

ORDINANCE NO. _____

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 1222 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-4 TO C-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; GRANTING A CONDITIONAL USE FOR A CAR SALES LOT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Mr. Les Saville, 5116 Lakeview Road, North Little Rock, AR 72116, seeking a reclassification, amended land use plan and conditional use of the herein described land, which application was duly considered and approved (6 affirmative votes; 2 negative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on September 8, 2009; and

WHEREAS, the City adopted the North Little Rock Land Use Plan with amended land use maps in December 2002 (Ordinance No. 7507); and

WHEREAS, a revised Land Use Plan for the property herein described and being located at 1222 East Broadway in North Little Rock, Arkansas, from its present R-4 zoning to the proposed C-4 (to recognize an existing commercial structure) classification, was approved (6 affirmative votes; 2 negative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on September 8, 2009.

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

SECTION 1: That Ordinance No. 7697 of the City of North Little Rock, Arkansas is hereby amended by changing the classification of certain land from R-4 to C-4 classification on property located at 1222 East Broadway in North Little Rock, Pulaski County, Arkansas, and more particularly described as follows:

Lots 9 – 12, Block 20, East Argenta Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (See Exhibits “A” and “B” attached hereto.)

SECTION 2: That the Land Use Plan for the subject property described in Section 1 above is hereby amended as reflected on the map attached hereto as Exhibit “C” and incorporated by reference.

SECTION 3: That a conditional use is approved for a car sales lot in a C-4 zone for the subject real property located at 1222 East Broadway in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described in Section 1 above. (See Exhibit "D" attached hereto.)

SECTION 4: That this conditional use shall be subject to the following:

- (a) Applicant must meet all applicable Federal, State, County and City requirements.
- (b) No loading or unloading of vehicles in the public right-of-way.
- (c) Provide four (4) trees along East Broadway with an irrigation plan.
- (d) Hours of operation to be 7:00 AM to 8:00 PM.
- (e) No wrecked or inoperable vehicles to be stored outside.
- (f) Maintain a clean and orderly lot at all times.
- (g) Fence to be painted black.
- (h) All razor wire to be removed.
- (i) Fence along south property line to be opaque.
- (j) A business license will not be issued until the North Little Rock Planning Department has confirmed all requirements have been met.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provisions shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 7: It is hereby found and determined that the reclassification, amended land use plan and conditional use for the above-described land as provided for herein is immediately necessary in order to insure the proper and orderly growth 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 Patrick H. Hays

SPONSOR:

ATTEST:

Alderman Maurice Taylor

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b