

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR SALES LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3125 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Mr. Antonio Romero, 4811 Sycamore Street, North Little Rock, AR 72118, seeking a conditional use for property located at 3125 Pike Avenue to allow a car sales lot, 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 May 8, 2018.

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 car sales lot in a C-4 zone for the subject real property located at 3125 Pike Avenue in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Part of Lot 1, Rea's Addition to the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Commencing at the Southwest corner of the Southwest 1/4, Southeast 1/4, Section 22, Township 2 N, Range 12 West; thence North 89°54' East, a distance of 126.13 feet to the Southwest corner of said Lot 1 and the Point of Beginning, said point being on the Easterly Right-of-Way of U.S. Hwy 365, thence North 17°47' West along said Right-of-Way, a distance of 444.4 feet to an iron pin; thence North 67°7' East a distance of 100.9 feet to a point on the Westerly Right-of-Way of the Union Pacific Railroad; thence South 22° 53' East along said Right-of-Way, a distance of 166.98 feet to a point on the Westerly Right-of-Way of Ark Hwy 176; thence along said Right of Way and along a curve to the left of the following chord bearing and distances; south 28°42'22" West, a distance of 57.5 feet; thence south 0°44'46" East a distance of 23.14 feet; thence south 12°8'39" East, a distance of 177.67 feet; thence leaving said Right of Way, South 89°54' West, a distance of 19.6 feet to the Point of Beginning. (See maps attached hereto collectively as Exhibit A).

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

1. Allow an 8 foot black chain fence in the front yard as shown on the drawing.
2. Any other existing fences located in the front yard shall be removed.

3. Six foot wooden privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
4. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
5. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee and customer vehicles. This allows for 23 cars. Open lot area does not include any structures.
6. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
7. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
8. All signage shall meet the requirements of Article 14 of the zoning ordinance.
9. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
10. Vehicle sales lot shall be maintained at all times.
11. Sales vehicles shall be locked and secured after business hours.
12. Sales vehicles shall not be used as storage.
13. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
14. Business license to be issued after Planning Staff confirmation or requirements.
15. Business license holder 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 car sales lot 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

Debi Ross  
Council Member Debi Ross *by AT*

ATTEST:

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

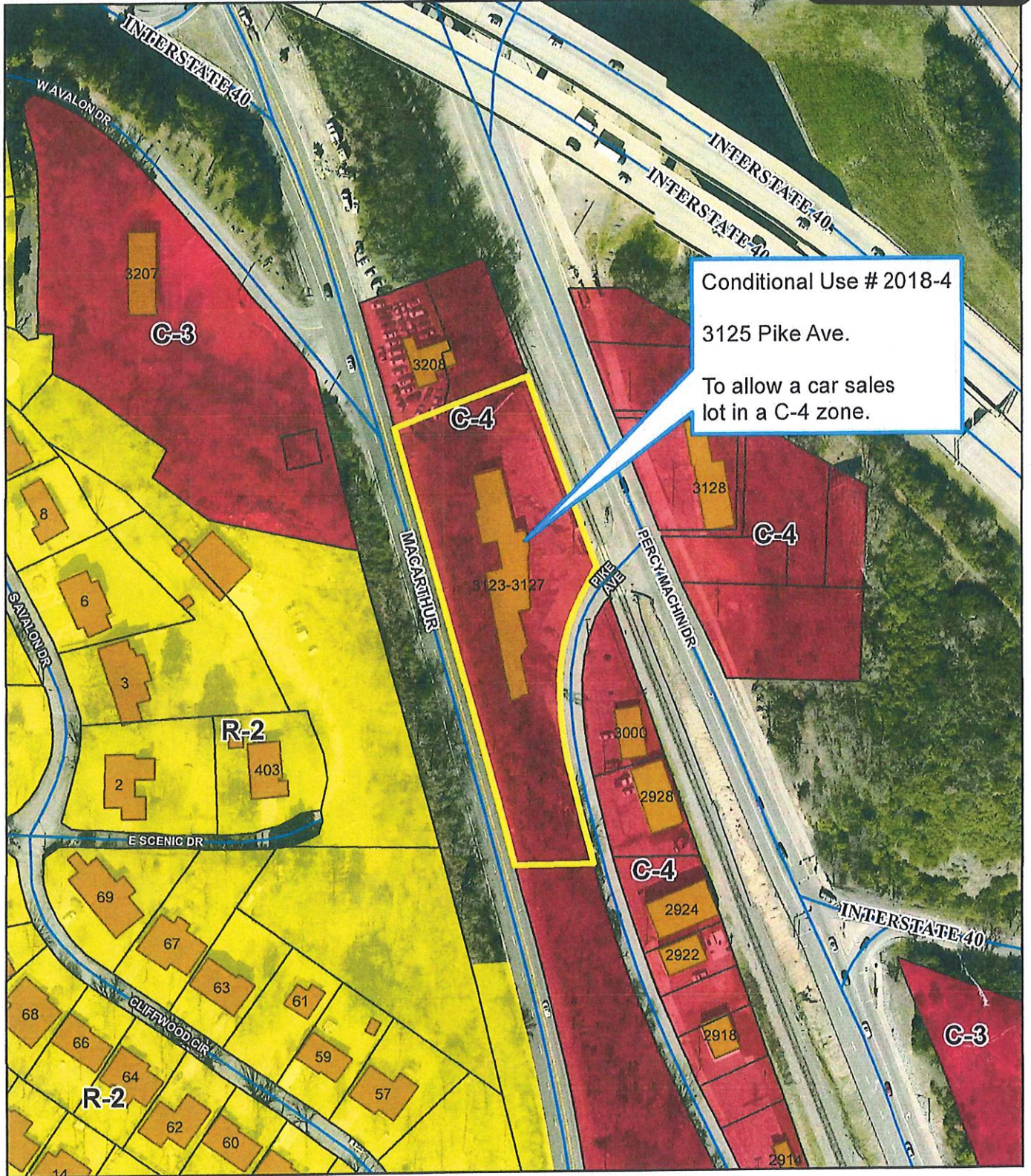
Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED	<u>11:30</u>	A.M.	_____	P.M.
By	<u>Amy Fields CA</u>			
DATE	<u>6-5-18</u>			
<b>Diane Whitbey, City Clerk and Collector</b> North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			



