

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

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

Commissioners Present

Wendell Miller, Chairperson
Don Jacimore, Vice-Chairperson
Cody Black
John Choate
Justin Cothren
Luke Duffield
Shirley Hatley

Commissioners Absent

Eric Westcott, City Council Liaison
Cheryl Monfee
Larry Smith

Visitors: City Planner Sara Jondahl, Planner I Victoria Marchant, Planning Assistant Caden Lemley, Darin Stevens, Miguel Rivera, David Garza, Tammi Titsworth, Cynthia R Walker, James Hartkings, Jermane Enriquez, Aaron LeBeau, Kim Doan, Marsha Wells, Creed Chronister, and Norman Chronister.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting September 7, 2023.

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

The Second Order of Business is a Vacation of an alley located between Lots 3 and 10 Block 1 Northside Addition. Submitted by Drake Adams and John Stumbaugh. (VAC-0823-000407)

City Planner Jondahl stated that the existing conditions are zoned R2, medium density residential, this is an existing single family home in a developed portion of the Northside Addition to Russellville. She stated that this is primarily a mixed residential community with single family, duplex, and small scale multi family structures. She stated that all surrounding properties are zoned R2. City Planner Jondahl stated that there are three things to look at when considering vacation of ROW. City Planner Jondahl stated the first is Public Trust Functions. She stated that this application does not impair circulation, access, utilities, or open space, as this is

an unopened alley. She stated that north of this location the alley has already been vacated. City Planner Jondahl stated the second is Land Use Impacts. She stated that it has no land use impacts to the city. She stated the owner would possess development rights for this section of the property, granting them the ability to enclose the entire area they initially believed to be part of their own. City Planner Jondahl stated the third is Public Benefit. She stated that ownership of this property would be transferred from the city, returning it to the adjacent property owners, who would assume responsibility for its maintenance.

It is staff's recommendation that the Planning Commission forward to City Council with a recommendation to approve the request to vacate the twenty (20) foot Alley Right-of-Way adjacent to 1009 N Greenwich Ave 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.

Commissioner Choate made a motion to forward the application to city council with a recommendation of approval. The motion was seconded by Commissioner Duffield and passed unanimously.

The Third Order of Business is a Large Scale Development located at 1801 Fairway Blvd. Submitted by Barrett & Associates on behalf of BOST, Inc. (LSDV-0823-000402)

Planner I Marchant stated the existing conditions are that zoned R-O, situated between vacant parcels to the north and west, residential subdivision to the east and an assisted living facility to the south. She stated that the property to the south is zoned R-O while all other surrounding properties are zoned R-2 Medium Density Residential. Planner I Marchant stated that Large Scale Development is required due to the size of the building and property. She stated that the proposal is to allow the construction of four quadplexes and an office building for a BOST Independent Living meeting all setback requirements, multifamily building design requirements, parking requirements, sidewalk requirements, and are proposing landscaping in line with the landscaping requirements.

It is staff's recommendation that the Planning Commission approve this application with the following condition:

1. Applicant shall complete an Incidental Subdivision prior to Certificate of Occupancy.

As a result of the findings below:

1. The applicant demonstrates compliance with Article 2.10 and Article 3.21, 3.23, Article IV, V, and VI of the Russellville Zoning Code; and
2. The applicant demonstrates compliance with the regulations within section 7 of the Land Subdivision Development Code.

Dave Garza, Barrett and Associates, stated that a few years ago BOST picked two sites, one in Russellville and one in Dardanell. At the time they rezoned it, but since the code has changed, staff has recommended that it be changed to R-O. He stated that the Dardanelle site fell through,

so they are excited to build one in Russellville. He stated that this is a business that will stick around for a while.

City Planner Jondahl stated that it is already zoned R-O.

Commissioner Black motioned to approve. The motion was seconded by Commissioner Monfee and passed unanimously.

The Fourth Order of Business Special Use Permit to allow an Institution for Age or Children in an R-O zone, located at 1801 Fairway Blvd. Submitted by Barrett & Associates on behalf of BOST, Inc. (SPUP-0923-000423)

Planner I Marchant stated that the existing conditions are the same as the previous application. Planner I Marchant stated that the use "Institution for Aged or Children" requires a Special Use Permit within the R-O District. She stated that the proposal is to allow the construction of four quadplexes and an office building for a BOST Independent Living meeting all setback requirements, multifamily building design requirements, parking requirements, sidewalk requirements, and are proposing landscaping in line with the landscaping requirements.

Staff recommends approval of this special use permit with the following conditions:

1. Applicant shall complete an Incidental Subdivision prior to Certificate of Occupancy.

As a result of the findings below:

1. The applicant demonstrates compliance with the regulations within Article 2.10, Article III, IV, V, and VI of the Russellville Zoning Code; and
2. The proposed use is in line with e adjacent sue in this district; and
3. Current traffic routes are constructed in such a way to handle the traffic from the business.

