

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TIRE SHOP AND AN AUTO DETAIL BUSINESS IN A C-4 ZONE AT 923 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Larry Carpenter, 121 South Buckeye Street, North Little Rock, Arkansas 72114, seeking a conditional use for property located at 923 East Broadway Street to allow a tire shop and an auto detail business 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 09, 2019.

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 a tire shop and an auto detail business in a C-4 for the subject real property located 923 East Broadway Street in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

A part of the E 1/2 of Block 12, East Argenta Addition to the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows: Beginning at the South East corner of said Block 12; Thence North along the West line of Walnut Street 159' to a point 50' Southeasterly from the centerline of the Chicago, Rock Island and Pacific Railroad Company's main Jo'tract as measured at right angles to said tract; Thence Southwesterly parallel to and 50' Southeasterly from said center line on main tract, also being along a curve to the left having a radius of 747.89' and distance of 191.2' to a point in the North and South centerline of said Block 12; Thence South 41.15' to a point in the North Street Line of Third Street (now East Broadway); Thence East along said North line of East Third Street (East Broadway) 150' to the Point of Beginning. LESS & EXCEPT: Part of Lot 6, Block 12 of East Argenta Addition to the City of North Little Rock, Pulaski County, Arkansas more particularly described as follows: Starting at the Northeast Corner of Lot 6, Block 12 of East Argenta Addition to the City of North Little Rock, said point located on the Westerly existing Right of Way line of Walnut Street; Thence S05 00'24"E along the existing Right of Way line a distance of 40.17' to a point on the Northerly proposed Right of Way line of East Broadway for the Point of Beginning; Thence continue S05 00'24"E along the West existing Right of Way line of Walnut Street a distance of 9.83' to a point on the Northerly existing Right of Way of East Broadway; Thence S85 09'37"W along the existing Right of Way line a distance of 150.00' to a point on the West line of Lot 6; Thence N05 00'24"W along the West line of Lot 6 a distance of 9.66' to a point on the Northerly proposed Right of Way line of East Broadway; Thence N85 05'45"E along said Proposed Right of Way line a distance of 150.00' to the Point of

Beginning and containing 1,461 square feet more or less. (See maps attached hereto collectively as Exhibit A).

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

Tire Store Conditions:

1. Hours of operation 6 AM – Midnight.
2. Store tires in a dry securable area of the primary structure. No outside open-air storage of tires.
3. Up to 30 tires for sale may be displayed outside under a non-permeable cover during business hours. This is considered temporary tire storage. Tires shall be kept neat and organized, preferably in metal racks. Temporary outside displayed tires for sale shall be kept a maximum of 10 feet from the primary structure.
4. Isolate tires from other stored materials that may create hazardous products if there is a fire, including, but not limited to, lead acid batteries, fuel tanks, solvent barrels, and pesticide containers.
5. Store no more than 100 tires per 1,500 square feet of inside storage space.
6. Tire retailers should schedule regular pick-up of tires by a licensed carrier to avoid excessive amounts of tires stored on the property.
7. Vehicles are only to be repaired/maintained inside the building.
8. No auto repair other than those associated with removal/replacement of tires.
9. No outdoor PA/music permitted.
10. Provide 4 street trees.
11. Add curb to create one 30 ft. entrance to the site.
12. Allow two shipping containers as accessory structures in rear of property as shown on drawing. Accessory structure permits required. One shipping containers not to exceed 40 ft x 8 ft x 8 ½ ft. & one shipping container not to exceed 20 ft x 8 ft x 8 ½ ft.
13. East side of the eastern most shipping container to have the appearance of the building.
14. Provide 60 ft buffer or opaque fence on NW property line beginning 60 ft off of E. Broadway.
15. Shipping containers not habitable.
16. Applicant must meet all applicable Federal, State, County and City requirements,
17. Business license to be issued after Planning Staff confirmation of requirements,
18. 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.

Auto Detail Conditions:

1. Hours of operation 6AM – Midnight.
2. A three chamber sand/oil interceptor is required. Please make submittal to North Little Rock Wastewater for review and approval.
3. Complete requirements of ADEQ.
4. All work to be done inside the building.
5. Provide 4 street trees.

