

Russellville Planning Commission Minutes
February 24, 2020 @ 5:30 p.m.

The Russellville Planning Commission held its regular meeting on Monday, February 24, 2020 at 5:30 p.m. in the Russellville City Hall Council Chambers.

Members Present

Chairman Wendell Miller
Vice-Chairman Don Jacimore
Secretary Nathan Barber
Justin Cothren
Luke Duffield
Larry Smith
Cody Black
Jim Lanier
Shirley Hatley
Council Liaison Justin Keller

Members Absent

None

Also present: Mayor Richard Harris, City Attorney Trey Smith, P/W Director Kenneth Duvall, City Planner Sara Jondahl, City Engineer Glenn Newman, Fire Marshal Richard Setian, Building Official Brian Holstein, Planning Assistant Lequitta Jones, Flood Manger Ben Gray, Dave Garza of Barrett & Associates, Dan Owens, Bucky Croom, Cliff Goodin, Scott Sanders, Jim Woker/EWI, Darlene Jernigan/FBCR, Gabe Freyaldenhoven, Patty Whiteside, Shelli Taylor/RTI Trash, Dylan & Stephanie Casto, Lucas Cox/Resident, Jamie Sykes/FBCR, Morgan Barrett, Forrest Bele, Mike Cloud, and Darlene Jenigan,

Welcome Visitors

The First Order of Business was a request to review and approve the minutes of the Planning Commission January 27, 2020 meeting.

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

The Second Order of Business was a public hearing requesting review and recommendation of approval for a special use permit to allow placement of an off-premise sign for Arkansas Heart Hospital Clinic and Carti Cancer Center,

located at 209 South Portland Avenue in a C-2. Submitted by Kevin Nelson on behalf of Wobbe Lane, LLC. (SP.19.11.174)_

This proposed use is to allow an off-premise sign to be constructed along the frontage of the front lot adjacent to South Portland Avenue, allowing the sign to be seen from West Main Street when citizens turn onto South Portland Avenue and give clear direction to the AHH and CARTI. It is Planner Jondahl's recommendation to forward to the City Council for approval.

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

The Third Order of Business was a request to close a portion of South El Paso Avenue between West 2nd Street and West 3rd Street. Submitted by Dave Garza of Barrett & Associates on behalf of First Baptist Church. (ST.19.06.93)

City Planner Jondahl said this application is being brought to the Planning Commission to vacate South El Paso between 2nd Street and West 3rd between the existing buildings for First Baptist Church. The ROW in this section of El Paso is approximately 60 feet wide for a street classified as a Local Street and the length of the official closure would be 270+/-feet long. The adjacent properties are both developed. The Comprehensive Plan states in Objective 3 of the Year 2020 plan that:

1. Develop new and maintain existing traffic circulation.
2. Where appropriate, continue to extend the grid-pattern street network to interconnect streets throughout the City.
3. Consider strategies to reduce the speed of traffic which could include adding a speed table / raised crosswalk or a lateral shift of vehicles creating a meandering street.
4. Design parking and circulation routes with distinct streets that include landscaped sidewalks, trees, gathering spaces and short term parking.

The 2013 Downtown Master Plan and the Five year update both state:

1. Emphasize pedestrian friendly downtown including pedestrian upgrades, yet maintained / preserve the existing gridded street pattern which includes preserving the existing ROW.

Planner Jondahl said in meeting with the clients and their design professional they provided corrections to plans including deterring traffic from continuing down a street that was closed and showed how they would be enhancing the pedestrian view including landscaping that makes a walk through the area visually stimulating, another goal of the Downtown Master Plan. However, when there are three separate plans that have been approved by Planning Commission and City Council that

include goals to develop new and maintain existing traffic circulation, request to extend the grid-like pattern to continue the interconnection of streets, and request strategies that reduce speed of traffic instead of closing the street, it is hard to see how closing the street realizes the goals laid out in the Comprehensive 2020 plan and both the Downtown Master Plan and Five year update to the Downtown Master Plan.

