

**PLANNING COMMISSION
MINUTES
September 1, 2022 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday September 1, 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
Luke Duffield
Shirley Hatley
Cody Black
Cheryl Monfee
Eric Westcott, City Council Liaison

Commissioners Absent

John Choate

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 Councilor Rick Harrell, City Councilor Paul Gray, with Barrett & Associates, Billy Daniel, Clay Anderson, Jordan Baumberger, Lou Green, Fred Teague, Josh Spence, Jennifer Spence, and Kayla Munn.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting August 4, 2022.

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

The Second Order of Business is a Large Scale Development located at 300 Industrial Boulevard. Submitted by Engineered Rigging. (LSDV-0822-000265)

City Planner Jondahl stated that this application was for a large-scale development and they already have an existing building and they are just proposing to add a warehousing storage structure onto their site. City Planner Jondahl stated that this would be a staff level review under the new regulations. City Planner Jondahl stated that the property was zoned M2 – Heavy Industrial. She said this was an existing industrial structure utilized by Engineered Rigging within the East End Industrial Park located off E. Main St with access via Industrial Park. This is

within the Industrial Park, however property directly north of the subject property is C2 Highway Commercial. Within this park you will find businesses such as Rockline Industries, Tyson, and Americold. There are still a few vacant industrial sites within this park that remain to be developed. City Planner Jondahl stated that this application was subject to Large Scale review due to the size of the property and the size of the structures. Setbacks for Industrial properties are 25 along all property lines, which is what the application demonstrated. Additionally, she mentioned that sidewalks are not required in this zone at this location. City Planner Jondahl stated that Commercial Building Design currently does not exempt industrial properties, the applicant has indicated that the building will be a metal building similar to what is already built. City Planner Jondahl stated that the proposed Russellville Zoning Code provides exemptions for Industrial Buildings on Industrial Zoned property to be exempt from this requirement, and this application would be in alignment with the proposed updates. She said industrial sites are required to provide sufficient space for loading, unloading, and storing all vehicles, since this is an expansion of storage space and not office, there appears to be sufficient parking available.

Staff recommended approval of this Large Scale Development as a result of the findings that:

1. The applicant demonstrates compliance with Article 2.13 of the RZC; and
2. The application would be in alignments with the proposed updates for Article 3.20 regarding the Commercial Building Design Requirements; and
3. The applicant demonstrates compliance with Section 7 of the LSDC. Commissioner 1 4:39 asks if anyone from Engineered Rigging has any questions.

Kayla Munn with Engineered Rigging states she can answer any questions that anyone may have about the new development.

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

The Third Order of Business is a Variance from Article 1.16 to the paved width requirement of the Land Subdivision and Development Code, located at 3718 and 3719 Haulmark Lane. Submitted by Jordan Baumberger and Clay Anderson. (VARI-0822-000263)

City Planner Jondahl stated that this is a Variance to the LSDC, and that is not something they have seen in 3 years. Additionally, City Planner Jondahl stated the Existing Conditions: Zoned: R1 – Single Family Residential. City Planner Jondahl mentioned that it is located in Marina Heights District at the end of Haulmark Lane. City Planner Jondahl pointed out that 3 lot Subdivision platted in 2018 with the requirement to have a minimum of 20ft wide asphalt paved roadway to the front property line prior to issuance of a building permit. City Planner Jondahl stated that Lot 1 has built their home and extended Edward Lane to their property line in a width of 20 feet. City Planner Jondahl mentioned that there are a handful of homes along Haulmark Lane that gain access via a 12 to 13 foot wide paved road.

City Planner Jondahl pointed out that the Review Comments as follows: The Planning Commission may grant a variance when they find that extraordinary hardship or practical difficulties may result from strict compliance with these regulations with findings based on the following 6 criteria:

1. Not detrimental to the public safety, health or welfare. All existing homes have access to their currently built homes via a paved roadway.
2. Particular hardship would result if strictly enforced as 2 potential homeowners would be responsible for extending a roadway 20 feet in width approximately 400 feet costing over 100K in construction costs prior to being able to construct their Single Family Residential Homes.
3. The request is unique to the property and not generally applicable to other properties.

City Planner Jondahl stated that his requirement is unique in that when a subdivision is platted utilities and roadways are extended to adequately service each of the properties. In this case the sub divider opted to just add a note on the plat to require the individual home owners to build the road at the time of the building permit. Building a 400 foot +/- road is not typical and generally not applicable to other properties therefore this requirement is unique to the property relief is requested for. City Planner Jondahl continued to list the criteria as follows:

4. Relief sought will not vary the provisions of the Zoning Code or the LSDC, it will merely provide relief to two future homeowners wanting to construct their new homes.
5. In addition to those comments already listed there would not be a public benefit served by strict application of this requirement.

City Planner Jondahl stated that PW Engineering would require 2" asphalt drive in the same width of the existing road. A City Maintenance Sign will be placed at the end of the existing pavement section, allowing property owners to understand that maintenance is their responsibility.

