

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW TIRE SALES IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2424 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Mr. John Tolliver, 2424 Pike Avenue, North Little Rock, AR 72114, seeking a conditional use of the land herein described, which application was duly considered and approved (8 affirmative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on April 14, 2009.

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 tire sales in a C-3 zone for the subject real property located at 2424 Pike Avenue in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as:

Lot A, Block 3, Buddenberg Addition to the City of North Little Rock, Pulaski County, Arkansas. (See Exhibits "A" and "B" attached hereto.)

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

- (1) Applicant must meet all applicable Federal, State, County and City laws, regulations and requirements;
- (2) Provide a 21' x 8' front yard wood privacy fence;
- (3) Allow outdoor display of tires behind fence during open hours;
- (4) Tire display not to extend above fence;
- (5) Hours of operation limited to Monday through Friday, 7:30 a.m. to 5:00 p.m. and Saturday, 7:00 a.m. to 2:00 p.m.;
- (6) Provide a 2' x 2' x 21' planter with plants as shown on Exhibit "B";
- (7) Tires to be kept behind the fence during open business hours; and
- (8) A business license will not be issued until the North Little Rock Planning Department has confirmed all requirements have been met.

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 the conditional 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

SPONSOR
FOR CONSIDERATION ONLY:

ATTEST:

Alderman Beth White

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b