

0-10-49

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AUTOMOBILE SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1423 E. BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Mr. Arthur Cuen, 83 Broadmoor Drive, Little Rock, AR 72204, seeking a conditional use of the land herein described, which application was duly considered and denied (4 affirmative votes; 4 negative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on June 8, 2010.

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 automobile sales in a C-4 zone for the subject real property located at 1423 E. Broadway in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as:

Lots 7 and 8, Block 25, East Argenta Annex in 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 an 8 ft. opaque privacy fence between proposed car lot and residences/alley (north side of property).
- (3) Provide three (3) 2.5" caliper street trees on East Broadway planted in 6' x 6' cutouts in the paving.
- (4) Provide two (2) 2.5" caliper street trees on Clark planted in 6' x 6' cutouts in the paving.
- (5) Allow 6 ft. chain link fence to match fence on abutting property. Fence is to be placed at 45 degree angle at corner to allow proper site triangle at corner of Broadway and Clark.
- (6) Gate is to be placed on Clark. No additional gate permitted on Broadway.
- (7) Hours of operation to be 9:00 a.m. – 6:00 p.m., Monday-Saturday.
- (8) At the point in time this property is no longer associated with the abutting car business at 1401 Broadway, site plan review by the

Planning Commission will be required for a new building before a new business license will be issued.

- (9) A business license will not be issued until the North Little Rock Planning Department has confirmed all requirements have been met.
- (10) Applicant/owner 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 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.

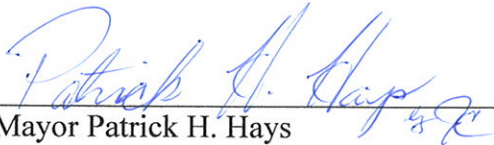
PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR
FOR CONSIDERATION ONLY:

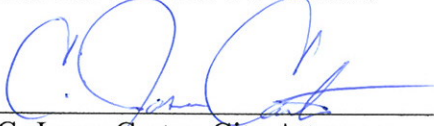
ATTEST:



Mayor Patrick H. Hays

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED 11:45 A.M. _____ P.M.

BY C. Jason Carter

DATE 7-6-10

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED by Bobbie Dudley