O-22- 45

**ORDINANCE NO. _____**

**AN ORDINANCE REPEALING ORDINANCE NO. 9277 TO REVOKE A CONDITIONAL USE FOR A MINOR AUTO REPAIR LOCATED AT 11921 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, on August 24, 2020, the City Council of the City of North Little Rock, Arkansas ("the City") adopted Ordinance No. 9277 (attached hereto as Exhibit A), granting a conditional use of land for a minor auto repair located at 11921 Maumelle Boulevard; and

WHEREAS, Article 8, Section 8.1.3(C) of the North Little Rock Zoning Ordinance (Ordinance No. 9263) provides that applicants who are granted a conditional use must obtain a business license from the City within one year from date of approval, and failure to obtain a permit within the allotted time will result in notice of termination of the conditional use; and

WHEREAS, the owner of the above mentioned real property has not obtained a business license for the conditional use; and

WHEREAS, a legal advertisement of notice of a public hearing held May 10, 2022 at 4:00 p.m. was placed in the newspaper for a revocation hearing at the North Little Rock Planning Commission meeting; and

WHEREAS, the North Little Rock Planning Commission approved revocation of the conditional use (7 affirmative; 1 absent; 1 vacant) on May 10, 2021.

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

SECTION 1: That Ordinance No. 9277, adopted August 24, 2020, granting a conditional use of land for a minor auto repair located at 11921 Maumelle Boulevard is hereby repealed, and the conditional use granted therein is hereby revoked.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

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 no business license was obtained for the previously granted conditional use, and there is an immediate need to revoke the conditional use in order to comply with the North Little Rock Zoning Ordinance and return the herein stated real property to its original status 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 Terry C. Hartwick

SPONSORS:

ATTEST:

Terry C. Hartwick

Mayor Terry C Hartwick

By AF

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:00 A.M. _____ P.M.

By A. Fields

DATE 6-7-22

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

RECEIVED BY Sullsserf

EXHIBIT
A

O-20-76

ORDINANCE NO. 9277

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A MINOR AUTO REPAIR IN A C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11921 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Lemons Engineering, 324 Cherry Street, Cabot, Arkansas 72023, seeking a conditional use for property located at 11921 Maumelle Boulevard to allow a minor auto repair in a C3 zone, 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 August 11, 2020.

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 minor auto repair in a C3 zone for the subject real property located at 11921 Maumelle Boulevard in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Lot 11 of the Wal-Mart Commercial Addition in the City of North Little Rock, Pulaski County, Arkansas. (See maps attached hereto as Exhibit A.)

SECTION 2: That this Conditional Use shall be subject to the following:

1. Hours of operation: 6AM – 6PM; Monday – Sunday.
2. Meet the requirements of Site Plan Review.
3. Vehicles not allowed to be left outside overnight.
4. Any structures located on the lot shall meet all applicable Federal, State, County, City Requirements and Codes.
5. Business license to be issued after Planning Staff confirmation of requirements.
6. 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 the minor auto repair as described herein is compatible with other businesses in the area and that the conditional use 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:

