

**PLANNING COMMISSION
MINUTES
May 4, 2023 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday May 4, 2023, at 5:30 p.m. in City Hall Council Chambers.

Commissioners Present

Wendell Miller, Chairperson
Don Jacimore, Vice-Chairperson
Larry Smith
Eric Westcott, City Council Liaison
Shirley Hatley
Cheryl Monfee
John Choate

Commissioners Absent

Cody Black
Justin Cothren
Luke Duffield

Visitors: City Planner Sara Jondahl, Planner I Victoria Marchant, and David Garza.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting April 6, 2023.

The Second and Third Order of Business is rezoning a property from R-2/M-2 to M-1, located at 3300 Bernice Ave. Submitted by Barrett & Associates on behalf of Molly B Enterprises. (ZONE-0323-000339)

City Planner Jondahl stated that this application was filed in March and that staff asked the applicant to allow them to delay for one month because they saw in the Comprehensive Plan that this area was to be industrial, so they went ahead and the next application is a direct result of this one. She stated that they are going to rezone this entire area to industrial, in alignment with the Comprehensive Plan. City Planner Jondahl stated that they are requesting to rezone areas that are R-2 and M-2 to M-1 which is “light industrial.” City Planner Jondahl stated that this is located south of Bernice and along S Frankfort and is primarily vacant land with the exception of the mini storage buildings under construction. She stated that this is an area of Mixed Commercial and Industrial properties, yet a majority of the subject property is zoned R-2 - Medium Density Residential. City Planner Jondahl stated that the current uses of properties along Bernice Ave are a mixture of commercial and industrial properties. She stated that ReImagine Russellville 2040 Comprehensive Plan, defines this area as “Industrial Campus,” which are industrial complexes made up of large-scale industrial operations. City Planner Jondahl stated that changing the zone

from R-2 Medium Density Residential to M-1 Light Industrial may change the income or value potential of those properties zoned as R-2, however this is in alignment with the Comprehensive Plan and more accurately reflects future growth in this area.

Staff recommends forwarding this application to City Council with a recommendation of Approval as a result of the findings that:

1. The application is in line with existing and Future Land Uses within the area; and
2. The proposal aligns with the ReImagine Russellville 2040 Comprehensive Plan; and
3. There is no increase of value or income potential of the property; and
4. The city is rezoning adjacent property to M-1 Light Industrial in addition to this application.

Commissioner Smith asked if where the storage buildings were being built were zoned as M-1. City Planner Jondahl clarified that it is currently zoned M-2 and that they are rezoning it to M-1.

Mr. Garza of Barrett & Associates stated that part of the R-2 section where the landfill is located is deed restricted by the State so they cannot use the land for residential purposes as it is restricted.

Chairperson Miller asked if it perked. Mr. Garza replied that it does not matter because the issue is with what is underneath.

Mr. Garza stated that you can build commercial and manufacturing on this property. He stated that since the M-2 is Heavy Industrial, they did not feel like it was appropriate and that Light Industrial is better in that area.

Commissioner Choate motioned to approve the application as presented. The motion was seconded by Commissioner Smith and passed unanimously.

The Third Order of Business is Rezoning a property from R-2 to M-1, located along S Frankfort between the 3300 block and the 4000 block of S Frankfort Ave. Submitted by the City of Russellville. (ZONE-0323-000339)

City Planner Jondahl stated that this is a zone change. She stated this is located south of Bernice and along S Frankfort and is primarily vacant land with the exception of the Mini Storage buildings under construction. She stated this is an area of Mixed Commercial and Industrial properties, yet a majority of the subject property is zoned R-2 - Medium Density Residential. City Planner Jondahl stated that she reached out and personally talked to each of the property owners to make sure that there were no objections prior to even starting this application, and every one was in support of it. She stated that the area east of the City is the Duffield Gravel Company, so you would not want residential properties there anyways. She stated that industrial uses make more sense in this area. City Planner Jondahl stated that they did not go up the hill because there are residential uses there, and they wanted to maintain a separation. City Planner

Jondahl stated that the current uses of properties along Bernice Ave are a mixture of commercial and industrial properties. She stated that the ReImagine Russellville 2040 Comprehensive Plan defines this area as “Industrial Campus,” which are industrial complexes made up of large-scale industrial operations. She stated that changing the zone from R-2 Medium Density Residential to M-1 Light Industrial may change the income or value potential of those properties zoned as R-2, however this is in alignment with the comprehensive plan and more accurately reflects future growth in this area.

Staff recommends forwarding this application to City Council with a recommendation of Approval as a result of the findings that:

1. The application is in line with existing and Future Land Uses within the area; and
2. The proposal aligns with the ReImagine Russellville 2040 Comprehensive Plan; and
3. There is no increase of value or income potential of the property.

Commissioner Choate asked what the “little notch that cuts out” was on the map of the subject properties. City Planner Jondahl stated that it is a property that is not owned by Molly B Enterprises. She stated that it will be zoned M-1 but it could not be on the previous application because it is not under Molly B Enterprises’ ownership. She stated that it was included on this application to avoid spot zoning.

