

Russellville Planning Commission Minutes

November 28, 2016 @ 5:30 p.m.

The Russellville Planning Commission held its regular meeting on Monday, November 28, 2016 at 5:30 p.m. in the Russellville City Hall Council Chambers.

Members Present

Chairman Dennis Boyd
Vice-Chair Doug Skelton
Mike Wilkins
Peggy Stratton
Council Liaison Freddie Harris

Nathan Barber
Karen Yarbrough
John Whiteside
Shirley Hatley

Members Absent

Secretary Wendell Miller

Also present: Mayor Randy Horton, City Planner James Walden, City Engineer Kurt Jones, City Attorney Trey Smith, Planning Assistant Lequitta Jones, Jim Lynch/City Corp, Building Official Brian Holstein Dave Garza/Barrett & Associates, Sierra Murphy/The Courier, Jamie Sorrells, and Jim Campbell.

Welcome

The First Order of Business was a request to review and approve the October 24, 2016 minutes.

Commissioner Wilkins made the motion to accept the minutes as written. The motion was seconded by Commissioner Hatley and passed unanimously.

The Second Order of Business (Tabled from the October 24, 2016 Meeting). A request to vacate all of West 4th Street running between South Quannah Avenue and South Phoenix Avenue described as a 50 ft. right-of-way for West 4th Street lying between Blocks "K" and "N" of the Barger-White Addition to the City of Russellville, Pope County, Arkansas. Submitted by James Campbell, Kevin Fugate, Nathan & Jennifer Barber, and Joan Rickett. (ST.16.10.81)

Commissioner Nathan Barber recused himself from discussion and voting due to his direct interest in this application.

Planner Walden said this request would vacate all of 4th Street between Phoenix Avenue and Seattle Avenue. We have determined the right-of-way will not be used for a street in the future. However, there are currently utilities located along that corridor. There will be a need for an easement. The City will not need it, but an easement is needed for the utilities. The approval is contingent on execution of an easement that meets the need of the utilities through that corridor. *I recommend approval with the contingency that an easement be executed for the utilities through this corridor.*

Mr. James Campbell said the easements have been met. We met with City Corporation and Suddenlink that both have utilities through there and they have agreed to the easement that we granted them.

City Engineer Jones said he had nothing negative to say in regard to this request. I am for this vacation. I would never want an access point on Phoenix at that location anyway.

Chairman Boyd said the commission needs to find that the public interest and welfare will not be adversely affected by granting this right-of-way vacation.

Commissioner Wilkins made the motion to approve the request subject to the granting of the easement for the utilities. The motion was seconded by Commissioner Yarbrough and passed unanimously.

The Third Order of Business was a request to review and approve *Findley Addition Minor Plat* for property located on Findley Lane. Submitted by Dave Garza of Barrett & Associates on behalf of Sheriff Shane Jones. (SD.16.11.313)

City Engineer Jones said this is an area in the Jimmy Lile Road vicinity where we actually have a couple of private roads with residences fronting on them. Mr. Shane Jones came to my office and inquired about getting a building permit to build a home on a piece of property that he was in the process of purchasing. I explained to him that under our ordinances we could not issue a building permit on a metes and bounds piece of property. It would have to be a platted lot. Normally, I would sign off on a minor subdivision. It would not come before the commission. The kicker here is the fact that this property does front on a private road and is served by a private road instead of a public road. I can only sign off in a situation where there is a public road. Engineer Jones said he was not opposed to this request. There are potential issues anytime you are dealing with private roads but I believe in this case, and because of the development that has already taken place in that area, that *it would be appropriate to go ahead and approve this.*

Commissioner Stratton said she went out there and observed that the roads are terrible. We (the City) are not going to have to ever take them over are we? Engineer Jones said there is a risk anytime you approve any kind of private road that at some point it could come back to the City with a request for the City to take them over. Obviously, if that occurs while I'm involved we would not take them over without them being brought up to our standards. I don't think the City would accept these without the roads being improved.

Dave Garza of Barrett & Associates, on behalf of Shane Jones, said that is the reason on the minor plat that we don't show a right-of-way; we showed a roadway easement instead. So that clarifies it when it is recorded in the future that the City can say that it's an easement.

