

**PLANNING COMMISSION
MINUTES
August 4, 2022 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday August 4, 2022, at 5:30 p.m. in City Hall Council Chambers.

Commissioners Present

Wendell Miller, Chairperson
Don Jacimore, Vice-Chairperson
Justin Cothren, Secretary
Larry Smith
John Choate
Cody Black
Cheryl Monfee
Eric Westcott, City Council Liaison

Commissioners Absent

Luke Duffield
Shirley Hatley

Visitors: Mayor Richard Harris, City Attorney Trey Smith, City Planner Sara Jondahl, Planner I Victoria Marchant, Flood Plain Manager Ben Gray, City Engineer Glenn Newman, Engineering Technician Armando Diaz, Public Works Director Kenneth Duvall, Fire Marshal Richard Setian, City Councilor Mark Tripp, City Clerk Gina Skelton, City Councilor Rick Harrell, City Councilor Paul Gray, City Councilor Phyllis Carruth, City Councilor Shawn Harris, David Garza with Barrett & Associates, Fred Teague, and Gerhard Langguth.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting July 11, 2022.

Commissioner Black made a motion to approve the minutes as written. The motion was seconded by Commissioner Jacimore and passed unanimously.

The Second Order of Business is the Russellville Zoning Code Update Discussion.

City Planner Jondahl stated that this update would be her last Russellville Zoning Code Update. She stated that next month the Zoning Code would be brought before the Commission for the first public hearing to move it toward the City Council. City Planner Jondahl pointed out that the project mission for the Zoning Code Updates were to design for people and places, to have clear standards, and to have predictable and simplified processes. City Planner Jondahl stated that the visual preference survey had closed and there was an increase in response on the visual preference survey from to 261 responses. She stated that the survey had been translated into

Spanish and there were 11 responses on that version of the survey. City Planner Jondahl stated that she had also previously reported on Commercial Building Design Standards, Multifamily Design Standards, and Fences, Walls, and Landscape requirements. Additionally, she stated that she had previously reported on allowances for housing choices--lot area requirements, Walkable Neighborhood Zoning, Mixed Use Zoning, and streamlined review process. City Planner Jondahl stated that staff was in their final reviews of the code and correcting items that were identified as smaller corrections to be included. She stated that the final public input meeting would be August 16, 2022 at 6:00pm and they did plan to present the final draft and receive comments. City Planner Jondahl reiterated that the Zoning Code Update would be on the Agenda for a public hearing on September 1, 2022.

Commissioner Monfee asked if the final review would take place prior to the data analysis of the survey. City Planner Jondahl stated that staff was in the process of doing the final review of the Zoning Code Updates but that staff and the consultants had been reviewing the survey all along the process to ensure the updates were consistent with the results of the survey. Commissioner Monfee asked when City Planner Jondahl anticipated the data from the 261 responses to be available for the Commissioners to review. City Planner Jondahl stated that she would be reaching out to the consultant and that she could get that information and share it with the Commission. City Planner Jondahl stated that the results were already available to staff and they had been reviewing that.

The Third Order of Business is Rezoning a property from R-2 to C-2, located at 1400 S Knoxville Ave. Submitted by Bird and Bear Properties, LLC. (ZONE-0722-000243)

