

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

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5039 WARDEN ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Mr. Mike Marlar of Marlar Engineering, seeking a conditional use of land located at 5039 Warden Road to allow a used car lot, which application was duly considered and approved (7 affirmative votes, 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on December 13, 2016.

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 used car lot in a C-4 zone for the subject real property located at 5039 Warden Road in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Lot 8, Block 2, Somers Commercial Park in the City of North Little Rock, Pulaski County, Arkansas. (See Exhibits "A", "B" and "C" attached hereto.)

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

- a) Fences shall not be allowed in the front yard of the vehicle sales lot, except as mandated under Article 15 of the Zoning Ordinance.
- b) Existing fences located in the front yard of the vehicle sales lot shall be removed, unless required when adjacent to residential use.
- c) Six (6) foot privacy fence shall be required when vehicle sales lot abuts a residential use.
- d) Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
- e) There shall be a ratio of one (1) vehicle per every 450 square feet of open lot area. This ratio will allow 108 vehicles on the lot at one time including sales, employee, and customer vehicles. Open lot area does not include any structures.
- f) 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.

- g) 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.
- h) All signage shall meet the requirements of Article 14 of the Zoning Ordinance.
- i) No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
- j) Vehicle sales lot shall be maintained at all times.
- k) Sales vehicles shall be locked and secured after business hours.
- l) Sales vehicles shall not be used as storage.
- m) Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
- n) Business license to be issued after Planning Staff confirmation of requirements.
- o) 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 vehicle sales business 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:

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Mayor Joe A. Smith

SPONSOR:

Charlie Hight  
Alderman Charlie Hight

ATTEST:

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

APPROVED AS TO FORM:

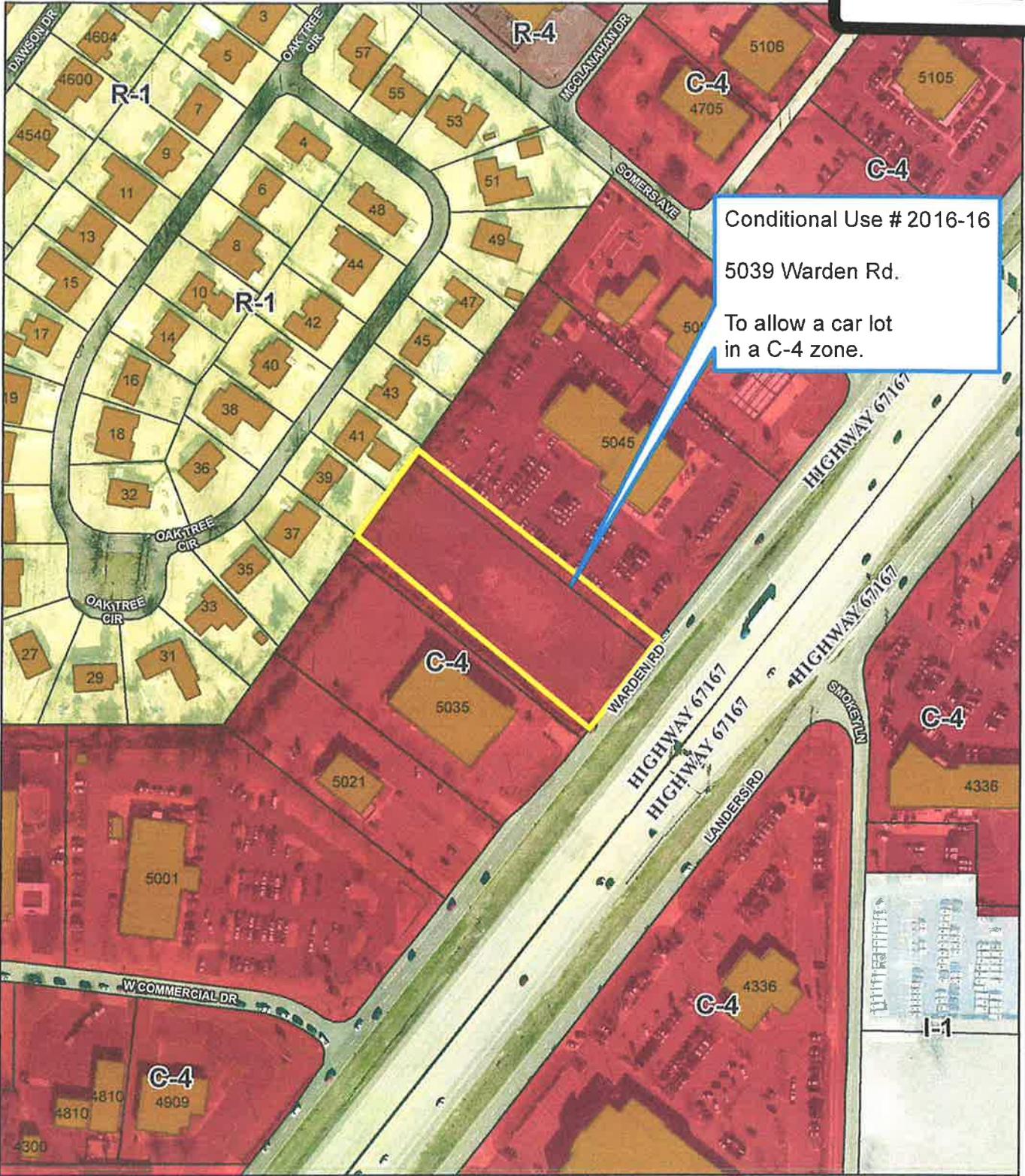
C. Jason Carter  
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

