

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR SALES LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2906 MacARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Jessie Molden, 5516 Division Street, North Little Rock, AR 72118, seeking a conditional use of land located at 2906 MacArthur Drive to allow a car sales lot, which application was duly considered and approved (5 affirmative votes; 1 nay vote; 3 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on August 8, 2017.

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 car sales lot in a C-4 zone for the subject real property located at 2906 MacArthur Drive in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Lot 1, Fendley Commercial in the City of North Little Rock, Pulaski County, Arkansas. (See Exhibits "A", "B", "C" and "D" attached hereto.)

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

- a) Site Plan Review required for any new building constructed or moved onto the site.
- b) A building for incidental office and administrative work associated with a car sales lot is required on the site.
- c) Provide Survey showing location of property line and right-of-way.
- d) No vehicles shall be parked in the right-of-way.
- e) White strip to be painted on parking lot showing where right-of-way stops.
- f) Fences shall not be allowed in the front yard of the vehicle sales lot, except as mandated under Article 15 of the Zoning Ordinance.
- g) Existing fences located in the front yard of the vehicle sales lot shall be removed, unless required when adjacent to residential use.

- h) Six (6) foot privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
- i) Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
- j) There shall be allowed 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. Applicant has agreed to no more than six (6) cars on the lot.
- k) 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.
- l) 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.
- m) All signage shall meet the requirements of Article 14 of the Zoning Ordinance.
- n) 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.
- o) Vehicle sales lot shall be maintained at all times.
- p) Sales vehicles shall be locked and secured after business hours.
- q) Sales vehicles shall not be used as storage.
- r) Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
- s) Business license to be issued after Planning Staff confirmation of requirements.
- t) 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 vehicle sales business 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:

SPONSOR

ATTEST:

FOR CONSIDERATION ONLY:

Joe A. Smith
Mayor Joe A. Smith *by AF*

Mayor Joe A. Smith

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney *by AF*

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

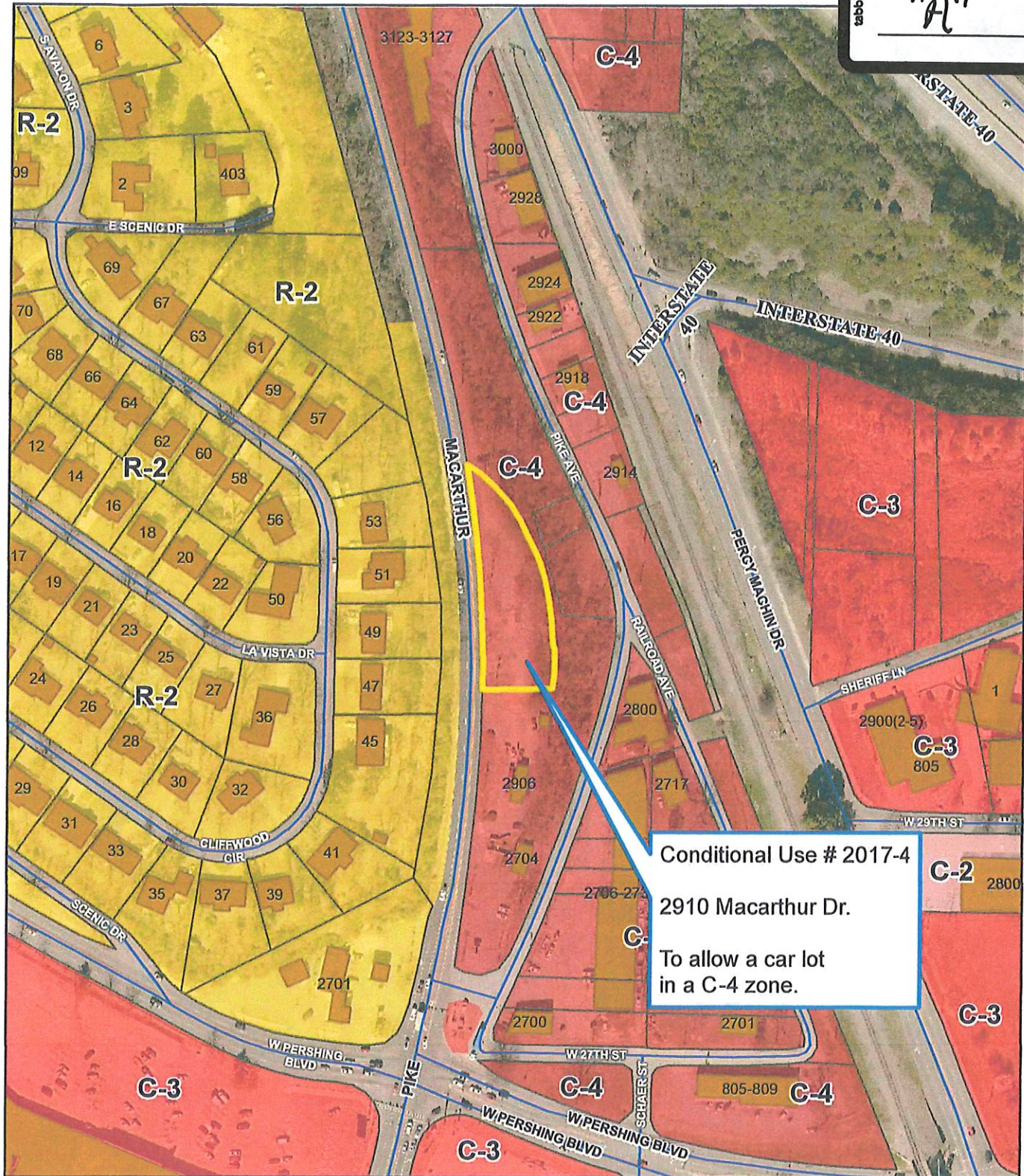
FILED	<u>11:32</u>	A.M.	_____	P.M.
By	<u>Asst City Attny. Jason Amy Fields</u>			
DATE	<u>8-22-19</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			

Conditional Use # 2017-4

EXHIBIT

"A"

tables



Conditional Use # 2017-4

2910 Macarthur Dr.

To allow a car lot
in a C-4 zone.