City Planner Jondahl stated this is a Rezoning application located at 1400 S Knoxville. She noted that the property had changed hands the morning of the meeting but the new owner was still pursuing the rezoning. She stated that the existing conditions were that the property was zoned R-2 - Medium Density Residential. There was an existing commercial business at this location and the building built on the property was built for commercial purposes. City Planner Jondahl stated that the property directly to the north of this property was zoned R-2 as well and was undeveloped. She said that all other surrounding properties were zoned C-2, and the area was mainly commercial with surrounding uses to the east and south including a Family Dollar, an auto sales business, food trucks, plumbing stores, and other commercial properties. City Planner Jondahl stated that during staff's review they have to consider the following items. The Future and Current Land Uses of the area. She stated that the future land use map indicated that this area would be suburban corridor. Rezoning this property to highway commercial allowed the building to be considered conforming, and the rezone was in line with the current and future uses of the area. City Planner Jondahl stated the next item staff had to consider was the Comprehensive Plan Recommendations. She stated again that the Comprehensive Plan did define this area as suburban corridor where auto uses and low rise buildings would be prevalent. She stated that this was an area of transition from residential to commercial. City Planner Jondahl stated that this rezoning would bring the property into alignment with the Comprehensive Plan. The last item staff had to consider was the Value or Income Potential of the property. She stated that the change from Medium Density Residential to Commercial did not change the value or income, as

this was a commercial structure and use already. She stated that the major benefit of this change was that the property would not longer be considered a non-conforming use.

Staff recommended that the commission forward this application to the City Council for approval 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.

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

The Fourth Order of Business is a Special Use Permit to allow a Storage Building/Container Sale or Rental business in a C-2 zone, located at 3525 E Main Street. Submitted by Derksen Buildings on behalf of Linda Mathis. (SPUP-0722-000241)

City Planner Jondahl stated this was a Special Use Permit to allow storage building sales at 3525 E Main Street. She stated the existing conditions were that the property was zoned C-2 Highway Commercial within the Rural East City District. She stated that the property was located on the north side of Main Street across from Tyler Road. City Planner Jondahl said the property was within a commercial corridor with a variety of uses including auto sales, retail Sales, the Co-op and some industrial uses. City Planner Jondahl stated the proposed use being a storage building/container sales or rental required oversight due to unusual or unique characteristics. She stated that the building shall maintain good civic design and arrangement within the corridor:

1. With proposed updates, although considerably smaller, will likely be in visual harmony with the area;
2. First 8 feet of the East side of the building shall be updated to meet CBD requirements.
3. No discernible benefit by requiring alterations
4. Size and Bulk is smaller than other buildings in the area;
5. Mobile Home units typically do not meet the spirit and intent of zoning code, however with the improvements to ADA access and façade could be considered as complying.

City Planner Jondahl stated sidewalks were not required as improvements did not increase the value of property greater than 50%. Driveway was in disrepair and the applicant would need to coordinate with ARDOT regarding updates. 6 parking spaces were required for the square feet utilized, 5 shown, 1 additional space shall be provided and 1 ADA required.

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

1. Repair driveway in coordination with ARDOT; and
2. Update the first 8 feet of the east side of the structure in addition to the front and parking lot side of the office to meet commercial building design; and
3. Provide 6 parking spaces, 1 must be ADA compliant; and
4. Complete repairs to the structure to include the ADA ramp in compliance with CBD Article 3.20.

As a result of the findings below:

1. The structure utilized as the office will be repaired to meet commercial building design requirements; and
2. Public Safety requirements of the proposed structure will be repaired to meet requirements; 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 Cothren asked per their the buildings shown on their site plan if they were only going to have 15 buildings on the site at a time. City Planner Jondahl stated that they were proposing just to put buildings surrounding the outside of the parking lot, if they did expand the applicant knew they would have to create a paved drive aisle as similar businesses have. She stated that was why the applicant chose the layout that they did so that they could utilize the existing paved section of their property. Commissioner Cothren clarified that a motion for approval as staff presented would cover that. City Planner Jondahl confirmed that it would.

Commissioner Cothren made the motion to approve as presented. The motion was seconded by Commissioner Black and passed unanimously.

