

**PLANNING COMMISSION  
MINUTES  
May 6, 2021 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday May 6, 2021 at 5:30 p.m. in City Hall Council Chambers.

**Commissioners Present**

Chairman Wendell Miller  
Vice-Chairman Jacimore  
Shirley Hatley  
Luke Duffield  
Cheryl Monfee  
John Choate  
Larry Smith  
Justin Keller

**Commissioners Absent**

Secretary Justin Cothren  
Cody Black

**Visitors Present:** City Attorney Trey Smith, City Planner Sara Jondahl, Planner I Victoria Marchant, Flood Manager Ben Gray, City Engineering Tech Armando Diaz, City Engineer Glenn Newman, Jim Lynch of City Corporation, Zayne Bryson of City Corporation, Larry Walker, David Garza of Barrett & Associates, Monty Moix of William Wiedower Architects, Gregg Long of Crafton Tull, Andy Estes of ACE Specialties and Jeremy Estes of ACE Specialties.

**Welcome Visitors**

**The First Order of Business** is a request to review and approve the minutes of the Planning Commission Meeting April 1, 2021.

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

**The Second Order of Business** is a Large Scale Development located at 104 South Rochester Avenue. Submitted by Barrett & Associates on behalf of Arkansas Workforce. (LSDV-0421-000076)

City Planner Jondahl stated the application is to request a Large Scale Development approval to allow the construction of a 4,000 sqft addition to an existing 14,000 sqft structure. This creates a total building size of 18,000 sqft which moves it into the Large Scale Development requirement. The existing structure currently meets the Commercial Building Design requirements and they are proposing to add on to the building in the same fashion so that it would still meet Commercial Building Design. The only thing that staff had any comments about was that there is

a portion of the parking along S Rochester that is going to remain in the Right-of-Way. They were able to move it back from the curb 6' and they are going to do a Memorandum of Understanding for the additional 5' and that will be required prior to Certificate of Occupancy to allow them to continue moving forward.

It is staff's recommendation to approve the Large Scale Development to allow construction of the 4,000+ sq ft addition with the following conditions:

1. Complete an incidental subdivision application creating a subdivision; and
2. Complete a MOU for the parking within the ROW prior to certificate of occupancy.

As a result of the findings below:

1. The applicant demonstrates compliance with the regulations within Article 2.10 of the Russellville Zoning Code; and
2. The applicant demonstrates compliance with the regulations within section 7 of the Land Subdivision Development Code.

David Garza of Barrett & Associates said they are doing similar expansions at several Workforces throughout the state. Mr. Garza said as City Planner Jondahl stated all the parking is going to meet requirements even with the addition. Mr. Garza stated they had been parking almost to the curb but they were able to move it back from the Right-of-Way and they will re-stripe the parking.

Commissioner Choate made the motion to approve the item as presented by staff. The motion was seconded by Commissioner Smith and passed unanimously.

**The Third Order of Business** is a Large Scale Development located at 305 Darby Lane. Submitted by Barrett & Associates on behalf of ACE Specialties. (LSDV-0421-000074)

City Planner Jondahl stated that this is an application for a Large Scale Development that is within the Planning Boundary, it is not within City Limits. Because it is within the Planning Boundary and due to the size of the building and the overall acreage of the parcel it is required to go through the Large Scale Development process. City Planner Jondahl stated that it kind of caught the applicants off guard and they had already begun doing earth work and have since stopped and are waiting for this process to continue. She also noted that there is a late agenda item that was added. City Planner Jondahl stated that the late agenda item addresses that in 2001 City Corporation Board approved extension of water and sewer lines to this property but it was never passed in the Planning Commission and never went to City Council to authorize the connection to water and sewer. City Planner Jondahl stated this Large Scale Development is to allow the construction of a 16,000+ square foot industrial building on Darby Lane. It is only subject to the Land Subdivision Development Code because it is in the Planning Boundary outside City Limits and no zoning has been applied to the property. The application was reviewed against Section 7 of the Land Subdivision Development Code. The LSDC is adopted to: 1. Protect and provide for the public health, safety, and general welfare of the city; and 2. Guide future growth and development in the Planning area in accordance with adopted plans; and 3. Provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of land; and 4. Protect the character and social / economic stability of all parts of the city and its' planning boundary; and 5. Several other items establishing reasonable standards, ensuring public facilities, prevent pollution, and to preserve

