

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A MOBILE CONCESSION TRUCK IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 915 WEST 22ND STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Ms. Rosio Dominquez, 915 West 22nd Street, North Little Rock, AR 72114, seeking a special use of said land, which application was duly considered and approved (8 affirmative votes; 1 abstain) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on February 10, 2009.

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

SECTION 1: That a special use is hereby granted to allow a mobile concession truck in a C-3 zone for the subject real property located at 915 West 22nd Street in the City of North Little Rock, being more particularly described as:

Lot 26, Plainview Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (See Exhibits "A" and "B" attached hereto.)

SECTION 2: That this special use shall be subject to the conditions listed below:

- a) Applicant must meet all applicable Federal, State, County and City requirements;
- b) Hours of operation to be 10:00 a.m. – 10:00 p.m.;
- c) Special use permit will expire June 30, 2009;
- d) The concession truck is not to be parked overnight at location;
- e) During hours of operation, concession truck to be parked up against the Pike side of the building, and as far north on the lot as possible;
- f) Once the restaurant has opened, the concession truck cannot be used at this site;
- g) Obtain Health Department approval of concession truck; and
- h) Planning Department Staff will confirm that requirements imposed by City Council have been met.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 the special use of the above-described lands as provided for herein is immediately necessary in order to insure the proper and orderly growth of this land and the proper and orderly growth 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 Patrick H. Hays

SPONSORS

ATTEST:

FOR CONSIDERATION ONLY:

Alderman Debi Ross

Diane Whitbey, City Clerk

Alderman Beth White

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b