The Fifth Order of Business is a Special Use Permit to allow a Custom Woodworking / Warehouse in a C-2 zone, located at 1509 E Main Street. Submitted by Barrett & Associates on behalf of JBK Properties LLC. (SPUP-0722-000246)

City Planner Jondahl stated that this was a Special Use Permit for a custom woodworking/warehouse business at the old National Home Center site. She stated that the property was zoned C2 – Highway Commercial within the East Main Commercial District. City Planner Jondahl said it was located within a substantially developed area of East Main predominantly C-2 zoned area with the exception being the strip mall adjacent to this parking lot zoned C-3. She stated that west of this property was an undeveloped parcel where the old driving range was located. City Planner Jondahl said the proposal for “Carpentry, Custom Woodworking or Furniture Making” and “Warehousing, inside storage” were in line with uses within the Highway Commercial Zone and Special Uses require oversight due to unusual or unique characteristics. The proposal was to utilize the existing building that meets the requirements of Article 3.20 Commercial Building Design, the building would not require an alternate design, was not a concern to adjacent buildings, and met the spirit and intent of the Zoning Code. She stated the internal improvements proposed did not exceed the 50% threshold to require sidewalks, therefore improved sidewalks would not be required. City Planner Jondahl stated that retail buildings required 1 parking space for each 150 sqft retail space, and industrial sites required documentation of parking requirements. She said retail would require 385 spaces, within 3 years applicant plans on 60 employees, and the parking diagram provided shows 412 spaces, therefore there was sufficient parking available.

Staff recommended forwarding this application to City Council for approval of this special use permit as a result of the findings below:

1. The existing structure is in compliance with regulations; and
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.

David Garza with Barrett and Associates stated that Josh Isabell was the owner of the company and wanted Mr. Garza shared that he wanted to be there but they were trying to get everything ready for the business. Mr. Garza stated that the company Decor Brands, designed and manufactured personalized wall decor and distributed the merchandise under the brand names “Two Avocado Signs” and “Two Lit Avocados”. He stated that Decor Brands sold two types of products, LED neon signs, and wood signs. Mr. Garza stated that the wood signs were their best selling item and they included family name signs, wedding signs, and child name signs. He stated that currently all of Decor Brands signs were produced by a third party wholesaler in a different state, however, with the acquisition of the Russellville production facility they were going to bring everything to Russellville. Mr. Garza stated that Russellville was competing with Northwest Arkansas for this company. He stated that they would start out with approximately 10 jobs and they hoped to add another 40-50 jobs by 2025. Mr. Garza stated that all of their commerce was currently online and shipped out but if they did grow they may open up a showroom in the future.

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

The Sixth Order of Business is a Vacation of 15’ of East G Street ROW and a 20’ alley located at 414 E G Street. Submitted by Barrett & Associates on behalf of Dylin Tippin. (VAC-0722-000247)

City Planner Jondahl stated that this was an application for a vacation of right-of-way located at 414 East G Street. She stated the existing conditions were that the property was zoned R2 Medium Density Residential. City Planner Jondahl stated that recently demolished structures left this property vacant. She stated that there were two tri-plexes adjacent to this property, and all surrounding properties were zoned R-2. City Planner Jondahl stated that three items must be considered with vacations. The first being, does the vacation impair circulation, access, utilities, open space, and/or views? No, the request was to vacate a portion of an 80 foot ROW and an unopened rear alley. The second item is, what are the land use impacts regarding the vacation of the ROW or Rear Alleyway? There were no impacts regarding the Cities ability to maintain the existing public street and the property owner would have development rights within these areas. The final item to consider was what Public Benefit was received by vacating the ROW? The benefit was that there is a reduction in potential responsibility for the City to maintain extra ROW.

Staff recommended forwarding this application to City Council for approval as a result of the findings below:

1. This is a continuation of previously approved vacations of ROW adjacent to this request; and
2. There is not an impact to the Public Trust, Land Use Impacts, and no adverse effects to the Public Benefit; and
3. No objections filed by any utility company for the Vacation; and
4. No current installations within the easement prohibiting the vacation.

Commissioner Black asked if staff had received back all the utility company emails. City Planner Jondahl confirmed staff had received all the utility company approvals.

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

Meeting adjourned.

Chairman Wendell Miller