. Provide two street trees along Highway 161.
3. Provide a minimum 6-foot grass area between paved area and edge of property along Highway 161.
4. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.

5. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
6. Six foot wood privacy fence shall be required when vehicle sales lots abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
7. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
8. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures. This allows for 25 vehicles.
9. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
10. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
11. All signage shall meet the requirements of Article 14 of the Zoning Ordinance.
12. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
13. Vehicle sales lot shall be maintained at all times.
14. Sales vehicles shall be locked and secured after business hours.
15. Sales vehicles shall not be used as storage.
16. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
17. Business license to be issued after Planning Staff confirmation or requirements.
18. Business license holder 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 3: That all ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: 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 5: It is hereby found and determined that a car lot as described herein is compatible with other businesses in the area and that 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

SPONSOR

Debi Ross  
Council Member Debi Ross *by AF*

ATTEST:

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

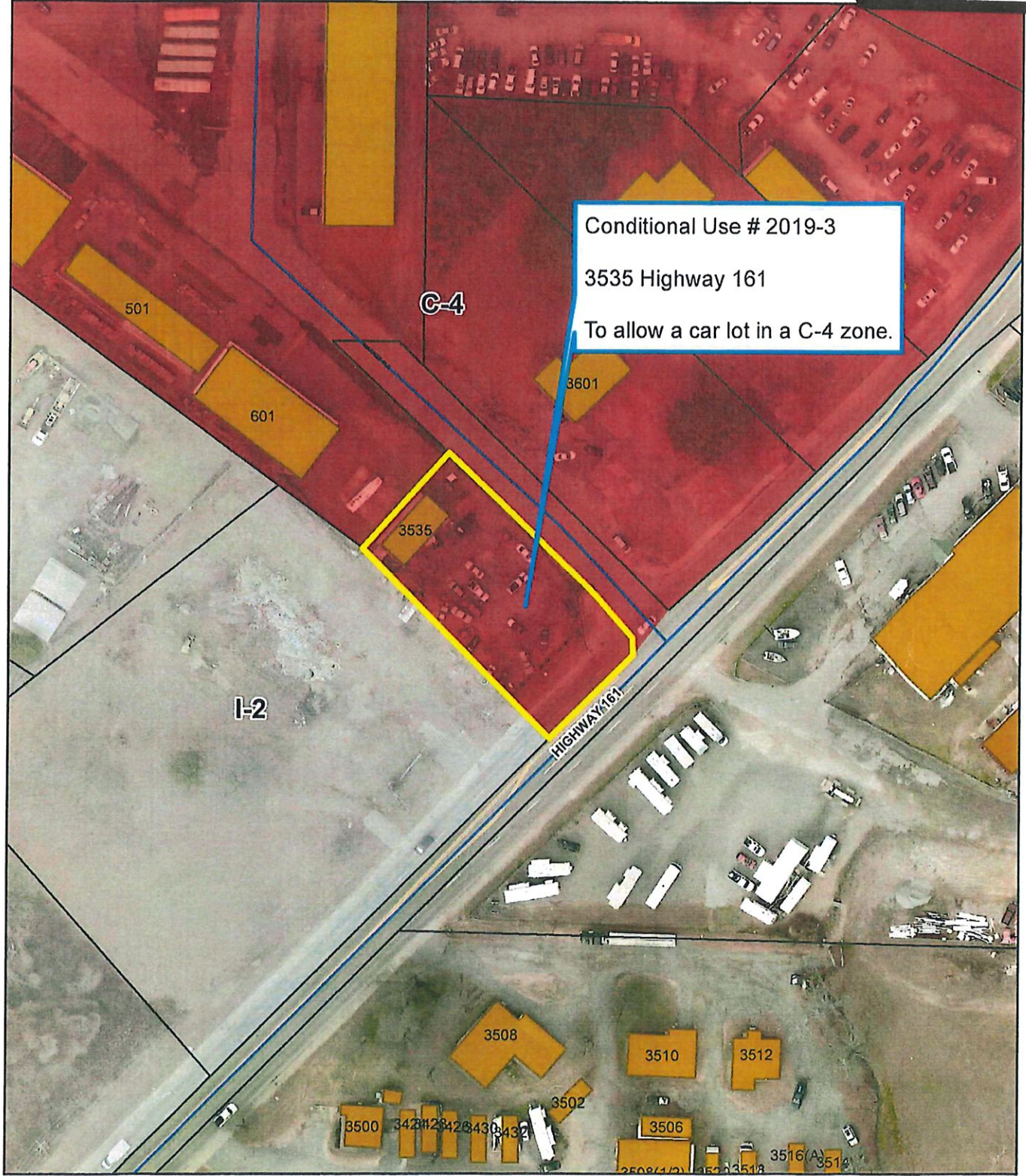
APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	<u>11:02</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>2-19-19</u>			
<b>Diane Whitbey, City Clerk and Collector</b> <b>North Little Rock, Arkansas</b>				
RECEIVED BY	<u>S. Whitbey</u>			

# Conditional Use # 2019-3

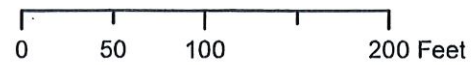


Conditional Use # 2019-3  
 3535 Highway 161  
 To allow a car lot in a C-4 zone.