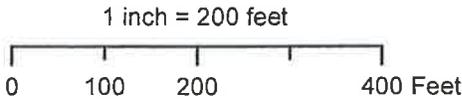
FILED	<u>11:45</u>	A.M.	_____	P.M.
By	<u>Jason Carter</u>			
DATE	<u>12/20/14</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>DeLutz</u>			

# Conditional Use # 2016-16

EXHIBIT  
"A"



Zoning Map



Date: 10/25/2016

Map is not to survey accuracy

# Conditional Use # 2016-16

EXHIBIT

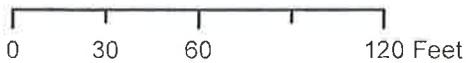
tabbles

"B"



Ortho Map

1 inch = 60 feet

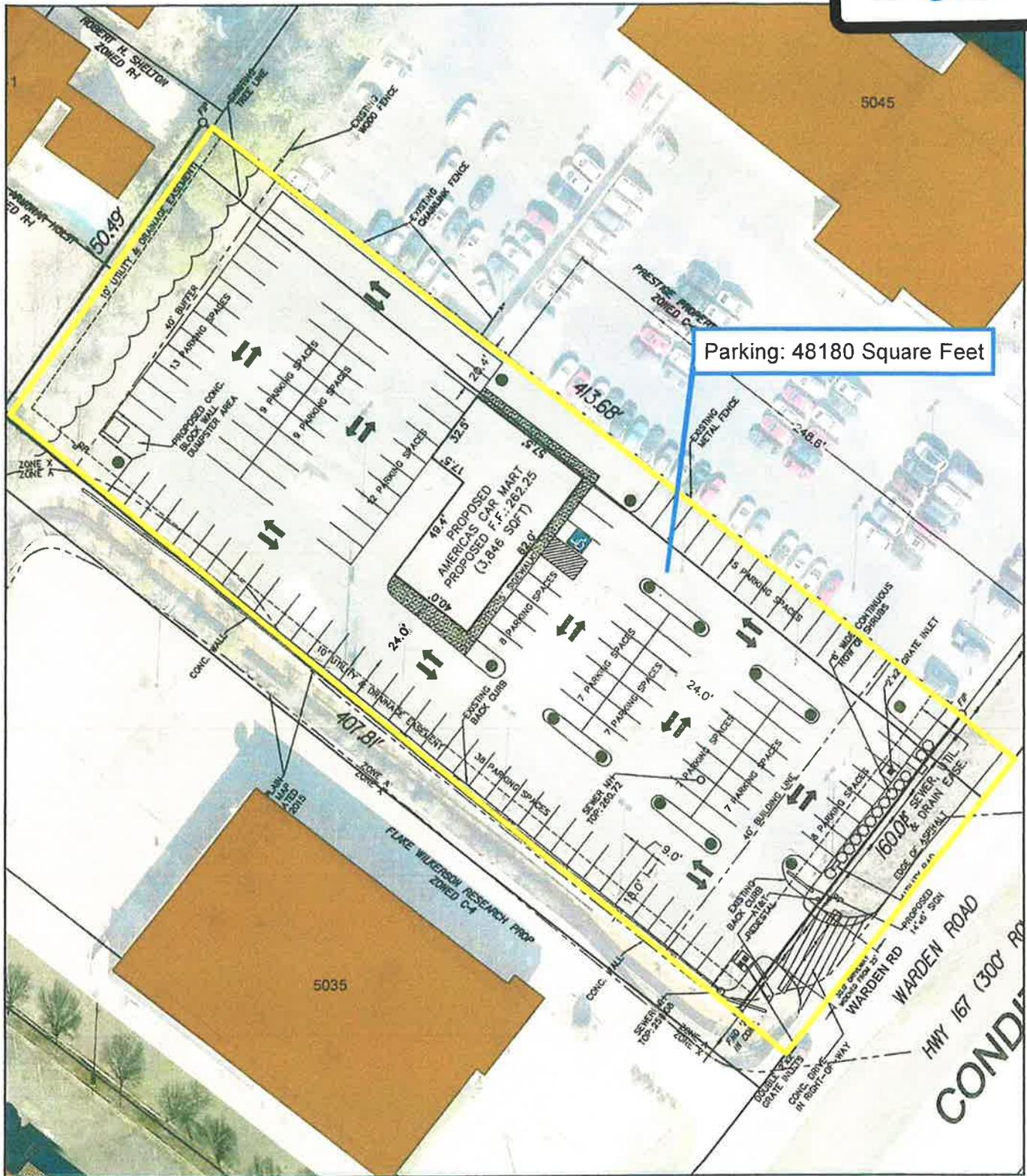


Date: 10/25/2016

Map is not to survey accuracy

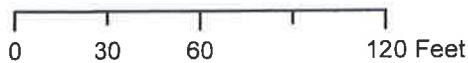
# Conditional Use # 2016-16

EXHIBIT  
"c"



Ortho Map

1 inch = 60 feet



$$48180 \div 450 = 108$$



Date: 10/25/2016

Map is not to survey accuracy