

**Russellville Planning Commission Minutes**  
**October 28, 2019 @ 5:30 p.m.**

The Russellville Planning Commission held its regular meeting on Monday, October 28, 2019 at 5:30 p.m. in the Russellville City Hall Council Chambers.

**Members Present**

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

**Members Absent**

None

**Also present:** Mayor Richard Harris, City Attorney Trey Smith, City Planner Sara Jondahl, Public Works Director Kenneth Duvall, City Engineer Glenn Newman, Building Official Brian Holstein, Ben Gray/ Floodplain Manager, Planning Assistant Lequitta Jones, and Jim Lynch/City Corp, Zayne Bryson/City Corp, Dave Garza of Barrett & Associates, and Bucky Croom.

**Welcomed Visitors**

**The First Order of Business** was a request to review and approve the minutes of the Planning Commission September 23, 2019 meeting.

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

**The Second Order of Business** was tabled at the August 2019 and September 2019 meeting. A request to review and approve a large-scale development for Innovation Industries Inc., located at 3500 East Main Street. Submitted by Dave Gaza of Barrett & Associates. (DV.19.08.160)

City Planner Jondahl said the storm water plan was presented to the engineer and approved. The recommendation is approval of the Large-scale Development with a few items that will need to be addressed as part of the plan review for the fire department, fire line, and the completion of the incidental subdivision process. They are to build sidewalks along the entire frontage of the property, however, I was just handed a letter showing that they may have paid a

*fee in lieu* for sidewalks. We will need to check on that, but that is something we can manage in-house. The recommendation is approval.

Dave Garza on behalf of Innovation Industries said we have reviewed the recommendation from the planning department and with #1, #2, and #3, we have no problem with. We resolved the storm drainage and fire line. We are working with City Engineer Newman on the water drainage. Number 4, on the incidental subdivision, we will make it a one lot. Number 5, they did pay an *in lieu contribution* for the sidewalks when they made an expansion in 2018. Number 6, they have ample parking. They have hard surface for 220 employees and they only have 120 employees.

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

**The Third Order of Business** was a public hearing requesting review and recommendation of approval for a special use permit to allow an indoor axe throwing range in a C-2, located at 2601 West Main Street. Submitted by Jessica Steven. (SP.19.10.172)

City Planner Jondahl said this activity is something we can approve. This will be somewhat like a bowling alley where they throw axes. The only condition that I am asking for is to close the driveway that is closest to the intersection. I'm not asking they absolutely put curb and gutter in, but that they put something there that will restrict access. They have three driveways onto the site and this still allows for people to drive thru the property getting on from Main Street and get on from the side street. The recommendation is approval.

Ms. Jessica Stevens said their plan is to place planters or barrels on the east side closest to the intersection.

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

**The Fourth Order of Business** was a public hearing requesting review and recommendation for approval for clarification and amend the Russellville Zoning Code as follows. Submitted by City Planner Sara Jondahl. (MS.19.09.94)

4A. Above Ground Storage Tank – Non Flammable.

City Planner Jondahl said this is an above storage tank, an elevated water tank that the City of Russellville asked City Corp to build for us. The City is asking that we move forward with approving the above ground storage tank/non flammable for the elevated water tank for City Corp to go ahead to build the water tower that we have requested. This would require a special use permit in all zoning districts. I would like this one to move forward.

Commissioner Hatley asked where the tank will be located. Planner Jondahl said it is going to be behind Flying-J.

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

- 4B. Amend the El Paso/University Zone for clarification to update parking requirements and add language for consistency.
- 4C. Amend Section 3.21 Residential Sidewalk Standards.
- 4D. Amend Article 4 Parking. Updating regulations for spaces, location, type, adding verbage for vehicle storage areas and trees.

City Planner Jondahl said she wanted to first start with addressing the sidewalks. It is my desire that this is a walkable town. I know a lot of people want to get out and enjoy walking around town, around their neighborhood, or along trails. The requirement is for new construction to always construct 5-foot sidewalks. The requirement meets ADA requirements for sidewalks, allows for pedestrians uses, maintains the same requirement already placed on commercial developers and will only increase construction around \$500.00.

The second item, I want to discuss is the corrections to the parking code. As a result of trying to aesthetically improve neighborhoods thus increasing property values as main goals with this update are to define what a legal parking space is, where parking is allowed within the yards adjacent to public right-of-ways, a start to some access management standards for traffic flow and safety. Requiring access to be obtained first from lower classification street and request for second driveways to major arterials to be approved by the Board of Adjustment, and adding a small requirement for a few trees within parking lots, one tree for every 12 parking spaces. These requirements are standard development requirements in neighboring towns of similar size and are typical across the country.

Overall these amendments set a standard for our community, help define benchmarks for the direction we are going and help us set the stage to meet our goals of what we would like Russellville to look like when we grow up.

Bucky Croom said I'm here tonight to request of this Commission to consider if you would delay your decision on this tonight. There are a lot of developers, builders, engineers here tonight. There is a lot in this proposed code here tonight. Some of us here tonight were made aware of this very recently. So, we haven't had a chance to really look at all these proposals to understand all of them. I would like to propose us having a work session with developers, builders, and engineers; all come together and look at this and have discussion about this and bring it back for action.

Planner Jondahl said she would like to make a recommendation on the definition and table of permitted uses that we consider moving forward with

those as well. There are some updates to some definitions (4E and 4F) for activities that are currently going on in Russellville and they are just trying to come into compliance.

