

**PLANNING COMMISSION
MINUTES
March 3, 2022 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday on March 3, 2022 p.m. in City Hall Council Chambers.

Commissioner Present

Chairman Wendell Miller
Secretary Justin Cothren
Vice-Chairman Jacimore
Luke Duffield
Cody Black
Larry Smith
Shirley Hatley
Cheryl Monfee
John Choate

Commissioner Absent

Eric Westcott (City Council Liaison)

Visitors Present: Mayor Richard Harris, City Planner Sara Jondahl, Planner I Victoria Marchant, Zayne Bryson of City Corporation, Jim Lynch of City Corporation, Steve Mallett of City Corporation, Tony Moore of Moore and Co. Realtors, Michael Poole of Moore and Co. Realtors, Braden Vaughn, David Garza with Barrett & Associates, Fire Marshal/Building Official Richard Setian, City Engineer Glen Newman, Engineering Technician Armando Diaz, City Attorney Trey Smith, , Ken Ledderman, , Michael Haile, Wayne Cummings, Jamey McFadden, and Will Wetzell.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting February 7, 2022.

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

The Second Order of Business is the rezoning of 111 & 114 West Harrell Drive from C-2 to College Hill Zone. Submitted by Barrett & Associates on behalf of Joseph Stoeckel and Keith and Helen Ledbetter. (ZONE-0122-000179)

City Planner Jondahl stated that this was a request for rezoning on West Harrell Drive in the University Place District. It is rezoning the property from C2 to College Hill Zone. She stated the existing conditions are that there are two single family dwellings on four lots. The subdivision is located behind a child development center and the west of the University Plaza development.

The property is currently zoned C2 highway Commercial. That the property is adjacent to property owned by ATU to the west and south Zoned R3 and R1. And, the properties to the East and North are zoned C2 and R3. City Planner Jondahl stated the future land use map indicates that this area is to be used for suburban single family residences, it is adjacent to an institutional campus. She stated that the College Hill Zone was created to complement the University Campus, thus it is rational to consider the entire area around the university to be fit for the zoning category. And that while this property is not directly next to the other College Hill Zoning on the Southern side of ATU, it is reasonable to assume that the University would bisect a particular zoning district. Especially one that is related to the University with a College Hill Zoning. City Planner Jondahl stated that the two properties to the west are both defined as “Institutional Campus.” Which is described as “areas composed of large-scale campuses. The campuses could be office complexes, college campuses, large public schools, or other similarly outlying land uses...” She stated the with this definition in mind, it is fair to consider that this property would be more correctly defined as institutional campus, as it is disconnected from many parts of the community. So a zoning district that aligns with the University would make sense and would therefore align with the Comprehensive Plan. City Planner Jondahl stated that one of the things necessary to consider when rezoning a property is the request is not based exclusively upon a desire to increase the value of the income potential of the property when reviewing a zone map adjustment. The current zone would not permit the proposed development of a student housing complex. She stated that changing the zone from C2 to CHZ would increase the development potential of the property. However, C2 typically has a higher return on investment thatch, regardless of the proposed project not being permitted in the current zoning.

Staff recommended approval of the application as a result of the findings below:

1. It is in line with existing and Future Land Uses with the area; and
2. The proposal aligns with the Reimagine Russellville 2040 Comprehensive Plan; and
3. There is no increase of value or income potential of the property

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

The Third Order of Business is a Large Scale Development located 111 and 114 West Harrell Drive. Submitted by Barrett & Associates on behalf of Joseph Stoeckel and Keith and Helen Ledbetter. (LSDV-0122-000178)

City Planner Jondahl stated this was a Large Scale Development located on 111 & 114 West Harrell Drive, the same location of the first item discussed. She stated that the project was called University Lofts and was a one hundred and twenty (120) micro unit apartment complex. She stated the existing conditions are that there are two single family dwellings on four lots. The subdivision is located behind a child development center and the west of the University Plaza development. The property is currently in the process of being rezoned to College Hill Zone, and all of the Large Scale Development review was done with the understanding that it will be rezoned College Hill Zone. It is also adjacent to Arkansas Tech University property. City Planner Jondahl restated that the review was done with the understanding that the rezoning request will

be approved. If the rezone request is not approved, this application should be withdrawn as apartment buildings are not permitted in C2. The proposed building will be placed over platted lot lines, as a result an incidental subdivision application will be required prior to permit issuance. She stated that the College Hill Zoning area requirements are different than typical zoning code, additional items shall be met prior to building permit issuance including a built to zone, which the proposal already meets, instead of a building setback. Streetscape standards, first floor height requirements, and screened parking requirements will be confirmed with the building application.