the natural beauty. The proposed use of the property being a Manufacturing (Fabrication and Assembly) Facility is not in line with the recently adopted ReImagine Russellville 2040 Comprehensive Plan which shows that this area would develop in a more residential fashion. However, this area has already seen smaller commercial developments to the west of this property that were not subject to the LSDC which would change the character of Darby lane away from a residential neighborhood to a commercial area. City Planner Jondahl stated as we move forward it is staff's opinion that if Darby lane were annexed into the City that the proposed zoning would be C-2. This would be permitted as a "Steel Products – Fabrication and Assembly" facility and would be permitted by Special Use Permit. The Land Subdivision Development Code does state that the development would be subject to setbacks for a C-4 zone which the proposed development meets. The proposed parking should comply with ADA requirements.

It is staff's recommendation to approve the Large Scale Development to allow construction of the 16,000 sqft industrial building with the following conditions:

1. Obtain approval from the Planning Commission and City Council to connect to the City's water and sewer system.

As a result of the findings below:

1. Although the proposed use is not in line with the comprehensive plan, the recent development and the future zoning of the property would allow the proposed use by special use permit; and
2. The applicant demonstrates compliance with the regulations within section 7 of the Land Subdivision Development Code.

David Garza of Barrett & Associates said that this did catch the applicants off guard and that they started working on the property not knowing what the requirements were. Mr. Garza stated he worked with City Planner Jondahl, Mayor Harris and Fire Marshall Setian to get the project back on the fast track. He stated the applicant has orders for his product at his other facility and has exceeded those orders by a tremendous amount therefore they need to get the building up as quickly as possible. Mr. Garza said after working with City Staff he thinks they have a solid plan of how to get this done and that they have identified some issues they will need to address in the future and they will get those worked out. He said the sewer and water is already there and that they had no idea it had not been approved until they started the Large Scale Development process.

Commissioner Smith asked if the preliminary drainage study had been submitted for the City Engineers review and approval. Mr. Garza stated that it has been submitted.

Commissioner Duffield made a motion to add the Late Agenda Item (item 11) Outside City Limits Water and Sewer Connections located at 305 Darby Lane, submitted by Barrett & Associates on behalf of ACE Specialties (MPA-0421-000080) be added to the agenda at this time. The motion was seconded by Commissioner Choate and passed unanimously.

Commissioner Duffield made the motion to approve the Large Scale Development and Outside City Limits Water and Sewer Connections at 305 Darby Lane be approved with conditions as presented by staff. The motion was seconded by Commissioner Choate and passed unanimously.

**The Fourth Order of Business** is a Large Scale Development located at 5520 N Arkansas Avenue. Submitted by Barrett & Associates on behalf of Tobacco Town and Bates Distributing Co. (LSDV-0421-000075)

City Planner Jondahl stated this is a Large Scale Development to allow the construction of a 32,000+ square foot office and storage warehouse for Bates Distribution located 5520 N Arkansas. She stated this area is a major entrance into Russellville from the north and is designated as Scenic Highway 7. This requires a Large Scale Development application according to the Land Subdivision Development Code because of the size of the building and the size of the property. In the Land Subdivision and Development Code Section 1.9 states no building permit will be issued to a metes and bounds property. An incidental subdivision application will be required prior to building permit issuance and a recorded plat will be required prior to certificate of occupancy. City Planner Jondahl stated that they clearly meet the setback requirements. Sidewalks per 3.21.1(C) requires new commercial construction projects to construct 5-foot sidewalks along the entire frontage of the property. City Planner Jondahl stated currently there are no sidewalks along this portion of N Arkansas Avenue and she does not foresee them being constructed anytime in the near future. Article 3.21.3 provides an option to allow a payment in lieu of option. Staff would recommend for the applicant to request to make a payment in lieu of construction for this location. Those sidewalks would not be built in front of their property but that money would be placed in a fund to help build sidewalks elsewhere in town. City Planner Jondahl stated they are meeting the parking requirements. Article 3.63 requires a privacy fence for commercial properties abutting a residential use or zone and Article 4.33 requires screening for vehicle storage areas, any area not hard surfaced is required to provide a sight obscuring fence. City Planner Jondahl said Mr. Garza submitted photos showing there is a portion of the property that would be screened from abutting residential properties by trees and they are proposing to construct a privacy fence in the other required areas. City Planner Jondahl noted they don't have any plans proposing site obscuring fencing or gates keeping the driveway portion at the gravel storage area from view when it is not in operation.