Commissioner Cothren made the motion to table with a work session to include Bucky Croom, Mayor Harris, City Planner Jondahl, sooner than later, then bring it back for us to look at. The motion was seconded by Commissioner Jacimore and passed unanimously.

- 4E. Article X Definitions.
- 4F. Article XIII Table of Permitted Uses.

Commissioner Lanier made the motion to approve. The motion was seconded by Commissioner Smith and passed with a roll call 7 for 0 against with Commissioner Duffield abstaining.

**The Fifth Order of Business** was a public hearing requesting review of Zoning Authority of the City in Certain Area Outside Its Corporate Limits and Review of Landowners' Request of Classification of Their Property in the Proposed Area. Submitted by City Planner Sara Johdahl. (MS.19.10.96)

City Planner Jondahl said the proposal before you is to apply zoning regulations to an area outside the City Limits. The State many years ago gave us the authority to place zoning restrictions on property in that planning boundary outside of the City, and all we are doing at this point is moving forward with actually applying some zoning regulations to this area. I sent notices to everyone who owns property in the zoning boundary. I also supplied this evening a list of everyone I have actually physically talked to, set down with, or received a questionnaire back stating what they did or did not want their property zoned as. As you can see I did not get a lot of responses back. This afternoon I talked with Portia Short and she is still considering what she would prefer her property to be zoned as. I also talked to Thomas Keith to have his property zoned as C-2. In looking at the properties, I did drive the entire area, to make sure I understood what the properties looked like; to make sure that I had a better sense of what the zoning regulations I would be requesting to and/or proposing. As you see most of the properties I am proposing to be zoned as C-2, especially along Weir Road and Hob Nob, are already a mix of commercial uses. I do see that developing more of a commercial corridor especially if you come into Russellville. And over on McDougal Lane on the properties to the right on your map that is a subdivision and I do believe that's going to remain a subdivision zoned as R-1. And most of the people who I have talked to on McDougal Lane are in agreeance with the R-1 zoning. I do request that you approve my proposed zoning and move this forward to City Council for their approval.

Wes Freeman asked if this is the area that is proposed for the casino. Planner Jondahl said it is my understanding of the proposed casino that will be located in this area.

Dewey Keener said he did receive the form on Thursday. We are nearly to Crow Mountain Road, and I personally don't see at this time for my property being C-2. It is in the county now. I'm requesting this be postponed for a while.

Unknown: I have two old houses out there. I want to know about the fire department if we will be under the city fire department. Planner Jondahl said only at this time we are only talking about zoning. You will still be in the county. This is not a discussion about annexation at this point. I know there is an intent to annex, but right now all we are looking at doing is placing zoning regulations on the properties. So, you would still be under your existing fire department and police enforcement everything else is going to stay the same. The only impact to you with zoning regulations would be that you would be responsible to come to the City if you are proposing to do any construction on your property to make sure you are in compliance with the zoning regulations placed on the property.

Wes Freeman asked with the area being such a hot topic right now, how would that effect the proposed construction out there if or when that issue is resolved. City Planner Jondahl said if new construction is proposed on any of these properties they would need to come to the City to make sure they are in compliance with zoning regulations for the City of Russellville. The permitting process and everything else would be through the County. City Attorney Smith said the one-mile jurisdiction the City would permit construction projects. City Planner Jondahl said you would have to be in compliance with zoning regulations if you get new construction out there in that area, but the intent is to place zoning restriction on the property.

Wes Freeman said if I understand this correctly the property would still be in the County, but the zoning would be governed by the City. Would the proposed construction out there fit in a C-2 zone? City Planner Jondahl said under a special use permit, yes. Wes Freeman asked what is the rational for placing the zoning in the County at this point and time.

Mayor Richard Harris said the intent of the City at this time is to ensure that if the casino goes in that property out there that the casino is constructed and built according to City Code. We are making sure that our zoning codes and regulations are applied when the casino is built that is within the one-mile planning jurisdiction of the City and has been for years. This is not new. We are changing the Zoning Code to allow the construction of the casino and also we meet codes for the City. Why is it being done now, now is as good of time as any to go ahead set that up going forward.

Wes Freeman so what I'm understanding in the past it still fits in the buffer zone where the City could still govern that. So now it is going to be C-2, it is a little

more formal to tie up loose ends, is that correct? Mayor Harris said that is correct. This has always been in the planning boundaries, we are not changing the planning boundary at all we are just rezoning it to C-2.

Alderman Westcott said this really makes it easier for commercial development along that whole area out there, is that correct? Planner Jondahl said it actually does make it easier for any development in that area because the zoning is already defined. So they don't necessarily have to go thru and define the zoning first and then make sure that they comply with zoning regulations.

Dewey Keener said I'm not opposed to rezoning for that casino, but I do want to see the taxes from it and benefit from it. I hope they are required to put stop lights and do all the stuff that we may have to end up paying for as a City later on. I don't feel like you need to reach out that far for a C-2.

Planner Jondahl said we included that area out Hwy-124 because it's already a mixed use commercial area.

Alderman Westcott for clarification, the current uses of the property will not immediately change, whatever you are doing right now keep on what you are doing. However, if you sell the property, what happens? Planner Jondahl said if you sell the property you can keep doing the same thing, it's when you go to redevelop the property then you have to come into compliance with the new regulations. However a single-family home is a permitted use in any zone within Russellville.

Commissioner Lanier made the motion to approve. The motion was seconded by Commissioner Smith with a roll call vote 7 voting for 0 against with Commissioner Duffield abstaining.

Meeting adjourned.

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Chairman Wendell Miller