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

1. This approval shall be revoked if the rezoning application is not approved by the city council to rezone the property to CHZ; and
2. The first floor height minimum height shall be twelve (12) feet and will be required to be verified with the building permit application; and
3. An incidental Subdivision to re-plot the property be required.

As a result of the findings below:

1. The applicant demonstrates compliance with the regulations within Article 2.18 of the Russellville Zoning Code; and
2. The applicant demonstrates compliance with the regulations within Section 7 of the Land Subdivision Development Code.

Commissioner Monfee asked if the additional traffic in the area from the development had been considered. City Planner Jondahl stated that the roads in that area were already constructed in a manner to handle the traffic, and the applicant is proposing some streetscape improvements to West Harrell Drive and Red Hill Lane.

Commissioner Black asked if the conversation with Arkansas Tech University about Red Hill Lane had developed. City Planner Jondahl stated that staff had received an email from Arkansas Tech University that shows they are not in opposition to this application, and are willing to work with the city and the applicant to improve Red Hill Lane.

David Garza with Barrett & Associates stated that this was not the first time that this area has been selected for apartments. About five years ago a developer chose the property to the north off of Lake Front Drive for apartments. But during the process the developer pulled out. He stated this building would allow for Arkansas Tech University to meet the needs of their students, without using their agricultural lands. Mr. Garza stated that this allowed housing in a different location but still adjacent to Arkansas Tech University. He stated that this was not this developer's first time building this type of development. And that the proposal met all the design requirements of the proposed zoning. Mr. Garza stated that the parking was on the east side of the building, and as the residents leave there will be a sign directing them to the left. In hopes of redirecting the residents to go down Red Hill Lane and then onto Phoenix to the light. He also stated that they may hand out pamphlets to new residents telling them the best route during

specific time periods to help alleviate traffic. This would then become a habit once they see it is faster and safer.

Jamey McFadden stated the development is described as luxury micro loft apartments, and will be fully furnished. A three level building is being proposed, with each unit averaging about four-hundred and forty (440) square feet, and one-hundred and twenty (120) units. He stated that the primary target is off campus student housing, with a secondary market of traveling medical professionals. Mr. McFadden stated that security will be of great importance. There will also be a lobby and exercise room on the first floor.

Commissioner Black made the motion to approve as presented by staff. The motion was seconded by Commissioner Jacimore and passed unanimously.

The Fourth Order of Business is an Outside Service Agreement for Eagles Crest Subdivision. Submitted by Barrett & Associates on behalf of Michael Poole. (MPA-0222-000185)

City Planner Jondahl stated that this is an Outside Service Agreement for Eagle Crest Subdivision and is a request only for domestic water service. It will service twenty-eight (28) lots in the county. She stated that the existing conditions are that it is outside the legally defined planning boundary. The property is fifty-seven point thirty-six (57.36) acres. Which is a correction of the staff report. The twenty-eight (28) lots range from one point zero seven (1.07) to four point ninety-seven (4.97) acres. It is marked as a Single Family Suburban on the Future Land Use Plan. And the only water availability is through the City of Russellville (City Corporation). City Planner Jondahl noted that when the city determined they would serve Cove Landing with water, they cut off a portion of land from Tri-County Regional Water. So the only water they can have is City of Russellville water through City Corporation. Any development in this area, even if it was a single house, would require water from the city. She stated that request was only for domestic potable water service. It did not include Fire Service Protection. This does not mean that the city would not respond to fire calls. The city is in an auto aid response agreement for this area with Crow Mountain Volunteer Fire Department. According to the city's GIS maps the city is within five (5) mile response distance and an eight (8) minute response time for auto aid response. The water service pressure is sufficient only to provide domestic water service only.

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

1. Complete an annexation agreement for the entire subdivision.
 - a. (This is similar to agreements put on all outside use agreements. It would state that at a future date when the city decides to annex the property, that they would not object.)

As a result of the findings below:

1. There is no adverse impact to the water system: and
2. The applicant is aware and has acknowledged that the connection is for domestic potable water only and does not include capacity for fire service protection: and
3. City Corp has already approved the Application to extend the water lines; and

4. City Corp has approved the application to connect and recommended connection.

Commissioner Smith asked what size water line is going to the subdivision. City Planner Jondahl replied that it is a four (4) inch line. Commissioner expanded on his question by asking if a four (4) inch line would be enough for twenty-eight (28) homes, and if it would be enough if they decided to put in sprinkler systems. City Planner Jondahl stated that the request was only for domestic potable water only. Commissioner Smith then stated that if the city decided to annex it, there would be no fire hydrants. David Garza with Barrett & Associates tells Commissioner Smith that there is one hydrant by the first lot. Commissioner Smith stated that if someone was going to buy a home in this subdivision, they should know about the water.