Council Member Steve Baxter

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

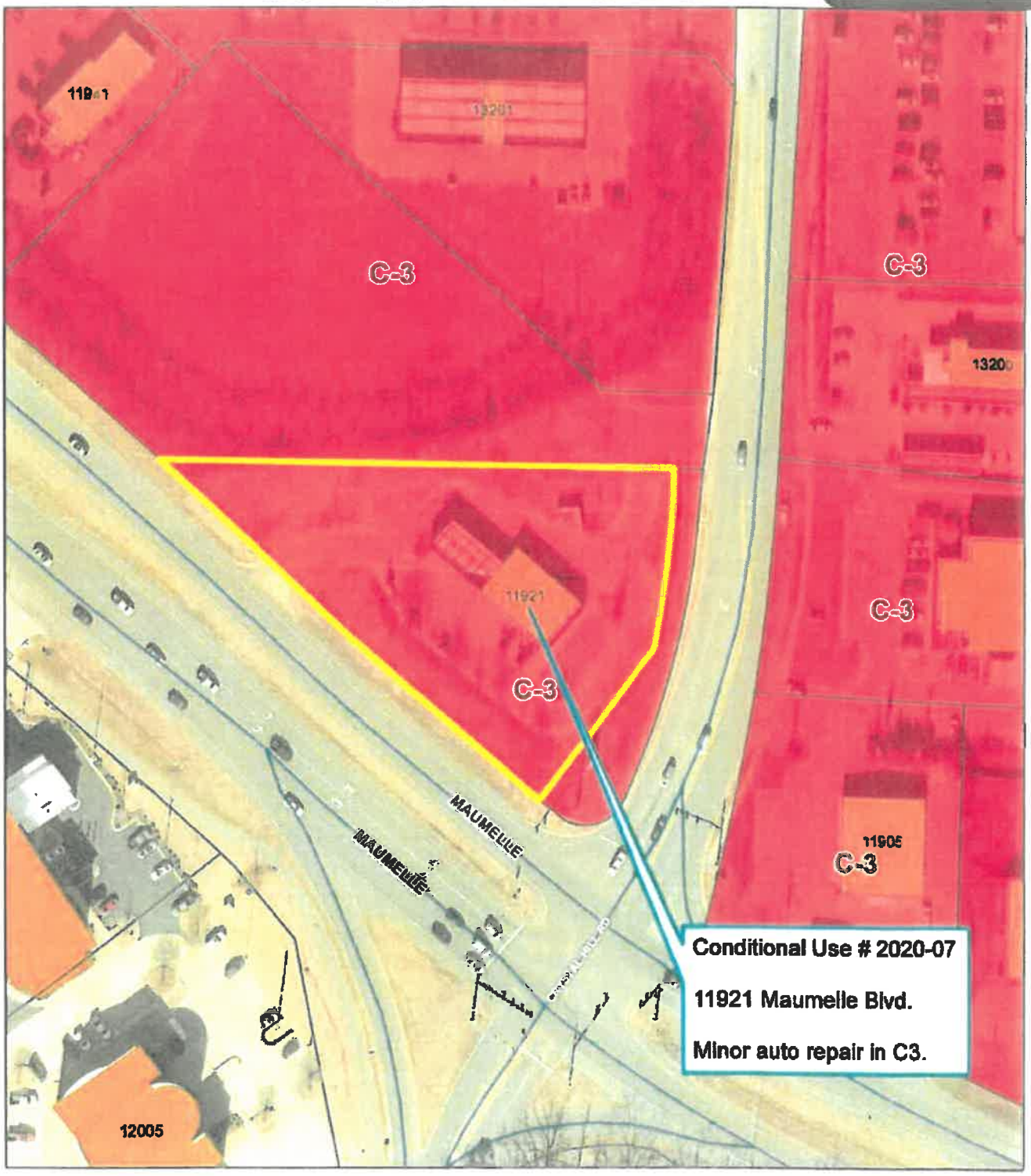
PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:15 A.M. _____ P.M.
By AmyFields CA
DATE 8-18-20
**Diane Whitbey, City Clerk and Collector**
**North Little Rock, Arkansas**
RECEIVED BY