The reason, from my understanding at previous meetings, which this closure has been brought previously and is currently being brought to the Planning Commission, is because the Mayor of Russellville asked First Baptist Church to help offset the costs of repairing drainage issues in the City in the area. First Baptist Church has to put up flood protection measures anytime there is a major rain since the drainage floods the street and waves from vehicles passing by may enter the facility without the protection measures in place. However, the City Engineer has reviewed the savings to the City and it is not a significant amount. The reason why it would cost First Baptist Church more is due to all the extra items they are proposing to add to the area that will in fact make it look nicer than it currently does.

City Corporation is requesting a 16 inch cast iron and an 8 inch cast iron water mains are located within the ROW along with a 6 inch VCP sewer lines.

The Fire Department said access must be maintained from both the north and south sides of the building to the fire access panel in the event of a fire.

The Engineering Department said drainage easements will need to be provided, in addition to utility easements requested by other utility companies. If the vacation is granted the entire ROW should remain a utility easement due to the number of utilities that utilize this section of ROW.

The recommendation is there are three different plans that need to be considered that have been approved by the Planning Commission and City Council that reaffirm our goal of developing, maintaining and preserving existing gridded traffic circulation.

Dave Garza spoke on behalf of the First Baptist Church pertaining to the vacation of South El Paso Street, as follows:

1. Safety
2. ArDot Traffic Count
3. Russellville Traffic Department speed.
4. Background of Downtown Street by Traffic Volumes.
5. Mobility & Streets.

6. New Buildings.
7. Street Segment Legend.
8. Streetscapes.
9. Bicycle/Pedestrian Facilities.
10. Controlled Safety Zone.
11. Connectivity and Permeability.
12. New paving Option B.
13. Etc.

Gabe Freyaldenhoven spoke on behalf of the church says they want to be a good downtown partnership with the City. This closure will make it much safer for the children. We do want to do this with less impact as possible. The walking corridor makes it far safer.

Patty Whiteside spoke in opposition to the closure. She said she has lived on 4th and South Glenwood for 18 years and is amazed at how much the two churches have encroached on our historic neighborhoods. One example is there are many times that three streets are blocked completely or partially blocked, and a crosswalk situated in the middle of one of the busiest streets, South Glenwood. In travelling El Paso and South Glenwood daily for many years and she does not see the need to have El Paso permanently closed. She said in her opinion there are other options to be explored to ensure the safety of children attending daycare that will not require a city street closure". She stated she was opposed to this closure.

Lucas Cox, a resident, said he was for making the street safer.

Cliff Goodin spoke in support of the closure, concerns on the drainage, temporary closing that was granted by a previous mayor, and the closure will make it safer.

Jamie Sykes spoke in favor of the closure. We have many activities at our church. She said we want our children and parents to be safe.

Forrest Bele said this will isolate the businesses. He said he was one of the businesses that closer will isolate, but is fine with making it safer.

Mike Cloud spoke in favor of the closure wanting safety and a good partner with the City.

Darlene Jernigan spoke in favor of the closure and definitely needed the safety of children coming to the campus.

Morgan said when this was brought up prior there were no utility easements, but now we have the easements. The street needs to be closed.

Commissioner Duffield questioned the timing of the project and concern of other closings in the downtown areas.

Mayor Richard Harris said he was a member of the church and the only comment I want to make is our use of the 1953 grid pattern, "I do not agree with it".

Fire Marshal Setian said it will impede traffic, but we can do our job.

Commissioner Lanier made the motion to approve subject to drainage issues. The motion was seconded by Commissioner Smith and failed with a voice vote 3 yas (Nathan Barber, Jim Lanier, Larry Smith) and 5 nays (Don Jacimore, Shirley Hatley, Justin Cothren, Luke Duffield, Cody Black).

The Fourth Order of Business was a request to review and approve a Large-scale Development for Omega Solutions to allow an addition to the existing building, located at 3324 Bernice Avenue. Submitted by EWI on behalf of Omega Solution, Inc. (DV.20.02.162)

City Planner Jondahl said the LSD was in line with the code.

City Engineer: Needs to mitigate runoff from change in surface from gravel to asphalt.