Commissioner Duffield asked if the address on the Staff Report was a typo. Planner I Marchant replied that it was.

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

The Fifth Order of Business is a Special Use Permit to allow an Automobile/Truck Sales, New and Used Business in a C-2 zone, located at 114 East E Street. Submitted by NGC Holdings, LLC. (SPUP-0923-000417)

Planning Assistant Lemley stated that the existing conditions are that located at 114 East E St in a C-2, Highway Commercial, zone within the City Mall Commercial District, this property includes two existing structures that were previously utilized as a 10-bay car wash. He stated that the existing use is as storage and an office for NCI Lawns. Planning Assistant Lemley stated that the surrounding properties are zoned C-2, C-4, and R-3. He stated that uses within this corridor include a laundromat, retail, single family residential homes, and a church. Planning Assistant

Lemley stated the proposed use of the property being “Automobile/Truck Sales, New and Uses; Motorcycle Sales and Service” may be in line with the Land Uses in the City Mall Commercial District given the scale of the proposed operation. He stated that the permitting process allows staff to ensure that the standards for Russellville are equally applied. Planning Assistant Lemley stated that Article 2.10 provides requirements for commercial zone building permit review to include all drives and parking, and drainage improvements. He stated that since the writing of the staff report, the applicant has come into compliance with these requirements as:

1. The property sites on a concrete pad, and the applicant has painted stripes for two potential car sales clients; and
2. The applicant has painted a handicap parking spot in compliance with the American with Disabilities Act; and
3. Car wash bays will be utilized as employee parking. Two bays will contain for-sale vehicles.

Staff recommends approval of this application as a result of the findings below:

1. The applicant has come into compliance with requirements listed in Article 2.10; and
2. The applicant demonstrates a willingness to comply with the Russellville Zoning Code; and
3. The proposed use is in line with the adjacent use in this district; and
4. Current traffic routes are constructed in such a way to handle the traffic from the business.

Commissioner Jacimore asked if there will be an office on the property. Planning Assistant Lemley stated that they currently use a space that used to be the car wash pump storage closet as an office for NCI and will continue to use it as such.

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

The Sixth Order of Business is a Special Use Permit to allow an Automobile/Truck Sales, New and Used Business and an Auto Wrecker Service in a C-2 zone, located at 304 S Knoxville. Submitted by No Peekie, LLC. (SPUP-0923-000421)

Planner I Marchant stated that existing conditions are that this property includes a vacant building. She stated that this property was previously utilized as a car lot however that use has lapsed for over six months and therefore a Special Use Permit is required for auto sales. She stated that the property is located adjacent to an HVAC part business to the north and west, an Entergy office to the east, and a vacant lot to the south. She stated that this property and all surrounding properties are zoned C2 Highway Commercial. Planner I Marchant stated that the applicant is not proposing any real changes to the site. She stated that the building is being cleaned up in order to be utilized, however these small renovations are not close to triggering many standards in the Russellville Zoning Code including sidewalks, landscaping, or commercial building design. She stated that per Article 3.4 the applicant will be proposing an 8' sight obscuring fence surrounding all outdoor storage of salvage and wrecking operations. She

stated that the applicant has confirmed they are compliant with the Arkansas State Towing and Recovery Board standards. She stated that the applicant has submitted a parking analysis that illustrates the site will provide adequate parking including 1 ADA space. She stated that part of the applicant site includes dilapidated pavement that has turned into gravel. She stated that they are blocking off these gravel areas and just utilizing the southern driveway and existing hard surface area. She stated that building permits cannot be issued to a metes and bounds property, therefore a property boundary verification is required.

Staff Recommends approval of this special use permit with the following conditions, prior to business license issuance:

1. Applicant shall stripe proposed parking; and
2. Applicant shall complete sight obscuring fence; and
3. Applicant shall block off the gravel areas on the site per site plan.

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 proposed use is in line with the adjacent use in this district; and
3. Current traffic routes are constructed in such a way to handle the traffic from the business.

Commissioner Choate made a motion to approve the application with staff's recommendations. The motion was seconded by Commissioner Monfee and passed unanimously.