City Planner Jondahl stated that the staff recommends approval of this application with the following conditions:

1. Pavement width shall match the existing width of the road; and
2. Pavement depth will be a minimum of two (2) inches; and
3. Pavement shall continue to the property line for lots 2 and 3 of Hill Valley Estates Subdivision; and
4. A sign shall be placed that City Maintenance Ends where the existing pavement section ends; and
5. If the subdivision is divided further, or additional development occurs that includes these properties' requirements of the Land Subdivision and Development code for subdivisions shall not be reduced due to this variance being granted.

City Planner Jondahl states the results of the findings below:

1. The applicant has demonstrated that extraordinary hardship or practical difficulties would result from strict compliance with these regulations; and
2. The purposes of these regulations may be served to a greater extent by an alternative proposal; and
3. The applicant has met all other variance guidelines.

Commissioner Jacimore asks what would happen to the 400 ft of road and an engine and ladder truck needs to be turned around. Fire Marshal Richard Setian at the stand answered with first, the 20 ft minimum that is required was pulled from the original fire code. He also states that you must look at

the plan for Haulmark as to if it's worth it to widen out that road and put a cul de sac at the end of it. Fire Marshal Setian states his main concern as the imposed load of 75,000 pounds. Additionally, he states that they can get the trucks turned around in the driveways. Fire Marshal Setian stated that he did not think that it required the homeowners to put that much expense in it if the whole street was not being developed. Commissioner Jacimore states the reason he asked is that if there is a culvert that the truck has to go over to get onto the driveway, that the truck can crack the concrete. Commissioner Jacimore states as well that if the culvert is to be made that it should be made to withstand the weight of a fire truck turning around in a driveway. Fire Marshal Setian responds that his expectation is to question whether the foundation can support the load. Fire Marshal Setian concludes that they are going to have to pull into driveways in some circumstances. He states as well that these are variables that are out of his control but try to mitigate in some way. Fire Marshal Setian states that sometimes they get massive rain and asks what they should do. Fire Marshal Setian states that there is no easy answer as to what to do regarding turning around the trucks. Fire Marshal Setian lists the factors that could manipulate the plan of action such as "where is the closest hydrant?" and "how are we gonna have to lay the line?". He adds that in result the homeowner would have to run an 8-inch line just to get a water supply just to that person. Fire Marshal Setian goes on to say that when a zoning code changes a developer or city will lay everything out, street widths, curbs, water lines, etc. He states that this is a very unique case and it is one that is very hard to address, and that they came up with the best plan that they could. Commissioner Jacimore states that it was a good plan. Fire Marshal Setian explained that if someone is to use that roadway they are going to have to come that distance plus four feet. Fire Marshal Setian reiterates that there are some areas in Russellville that are difficult and when the guys go out and pre-plan areas that is one of the things that they think about.

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

The Fourth Order of Business Special Use Permit to allow a Car Rental business in a C-2 zone, located at 114 E Main Street. Submitted by 24/7 Rent-a-Ride, LLC on behalf of Mary Isbell. (SPUP-0822-000255)

City Planner Jondahl states that this is a Special Use Permit for a Car Rental facility down at 114 E Main St. and adds that it is right there east of the intersection of Main and Arkansas. City Planner Jondahl states the Existing Conditions as follows:

1. The location is Zoned: C2- Highway Commercial and is still a part of the downtown district
2. It is East of Arkansas and South of Main Street
3. Nestled in the downtown district where there are a variety of businesses. All surrounding property is zoned C1-Commercial Business.

City Planner Jondahl states the Review Comments:

1. Proposed Use- Auto Rentals may be in line with other uses within the district. However, are only permitted by Special Use Permit given their unique character.
2. The property has sufficient hard surface parking and appears to meet ADA requirements for access to the building. Prior to Business license issuance the applicant will need to verify and confirm compliance.

3. The building is in visual harmony with the surrounding buildings and meets the commercial building design requirements. There are sidewalks along the street frontage of the property.
4. The parking requirements are met for an office or retail space, however, an auto rental business typically has rental vehicles on site ready for rental. Due to the existing retail and office spaces at the location, limiting the number of vehicles on site for rental would ensure that the other businesses at this location still have sufficient parking available.

City Planner Jondahl recommends forwarding application to City Council for approval with the following condition:

1. No more than 3 rental vehicles allowed on site at a time.

As a result of the findings below:

1. The office meets commercial building design requirements; and
2. Current traffic routes are constructed in such a way to hand the traffic from the business; and
3. Public Facilities already service this location.

City Planner Jondahl asks if there are any questions.