6. Add curb to create one 30 ft. entrance to the site.
7. Applicant must meet all applicable Federal, State, County and City requirements,
8. Business license to be issued after Planning Staff confirmation of requirements,
9. 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 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 tire shop and auto detail business as described herein 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:

Mayor Joe A. Smith

SPONSOR

ATTEST:

Maurice Taylor
Council Member Maurice Taylor

Diane Whitbey, City Clerk

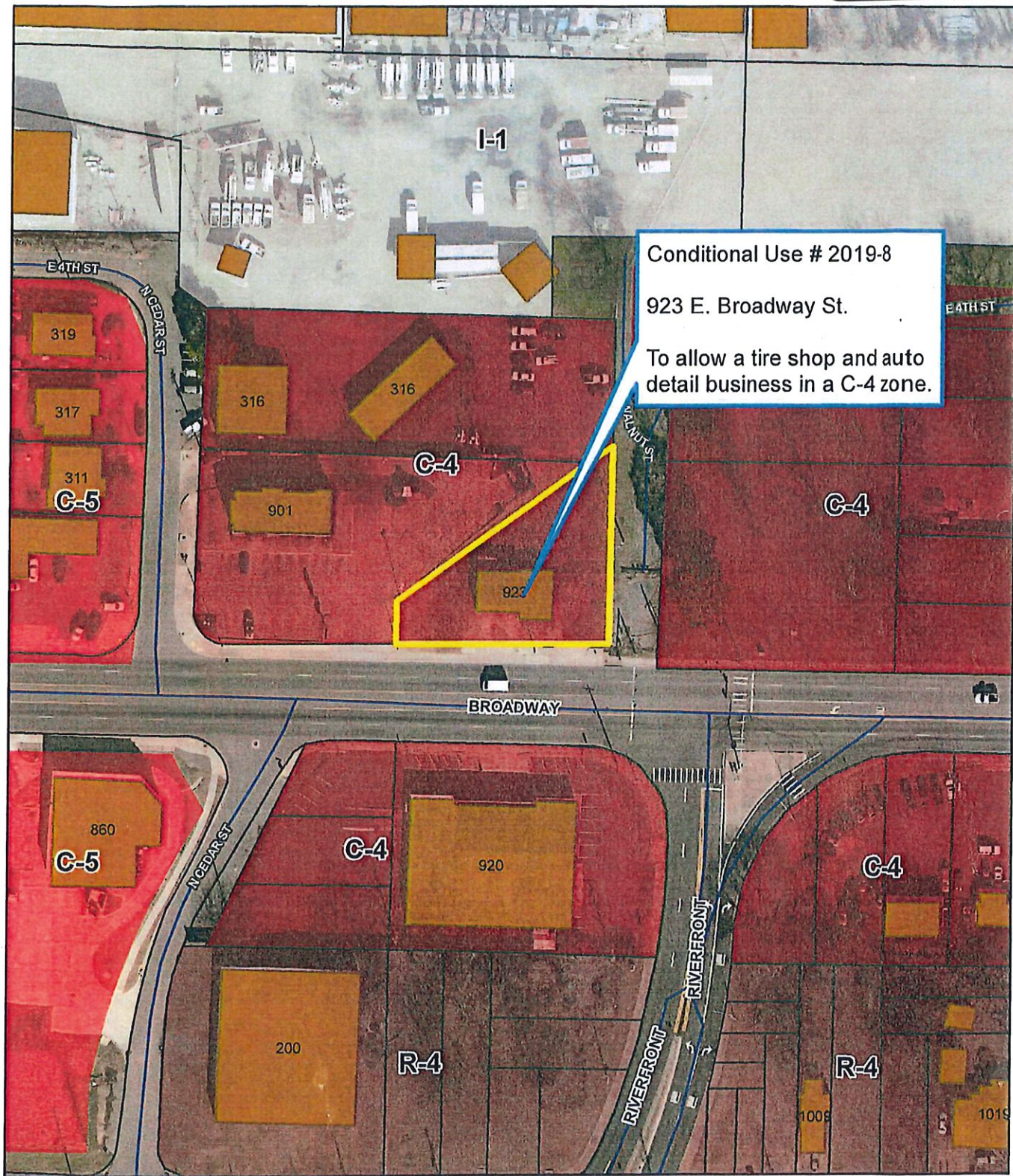
APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	11:00	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>5-2-19</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>S. Ussery</u>			