It is staff's recommendation to approve the Large Scale Development to allow construction of the 32,000+ sqft office and warehouse facility with the following conditions:

1. Complete an incidental subdivision application creating a subdivision; and
2. Submit payment in lieu of for the construction of the sidewalks; and
3. Provide a sight obscuring fence along the north, south, and west sides of the gravel area for the building to comply with article 3.63 and 4.33; and

As a result of the findings below:

1. The applicant demonstrates compliance with the regulations within Article 2.10 of the Russellville Zoning Code; and
2. The applicant demonstrates compliance with the regulations within section 7 of the Land Subdivision Development Code.

David Garza of Barrett & Associates said there is a creek along the north side of the property that has a lot of vegetation and they will be using that as the screening. He said they are going to take the security fence out to the creek and then the creek will be the boundary for security on that end of the property. There is already a portion of fence on the south end and they will be adding to the west and to the east of the front face of the building and where the gravel parking is. Mr.

Garza said that the site sits down so the screening may not do any good but he did understand that it is a requirement in the code.

Commissioner Duffield asked Mr. Garza if this property fell within the opportunity zone. Mr. Garza stated that he did not know.

Commissioner Monfee made the motion to approve the item with conditions as presented by staff. The motion was seconded by Commissioner Duffield and passed unanimously.

**The Fifth Order of Business** is a Commercial Building Design Waiver located at 5520 N Arkansas. Submitted by Barrett & Associates on behalf of Tobacco Town and Bates Distributing Co. (SPUP-0421-000069)

City Planner Jondahl stated that this application is being brought to the Planning Commission to request a waiver to the Commercial Building Design Requirement for the new construction of the Bates distribution warehouse located 5520 N Arkansas. This is the major entrance into Russellville from the North and is designated as a scenic highway. She stated that all of the properties around this property with the exception of two have already met Commercial Building Design citing specifically the old Lee's Trash Service building, the siding company building, and Tri-County Water building. City Planner Jondahl stated that they are proposing for a portion of the facade to meet Commercial Building Design but the rest of the structure is a metal building. During the Technical Review meeting it was approached that the applicant may just do the office area to meet Commercial Building Design but that was never confirmed with staff. Staff would be amenable if the office portion of the building met the Commercial Building Design Standards, so that the first thing you see from the street is something that meets the standards. The structure is substantially larger than all of the surrounding buildings. City Planner Jondahl stated that with this being a major corridor and a scenic highway it is staff's recommendation that they would meet the Commercial Building Design Standards.

Staff recommends denial of this commercial building design waiver as a result of the findings below:

1. The scenic highway 7 designation would dictate conformity to Article 3.20 thus requiring the applicant to meet the design guidelines of Article 3.20; and
2. The proposed structure is not in visual harmony with the surrounding buildings, area, or community; and
3. The size and bulk of the proposed structure are not comparable to other buildings in the area; and
4. The construction does not meet the intent of the zoning code.

David Garza of Barrett & Associates said he disagreed with City Planner Jondahl stating that there are several metal buildings out that way. He said that Tri-County Water changed the front facade portion of their building to meet Commercial Building Design but the back and sides of the building are still metal. He also stated that it would make sense that the siding company would put siding on their building. He also said that the Lee's Trash Service Building is a small building. Mr. Garza stated that they are not asking for the waiver for the whole building but instead they are just asking for the waiver for the warehouse section. He stated that they are using architectural metal and rock on the front office portion of the building.

Monty Moix with William Wiedower Architects said on the warehouse portion of the building they will be taking an “R” Panel and reversing it. When they do this they can put all of the fasteners on the inside which creates a hidden fastener and puts the wider 12” side on the outside. He stated it creates a more architectural feel. They will be doing this all the way around the entire warehouse portion of the building. Mr. Moix pulled out a sample of what they are calling the “architectural metal” for the office portion of the building. It is a metal panel with 6” ribs to create a board and batten look which they could put horizontally or vertically. It will be located between the rock portion of the facade and the eave.