Josh Spence from the Rental Car company states he can answer any questions that anyone may have about his business. Josh reiterates that he and City Planner Jondahl had agreed to three spots in the front of his lot. Commissioner Hatley asks so there are going to be only three cars in the lot at all times. Mr. Spence confirms that there are only going to be three cars on the lot at all times and that they will rotate the cars as one car goes they will bring another car onto the lot. He states that they will shuffle the cars to the land that he has in the country where he will store the rest of his cars.

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

The Fifth Order of Business APPLICATION WITHDRAWN Special Use Permit to allow a Billboard in a C-2 zone, located at the intersection of Interstate Drive, Joyce Lane, and directly abutting I-40. Submitted by The City of Russellville Advertising and Promotion on behalf of Winslow Holdings, LLC. (SPUP-0822-000266)

Commissioner Cothren made the motion to withdraw the application. The motion was seconded by Commissioner Jacimore and passed unanimously.

The Sixth Order of Business Vacation of a portion of West H Street adjacent to Lot 6, Block 9, College Hill Addition. Submitted by Barrett & Associates on behalf of Richard Rogers and Barton Family Rev. Trust. (VAC-0822-000261)

City Planner Jondahl states that is a vacation of right away, 112, 114 West H Street, and states that this applicant has met with City Corps and with Planning and Development and Public works to determine how much of the right of way that he could potentially vacate to allow his proposed development to go through. City Planner Jondahl states that the applicant is proposing a trap 3 unit townhome that is in the El Paso District, and that this will be on the first projects that will happen in the El Paso District if in agreement to construct this right of way.

City Planner Jondahl states the Existing Conditions as follows:

1. Zoned CHZ-College Hill Zone in the El Paso Mixed Use District. There are two older homes on the property in need of repair.
2. This is located across from Russellville PD and next to Joseph's house. This is the first property on H Street coming from Arkansas in the El Paso District. City Planner Jondahl adds that this is a very visual property in this district.

City Planner Jondahl states that when looking at vacation of right of ways you need to consider Public Trust, Land Use Impacts, and Public Benefit. City Planner Jondahl states the Review Comments as follows:

1. Does the vacation impair circulation, access, utilities, open space, and/or views? No this only vacates a portion of H Street retaining areas required by City Corp for Sewer line maintenance. The alley has not been opened and vacating this alley would not impair circulation, access or utilities.
2. What are the land use impacts regarding the vacation of the ROW or Rear Alleyway? The property owner will be allowed to build the structures that he is proposing and meet the setback requirements for this district. City Planner Jondahl clarifies that in the El Paso district it is not a set back requirement they have built two lines, so they would be able to build in this area that is being vacated with their proposed townhomes. There are no impacts regarding the Cities ability to maintain the existing public street.
3. What Public Benefit is received by vacating the ROW? The benefit is that the property owner will be updating the property and removing structures to build a project that is in compliance with the El Paso District.

City Planner Jondahl recommends forward this application to City Council with a recommendation as a result of the finds 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. No current installations within the easement prohibiting the vacation.

Commissioner Jacimore asked if the Board of Adjustments approved a Variance for this application in the meeting before the Planning Commission meeting and City Planner Jondahl confirmed they had.

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

The Seventh Order of Business Vacation of 60' of unopened Right-of-Way between Block 11 and Block 16 of the A.E. Luker Addition. Submitted by the City of Russellville on behalf of Laura Whitlock, Justice Wiley, and Chuck Frankhouse. (VAC-0822-000256)

City Planner Jondahl states that this is actually in an area where the new Schoolhouse Trail is being proposed and so in negotiations with one of the owners they were willing to sign an easement to allow us to locate the Schoolhouse Trail on their property and asked if in exchange we would consider vacating this area, and it is an unopened area of right of way.

City Planner Jondahl states the Existing Conditions as follows:

1. Zoned R2 Medium Density Residential.
2. Unopened ROW, partial closure to retain for drainage and schoolhouse trail construction. She explains as saw in the last picture on the slide there is a portion that area that is not in the green hatched they will retain the thirty foot portion of the right of way as that is where this tributary to engineers ditches and that gives them the ability to maintain the ditch in the right of way without retaining the easement.
3. Just north of James School Park.
4. All surrounding properties zoned R2

City Planner Jondahl states the Items to Consider as Public Trust, Land Use Impacts, and Public Benefit, and lists the recommendations as follows:

1. Does the vacation impair Public Trust Functions? No, this proposal is to vacate a portion of a 60 foot unopened ROW retaining only the 30 feet where a tributary # 3 to Engineers Ditch flows.
2. Land use impacts? In exchange for an easement for a portion of the new school house trail the City agreed to vacate this unopened ROW which allows the adjacent property owners the ability to maintain and utilize that portion of the property.
3. Public Benefit? The benefit is that there is a reduction in responsibility for the City. Additionally, this was an agreement made with property owners to then provide signed easements to the City to construct and maintain a portion of the school house trail that will be constructed within the next year.