The Seventh Order of Business is a Special Use Permit to allow an R.V. Park in a C-2 zone, located at 1207 E 16th St. Submitted by Darin Stevens on behalf of Kingdom Hall of Jehovah's Witnesses. (SPUP-0923-000420)

City Planner Jondahl stated that the existing conditions are that this is the location of the Kingdom Hall of Jehovah Witnesses. She stated that it is zoned C-2 Highway Commercial, and a mixture of uses from businesses to residential uses are north of this location. She stated that Hickey Park is located directly south of this property. City Planner Jondahl stated that "Campground / RV Park" may be permissible in Cyclone Neighborhood District. She stated that permits have been applied for and obtained for expansion and renovations to the building at this site. She stated that the applicant thought that they could camp overnight during construction, however, overnight camping is only permitted in the M1 or M2 zones unless located within a Campground or R.V. Park. City Planner Jondahl stated Article 3.25 requires that campgrounds / RV Parks be issued through the Special Use Permit Process. She stated that some of the requirements are unattainable due to the nature of the proposed "RV Park", including overall lot size, underground utilities, open space, and buffer requirements. She stated that the applicant is proposing to utilize volunteer construction workers which will only reside on site during the renovation of the facility. City Planner Jondahl stated that the primary objective of the zoning code is to ensure that development aligns with community plans. She stated that in this instance, the project at hand pertains solely to the renovation of the church, without any intention of

creating a new development. She stated that consequently, enforcing compliance with thArticle 3.25 which is typically geared toward permanent developments, should not be mandated for a temporary and transient undertaking such as this.

Staff recommends the Planning Commission approve the request for the special use permit wit the following conditions:

1. Grant the approval for 90 days
 - a. Allow the City Planner and Fire Marshall to jointly approve one extension for an additional 60 days, if warranted; and
2. No more than 3 RV units to be permitted onsite under this approval.

As a result of the findings below:

1. This is a temporary request during construction; and
2. Although not demonstrating compliance with the regulations within Article 2.10 or 3.25 of the Russellville Zoning Code, being temporary in nature conformance would be excessively restrictive.
- 3.

Commissioner Choate asked City Planner Jondahl if this provided them with an adequate timeline to get everything they needed done. She replied that that is her understanding.

Darin Stevens, Kingdom Hall of Jehovah's Witnesses, stated that the renovations should be complete by the end of December.

Commissioner Choate asked what they were doing for a water and sewage system. City Planner Jondahl stated that is one of the conditions for a Campground or RV park that they cannot meet as they cannot build underground sewage. She stated that the three RVs are connected to a pipe that is connected to their sewer service. She stated that this is above ground. She stated that City Corporation had no comments on the application.

Fire Marshall Richard Setian stated that the site is put together relatively well. He stated that the electrical system was inspected and it looks good. He stated that the sewer is above ground, but is put together very well. He stated that as far as meeting code requirements, they have all been met.

Commissioner Black made a motion to approve as presented by staff. The motion was seconded by Commissioner Hatley. The motion passed with a vote of 6-1. Commissioners voting in favor of the motion were Jacimore, Monfee, Hatley, Duffield, Choate, and Black. Commissioner Cothorn voted against the motion.

The Eighth Order of Business is Rezoning a property from R-1/C-4 to C-2, located at 110 West Harrell Drive and 2303 N Arkansas Ave. Submitted by Crafton Tull on behalf of Aikman Family Trust. (ZONE-0923-000422)

City Planner Jondahl stated that the existing conditions are that located on West Harrell Drive with frontage along North Arkansas Ave, this property has historically been underutilized and is less than

1000 feet from the southern interchange for Interstate 40. She stated that this is a commercial interchange district where you see a variety of commercial uses including restaurants, Auto Service Stations, Hotels, and a small shopping center. She stated that southwest of this property is the new University Lofts Apartments close to being finished. She stated that North and south of this property are zoned C-4, west is R-1, southwest CHZ, and east is all C-2. City Planner Jondahl stated there are three things to consider when rezoning a property. City Planner Jondahl stated that the first is Future and Current Land Uses. She stated that it is in the highway commercial interchange district within 1000 feet of the off ramp from I-40. She stated that uses in this area line up with the request to rezone to C-2. She stated that it aligns with current uses and developments surrounding this property. City Planner Jondahl stated that the second is the Comprehensive Plan as a guide. She stated that this is a “Suburban Center,” which are the largest commercial centers in the city. She stated that they consisted of commercial and office developments with parking, auto oriented, and low-rise buildings. She stated that following the Comprehensive plan it would suggest this would be more accurately zoned as C2. City Planner Jondahl stated that the third is Value or Income Potential. She stated that changing from R-1 to C-2 would increase the income or value potential of those properties; however, the request is being made by the purchaser of the property not the owner prior to listing for sale, She stated that this is in alignment with the comprehensive plan and more accurately reflects future growth.

Forward this application to the City Council for approval of the request to rezone the property to C-2 Highway Commercial as a result of the findings below:

1. The application is in line with the existing Future Land Uses within the area; and
2. The proposal aligns with ReImagine Russellville 2040; and
3. The value or income potential of the property is not the justification for the request.

Marsha Wells asked the Planning Commission if changing the zoning would allow more parking for the university lofts. City Planner Jondahl responded that this was not relevant to this application.

Commissioner Black made a motion to approve. The motion was seconded by Commissioner Cothren and passed unanimously.

Meeting adjourned.

Chairperson