EXHIBIT

A

# Conditional Use # 2020-07




Zoning Map

1 inch = 100 feet

0 50 100 200 Feet

N W E S

Date: 7/2/2020

Map is not to survey accuracy

# Conditional Use # 2020-07

Ortho Map

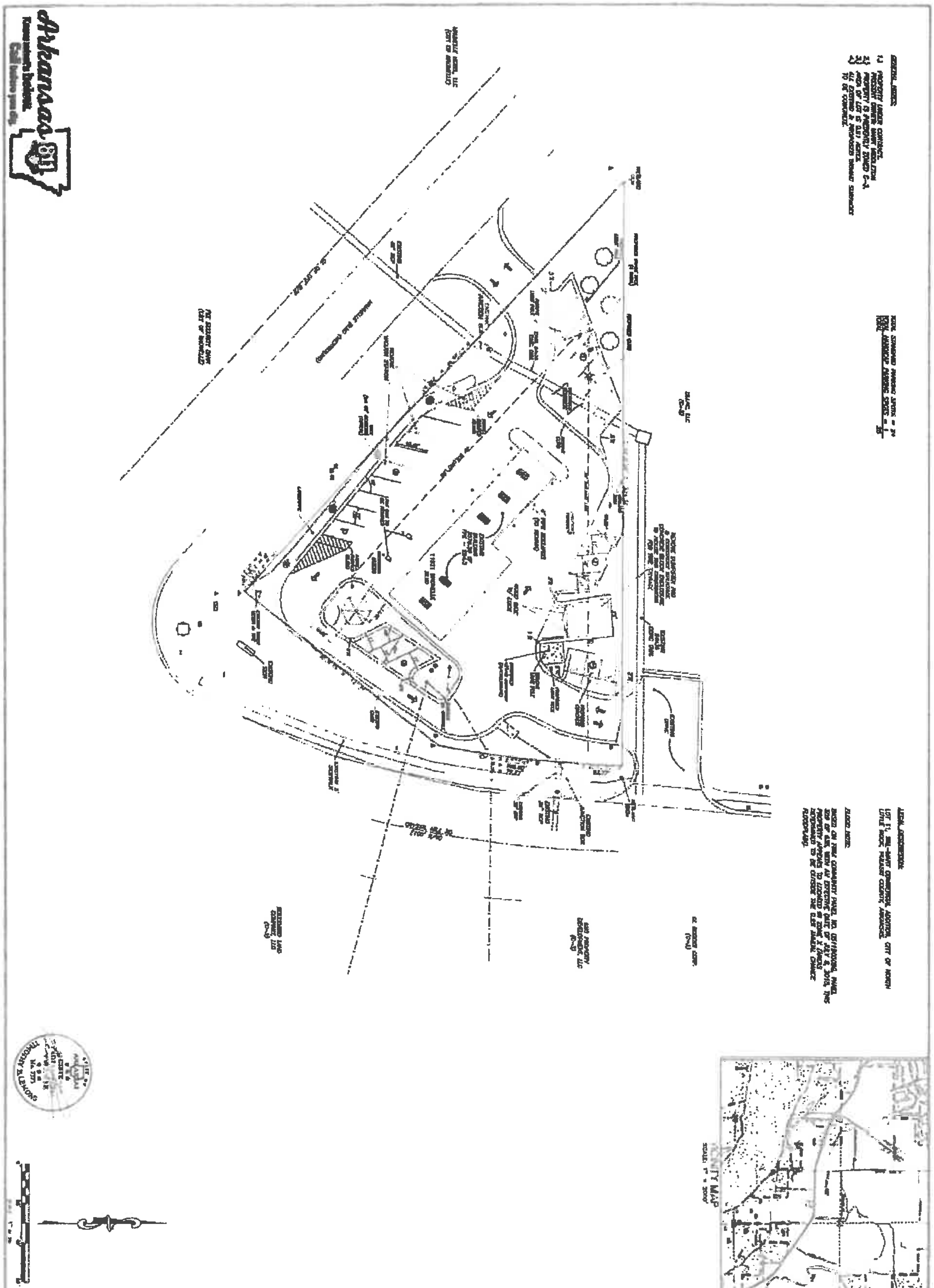
1 inch = 60 feet

0 30 60 120 Feet

N W E S

Date: 7/2/2020

Map is not to survey accuracy




JUNE 2020

T. Lemons

Minghui Wang
200 Dakota Street
Cabot, Arkansas 72023

**SITE PLAN REVIEW**
**LOT 11, WAL-MART COMMERCIAL ADDITION**
(192) Maumelle BLVD
City of North Little Rock, Pulaski County, Arkansas

LEMONS ENGINEERING CONSULTANTS, INC.

**ENGINEERING + SURVEYING**
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