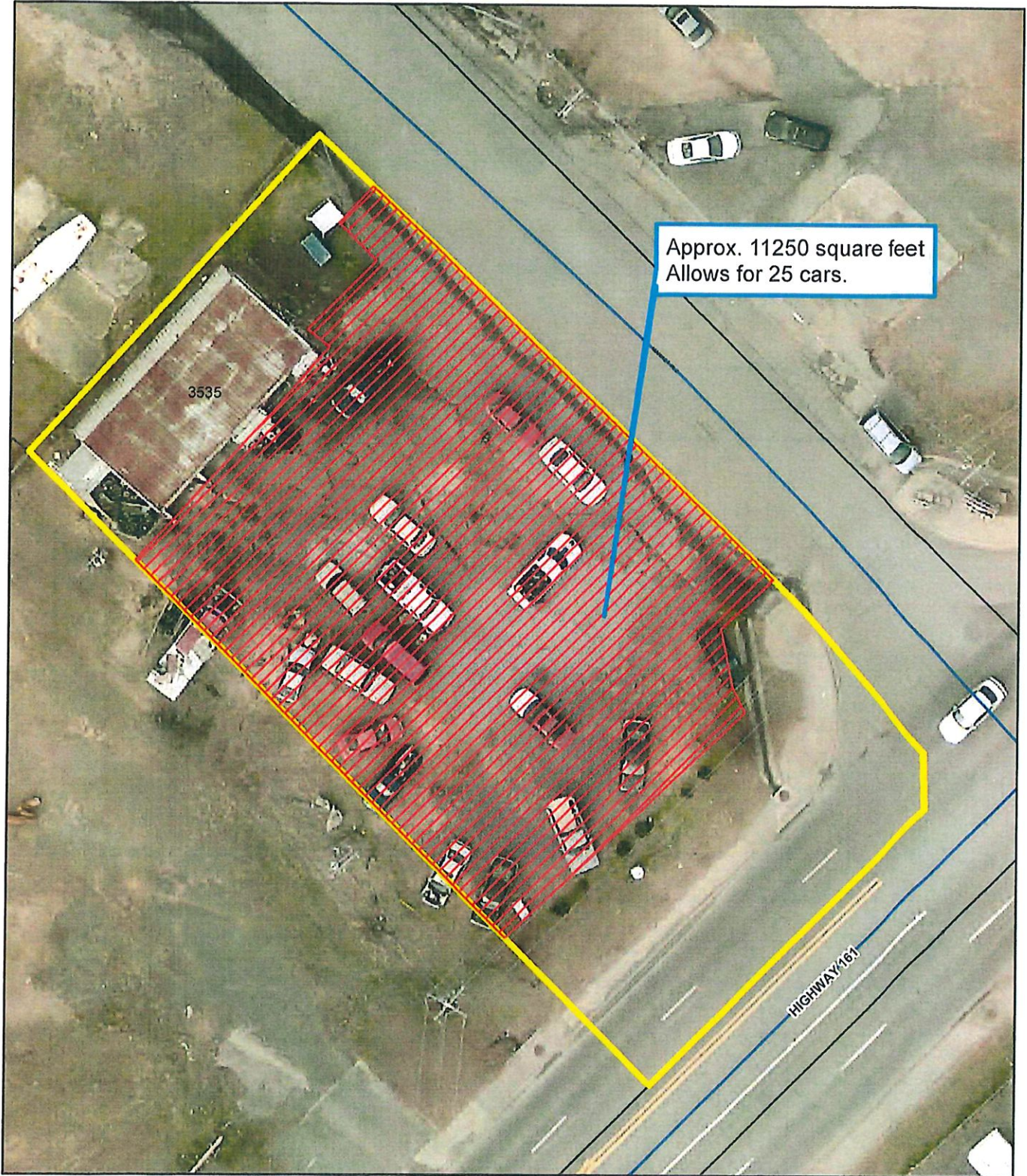


Zoning Map

1 inch = 100 feet

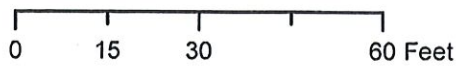


# Conditional Use # 2019-3



Ortho Map

1 inch = 30 feet



Date: 12/19/2018

Map is not to survey accuracy