Commissioner Hatley asked what materials will be on the front facade of the building. Mr. Moix said the majority of the front of the building is rock. He said there is a 28-30’ wide entrance with rock all the way up and which has a metal crows foot truss sticking out on the front. He said the rest of the office portion would be rock 3 feet up and then it would be the metal he presented between the rock and the eave. He said they created a steeper pitch on the office building to try to hide the front of the warehouse portion. Mr. Garza cited the recent Innovation Industries project which was a beautiful new office building in front which shields the brick and metal existing building behind it. He stated that is what they are trying to do with this building, the office portion is meant to be appealing but the warehouse is a warehouse. Mr. Garza stated that they could potentially do some landscaping to better shield portions of the warehouse.

Vice-Chairman Jacimore asked if the front arch would be facing Highway 7. Mr. Moix confirmed that it would be and he reiterated that the majority of the front would be rock.

Chairman Miller said he believes the way they are proposing to do the metal would give it a unique look. Mr. Moix said the intent of doing it that way was to give it a board and batten look and make it look more modern.

Mr. Garza said that City Planner Jondahl had suggested that if the full length of the office met Commercial Building Design that staff would be amenable to that. He stated he talked to the owners and that was what they were wanting to do to make the whole office nice, he stated that he had not had the chance to pass that information along to staff.

Commissioner Monfee asked City Planner Jondahl if the office was modified to meet Commercial Building Design if that would be acceptable. City Planner Jondahl confirmed that would be acceptable. Commissioner Monfee said the applicant is talking about meeting those standards. City Planner Jondahl stated that this metal that was being proposed was not on the list of architectural metals identified in Article 3.20 of the Russellville Zoning Code. City Planner Jondahl stated because of that she is not sure that she could classify this as meeting Commercial Building Design. She stated that she was not provided the metal material information prior to the meeting and her report was based on the information that had been provided prior to the meeting.

Commissioner Hatley asked why staff was not provided the necessary information prior to the meeting. Mr. Garza apologized and stated that they are working on many different projects and some of the information is not getting out fast enough. Mr. Garza stated that he believed the updated facade elevations were provided. He stated that Mr. Moix had gone up to Conway and

spoken with the former City Planner James Walden and that Mr. Walden had stated that the proposed material was an architectural metal. Mr. Garza said Mr. Walden was supposed to talk to City Planner Jondahl. City Planner Jondahl stated that she had not been contacted by anyone and had not received any revised drawings. Mr. Garza stated that it was discovered that the revised drawings were submitted in a set of plans for the commercial building permit that staff had not reviewed because it was on hold until the Large Scale Development was approved and the revised plans were never received by the Planning Department to add to the Commercial Building Design file.

Commissioner Duffield asked since staff had not had the opportunity to review the revised plans, if the applicant and owner would be amenable to the application being tabled. Mr. Garza said he would rather do that than have denial. City Planner Jondahl said staff would be willing to move forward with the review and issuance of a conditional building permit since the facade portion would be finished later in the development process. This would allow them to move forward with construction because the Large Scale Development had been approved.

Commissioner Duffield made the motion to table the item. The motion was seconded by Commissioner Hatley and passed unanimously.

**The Sixth Order of Business** is a Special Use Permit to allow a warehousing, inside storage only and a trailer terminal and distribution business in a C-2, located at 5520 N Arkansas. Submitted by Barrett & Associates on behalf of Tobacco Town and Bates Distributing Co. (SPUP-0321-000078)