City Planner Jondahl states the staffs recommendation to forward this to City Council with a approval as a result that:

1. This is an unopened ROW with Tributary #3 to Engineers Ditch flowing within the ROW in this location; 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 Monfee made the motion to approve as presented. The motion was seconded by Commissioner Duffield and passed unanimously.

The Eighth Order of Business Vacation of a portion of W 2nd Street Right-of-Way adjacent to and south of Lots 10-12, Block 9 and Lots 5-9, Block 10 of the McClure & Bayliss Addition. Submitted by Barrett & Associates on behalf of Mike Maggard, Susan Heinzen, Kirk Warren, and Anthony Fuentes. (VAC-0822-000260)

City Planner Jondahl states that the application sent in the application for a Vacation of South Tulsa, but the request is actually for W 2nd Street. She mentions that they say South Tulsa because they know where South Tulsa is since W 2nd Street is not open at this location, but as a staff they corrected it as W 2nd Street because that is the actual street that is being requested for vacation.

City Planner Jondahl states the existing conditions as follows:

1. Located adjacent to the Wal-Mart Neighborhood market this street is situated between C4 zoned properties and R1 Single Family Residential
2. There is a new Single Family Home being constructed on the residential property while existing neighborhood commercial businesses exist along the north side of this unopened ROW. City Planner Jondahl adds that this abuts up to the parking lot for Wal-Mart Neighborhood Market.

City Planner Jondahl lists the items to consider as follows:

1. Does the vacation impair Public Trust Functions? PW requires a 40 foot easement, installation of a 15" culvert in Tulsa Ave, and construction of an approved swale the length of the vacation which provides staff with sufficient infrastructure to maintain the drainage in this area. Those will become conditions of this vacation therefore retaining any public trust functions that could have been considered without the improvements and dedication.
2. Land use impacts? It allows the single family home with the privacy that they want away from any future improvements along West 2nd Street. And provides more property to the businesses on the north side where they can maintain and make improvements as needed for their businesses.
3. Public Benefit? The benefit is that there is a reduction in responsibility for the City, since the ROW will not be improved.

City Planner Jondahl states that this is staffs recommendation to City Council with a recommendation of approval with the following conditions:

1. Revise drawing to show 40 ft drainage easement the length of the vacation; and
2. Install minimum 15" culvert at Tulsa Ave; and
3. Construct Approved Swale the length of the vacation; and
4. All construction and revegetation shall be complete prior to recordation of vacation.

As a result of the findings below:

1. This is an unopened ROW with drainage issues identified to remain City maintenance; and
2. There is not an impact to the Public Trust with the reservation of a drainage easement,
3. There is not an impact to the Land Use Impacts and no adverse effects to the Public Benefit; and
4. No objections filed by any utility company for the Vacation; and
5. No current installations within the easement prohibiting the vacation.

David Garza with Barrett & Associates states that this is an area that has been having a little trouble with drainage. He adds that when they built Wal-Mart Neighborhood Market it couldn't

get into that box. He states that the developer built a house there for his daughter and in the process of that they were able to work with Glenn Newman at Public Works to allow Mike to clear all the trees in the area to get a feel of the area. Mr. Garza states that the area is clear and that they topo'd it and with cooperation and consideration with Public Works and Glenn is that Glenn is gonna do part of the project with the ditch and he will do part of the project with the ditch. He adds that they are partying together to make the project work to improve drainage in the area.

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

The Ninth Order of Business Rezoning a property from C-1 to C-2, located at 128 E Main. Submitted by Barrett & Associates on behalf of Mark Mobley. (ZONE-0822-000257)

City Planner Jondahl states that this is a rezoning request from C-1 to C-2 at 128 East Main Street.

City Planner Jondahl states the Existing Conditions as follows:

1. This is located within the downtown commercial business district.
2. Is one of the businesses you first see when entering the Downtown Commercial District from the east Main corridor.
3. The overpass provides a clear dividing mark between East Main and the Higher Density Commercial District and this cozy walkable downtown district.
4. It is located next to First Christian Church, listed in 2006 on the National Register of Historic Places, and although this is not within the Historic portion of the Downtown District, is located in close proximity.
5. Adjacent properties are the First Christian Church, Burris (In2Market), a Tax prep business, a mixed use commercial building and across from CVS.

City Planner Jondahl states the items to consider: Future and Current Land Uses, Comprehensive Plan Recommendations, and Value or Income Potential.

