



January 23, 2012

The Russellville Planning Commission will hold its Regular Meeting January 23, 2012, at 5:30 p.m., in the Council Chambers of City Hall.

PLANNING COMMISSION AGENDA

Welcome Visitors

1. **A request to elect officers for 2012: Chairman, Vice-Chairman, and Secretary.**
2. **A request to review and approve the minutes of the December 19, 2011 regular meeting.**
3. **A request that the Planning Commission appoint or reappoint at-large members for a 2-year term to fill the vacancies of Blake Tarpley and Dusty Bonds to the Board of Adjustment. This appointment or reappointment will need confirmation by the City Council.**
4. **A request to review and recommendation of approval to the City Council for a Special Use Permit to allow tire sales, tire repairs, tire changes, minor auto repairs, and auto detailing in a C-2 for property located at 1305 South Knoxville, submitted by Orlando R Lara. (SP.12.01.108)**
5. **A request to review and recommendation of approval to the City Council to rezone property located 1909 Fairway Blvd., presently R-2 (Medium Density Residential) to R-0 (Residential Office) submitted by Dave Garza of Barrett & Associates on behalf of Rick Mooney Construction. (ZO.12.01.157)**
6. **A request to review and recommendation of approval to the City Council for a Special Use Permit to allow an assisted living center (Southridge at Russellville Assisted Living Center) in an R-0 (Residential Office) for property located at 1909 Fairway Blvd., submitted by Dave Garza of Barrett & Associates on behalf of Rick Mooney Construction. (SP.12.01.109)**

Russellville Planning Commission Minutes

January 23, 2012 @ 5:30 p.m.

The Russellville Planning Commission met in its regular meeting on Monday, January 23, 2012 at 5:30 p.m., in the Russellville City Hall Council Chambers.

Members Present

Chairman Dennis Boyd

Vice-Chair Eric Westcott

Secretary Aldona Standridge

Jimmy Sims

Richard Perkins

Burke Larkin, Council Liaison

Gaylon Smith

Jimmy Davenport

Members Absent

Herschell Hargus

Nick Patel

Also present: Mayor Eaton, City Planner David Harris, City Attorney Trey Smith, Jim Lynch/City Corporation, Planning Assistant Lequitta A. Jones, Fire Marshal Richard Setian, Alderman Ron Knost, Building Official Brian Holstein, Price McMillen, David Garza, Rick Mooney, Adam Sweeney, and David McKinney/River Valley Leader.

WELCOME

The First Order of Business: A request to elect officers for 2012 - Chairman, Vice-Chairman, and Secretary. Commissioner Standridge made the motion to elect Dennis Boyd, Chairman; Eric Westcott, Vice Chairman; and Aldona Standridge, Secretary. The motion was seconded by Commissioner Sims and passed unanimously.

The Second Order of Business: A request to review and approve the minutes of the December 19, 2011 regular meeting. Commissioner Perkins moved to approve the minutes as written. The motion was seconded by Commissioner Westcott and passed unanimously.

The Third Order of Business: A request that the Planning Commission appoint or reappoint at-large members for a 2-year term to fill the vacancies of Blake Tarpley and Dusty Bonds to the Board of Adjustment. This appointment or reappointment will need confirmation by the City Council.

Commissioner Perkins moved to approve the re-appointments of Blake Tarpley and Dusty Bonds to the Board of Adjustment. The motion was seconded by Commissioner Davenport and passed unanimously.

The Fourth Order of Business: A request to review and recommendation of approval to the City Council for a Special Use Permit to allow tire sales, tire repairs, tire changes, minor auto repairs, and auto detailing in a C-2 for property located at 1305 South Knoxville, submitted by Orlando R Lara. (SP.12.01.108)

Mr. Harris said this property is zoned C-2 which allows this type of business with a Special Use Permit. No outstanding issues were noted by the staff. Also, Mr. Harris stated that Commissioners might consider stipulating conditions similar to those placed on recent auto-related Special Permit Uses, which included requirements that all work take place inside, and that no parts, supplies, visibly damaged vehicles, etc., be allowed outside the building unless they were screened from view.

Commissioner Perkins made the motion to approve subject that all work is to be performed inside and screening be provided if outside storage is utilized. The motion was seconded by Commissioner Davenport and passed unanimously.

The Fifth Order of Business: A request to review and recommendation of approval to the City Council to rezone property located 1909 Fairway Blvd., presently R-2 (Medium Density Residential) to R-0 (Residential Office) submitted by Dave Garza of Barrett & Associates on behalf of Rick Mooney Construction. (ZO.12.01.157)

Dave Garza, on behalf of Mooney Construction, requested rezoning from R-2 to R-O for property they wish to purchase to construct a 40-unit assisted living center complex. The property is located on Fairway Blvd, just north of the Meadow Brook Addition on South Tampa Avenue. The property is currently owned by Beaver Trails, LLC and the proposed project will not conflict with their plans for the land. The facility would operate in connection with the surrounding land uses. Mr. Garza asked there be a clause in the ordinance stating that, should the applicants not get funded and the project is dropped that the property will revert to its original R-2 zoning.

Commissioner Perkins said the only way that he would vote to approve the R-O would be that the property would revert to R-2 if this project is not built. He stated he was displeased with people bringing rezoning requests to the Commission for a specific purpose and turning around and doing something the Commission didn't zone it for.

Mr. Harris stated that a particular use should not be considered when property is being considered for rezoning, but that the entire slate of possible uses under the requested zoning should be taken into account. He also reminded Commissioners that this project would be required to come back for Large-Scale Development review.

City Attorney Trey Smith agreed, stating that the use of reversion clauses is not an accepted practice in the State of Arkansas. A reversion clause is not permissible, with

Commission options are to approve the zone or deny it. A particular use should not be considered when rezoning property.

Alderman Larkin asked if there was another zone where an assisted living facility would be permitted without requiring a Special Use Permit. Mr. Garza said the facility is permitted in a C-2, but C-2 would not fit in that area, as that would be spot zoning.

Commissioner Westcott made the motion to approve the R-0 Zone. Commissioner Standridge seconded the motion and passed with Davenport, Standridge, Sims, Smith, and Westcott voting for and Perkins voting against.

The Sixth Order of Business: A request to review and recommendation of approval to the City Council for a Special Use Permit to allow an assisted living center (Southridge) at Russellville Assisted Living Center) in an R-0 (Residential Office) for property located at 1909 Fairway Blvd., submitted by Dave Garza of Barrett & Associates on behalf of Rick Mooney Construction. (SP.12.01.109)

Mr. Harris said the assisted family living complex is required to have a Special Use Permit. Multi-family is a good transitional use between the industrial uses along Elmira, and the single-family areas south of Fairway.

Commissioner Westcott made the motion to approve the Special Use Permit. The motion was seconded by Commissioner Standridge and passed with Standridge, Sims, Smith, and Westcott voting for and Perkins abstaining.

Meeting Adjourned.

Chairman