City Planner Jondahl stated that this application is being brought to the Planning Commission to request a Special Use Permit to allow operation of Bates distribution warehouse located 5520 N Arkansas. Staff had initially thought the proposed uses were permitted however, since it is a distribution warehouse it did have to go through the Special Use Permit process. Staff added this application after the application deadline trying to work with the applicant because they had already done notice and placed a sign on the property. City Planner Jondahl said similar to a Commercial Building Design waiver there are certain things you have to take into consideration for a Special Use Permit such as: 1. Is it designed to be in visual harmony with buildings either in the same vicinity or along the same commercial corridor. 2. Are there any discernible public benefits that would be gained by requiring an alternative design. 3. The size and bulk of the proposed building is comparable to or smaller than other buildings within the immediate area. 4. The proposed construction meets the spirit and intent of this section of the zoning code. She stated that many of those items have already been discussed. City Planner Jondahl said as the Commission knows, it is a lot larger than surrounding buildings so staff recommends care is taken to offset any of the visual impacts. She stated that from the site plan it can be seen that they have spaced themselves from adjacent properties and they are adding the fence that was recommended in the Large Scale Development.

Staff recommends forwarding this application to City Council for approval of this special use permit with the following condition:

1. Construct a 6 foot privacy fence along the south property line to offset visual impacts to the residential properties.

2. Construct a 6 foot privacy fence screening in the gravel yard portion of the property from the ROW with allowances for gates on each side.
3. Request to pay a fee in lieu of construction of a 5 foot sidewalk along the frontage of the property; and
4. If a sign is proposed, a separate sign permit will be required.

As a result of the findings below:

1. The structure is more than double in size than any nearby structures and at least 13 times larger than adjacent residential structures.
2. Public Safety requirements of the proposed structure are met; and
3. Current traffic routes are constructed in such a way to handle the traffic from the business; and
4. Public Facilities already service this location.

Commissioner Smith asked Mr. Garza if there was sewer on this site. Mr. Garza said there was not, there will be a septic system on site and it has perc.

Commissioner Smith made the motion to approve the item as presented by staff. The motion was seconded by Commissioner Choate and passed unanimously.

**The Seventh Order of Business** is a Special Use Permit to allow an auto repair garage in a C-2, located in the 700 block of Lock and Dam Road. Submitted by Barrett & Associates on behalf of Wayne Smith Trucking. (SPUP-0321-000071)

City Planner Jondahl stated this is a request to allow construction and operation of a truck repair business including fuel for the fleet of Wayne Smith Trucking on the C2 portion of the property located in the 700 block of Lock and Dam Road. She noted that the back portion of this property is currently R-1 and this Special Use Permit is just for the C-2 portion of the property. Located in the 700 block of Lock and Dam Road within the Old Post Recreational Area this is a vacant property adjacent to Iglesia Pentacostal Church and between Dow Road and International Paper Road. The proposed use of the property allowing the operation of an Auto Repair, Auto Service or Auto Body shop is for Wayne Smith Trucking, not necessarily for private entities. The table of permitted uses states that "Auto Repair, Auto Service or Auto Body shop" are permitted by special use only within the C2 zone. The façade of the proposed structure is in visual harmony with the commercial corridor, there is no discernible public benefit that would be gained by requiring an alternative design, the size and bulk of the proposed building is comparable to or smaller than other buildings within the immediate area, and the proposed construction meets the spirit and intent of this section of the zoning code. Article 3.21 provides an exception within the Arkansas River District which is adjacent to this location and requires the construction of a multi-use 10-foot trail along the southern side of Lock and Dam Road, since this is along the north side sidewalks / trails will not be required. They meet the parking requirements. Article 4.3.4 2) requires vehicle storage areas to be screened by a 5 to 6 foot sight obscuring ornamental fence, wall, or hedge. This section would apply for the areas of gravel proposed on the property.

Staff recommends forwarding this application to City Council for approval of this special use permit with the following condition:

1. Construction and Operation is only permitted within the C2 portion of the Property; and

2. A separate Special Use Permit shall be obtained if the remaining property is zoned C2 prior to operation and use of that portion of the property; and
3. This Special Use Permit does not obligate Planning Commission or City Council to approve a future request if the remaining property is rezoned C2; and
4. Construct a sight obscuring fence for all gravel areas of the property to comply with Article 4.3.4 2) screening from the ROW and to help visually maintain this location as an entrance to the recreational corridor; and
5. If a sign is proposed, a separate sign permit will be required.

As a result of the findings below:

1. Public Safety requirements of the proposed structure are met; and
2. Current traffic routes are constructed in such a way to handle the traffic from the business; and
3. Public Facilities already service this location.