1. Future and Current Land Uses of the Area. This is part of the downtown district currently and is shown to remain in the downtown district as part of the Future Land Use Map. When reviewing this application against the zoning map, there is a C2 zoned property in the area, however, that property is spot zoned and should not be considered when looking to add additional spot zoning. This property however, is not adjacent to that property or to a property zoned C2, so is not a continuation of a zoning classification. It is surrounded by C1 zoned properties. If rezoned to highway commercial all uses within the C2 zoning district could be applied to this property. With this property being in such close proximity to the downtown district, one of the first properties you see when entering the district, not on the edge of the district away from the main corridors through the downtown district it would not serve the public interest or the downtown district by rezoning this property.
2. ReImagine Russellville 2040 comprehensive plan, as a guide for decision making, defines this area as "Downtown District". Parking for buildings may be located in parking structures or within the well-connected grid network of streets with on street

parking. The area has well-designed streetscapes and public spaces that vary in nature. Cars are parked and then pedestrians navigate the downtown by foot. The characteristics of this property mimic those of a downtown district especially due to the location of the property on the main thoroughfare through the downtown and that parking is located within the ROW and not within the boundaries of the property. To remain consistent with the Comprehensive plan and retain the fabric of the downtown district it would serve the public interest best by retaining the existing zoning classification.

3. Value or Income potential of the property. Changing the zone from Central Business District to highway commercial would not change the income or value potential of the property since both districts allow the existing use. The major benefit of changing the zone would be that the applicant may apply for an off premise sign, the next application, which is not currently permitted in the C1 zone.

City Planner Jondahl states that as a result staff does recommend that the commission deny this application as a result of the findings:

1. If rezoned this would be a spot zoning approval; and
2. All adjacent properties are zoned C1; and
3. The Future Land Use map indicates that it will be downtown district; and
4. The proposal does not align with the ReImagine Russellville 2040 Comprehensive Plan.
- 5.

Dave Garza with Barrett and Associates states that the building in question is the Mobley Law Firm and it has been that way for a very long time, and it will continue to be the Mobley Law Firm for years to come. Mr. Garza states to look through the corridor on Main Street that all that can be seen is a roof line and not much of the structure itself, so the building is kind of set away from the downtown landscape area. He adds that because of the overpass there is not much visibility. Mr. Garza states the purpose that they are there for the rezoning is because Mr. Mobley had wanted to put up a sign specifically for a sign that would have a message board for advertisements. He states that in order to do that, he talked to the City Attorney, Trey Smith, and told him what he needed to do was he needed to get rezoned, a special use permit to be able to advertise on the sign. Mr. Garza states that Mr. Mobley is wanting to replace the sign on the property. He asks if it is possible if rezoning can not be done that a variance can be granted for the sign then that would work as well, and they would not have to rezone.

Commissioner Duffield asks Dave Garza about the dimensions of the sign such as how big it is, and what it looks like. Garza responds that the sign is located within the packet and it is not very big and that it does not need a billboard. He states that it will be an LED sign. Commissioner Duffield asks if it is possible to discuss the size of the sign before they approve or disapprove. City Planner Jondahl states that there are no dimensions on the sign. Commissioner Cothren asks if the sign is bigger than what Mr. Mobley has now. Mr. Garza replies that the sign will not be bigger than the one that is currently on the property. Garza states that the signs are very expensive and the only way to pay for it is to sell advertising. Commissioner Smith asked if this type of sign was permitted in the current zoning, City Planner Jondahl stated that the freestanding sign was not permitted in a C-1 zone and that was the reason for the rezoning request.

Commissioner Duffield made the motion to table the application. The motion was seconded by Commissioner Black and passed unanimously.

The Tenth Order of Business is a Special Use Permit to allow an Advertising Billboard, located at 128 E Main. Submitted by Barrett & Associates on behalf of Mark Mobley. (SPUP-0822-000258)

Commissioner Duffield made the motion to table the application. The motion was seconded by Commissioner Black and passed unanimously.

The Eleventh Order of Business Zone Text Amendment to adopt the changes to the Russellville Zoning Code. Submitted by the City of Russellville. (ZONE-0822-000267)

City Planner Jondahl states that she will be discussing her Zoning Code Updates and that this will be a public hearing. She adds that this has been a year-long process, and since January she has been giving monthly updates on the Russellville Zoning Code.

City Planner Jondahl states her project missions to Promote economic development within the City through modernization and updates to the subdivision and zoning regulations to facilitate quality of place that is equitable for all citizens. She adds that they have put some clear standards into the zoning code that clarify on just exactly what they wanted within the code. City Planner Jondahl states that they have made this a predictable and simplified process. City Planner Jondahl goes through the aspects of the updates made to the zoning code. She first mentions that the RZC last updated 1999 with modifications in 2002, 2006 and 2007 with small changes made since that time. She then states that items have been identified as missing, not working, and admittedly codes did not work so previously ignored regulations. She adds that they did Kick started this project in September 2021 with the first public input meeting with at least 25 citizens in attendance. A total of 3 public input meetings were held with the last one being held August 16th. City Planner Jondahl adds that they also had one long range planning committee meeting where they also went over the changes and listened to the questions and comments that have been brought to their attention. She also states the public input survey had 253 responses and the consultants were very impressed with the number and quality of responses received. Overall response was very positive. She states that they did include all of the survey in the Drive so they can view that and offers to go over the information in the survey. City Planner Jondahl then mentions that many comments received from Residential Home Builders, Developers, Citizens, Sign Companies, Biking community, Councilors, and Commissioners have been included and addressed within these updates.