Commissioner Stratton made the motion to approve the request. The motion was seconded by Commissioner Wilkins and passed unanimously.

The Fourth Order of Business was a public hearing requesting review and a recommendation of approval to rezone property currently M-1 (Light Industrial) to C-2 (Highway Commercial) to

allow a church expansion on property located at 610 Lock & Dam Road. Submitted by Dave Garza of Barrett & Associates on behalf of Iglesia Pentecostal Unida Church. (Z0.16.11.202)

Planner Walden said the request is to rezone property located at 610 Lock & Dam Road from M-1 to C-2. The current use is a church. The adjacent property is zoned M-1 to the south, C-2 to the west and north, and R-1 to the east. The Comprehensive Plan indicates this property for low density single-family residential, which is somewhat inconsistent with the actual development pattern out there. The existing zoning is not consistent with the plan. The zoning approval would bring the land use rights for the property more in line with the use of the property and its surrounding context. It certainly protects the public, health, safety, and welfare better than it would if it remained its industrial zoning. The adjacent property owned by the church is already zoned C-2. The M-1 is surrounding it. *The recommendation is approval* simply because it would bring the land use rights more in conformance with what it should be, but it certainly not an ideal situation. In looking at the property, C-2 zoning is more preferable than M-1.

Dave Garza of Barrett & Associates, on behalf of Iglesia Pentecostal Unida Church, said the request is to change present M-1 zoning to C-2. The church is planning an expansion and they are tying into an existing building which is non-conforming because of the existing zoning. So that is why we are requesting the rezoning; to bring it into compliance. Then we will start the large scale development process.

Chairman Boyd opened the floor for public comment. There were no comments.

Commissioner Wilkins made the motion to approve the request. The motion was seconded by Commissioner Whiteside and passed unanimously.

The Fifth Order of Business was a request to review and approve the large scale development plan for the proposed Iglesia Pentecostal Unida Church for property located at 610 Lock & Dam Road. Submitted by Dave Garza of Barrett & Associates on behalf of Iglesia Pentecostal Unida Church. (DV.16.11.147)

Planner Walden said this request is based on the pending re-zoning of the property which would then makes it conforming. The current request is for approval to construct a 10,500 square foot expansion to the church (180% expansion) with 72 new parking spaces (160% expansion), basketball court, volleyball court, soccer fields and a walking track. The comments that we had have been largely addressed. This proposal is not consistent with the Comprehensive Plan. The one unresolved comment that we have is that the property should be platted as a one-lot subdivision. *So the recommendation is approval is with two contingencies:*

- 1) Plat the property prior to obtaining a Certificate of Occupancy on the new structure.
- 2) Provide a complete grading plan prior to obtaining a building permit that is satisfactory to the city engineer.

Mr. Garza said the large scale development approval is just part of the plan. The second step, if you grant the large scale development plan, is that we will have to submit to the City construction plans, civil plans, grading plan, utility plan, and a more comprehensive storm water management

plan as well as all the architectural plans. We still will have to come back to the staff for that approval. And at that time we will provide the one-lot subdivision.

Chairman Boyd asked Mr. Walden if his recommendation was still approval with two conditions in lieu of Mr. Garza's comments. Planner Walden said it will work either way.

Commissioner Wilkins made the motion to approve as submitted if appropriate paperwork is submitted to the City and Engineer Jones approves. The motion was seconded by Commissioner Hatley and passed unanimously.

The Sixth Order of Business was a request for discussion only for the large scale development plan for the proposed Sorrells Body Shop facility for property located on East Main Street/Kendrick Property-Golf Driving Range. Submitted by Dave Garza of Barrett & Associates on behalf of Sorrells Body Shop. (DV.16.11.146)

Planner Walden said the reason this application was being reviewed for discussion only was due to the fact that this development would also require a Special Use Permit to operate an auto repair facility in this C-2 zone. That application was not submitted by the deadline and the two applications need to run parallel. You can't do the large scale before you do the Special Use Permit. So if you look at the staff report there are a lot of outstanding comments. It's just because we received this, provided our comments, and haven't yet received the applicant's revisions so tonight will be an informal review. This use is very intense for a body shop and this is going to be a pretty large one in terms of the size of a body shop. The things that we recommended were:

- Consider parking islands to break up the sea of asphalt; consider reducing the amount of excess parking on site that would allow the introduction of some green space -- basically parking lot islands which means you get curb and gutter and a little bit of green space.
- Consider adding a landscaping plan. This would be something that would most likely be a recommendation as part of the special use process that the staff would request.
- What is the justification for the site's 144 proposed parking spaces with repair bays that only hold about 1/3 of that capacity? Is the site going to be used for long-term storage of wrecked vehicles? In talking with the applicant, it appears that it was more a result of vagueness in the zoning code in terms of how many parking spaces would be required. I think the Staff and Planning Commission would be agreeable to far less spaces more in line with whatever might actually be necessary on the site.
- Consider adding more extensive fence screening for the storage area. There is a storage area to the northwest that should consider having some additional opaque fence screening particularly as it relates with the western and south side and the adjacent property. Also, give consideration to the east and north side where this development would only be taking up a portion of a very large tract. Consider the affect on future development out there although that property currently is not subdivided, it is all one tract. Based on what we've been asked to review in regard to this particular application, this is the ultimate build-out of the property as far as we know at this time. However, it appears that the property is being shaped in a way to allow future development.

- Include architectural materials that will be used on the structure. The rendering looks pretty nice but we want to make sure we know what actual building materials will be used.
- The proximity of the western most driveway to the driveway on the adjacent property is a safety concern. They are proposing two driveways. We're recommending consolidating the two driveways into a single driveway in order to decreasing the number of ingress/egress locations onto East Main in an effort to reduce the potential for accidents and traffic complexity.
- Consider making Prairie Creek a drainage and trail easement that would require a separate platted document suitable for filing. There are some issues with flood study in that area so it would be kind of vague at this point to understand exactly what area would need to be dedicated for drainage.
- We had talked about replacing the sidewalks on East Main. I think we got comments back from the highway department that they were not amenable to that. So the sidewalks that are currently there would remain as part of this application.

The proposed development is mostly consistent with the Comprehensive Plan as being a sort of special permit use in a C-2.

Dave Garza said we considered putting a couple of islands in the front and then the applicant came to me and said that wasn't going to work because of the direction that the wrecker trucks enter the property. They come in that front area and the islands would present a problem. We are going to leave the large island to the north where the parking is on the side. Although not shown on the plan you have, we did move the driveway that was closest to the Italian Restaurant further to the east. We need two driveways in there. The Italian Restaurant driveway is one-way only. Traffic comes in on one driveway and then they exit on the other side. After relocating our driveway, we are now 78 feet away edge-to-edge of their driveway. We hope that is a good compromise. We also show more landscaping with the revised plan; a couple of trees in the islands, some lighting, fencing around the complex will be screened, added a wooden fence and ample parking for the storage. There will be cars in the back at times. He just wanted to make sure he had enough storage for that.

Commissioner Wilkins asked if that storage area will be completely fenced with a privacy fence. Mr. Garza said, yes. It will more than likely be a chain link fence with the slats for security. As far as the creek in the rear of the property, the floodway back there is really wide and there is a lot of property back there that he can't use. So that makes perfect sense to make a trail.

Commissioner Stratton said what she was concerned about when is that when you see the word "body shop" you think of junker cars sitting all over the place, and the potential for that. I think of the boat place on East Parkway that we can't get cleaned up. We need to know that you are not going to keep cars back there that are totaled and need to be removed and disposed of.

Commissioner Skelton asked when you load and unload those vehicles on your tow trucks will it be done inside the opaque fence. Mr. Sorrells said, yes and some outside.

Engineer Jones said this is a fairly large site so looking ahead after the large-scale development plan requires some grading and drainage issues that are going to have to be addressed, erosion control and so forth. The only comment I have about the site plan that has been submitted at this point is that it was mentioned that there was an excess of parking on the site right now, in particular I'm concerned about the three parking spots located west of the west entrance. I would strongly recommend those be eliminated. Mr. Garza said the west entrance has moved to the east so that should alleviate that concern.

No action taken.

Meeting Adjourned

Chairman Dennis Boyd