Commissioner Smith asked if this property was the 17 acres that had previously been a dump site for tires and was next to the pump station. City Planner Jondahl confirmed that it was.

Commissioner Duffield made the motion to approve the item with conditions as presented by staff. The motion was seconded by Commissioner Monfee and passed unanimously.

**The Eighth Order of Business** is a Vacation of a portion of North Erie Avenue Right-of-Way and a portion of East “F” Street Right-of-Way located along the frontage of 514 North Erie Avenue. Submitted by Gary Scarborough. (VAC-0421-000065)

City Planner Jondahl stated that this application was brought to staff’s attention by realtors trying to sell the property but could only sell it to cash buyers because the house was built in the existing Right-of-Way. The applicant is vacating the 12.5’ along the frontage of North Erie and 20’ along the frontage of East F. When considering vacating easements or right-of-way, public trust, land use impacts, and public benefits should be considered. City Planner Jondahl stated there is no real impact to the public trust functions of the Right-of-Way and that it is not going to impair circulation, access or utilities. She said both Erie and F Street are 80’ Right-of-Ways and these are local streets, therefore, we do not need that much Right-of-Way. Staff did receive comments back from the utility companies and Entergy did request to retain the area of the Right-of-Way as an easement. City Corporation also needs to retain easements regarding their water lines on both Erie and F Street. Staff did also want the owner to know that this property is in a designated flood zone. Future changes to this property will require permits before work can take place.

Staff recommends forwarding this application to City Council for Approval to vacate 12.5 feet along the frontage of north Erie (approximately 50 feet in length) and 20 feet along the frontage on East F Street (approximately 87.5 feet in length) of ROW, adjacent to a portion of lot 5 and 6, block 84 of the JL Shinn Addition to the City of Russellville with the following condition:

1. Retain a public utility easement for both water lines and utility lines.

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, just to retain an easement for utility and water lines.

Commissioner Duffield asked with a Right-of-Way that large if there is a plan at some point for that to be a larger roadway. City Planner Jondahl stated there is no plan for a large roadway here. This is an older section of town and when they originally platted it, they platted it with 80' Right-of-Ways. She stated that at some point in the future staff will be able to go through and start vacating some other areas because the City does not need an 80' Right-of-Way for a local street.

Commissioner Smith made the motion to approve the item with the conditions as presented by staff. The motion was seconded by Commissioner Hatley and passed unanimously.

**The Ninth Order of Business** is a Vacation of a portion of S Tulsa Right-of-Way between lot 12 of Brookview Estates Phase VI and lot 7 block 18 of the Madison White Addition. Submitted by Larry Walker. (VAC-0421-000073)

City Planner Jondahl stated that this is a Vacation of Right-of-Way request in Brookview Estates Phase VI. She stated that when the subdivision was built, this street was not requested to be connected, so there is a portion of Right-of-Way that is unopened that sits between two residential properties. It is approximately 115 feet of Right-of-Way (ROW) between Lot 12 of Brookview Estates Phases VI and Lot 7, block 18, Madison White Addition. When considering vacating easements or right-of-way, public trust, land use impacts, and public benefits should be considered. This Right-of-Way section has not been opened and the City had previously made the decision to not make that connection, so at this point there is not really an impact by vacating this Right-of-Way. Staff is requiring a 20' portion of the Right-of-Way between the two properties to retain as a drainage easement so that the City can maintain the drainage that goes from Tulsa to 4th street. She stated there is no impact to any of the utilities and there is no public benefit gained by retaining the Right-of-Way. City Planner Jondahl stated that Fire Building and Safety commented that whenever possible, when considering emergency response, it is prudent to maintain the street grid system. However, in this case, this particular issue was addressed a few years ago and a decision was made to not require the completion and tie-in.

Staff recommends forwarding this application to City Council for Approval to vacate approximately 115 feet of ROW between Lot 12 of Brookview Estates Phases VI and Lot 7, block 18, Madison White to the City of Russellville with the following condition:

1. Retain a 20-foot drainage easement over and across the existing drainage from S Tulsa to 4th street.

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, just to retain 15-foot drainage easement; and
3. No current installations within the easement prohibiting the vacation of the ROW.

