

4 lots located at 5911 E. Highland Dr. along Margo Lane. The lots are located in I-1 Light Industrial which requires a Conditional Use Permit.

Mr. Dacus stated that owns 20 acres off highway 18 and we plans to build a drive from Hwy. 18 South into this property. The property he is cutting off is deep. It will be the back of the industrial building . We thought a residential use will be better for the area. We would like to put in a privacy fence in front of lot one. Will put in 6 ft. privacy fence at the request of the neighbors. Mr. Dacus showed the detention plan.

Mr. Spriggs gave comments from Staff:

The buildings as laid out, will comply with the minimum setback requirements of the Zoning Code. Additional street tree plantings are suggested for the grass area between the street and the parking lot/building setback area to provide some amount of screening from the residential across Margo Lane. Location of such plantings should be sensitive to right of way obstruction standards.

Staff finds that the requested Conditional Use submitted by Max Dacus, Jr. should be approved based on the above findings and following conditions:

1. That upon issuance of the Conditional Use Permit Approval, all required state and local agencies and departmental approvals be obtained by the applicant.
2. All landscaped screening as required by the MAPC be shown on the final site plan to be submitted to the Planning Department.

A motion was made by Vice Chair Jerry Halsey Jr., seconded by Joe Tomlinson, that this Conditional Use be Approved. The motion CARRIED by the following vote:

**Aye:** 5 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Jerry Halsey Jr. and Ron Kelton

**Absent:** 3 - Ken Collins; Lonnie Roberts Jr. and Brian Dover

## 7. Rezoning

RZ 09-14 Brad Vaden/Tefco, LLC owners requests rezoning from R-2 Multi-family to C-4 LUO (automated Carwash) for 1.59 acres located at 726 Southwest Dr.

Mr. Don Parker: He represents the proponents- Team Clean Carwash Brad Vaden and Bill Vaden. Team Clean owns the carwash at Nettleton & Stadium Blvd. They own and operate one in Little Rock and the one in Millington. They have progressed in their design.

We are requesting a change in Zoning to a C-4 L.U.O. for a Carwash As you can see this property is bounded on the north by the same owner and you will remember this site as The Willow Apartments; the buildings that were demolished; to the west, there is R-2 Jonesboro Nursing Home. They are supportive of the rezoning. The property to the east is R-1 Single Family across Southwest Dr. is single family residential and banks to the south. This rezoning is consistent with the Land Use Plan of 1996, and the area is currently under restudy by the Land Use Committee, and staff has stated that this area will most likely remain thoroughfare commercial.

We held a neighborhood meeting on August the 3rd and there were 12 in attendance and (4) from nursing home. No one from the church or banks attended. I have the letter that we sent. Some are here.

In the neighborhood meeting concerns of noise, aesthetics and traffic on Haywood were raised. On the original application, the concept was for the entrance and exit to come out off of Haywood. Concerns of the traffic and the orientation of the vacuums were raised. So, Mr. Vaden went back to the architect and turned the building parallel to Southwest drive and relocated the vacuums in the rear. (see alternatives). We have maintained an entrance on Southwest Drive, and we are building a ½ Million Dollar facility and creating 6 jobs.

There are security questions raised by neighbors; we will have 16 surveillance cameras and it will be locked and closed after hours, with no loitering allowed or tolerated. On Nettleton and Stadium that facility is locked down with the electric turn off to the vacuums. With the Staff recommendation and stipulations, the applicant has no problems and we asked that if this is approved- in the summer we be allowed hours until 8:00 PM for daylight savings time.

**Opponents:**

Lee Turner, 731 Southwest Drive; He lives across from site. In the meeting the members were opposed to this carwash and we are a residential area with R1/R2 zoning; the nursing home where the folks live there and with the church it's a quiet neighborhood. A carwash is not an asset; I am opposed.

Four persons in opposition were present.

Shirley Anderson, 805 Southwest Drive: as I stand, my driveway is flush with Haywood Drive. What about the traffic? I know how it is for the apartments and for the nursing home. It is bad in bad weather. I stand on the fence with this issue. I have a question- it was stated that area is under restudy and updates are forthcoming for the site; and it is along a 5-lane highway, and is across from single homes. It was stated that this is not reflective of good land use planning principals. What does this mean?

Mr. Spriggs stated that this area was studied in the Jonesboro Comprehensive Plan of 1996, and was recommended for Thoroughfare Commercial by the committee team. Typically along a 5-lane highway, it is true that you would find more of your commercial uses and then more of a transition would be provided deep into the residential areas.

It is different when the residential preceded the development of a highway, and I am not blaming one or the other; it is not an ideal situation because of the high volume traffic and because you have single family facing commercial, there is no room to provide a buffer or transition to the residential abutting. I wasn't negatively speaking in part towards the residents living there, but it is not typical in land use practices to see that.