Zoning Map

1 inch = 200 feet

0 100 200 400 Feet



Date: 6/27/2017

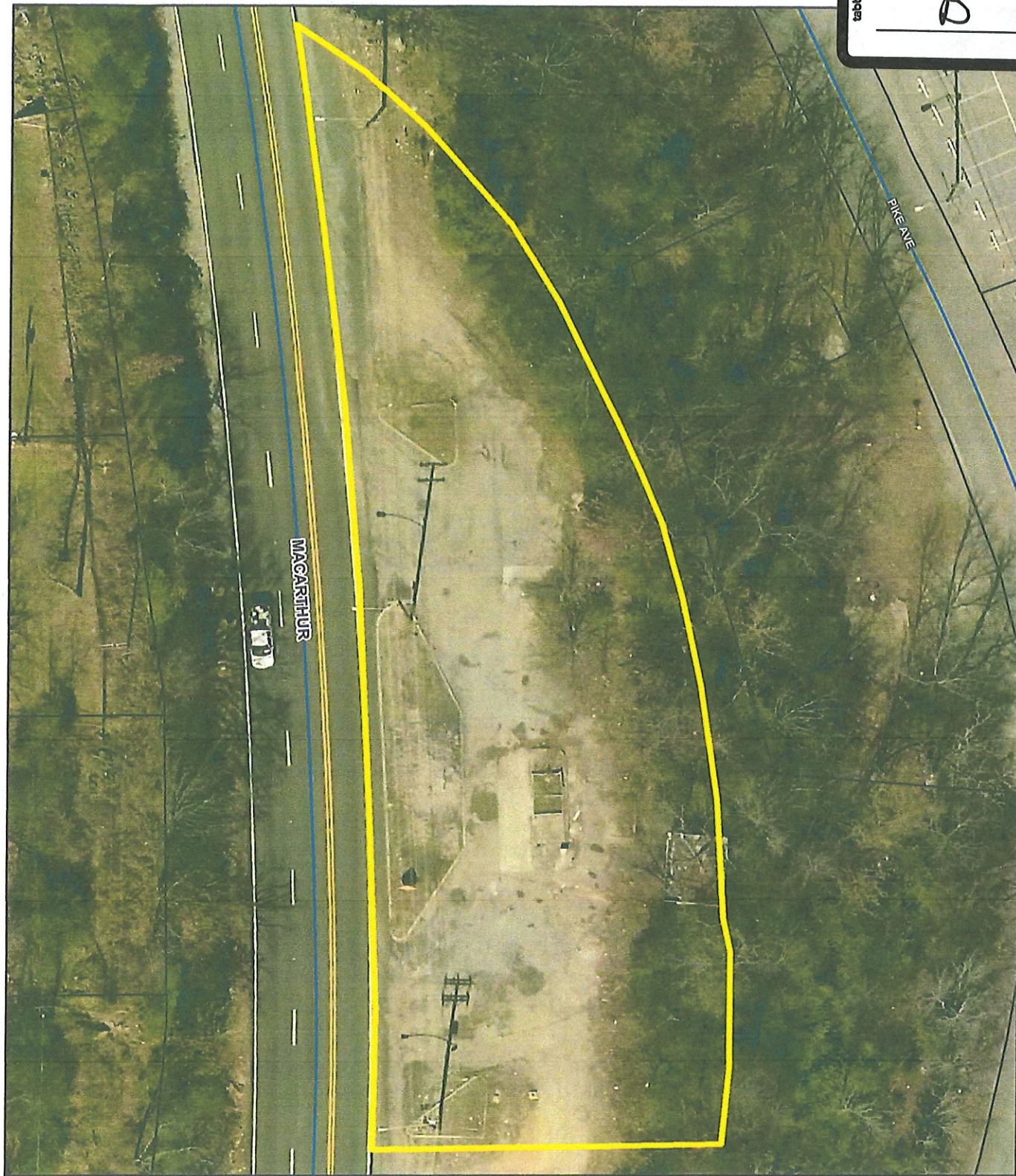
Map is not to survey accuracy

Conditional Use # 2017-4

tabbles

EXHIBIT

"B"