City Corp: Verify construction of the new structural addition is outside of the 15' easement

City Planner recommends approval of the Large Scale Development with the following conditions:

1. Complete the incidental subdivision process.
2. Approval of a special use permit.
3. Build five foot sidewalks along the entire frontage along Bernice Street complete with ADA standards met. (This requirement may be waived if the conditions are met under the potential revision of the sidewalk ordinance)
4. Ensure all City Corp comments above are met through the building permitting phase of the project.

Commissioner Duffield made the motion to approve with meeting the conditions as stated. The motion was seconded by Commissioner Jacimore and passed unanimously.

The Fifth Order of Business was a request to review and approve a waiver from Article 3.20 Commercial Building Design, for Omega Solutions located at 3324 Bernice Avenue. Submitted by EWI on behalf of Omega Solution, Inc. (MS.20.02.99)

Planner Jondahl said this 5000sf structure/addition will be constructed in the same material as the existing building. It is the opinion of the staff that in this Industrial District that is more industrial in nature that commercial building design be waived.

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

The Sixth Order of Business was a request to review and approve a Large-scale Development for Taber Extrusions to allow an addition to the existing building, located on South El Mira. Submitted by Dave Garza of Barrett & Associates on behalf of Allan Hatcher. (DV.20.02.164)

Planner Jondahl said this application is to add a 6,800sf addition to the recent addition a 56,830sf building. If the revision for sidewalks goes through and since this is in the Airport Industrial District Character Area, this requirement would be waived. If not 3.21.2(C) sidewalks would have to be met.

Dave Garza said approximately one year ago this month we submitted for a LSD for Taber Extrusions for a new equipment building expansion. That expansion is now complete and will soon be online processing extrusions. In the last few months as the contractor moved toward completion it has come to their attention the new overhead doorway where the crane moves product to the delivery trucks will have to be custom built and at a great expense. After a site meeting and research for options the contractor said it would be more effective and at less cost if Taber did an extension or enclosure of 40 feet on the south end of the building where the trucks could pull into the enclosure for loading. A normal overhead door could then be installed at one end of the enclosure. This addition constitutes an addition and triggers the LSD process again. This is a 40 foot wide x 170' long expansion for trucks to back into and load product. We are requesting approval of this project.

City Planner Jondahl recommended approval.

Commissioner Lanier made the motion to approve the request as submitted. The motion was seconded by Commissioner Hatley and passed unanimously.

The Seventh Order of Business was a request to vacate the south 15 feet of East “C” Street, the east 10 feet of South Detroit Avenue, along Lots 5 & 6, Block 21, J.L. Shinn Addition to the City of Russellville Arkansas. Less and except a 10 foot by 10 foot chamfer in the northwest corner of said right-of-way closure. Submitted by James and Patricia Brown. (ST.20.02.97)

City Planner Jondahl said this application is to vacate the eastern 10 feet of the ROW along North Detroit and the southern 15 feet along East C Street adjacent to 400 East C Street. This ROW in this section of both ROW is approximately 80 feet for a street classified as a Local Street. The adjacent properties are both developed, one being the HIS Kids childcare facility, and the other adjacent properties are residential. It is Planner Jondahl recommendation to forward to City Council for their consideration and approval.

Commissioner Lanier made the motion to approve the request as submitted. The motion was seconded by Commissioner Smith and passed unanimously.

The Eighth Order of Business was a public hearing requesting review and recommendation of approval for a special use permit to allow Angel Massage and Spa to operate at 2008 West Main Street in a C-4. Submitted by Pamela Curry. (SP.20.02.177)

Planner Jondahl said the application is to open a new massage therapy salon.

It's the staff's recommendation that we forward the SUP to the City Council for approval with a requirement to remove the banner along West Main and remove the window posters.

Mr. McCurter said he was getting 8 customers a day and after removal of the posters and banner the customers had dropped to 3 a day. He asked for approval of the SUP.

Commissioner Jacimore made the motion to approve and allow the banner to remain. The motion was seconded by Commissioner Smith and passed unanimously.