Commissioner Choate made a motion to approve the application as presented. The motion was seconded by Commissioner Monfee and passed unanimously.

The Fourth Order of Business is Rezoning a property from R-3 to M-1, located at 3036 E 16th Street. Submitted by the City of Russellville. (ZONE-0423-000356)

City Planner Jondahl stated that the Fire Department is building a new fire training burn center, but part of the land is zoned R-3 and not M-1. She stated that this is where the RPD firing range is which is not a permitted use in a residential area. City Planner Jondahl stated that this is located south of 16th Street and north of the Russellville Airport. She stated that this application includes a portion of the proposed location for the New Fire Training Facility and includes all of the Russellville Police Department Shooting Range. She stated that the Russellville National Guard is located just to the west of the subject property. City Planner Jondahl stated that all surrounding property are zoned M-1 and area various industrial/manufacturing facilities and airport facilities. City Planner Jondahl stated that the current uses of properties in this area are industrial. She stated that the ReImagine Russellville Comprehensive Plan defines this area as “Industrial Campus,” which are industrial complexes made up of large-scale industrial operations. City Planner Jondahl stated that changing from R-3 Medium High Density Residential to M-1 Light Industrial may change the income or value potential of the property, however this is in alignment with the Comprehensive Plan. She stated that this property is already developed in a way that reflects industrial uses and is merely to clean up spot zoning.

Staff recommends forwarding this application to City Council with a recommendation of Approval as a result of the findings that:

1. The application is in line with existing and Future Land Uses within the area; and
2. The proposal aligns with the ReImagine Russellville 2040 Comprehensive Plan; and
3. There is no increase of value or income potential of the property; and
4. This is being done to clean up spot zoning that currently exists.

Commissioner Hatley made a motion to approve the application as presented. The motion was seconded by Commissioner Chaote and passed unanimously.

The Fifth Order of Business is Vacation of a portion of N Greenwich Ave adjacent to Lot 7 and a portion of East E Street adjacent to Lots 7 & 8 Block 86 of the JL Shinn Addition. Submitted by Barrett & Associates on behalf of Wendy Tran. (VAC-0323-000338)

City Planner Jondahl stated that both of the E G St and N Greenwich Ave are currently 80 ft right of ways. She stated that it is an existing residential home located on lot 7 with a large side yard over most of lot 8 located at the corner of East E Street and N Greenwich Ave. She stated that this property and all surrounding properties are zoned R-2 Medium Density Residential. She stated that Properties to the south along East Parkway Drive are zoned C-4 Neighborhood and Quiet Business. She stated that this is primarily a mixed residential community with single family homes, duplex dwellings, and small scale multi-family units. City Planner Jondahl stated that there are three things you review when looking at Vacation of Right of Ways. She stated that the first one is Public Trust Functions. She stated does the vacation impair circulation, access, utilities, open space, and/or views? City Planner Jondahl confirmed that no, this proposal is requesting to vacate only a portion of the right of way. She stated that there is an existing 80 foot right of way where only a 50 foot right of way is required. She stated by allowing the vacation of right of way the existing property will be conforming in relation to setbacks and lot 8 will be over 8,000 square feet making the property large enough to build a duplex on. She stated that the second thing to look at is what are the land use impacts regarding the vacation of right of way. City Planner Jondahl stated that the impact is that the property owner has development rights in compliance with regulations and ensuring the existing home is a conforming structure. She stated that the third thing to look at is what Public Benefit is received by vacating the Right-of-Way. City Planner Jondahl stated that there is neither a benefit received or reduced by vacating the Right-of-Way since this Right-of-Way is 80 feet and the existing area to be vacated is currently maintained by the property owner. City Planner Jondahl stated that City Corporation is requesting a five foot easement to remain adjacent to the Right-of-Way along N Greenwich Ave to ensure access to the existing waterline located within the Right-of-Way adjacent to the Future Property Line once the vacation is granted. She stated that this would give them sufficient space on either side of the water line for access. City Planner Jondahl stated that there were no objections filed from Entergy, Brightspeed, or Summit Utilities. City Planner Jondahl stated that no comments were received from AlticeUSA after emails, voicemails, and text messages to numerous field staff. She stated that Barrett & Associates relayed that they are aerial on the same poles similar to Brightspeed so they should not have an objection. She stated that since the

original request to AlticeUSA for comment was on March 11,2023, they have had sufficient time to respond.

Staff recommends forwarding this application to City Council for Approval to vacate 15 feet of ROW along East E Street and 10 Feet of ROW along N Greenwich Ave adjacent to 701 East E Street with the following condition:

1. Retain 5 feet as a Water Utility Easement for the existing water line adjacent to the property along N Greenwich.

As a result of the findings below:

1. There is not an impact to the Public Trust, Land Use Impacts, and no adverse effects to the Public Benefit; and
2. No objections filed by any utility company for the Vacation; and
3. City Corporation was a water main in this area of the vacation of the Right-of-Way and requested retention of an easement.

Commissioner Smith made a motion to approve the application as presented. The motion was seconded by Commissioner Monfee and passed unanimously.

Meeting adjourned.

Chairperson