Ortho Map

1 inch = 40 feet

0 20 40 80 Feet



Date: 6/27/2017

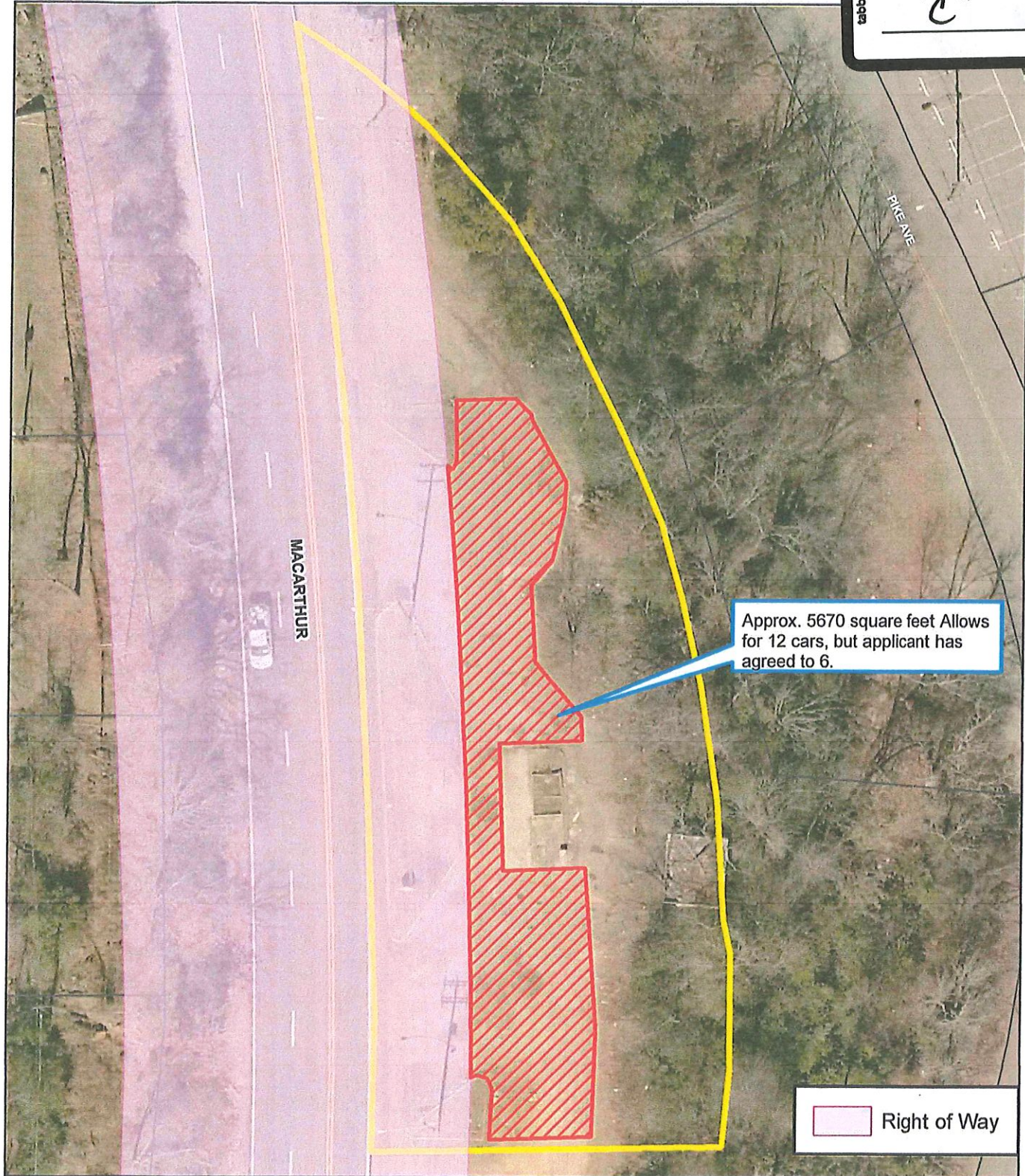
Map is not to survey accuracy

Conditional Use # 2017-4

EXHIBIT

"C"