City Planner Jondahl states that the size of the document has increased. She lists the changes made to the format of the documents as follows:

- Font- Changed from Times New Roman to Arial increase of 15 pages, she adds that this change was to assist people that have a reading impairment.
- Added the following standalone ordinances:
 1. Street Renaming - 7 pages
 2. Vacation of ROW - 2 pages
 3. Airport Zoning - 7 pages

- To meet Supreme Court Legislation:
 1. Sign Regulations were updated to ensure no regulation of content - changed from 4 to 17 pages. City Planner Jondahl adds that it is clear but if you can't state the type of sign you have to describe it and it takes more words to say that.
 2. Added a separate Fee Schedule- 1 page, she states that this is only 1 page in the code but right now it is kind of scattered throughout so all the fees have been moved into one place so that it could be located more easily.
 3. Added conditions to allow Auto Repair, Self Storage, and Entertainment uses to change from Special Permit to Permitted - 4 pages. City Planner Jondahl states that this was added to give them specific conditions to meet and if they meet these conditions then they can just move ahead with their permitting process otherwise they can request a variance.
 4. New Zoning Categories Walkable Neighborhood and Mixed Use Zoning - 4 pages. City Planner Jondahl adds that this does not change any zoning, it just gives some choices if someone wants to go through a zone change request.
- New Regulations:
 1. Multifamily Design Standards - 8 pages
 2. Mobile Food Vendors - 7 pages, City Planner Jondahl mentions that they must treat them like a restaurant but they are really different so it remains a challenge in regards to changing the zoning code for them.
- Clarification added:
 1. Landscaping - 15 pages
 2. Fences Walls and Hedges - 7 pages, City Planner Jondahl states that Dave Garza asks that we separate out walls to make clarifications as to the certain type of walls.

City Planner Jondahl adds that they combined the documents from all the standalone and LSDC to 20 pages. She states that there are more pages but that this is a rundown of what the changes are.

City Planner Jondahl states the Proposed Changes as follows:

- Multifamily Design Standards
- Tweaked the Commercial Design Standards
- Fencing and Landscape Standards
- Project Type/ Process, added each numbered group so that each process was presented effectively
- Updated the Use Table
- Updated the Area and Setback Table, is now on one concise table
- Walkable Zoning
- Mixed-Use Zoning
- Parking and Sidewalks
- Mobile Food Vendors
- Signs

City Planner Jondahl goes into detail about the Proposed Multifamily Design Standards specifically. She separated the standards into two categories: For two-family, three-family, and

four-family buildings and For buildings with five or more attached units. Starting with the first category City Planner Jondahl states the standards as follows:

1. Façade materials and articulation
2. Site Planning (trash storage screening, variation of facades, driveways and parking, garage location)

City Planner Jondahl then states the standards for the buildings with five or more attached units as follows:

1. Building Design
2. Façade materials and articulation, entrances, utility equipment screening, she adds that it can be a little bit more because when the units are attached this way it means a larger apartment complex and there will be more site planning involved.
3. Building Placement
4. Parking Placement
5. Pedestrian access and circulation
6. Dumpster enclosures
7. Amenities

City Planner Jondahl references a design on the PowerPoint and states that Lot A and Lot B are both duplexes on one lot and that there have been no changes to them. They are still able to build their duplex with a forty foot parking space. She then adds that they have allowed some creativity. She references the slide again to talk about Lot C and D on the graphic and states that they both share driveway access. She states that this can allow for creativity by constructing a different combination of buildings such as one duplex along with a triplex sharing the same driveway with back parking. City Planner Jondahl wanted to point out that you can still build a duplex on a single lot. She adds that a lot of the construction in Russellville is the development of duplexes. Her intent was to not make anything harder for the residential home builders.

Next, City Planner Jondahl explains the Proposed Commercial Design Standards. She states that they have already had Commercial Design Standards but they have added some details. These changes include façade materials and articulation, entrances, and utility equipment screening. Additionally, City Planner Jondahl added that it is applicable to new commercial and some additions to existing commercial. She states it is not applicable to interior remodels. She adds that if someone is doing a commercial structure and doing a small addition, less than 20%, then they will not have to meet the commercial design standards. More than 20% would mean they would have to comply with the standards. City Planner Jondahl states that she is trying to clearly define the thresholds as well as give flexibility to the owners. She then goes on to state that they allowed the exemption to Industrial buildings located in Industrial Zones. These buildings would not have to come into compliance with the Commercial Design Standards.’

City Planner Jondahl explains the changes and goals made to the Landscape Standards as follows:

- Specific regulations regarding types of landscaping required based on type of use/zoning

- Recommended tree list to save time for developers and ensure appropriate types of trees, the list is not in the code but there is a reference that leads to a website that has the trees listed
- Quality of Place- what do we want Russellville to feel and look like in the future?