# Conditional Use # 2018-4

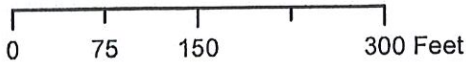


Conditional Use # 2018-4  
 3125 Pike Ave.  
 To allow a car sales lot in a C-4 zone.



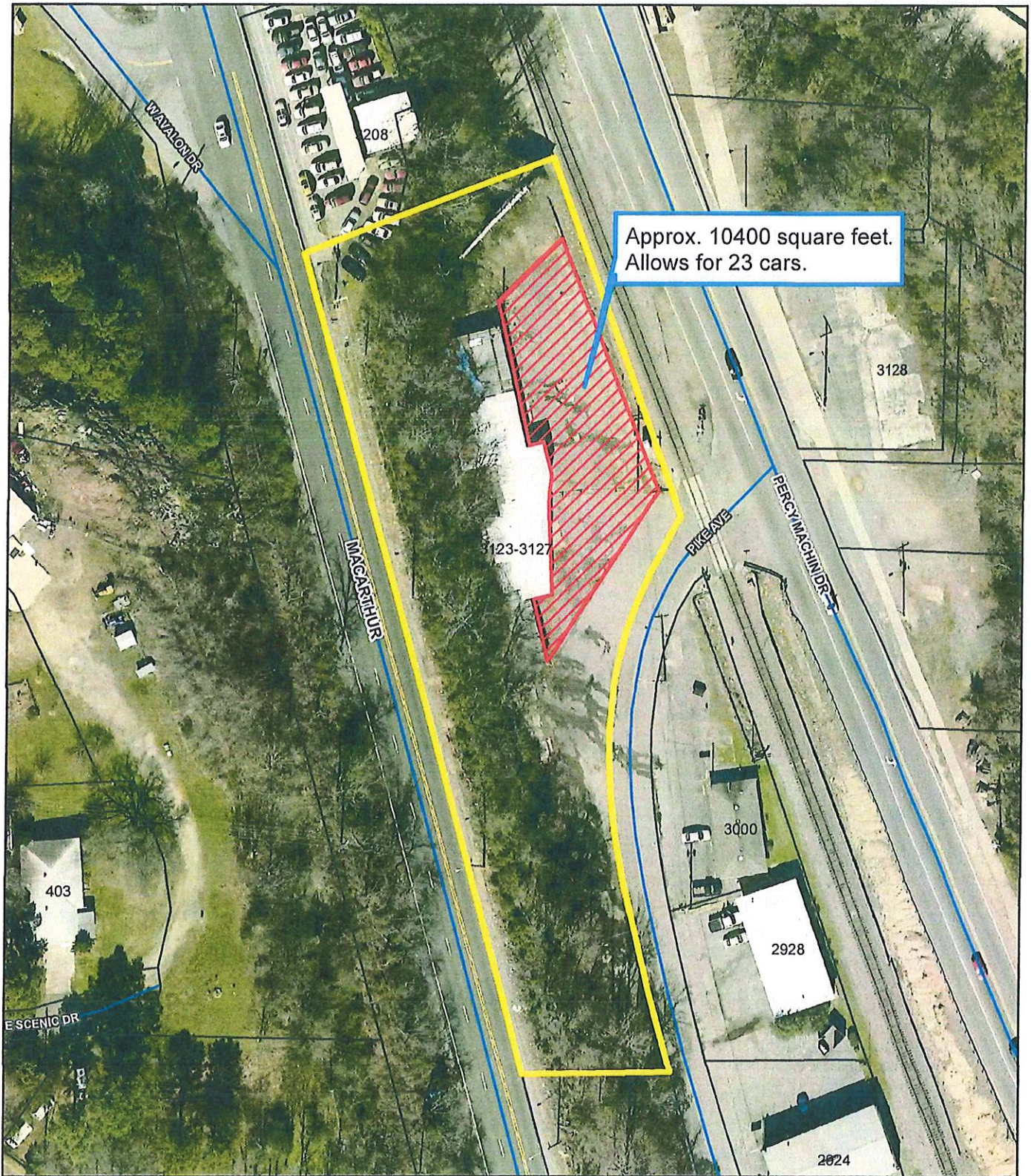
Zoning Map

1 inch = 150 feet



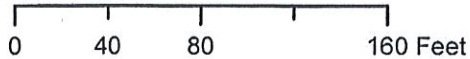


# Conditional Use # 2018-4



Ortho Map

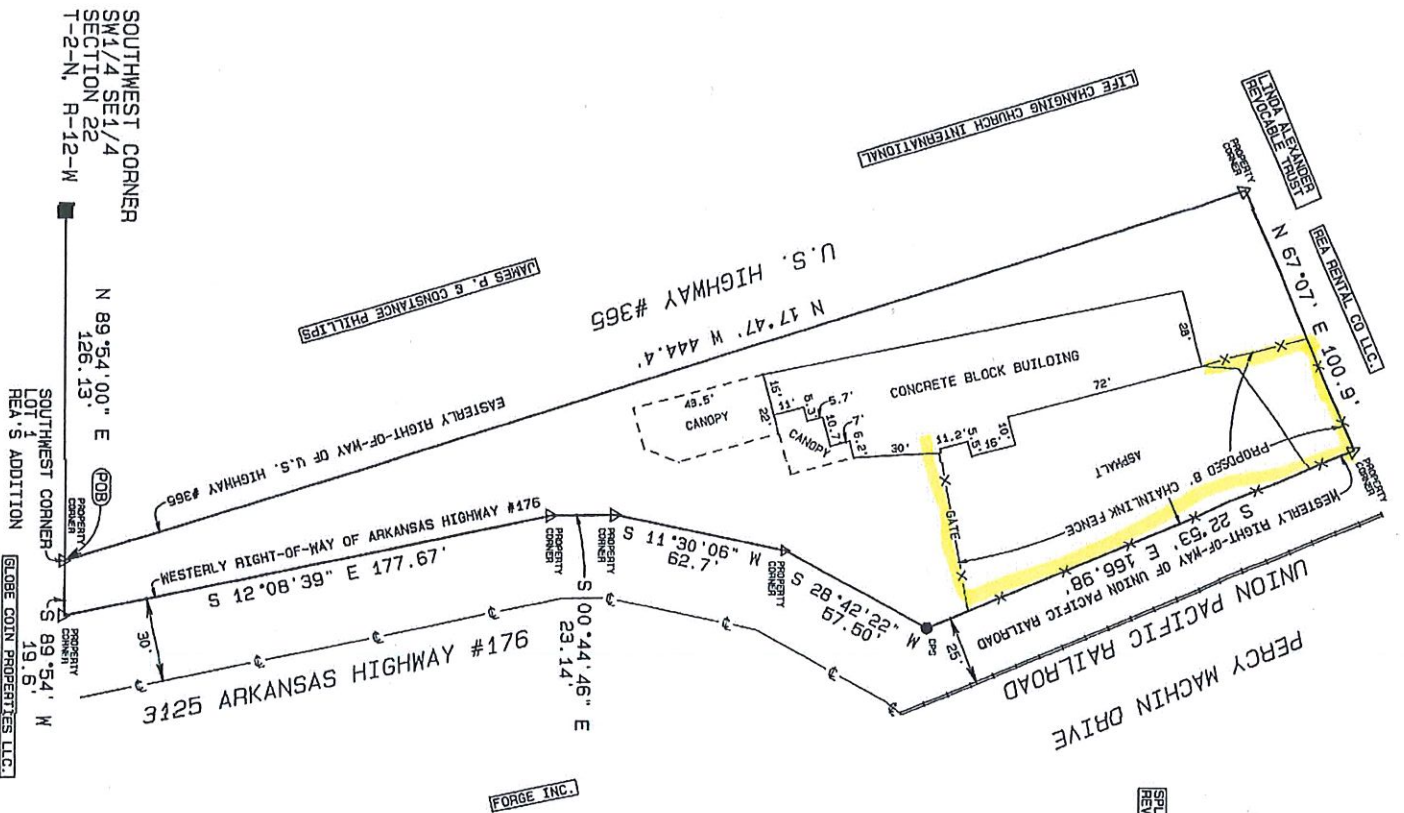
1 inch = 80 feet



Date: 3/9/2018

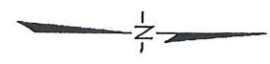
Map is not to survey accuracy





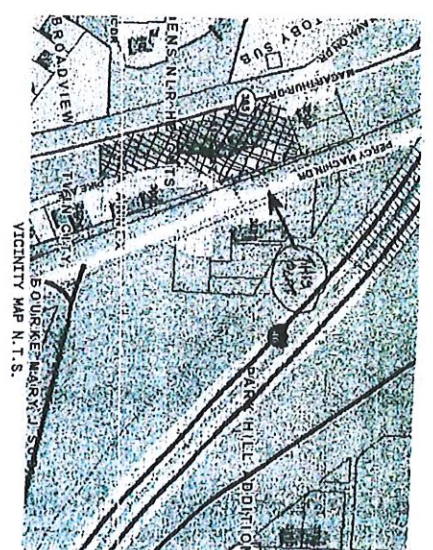
SPAWN MITCHELL THOMAS  
REVOCABLE TRUST

FORGE INC.



SCALE: 1" = 30'  
DATE: FEBRUARY 22, 2018

CPS DENOTES COTTON PICKER SPINDLE



**LEGAL DESCRIPTION: WARRANTY DEED**

Part of Lot 1, REA'S ADDITION, to the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:  