The Ninth Order of Business was a public hearing requesting review and recommendation of approval for a special use permit to allow an adult development day treatment facility at 920 North University Avenue

in R-3. Submitted by Dave Garza on behalf of Friendship Community Care Inc. (SP.20.02.178)

City Planner Jondahl said this application is to change the use from administration to Therapeutic Community Care Level II. The building has been located on the property for many years, and is currently the location for the Administrative Services for Friendship Community Care. It is my recommendation since there are no exterior changes to the structure, sidewalks are existing, and it already meets commercial building design, that we forward the special use permit to the City Council for approval.

Dave Garza said this day the treatment center will be located in the existing administration building on North Knoxville Ave. Friendship Community Care has had a long presence in Russellville and provides a great service to the community in a variety of ways. We are requesting approval for this request.

Commissioner Smith made the motion to approve the request as submitted. The motion was seconded by Commissioner Hatley and passed unanimously.

The Tenth Order of Business was a request to review and approve a Large-scale Development for Ricky Lee Taylor Transfer Station to allow a rebuild on an existing concrete pad, located at 3640 South Frankfort Avenue. Submitted by Dave Garza of Barrett & Associates on behalf of Ricky Lee Taylor. (DV.20.02.162)

City Planner Jondahl said when the applicant brought in the application to reconstruct the existing burned down facility the staff met with the applicant to walk through the items required to obtain a permit. It was determined that a SUP, LSD, and waiver to the commercial building design requirements would be necessary to move forward with issuing the building permits. Additionally, the code states in Article 7.2.2 *Should a structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Zoning Code.*

City Engineer Newman asked that all debris, containers, and storage of materials must be out of the floodway area. All those materials stored in another SFHA must be permitted and may need to be anchored.

The replacement structure must be built to the Base Flood Elevation so an Elevation Certificate is needed for Pre and Post Construction. The parking shall be provided in accordance with Article IV for parking including hard surface parking for employees and visitors. Typically,

sidewalks would be required per 3.21.1(C), however, due to the location in the Arkansas River Industrial District Character Area and since the necessity to reconstruct is a result of the fire that destroyed more than 50% of the structure. The revision for sidewalks will be waived. All new signs will need to meet the provisions of Article V. of the zoning code.

Dave Garza on behalf of RLT Inc., the existing metal on the property suffered an extensive fire that destroyed the building. The concrete slab survived the fire and Mr. Taylor is wanting to rebuild the structure back in its original place. Upon applying for a building permit the city could not find where a LSD plan nor a SUP had ever been approved for the site. Mr. Taylor proposed the property in 1991 and it is possible the facility was there before the requirements were in place. We are requesting approval for the LSD, SUP, and waiver for the commercial building design.

Commissioner Cothren made the motion to approve the LSD subject that all debris, containers and storage of materials must be out of the floodway area.

The Eleventh Order of Business was a public hearing requesting review and recommendation of approval for a special use permit to allow a transfer station for property located at 3640 South Frankfort Avenue in an M-1. Submitted by Dave Garza on behalf of Ricky Lee Taylor Transfer Station. (SP.20.02.179)

See Item 10. The staff recommends forwarding to the City Council for approval.

Commissioner Black made the motion to approve the SUP as requested. The motion was seconded by Commissioner Hatley and passed unanimously.

The Twelfth Order of Business A request to review and approve a waiver from Article 3.20 Commercial Building Design, for Ricky Lee Taylor Transfer Station located at 3640 South Frankfort. Submitted by Dave Garza on behalf of Ricky Lee Taylor Transfer Station. (MS.20.02.100)

City Planner Jondahl said in regard to this request this new 5,000sf structure/addition will be constructed in the same material of the existing building. The staff recommends waiving the commercial building design.

Commissioner Hatley made the motion to approve the waiver. The motion was seconded by Commissioner Lanier and passed unanimously.

The Thirteenth Order of Business was a public hearing to discuss and request approval to update the Russellville Zoning Code in regard to Article 3.21 Sidewalks - Commercial Uses. (MS.20.02.101)

The planner, staff, and contractors agreed this item was ready to move forward as written to the City Council as amended.

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

Meeting adjourned.

Chairman Wendell Miller