City Planner Jondahl references two diagrams on her PowerPoint. The left diagram being the Commercial-Residential Site and the right being the Industrial-Residential Site. She adds that there is a requirement that states that a residential site must have one residential tree. She states that most of the requirements are either commercial or industrial. She adds that there is a buffer between industrial when it's adjacent to a residential property, and same with commercial when it is adjacent to residential property. City Planner Jondahl references the design and says that Lot A and Lot B are both commercial so that means there are no buffer requirements, and there are no tree requirements between them. However, there are trees required along the frontages and some in the parking lot. City Planner Jondahl states that she received a message from Dave Garza that the developers do not like the ten parking lot space, so they made a change to now every sixteen parking spots there has to be some sort of landscape tree island. City Planner Jondahl reiterates that landscaping requirements are what the citizens have been asking for and they are looking for a quality of place and to be aesthetically pleasing. She adds that there are not a lot of landscape requirements but they are clear requirements so developers are aware of exactly just how many trees they must plant.

City Planner Jondahl shows a table that states who the decision body is for a certain type of application someone is trying to commit. She gives an example that if someone is coming in for a Site Review that they can look at the table and through that they can determine who would be the decision body for the application. She also gives an example of someone coming in for a Special Use Permit state law says the decision body is Planning Commission. She states the amendment overall is put into place to be able to put the process of applying for applications into groups to get the information as easy as possible.

City Planner Jondahl then states the proposed adjustments to Residential Minimum Lot Sizes. She says some of the changes include reducing lot sizes, reduced setbacks, and have made it easier to know the requirements for someone that wants to build a townhome in an area. She states that this change has given people a lot of flexibility on how much area they need to build a townhome.

City Planner Jondahl states the Proposed District: Walkable Neighborhood and Mixed Use Neighborhood. She states that this can give people options in an area to rezone so that they are able to be a little more creative.

City Planner Jondahl states the details regarding the Parking Regulations. She says that they did not make a lot of adjustments to the residential parking requirements, but did offer some flexibility for multi-family establishments. She does however state that there have been significant changes in the Commercial parking requirements. These include making them more market-driven, it offers flexibility back to the developers as they tell their proposed design for

the building, uses, and parking requirements for the development. Additionally, she adds that developers can give good reasons as to why they need a certain amount of parking spots or not as many based on the details they give about the business. City Planner Jondahl states that they also have an allowance for an agreement on shared parking.

City Planner Jondahl states that they reviewed the sidewalk language within the code. She wanted to make sure that both the LSDC and the Zoning Code were the same. She goes on to state that they added clarifications for placement requirements and sizing in different districts, including residential, commercial and the El Paso Districts. She gives an example saying if there are no sidewalks within three hundred feet of a property who wants to build a single family or duplex or the sidewalks need to be repaired and the city says they are not going to be repairing them, then sidewalks are not required.

City Planner Jondahl states the next topic is Mobile Food Vendors. She states that they did not have any requirements because they must treat the vendors and residential. She states that it was very hard for staff to regulate and figure out what's required and what's not. City Planner Jondahl states that there are some requirements based on how many vendors there are. She states that less than three vendors are small-scale. Four or more vendors come with more requirements. For example, if there are four or more vendors then they would have to come into compliance with the landscaping requirements.

City Planner Jondahl states that next is the Sign code. She states that they had to change the sign code and that it is a piece of Supreme Court legislation that was passed back in 2015. She adds that there is probably going to be more litigation on signs and it may not always be in compliance. She states that as of right now they are in compliance with the latest Supreme Court rulings that passed in April of this year. City Planner Jondahl states the additions to the sign code as clarification on signage types and locations allowed, size and height restrictions, and modernization encouraged. Commissioner 1 1:07:44 asks City Planner Jondahl how does the city of Russellville compare to other cities of the same size in terms of the signage. City Planner Jondahl responds with conversations that she's had that Russellville is right in line with a lot of the cities that are the same size. She states that a lot of places are out of compliance, so everyone is trying to revise their zoning regulations to comply with the Supreme Court rulings. City Planner Jondahl states that Russellville is neither ahead or behind but right in the middle along with most everyone else in terms of trying to comply with the sign regulations. City Planner Jondahl describes an event of her driving around town examining signs to see if they are going to comply. She mentions that the double post and pylon sign have been separated and the double post signs have been really limited. She states that 99.9% of the double post signs in Russellville would be out of compliance. To combat that, they combined the two and left the regulations for the pylon signs because that is what the double post signs meet as of now. City Planner Jondahl states that they are trying to make sure that signs that are in compliance automatically out.

City Planner Jondahl states that staff recommends forwarding this to City Council for approval as a result of the following:

1. The proposal aligns with the ReImagine Russellville 2040 Comprehensive Plan; and
2. Positions the City of Russellville to Encourage Development; and
3. It facilitates Quality of Place; and
4. Creates clear and predictable standards and processes; and
5. Changes recommended are a result of codes that were previously ignored and/or items that did not work.