Commissioner Duffield made the motion to approve the item as presented by staff. The motion was seconded by Commissioner Choate and passed unanimously.

**The Tenth Order of Business** Rezoning a property from R-2 to R-3, located at 1701 S Detroit. Submitted by Crafton Tull on behalf of Universal Housing Group. (ZONE-0421-000068)

City Planner Jondahl stated these are existing apartments that are not in compliance with the Zoning Code as it is currently zoned R-2 and these apartments are not permitted within that zone. The applicant is looking to do some updates to the buildings and in order to move forward with that they need to go through this process and Rezone it from R-2 to R-3. When considering a zone map adjustment careful consideration needs to be made in regard to the future and current land use of the area, the Comprehensive Plan recommendations, and that the request is not based exclusively upon a desire to increase the value or income potential of the property. This area is mainly a medium density residential zone and is considered to remain suburban residential in the future land use plan. The current land use of the area is not proposed to change and the existing structures are considered non-conforming. ReImagine Russellville 2040 comprehensive plan, as a guide for decision making, defines this area as “Suburban Residential”. It describes that to include “single family and multi-family uses.” In the Comprehensive Plan staff tried to make the residential zones as flexible as possible, so it is fair to make the assessment that Rezoning this property to R-3 is in line with the Comprehensive Plan. There is not really an increase in income potential as it is already an existing apartment complex.

Staff recommends that the commission forward this application to the City Council for approval of the request to rezone the property from R2 Medium Density Residential zoning designation to R3 Medium/High Density Residential as a result of the findings below:

1. 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 since it is existing.

Gregg Long of Crafton Tull said this would not have been on anybody’s radar had the owner not been wanting to improve some of the units at the complex.

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

**The Eleventh Order of Business** Rezoning a property from R-2 to C-2, located at 3204 N Arkansas. Submitted by Barrett & Associates on behalf of James Lee. (ZONE-0421-000070)

City Planner Jondahl stated that this Rezone application occurred as a result of a business that tried to open up at this location and it was discovered that a portion of the property was zoned R-2. The owner of the property was provided that information and they are just requesting to Rezone the remainder of the property that they own from R-2 to C-2. The front portion of the property is already zoned C-2. When considering a zone map adjustment careful consideration needs to be made in regard to the future and current land use of the area, the Comprehensive Plan recommendations, and that the request is not based exclusively upon a desire to increase the value or income potential of the property. This area is a mixture of commercial and residential uses however, recognizing that overtime this will transition predominantly to a commercial area as shown by the businesses currently operating in this area such as the Dollar General, a car/truck wash, a food truck and the Outdoor Living Center. Allowing this property to be Rezoned just extends the C-2 zoning over one more lot and allows the owner full operation of

that property. ReImagine Russellville 2040 comprehensive plan, defines this area as “Suburban Corridor and Transition”. It describes that to include “commercial and office developments that are either abutting an arterial corridor or within a transition area”. It is fair to make the assessment that this is in line with the Comprehensive Plan. As currently zoned this would prohibit the owner from advertising this property as commercial, would reduce the potential for a commercial development use fitting on the remaining property zoned C2 at this location although the allowance of this rezone would increase the income potential of the property. It is staff’s opinion however, that rezoning this property is in line with the development within the area.

Staff recommends that the commission forward this application to the City Council for approval of the request to rezone the property from R2 Medium Density Residential zoning designation to C2 Highway Commercial as a result of the findings below:

1. 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. Although there may be an increase of value or income potential of the property it is in line with adjacent properties along N Arkansas.

David Garza of Barrett & Associates said as City Planner Jondahl stated this came to the attention of the property owner because of another business wanting to rent the location to sell some storage units. The owner then found out that this one lot was still R-2, so he wanted to get this rezoned. In addition to the two lots in front of the proposed rezoning site, the property owner also owns the lot next door. Mr. Garza stated this is our growth area right now and residential properties are starting to grow out that way, he noted there is currently no grocery store out that way and that he could foresee a potential Walmart Neighborhood Market going in there because the area would be large enough now.

Commissioner Smith made the motion to approve the item as presented by staff. The motion was seconded by Commissioner Duffield and passed unanimously.

Meeting adjourned.

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Chairman Wendell Miller