

BOARD OF ADJUSTMENT

MINUTES

April 7, 2022 @ 5:00 p.m.

The Board of Adjustment held a meeting on Thursday April 7, 2022 at 5:00 p.m.

Members Present

Chairman Blake Tarpley
Vice-Chairman Don Jacimore
Secretary Justin Cothren

Members Absent

Wendell Miller
Wayne Cummings

Visitors Present: : City Planner Sara Jondahl, Planner I Victoria Marchant, Planning Intern Michael Haile, Jim Lynch of City Corporation, Zayne Bryson of City Corporation, David Garza of Barrett & Associates, Ruben Camacho with RJR Consulting LLC, Jessica Ellington of Harrison French & Associates, and Lisa Duvall of Harrison French & Associates.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Board of Adjustment March 3, 2022.

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

The Second Order of Business is a variance from Article 5 allowing 475.65 square feet of signage on the front façade despite the 200 square foot maximum. Submitted by Harrison, French & Associates on behalf of Walmart Real Estate Business Trust. (VARI-0222-000187)

Planner I Marchant stated the request was for a Variance from the signage requirements. She stated that the existing conditions are that the property is located within the East main Commercial District, the property and all adjacent properties are zoned C-2 Highway Commercial, and surrounding properties have a variety of uses including strip malls, an auto parts store, and numerous restaurants. Planner I Marchant stated that the application is to allow replacement of the façade signage in C2 zone which exceeds the allowable square footage by two hundred and fifty one point one (251.1) square feet on their front façade. The Russellville Code currently limits façade signage to two hundred (200) square feet for the C2 zone. She stated that in May of 2021 Walmart applied for a Variance for replacement of their signage and the variance was approved. Planner I Marchant stated that because of a new proposed addition, the pickup sign is being re-done. It is being reduced by twenty five (25) square feet and all other signage is going to remain as is.

It is staff's recommendation to approve the application as a result of the findings below:

1. The applicant has reduced the total square footage of the façade signs by twenty five (25) square feet, coming closer to compliance; and
2. The applicant has met all other variance guidelines.

Jessica Ellington of Harrison French & Associates stated that the signage was being reduced to accommodate an arrow. She stated that was all that was changing with the sign itself.

Member Jacimore made a motion to approve the variance as presented. The motion was seconded by Member Cothren and passed unanimously.

The Third Order of Business is a Variance from Article 4.1.1 allowing a reduction in parking located at 2409 East Main Street. Submitted by Harrison, French & Associates on behalf of Walmart Real Estate Business Trust. (VARI-0222-000198)

Planning Intern Haile stated that this was a request for a special exception allowing a reduction in parking. He stated that the existing conditions are that the property is located within the East main Commercial District, the property and all adjacent properties are zoned C-2 Highway Commercial, and surrounding properties have a variety of uses including strip malls, an auto parts store, and numerous restaurants. Planning Intern Haile stated that the Russellville Code currently requires one (1) parking space per one hundred fifty (150) square feet of retail space. National standards prescribe one (1) parking space per two hundred (200) square feet, for grocery stores of this size. National standards require eight hundred and nine (809) parking spaces or two hundred and seventy (270) spaces less than the one thousand and seventy nine (1079) spaces required by the Russellville Code. He stated that the application is to reduce the parking spaces by ninety two (92) spaces to nine hundred and eighty seven spaces (987). There is currently a surplus of parking spaces, which will be maintained because the proposed number of spaces is above the national standard. Planning Intern Haile stated that Special Exceptions can only vary parking by up to fifty percent (50%), the request is for roughly nine percent (9%).

It is staff's recommendation to approve the application as a result of the findings below:

1. The applicant will be above national standards for parking spaces by one hundred of seventy eight (178) spaces: and,
2. A surplus of spaces will be preserved; and,
3. The variance I less than fifty percent (50%) of the original required spaces

Member Jacimore made a motion to approve the request as presented. The motion was seconded by Member Cothren and passed unanimously.

The Fourth Order of Business is a Variance requesting an addition to a non-conforming structure located at 821 South Denver. Submitted by RJR Consulting LLC on behalf of Maria De La Luz Miguel. (VARI-0322-0195)

Planner I Marchant stated that the request was for an addition to a non-conforming structure. She stated that the existing conditions are that the property is located within the Glenwood neighborhood, the property and all adjacent properties are zoned R2 Medium Density

Residential, and surrounding properties are other single family homes, duplexes, and multifamily housing. Planner I Marchant stated the application is to allow an addition on the north side and rear of the existing single family home. The house does not meet the front yard setback requirements, which makes the property non-conforming. The proposed additions meets the setback requirements. The property is metes and bounds and is not within a platted subdivision.

It is staff's recommendation to approve the application with the following conditions:

1. Submittal of an Incidental Subdivision application is prior to building permit issuance.

Based on the Findings below:

1. The property is described as metes and bounds; and,
2. The home was built before the current Zoning Code went into effect; and,
3. It is not the intent of the Zoning Code to prohibit property owners to make additions to their homes when those additions are in conformance with the Russellville Zoning Code: and,
4. The proposed additions to the home meet the setback requirements; and,
5. The applicant has met all of the other variance requirements.

Member Tarpley asked to confirm that the property was in a platted subdivision. Planner I Marchant stated that it was not in a platted subdivision. She stated that she believes the platted subdivision stop around the 700 block of South Denver Avenue.

Member Tarpley asked what is required for an incidental subdivision. Planner I Marchant stated that staff had been discussing the process with the applicant. She stated that it was currently unclear whether it would be a staff level review or have to go before the Planning Commission and City Council. It is dependent on whether the right-of-way has been dedicated in the area. Planner I Marchant stated that process would be the applicant bringing surveys to the staff. She stated that the applicant had already begun the process. She stated that the final plat will have to be recorded before the certificate of occupancy is given.

Ruben Camacho with RJR Consulting LLC stated the incidental subdivision had been started and would be finished within the next week or two.

Member Jacimore made the motion to approve with the presented conditions. The motion was seconded by Member Cothren and passed unanimously.

Meeting Adjourned