Conditional Use # 2019-8

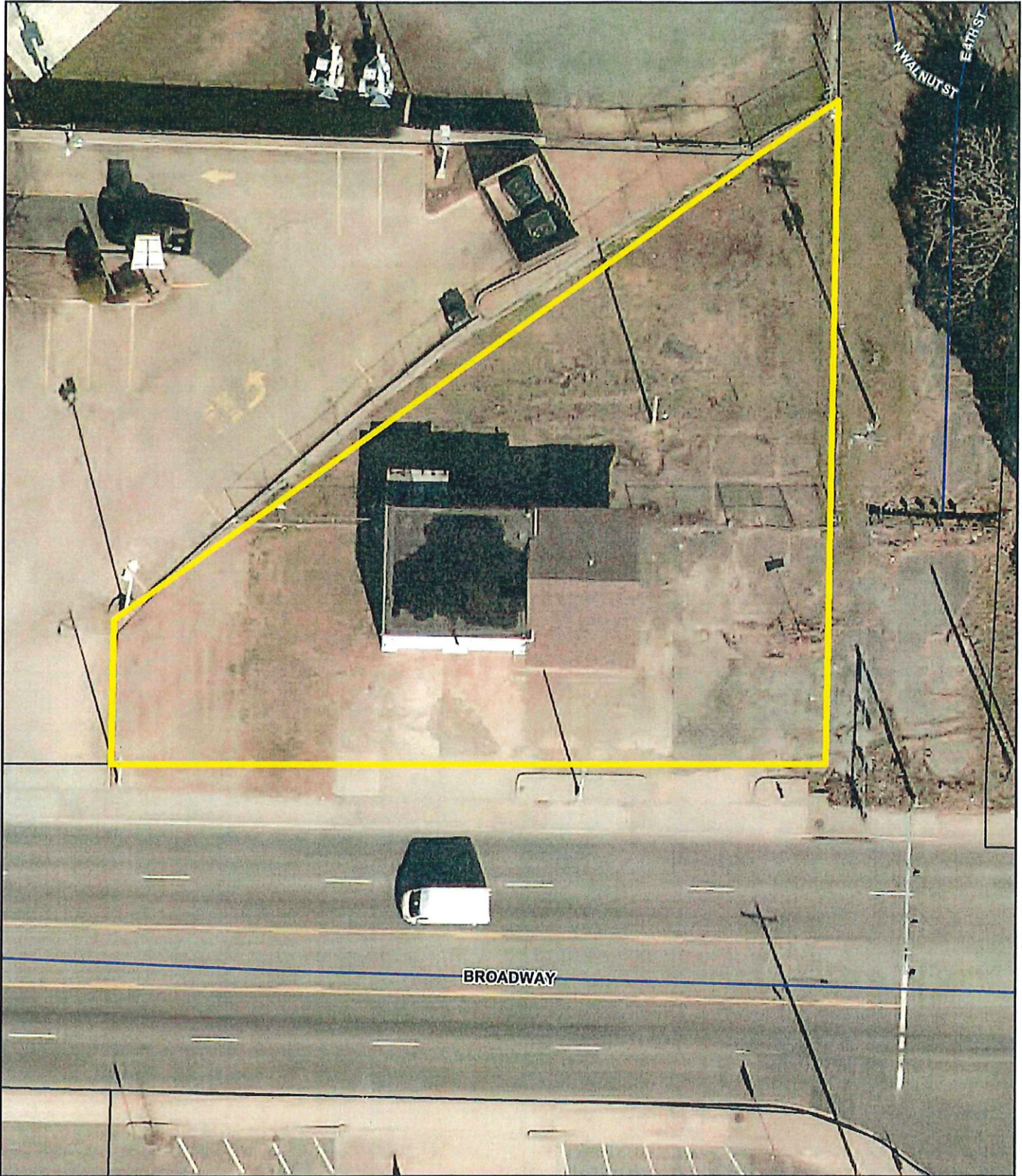


Zoning Map

1 inch = 100 feet

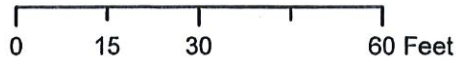


Conditional Use # 2019-8



Ortho Map

1 inch = 30 feet



Date: 2/28/2019

Map is not to survey accuracy