Commencing at the Southwest corner of the Southeast 1/4, Southeast 1/4, Section 22, Township 2 North, Range 12 West, to the Southwest corner of said lot 1, 198.3 addition and the point of beginning, said point being on the line of the right-of-way of the Arkansas Highway, a distance of 126.43 feet to the Southwest corner of said lot 1, thence North 67 degrees 07 minutes East, a distance of 410.9 feet to a point on the Western Right-of-Way of the Union Pacific Railroad, thence South 89 degrees 54 minutes East, along said Right-of-Way, a distance of 19.5 feet to the following chord bearing and distances: South 28 degrees 42 minutes 22 seconds West, a distance of 57.50 feet; thence South 11 degrees 00 degrees 44 minutes West, a distance of 126.7 feet; thence South 12 degrees 44 minutes 08 minutes 39 seconds East, a distance of 117.17 feet; thence South 12 degrees 08 minutes 39 seconds East, a distance of 179.5 feet; thence South 89 degrees 54 minutes West, a distance of 19.5 feet to the point of beginning.

**CERTIFICATION:**

I, James L. Butler, a Professional Surveyor (Arkansas 4261) do hereby certify that this Site plan represents a drawing made by me or under my supervision and that the description is based on a Warranty Deed furnished to me by the surveyor.



**SITE PLAN**

PART OF LOT 1, REA'S ADDITION TO THE  
CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS

JAMES L. BUTLER  
PROFESSIONAL LAND SURVEYOR  
10411 HIGHWAY #107  
SHERWOOD, AR 72120  
PH. 501-753-4965 FAX 501-833-2161

SOUTHWEST CORNER  
S 89°54'00" E  
126.13'  
EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY #365  
N 17°47' W 444.4'  
CONCRETE BLOCK BUILDING  
CANOPY  
GATE  
WESTERLY RIGHT-OF-WAY OF UNION PACIFIC RAILROAD  
PERCY MACHIN DRIVE  
S 22°53' E 166.98'  
S 28°42'22" W 57.50'  
S 11°00'44" E 126.71'  
S 12°08'39" E 177.67'  
3125 ARKANSAS HIGHWAY #176  
S 89°54' W 19.5'  
SOUTHWEST CORNER  
LOT 1 ADDITION  
GLOBE COIN PROPERTIES LLC