The committee is re-studying the Land Use Map and we have provided those meeting dates and time to you and there after Council will make the final decision. The Committee has reviewed the various areas and this area will

most likely be approved as thoroughfare commercial, but the single family existing will be taken into consideration.

The properties that are currently zoned residential can remain as-is from this point on forward; unless the property owners wanted to sell and wanted to rezone their properties- they could market and petition to rezone the property according to the adopted Land Use Map and be considered for commercial use. The Land Use will not dictate your actual use of your property but if you decide to market your property for resale, you will have that opportunity to rezone to commercial.

Mr. Spriggs continued in the Staff summary stating that he had weighed all of the concerns regarding the surrounding residential. With the amount of detail that went into the plan, in terms of the hours of operation, and the flow of the traffic, we felt it could be implemented in such as way with MAPC stipulations to address all concerns. We initially placed a landscape buffer/screening condition with the first proposal having the vacuums facing the residences; but that has been revised. Staff would support the new layout. There are six stipulations:

1. That the facility shall be managed and operated during hours limited to 8:00 a.m. to 7:00 p.m. (extended until 8:00 p.m. during daylight savings time zone). The facility shall be locked from public use beyond said hours.
2. That the final site plan shall be reviewed and approved by the MAPC prior to permit issuance. Such submittal shall include architectural and engineering drawings.
3. That a final landscaping plan shall be submitted for approval by the MAPC showing landscaping and fencing.
4. That prior to the final permit approval, all plans and construction documents shall satisfy all city, state and local agency approvals regarding infrastructure.
5. The far Northeastern drive shall be utilized solely for emergency purposes only.
6. That a final lighting plan be submitted showing maximum levels at the property lines at 0 ft. candles.

Mr. Kelton asked if the trash receptacles were included in the concept? Mr. Parker stated that they will be coming back with a complete site plan for review. Mr. Kelton commented how people pull up to the vacuums and throw trash at it. We need to know that it will be properly handled.

Mr. Parker: at the Nettleton/Stadium location, I use it frequently and it is maintained in a trash-free manner; they have employees out there cleaning constantly.

Mr. Kelton: This blue roof is it what you use on all your buildings, can you use something more earth tone? Mr. Vaden stated that it is the same.. The one now at Stadium is red; it matches our logo.

Mr. Hoelscher asked about the emergency exit lane that is shown off of Southwest Dr.; is it needed? (Alternate B). Its more of a question for the planner, will you want to limit site access off of Haywood Drive and not have the one on Southwest Dr.

Mr. Spriggs stated that had this same issue while reviewing a similar carwash and its more of a design standard issue. Once a vehicle is in the flow, and the patron enters the gate, you can not back up or you may have an emergency and need to exit without going through the building. We've been told this by the designers.

Mr. Parker: there is an emergency exit off to Stadium at the other location. Mr. Vaden explained that sometimes a pick-up truck may come in with chemicals that are unsafe and has to exit.

Mr. Day: Asked about the gate in the rear? Mr. Vaden stated that it is specifically automated for the patrons of the vacuum to make sure traffic flows in proper direction. On Option B you have the entrance and exit off of Haywood. Alternate A, it is the customer's exiting. It keeps them from mistaking it as an entrance and going to the vacuum first.

Sue Parkinson; Southwest Drive; Stated that no one has mentioned the apartments with children riding the bicycles and I worried about the carwash and the children. Mr. Day stated that with that being said we don't have the secondary access to the apartments as far as site development. We don't have the same fire department access.

Mr. Spriggs stated that we can have the fire department review this; I believe that there was an access drive that went on to Craighead. Ms. Parkinson stated that the Church closed that exit. Haywood is a private drive.

Mike Fischer, one of the owners- Off of Haywood Dr., there is an entire loop, the other drive that went to Craighead Rd., and the Presbyterian Church put a temporary barrier there. Right now there is not a throughway. This property if rezoned will have to meet the fire code standards. Question was asked does the church own it? Mr. Fischer stated they owned the property on both sides and he is not sure. He commented on the traffic count to be about 25 to 30 cars an hour. The banks run 250 cars per hour. Mr. Day we are taking out one of the exits. Mr. Fischer stated that there are 3 but there will be 2 remaining. Mr. Spriggs stated that we are getting into site plan issues. We can have the final plan come back and reviewed by the fire department. There are other options to tie into the carwash drives.

Mr. Parker stated that Mr. Vaden is open to a taller fencing with the children concerns.

A motion was made by Joe Tomlinson, seconded by Vice Chair Jerry Halsey Jr., that this Rezoning be Recommended to Council as Amended. The motion CARRIED by the following vote:

**Aye:** 5 - Margaret Norris; Joe Tomlinson; Paul Hoelscher; Jerry Halsey Jr. and Ron Kelton

**Absent:** 3 - Ken Collins; Lonnie Roberts Jr. and Brian Dover

RZ 09-15 [CASE WITHDRAWN AT THE REQUEST OF THE