Commissioner Black asked how the new code would address sign maintenance. City Planner Jondahl states that there are no regulations on maintenance of signs or taking a sign down. She adds that they did add language that says a sign does have to be maintained and there may be no bare bulbs. She gives the example that if a business has just closed down and they change the sign to a bare face that they will still be in compliance and they don't have to take the sign down. Although, the sign must be maintained or else it can be subject to removal.

David Garza with Barrett and Associates comes to the stand. He shows the commission the Zoning Code and the LSDC. Mr. Garza states that he had gone through some sections of the Zoning Code and had found a couple of concerns. He states that he also had a two hour meeting with City Planner Jondahl that helped clarify the concerns that he was having. He also states that there were things he helped her realize as well and make changes to. Mr. Garza states that he still wants to go through the Zoning Code and it will be easier now since the sections are now in one place. Mr. Garza states that through just a quick glance of the LSDC that there are just a few add-ins, but it still needs to be gone through. Mr. Garza references one section that he was having particular trouble with which was the lot reconsolidation system. He states that section B was still going to do the same thing and it was not going to solve the issue. In response to that Mr. Garza and City Planner Jondahl came up with a good formula that will work. Mr. Garza states that he comes from the standpoint of the builder and it gives the people that write the code a different perspective that can be helpful. Mr. Garza asks City Planner Jondahl to pull up the slide with the trees and the landscaping diagram. He references the diagram and states that he likes the look of it and at first glance it looks very nice. However, he states that it is different when looking at it in a constructive mindset. He explains that there are certain things to account for such as sewer and water lines that prohibit the planting of trees in certain areas. Mr. Garza asks the question stating if a tree can't be planted but a development is still required to plant trees can they be planted in a different location. He states he does not know the answer because he has not seen it in the code, so he is looking at it from a building standpoint. He takes that concern from the buildable aspect and they get together to make things work. Mr. Garza asks the question if they are comfortable with sending the Zoning Code and LSDC forward if the committee has not read the code altogether themselves. He states the document is going to be with the city for a very long time. Chairperson Miller states that Mr. Garza has been a vital part of all that has happened with them. Mr. Garza replies that he has made some mistakes and has designed stuff that turned out to not work, and that he has learned a lot from mistakes and that it is the easiest way to learn. Mr. Garza gives an example of working with the Downtown Streetscape, and he uses his past mistakes to make sure the new people know to do certain things such as draining rainwater. He states that City Planner Jondal and he could plan a four hour day to get through the

new codes and answer any questions that may arise. He states that they both want something that is clear and concise for the city. Mr. Garza states that reviewing the Zoning and LSDC in this way is a great plan to get it approved even faster.

City Planner Jondahl states that she does not have any comments other than that they have been working on the development of a new code for a very long time. She states that they have been going over it constantly and asking for comments, and she believes that the code is in a very good position. She states that staff still recommends going forward with the Zone Text Amendment. She proposes if a special called meeting could be organized to add a late agenda item to the City Council meeting, but does not know if they would approve or not. Commissioner Duffield asks if Mr. Garza and City Planner Jondahl are in agreement with the portion of the code that they went over then he has no issue with going forward with the proposal. He also asks how much time they would need. David Garza comes back up to the stand and states that he would need to go through the whole code of both the Zoning and LSDC. He states that they have already gone through five sections of the Zoning Code and he would prefer to go through the entire document. City Planner Jondahl states that the changes Mr. Garza was asking to make were mentioned in the presentation earlier. Overall, the changes have been very small and really nothing major. City Planner Jondahl believes that the changes would not be significant enough to have the City Council go back to a first reading of the Zoning Code. Mr. Garza goes on to state different zones that were examples of change and having to reach the board of adjustments because they could not comply. He states he is looking at how the new codes are going to affect existing and pre existing regulations. Commissioner Jacimore states that in his opinion he thinks that taking a little more time such as a week or two is worth it to make sure that everything is correct. Commissioner Duffield commends the work of both the private and development sectors of the city in getting changes made to the zoning code. He states that this is very beneficial to the community that these two entities are working together to improve the code. Mr. Garza states that he would be accepting of moving the Amendment forward if both City Planner Jondahl and him agree on discussing the code within two weeks to make any changes. Commissioner Duffield states to put the passing of the zoning code on the agenda and if anything comes up warranting the need to pull it that it can be done.

Commissioner Duffield made the motion to table the application. The motion was seconded by Commissioner Monfee and passed unanimously.

The Eleventh Order of Business is a Zone Text Amendment to adopt the changes to the Land Subdivision and Development Code. Submitted by the City of Russellville. (ZONE-0822-000267)

Commissioner Duffield made the motion to table the application. The motion was seconded by Commissioner Monfee and passed unanimously.

Meeting adjourned.

Chairperson Wendell Miller