tabbles



Ortho Map

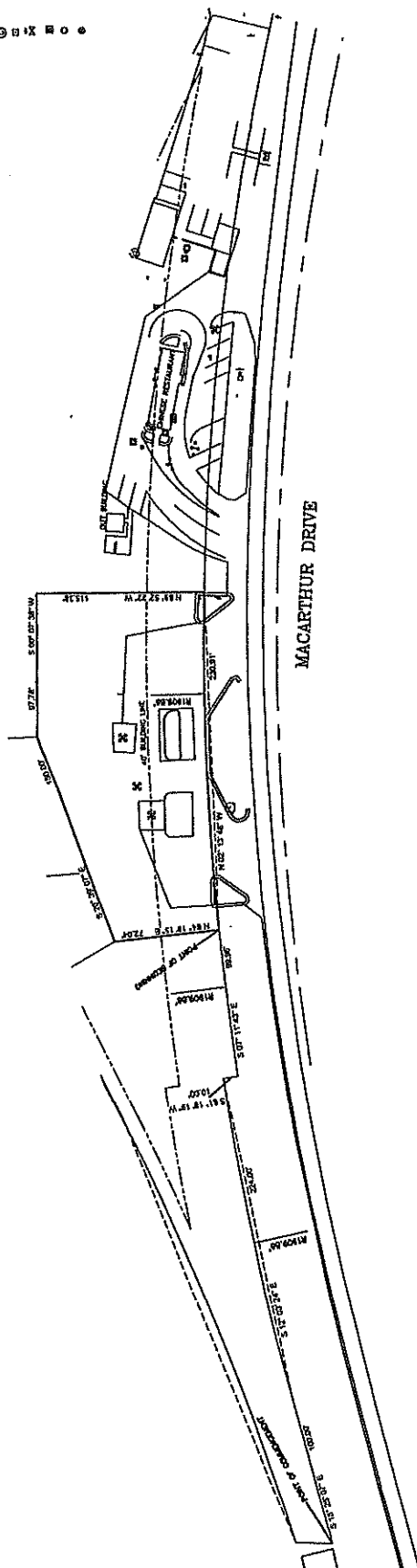
1 inch = 40 feet

0 20 40 80 Feet



Date: 8/8/2017

Map is not to survey accuracy

[illegible]

THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT. THE ORIGINAL DOCUMENT IS IN THE POSSESSION OF THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, WASHINGTON, D.C. 20530.

CERTIFICATE

FOR THE USE AND BENEFIT OF

PROPERTY DESCRIPTION
PART OF FIDELITY COMMERCIAL ADDITION IN THE CITY OF NORTH LITTLE
ROCK, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, FENDLEY COMMERCIAL
ADDITION BEING ON THE EASTERLY RIGHT OF WAY LINE OF HWY 305
(MACARTHUR DRIVE 120' R/W):

THENCE S 15° 25' 07" E FOR 100.00 FEET TO THE BEGINNING OF A CURVE; THENCE ALONG SAID CURVE TURNING TO THE RIGHT AND HAVING A RADIUS OF 1909.84 FEET AND WHOSE LONG CHORD BEARS S 12° 03' 24" E FOR 224.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL LINE;

THOSE S 81° 18' 19" W FOR 10.00 FEET TO THE REDUCED RIGHT OF WAY OF
SAD HWY. 303 AND THE BEGINNING OF A NON-TANGENTIAL CURVE
TWICE ALONG SAID CURVE TURNING TO THE RIGHT AND HAVING A RADIUS
OF 1609.26 FEET AND WHOSE LONG CHORD BEARS S 07° 11' 43" E
FOR 69.86 FEET TO THE POINT OF BEGINNING.

FOR 82.58 FEET TO THE POINT OF BEGINNING,
THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE N 84° 15' 15" E FOR
72.04 FEET;

THICKNESS 20' 39" 07" C FOR 150.00 FEET;

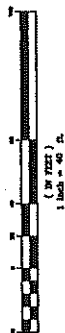
THENCE S 03° 07' 38" W FOR 27.70 FEET;


THENCE N 89° 52' 22" W FOR 115.38 FEET TO SAID EASTERLY RIGHT OF WAY LINE AND THE BEGINNING OF A NON-TANGENTIAL CURVE;

THESE ALONG SAID CURVE TURNING TO THE LEFT THROUGH 08° 55' 53.6",
HAVING A RADIUS OF 1809.86 FEET, AND WHOSE LONG CHORD BEARS N 02°
13' 48" W FOR 230.91 FEET TO THE POINT OF BEGINNING.

15 46 W FOR 250.31 FEET TO THE POINT OF BEGINNING;
CONTAINING 24,098 SQUARE FEET OR 0.553 ACRES, MORE OR LESS.

GRAPHIC SCALE





**THOMAS
ENGINEERING
COMPANY**

377 - 500-7734-6673
 377 - 500-7734-6673
 377 - 500-7734-6673

APPROVED: _____ DATE: 10/25/17

SCALE: 1" = 40'

tablets

EXHIBIT

"D"