David Garza with Barrett & Associates stated that the subdivision would contain twenty-eight (28) homes. He stated that it was good to see new subdivisions in the community. This was the first subdivision he has worked on in the past year. Mr. Garza stated that the lots in the Eagle's Crest Subdivision would be slightly larger than those in the Richland Hills Subdivision. Eagle's Crest has twenty-eight (28) lots compared to the Richland Hills Subdivision seventy-six (76) lots. He stated that is the last of the land not already subdivided in that area. The majority of the plots to the North and the East are already developed. Mr. Garza stated that Richland Hills only had a three (3) inch water line, and a pump station. This pump station helps with water pressure. He asked Zayne Bryson when the pump station was built. Mr. Bryson deferred the question to Commissioner Choate, who stated that it was built around the year 2000. Mr. Garza stated that the subdivision would link to Apple Lane's four (4) inch line and would keep a four (4) inch line. This would not allow for a sprinkler system, which would be specified in the covenant and possibly the deed as well. This will also be monitored by City Corporation. He stated that City Corporation had the ability to monitor how much water each house is using due to their new monitoring system.

Commissioner Smith asked Mr. Garza what the pressure would be. Mr. Garza replied saying that it would be around seventy-five (75). He stated that the water pressure would be kept up by the pump station.

Braden Vaughn on behalf of Eagle Crest Partners stated that after City Corporation had approved the proposal, Eagle Crest Partners were presented with an annexation agreement. He explained that annexation agreements require the developer and all subsequent land owners to consent to annexation at some point in the future. Mr. Vaughn stated that in particular this was a problem because they would have to disclose this to any potential buyers. They would be informed that the area may be annexed and their right to vote on it has been given away. He stated that would likely be a hard conversation with most buyers, and that the agreement would bind all future land owners. Mr. Vaughn stated that he had reviewed Ordinance 1458, which prescribes the requirements for outside connections to city water. He stated an annexation agreement was not required in the ordinance and that the Planning Commission did not have to require the annexation agreement to grant them access to city water. Mr. Vaughn stated that he did not believe that Richland Hills or Cove Landing were required to sign annexation agreements before being provided city water. He stated that there were other issues with the annexation agreement as well. If the city proposed to annex the property next year the property owners would be

required to meet city regulations when they had bought property initially outside the city's jurisdiction. If an annexation petition was presented during development it could change the entire scope of the project in the middle of development. Mr. Vaughn stated that the final issue with the agreement was that he could see future land owners fighting the annexation agreement. He stated that essentially the developer would be giving away someone's constitutional right to vote. Mr. Vaughn stated that for those reasons Eagles Crest Partners were asking the Planning Commission to approve the extension of city water but not require the annexation agreement.

Chairman Miller asked City Planner Jondahl to respond to Mr. Vaughn's comments. City Planner Jondahl stated that annexation agreements were a way to protect the city. She stated that any time a city service was extended outside of city limits it was reasonable to assume that the area would at some point be annexed into the city. City Planner Jondahl stated that the comprehensive plan that the city had adopted had an annexation map. The Eagle Crest Subdivision was not set to be annexed in the next ten (10) to twelve (12) years. If the area was to be annexed it would not be for another fifteen (15) to twenty (20) years. She stated that in her time as the City Planner of Russellville that all outside service agreements had included an annexation agreement.

Commissioner Smith asked if Mayor Harris had any comments on the matter. Mayor Harris stated that he had read through the annexation agreement early in the day and had the same concerns as Mr. Vaughn. He stated that he did not know how you could give away the constitutional right to vote on an issue or how a developer could do the same for you. Mayor Harris stated that the idea troubled him as an American Citizen someone might sign away his right to vote.

Commissioner Jacimore asked if this property was to be annexed in the future and did not meet the Fire Code, how the city would address this issue. Fire Marshal/Building Official Richard Setian stated that annexing property that is substandard in regards to fire safety, it is a common problem for all cities. He stated that there had been previous situations where it had made sense for properties to meet fire regulations before annexation and others in a more gray area. Mr. Setian stated that the Arkansas State Fire Code is passed as a blanket code. He used a hypothetical church in Pelsor, while state code would require the church to have a sprinkler system if it sat more than three hundred (300) persons, it would not be practical or reasonable for the church. It would take an unreasonable expense to meet the minimum requirements of the code. Mr. Setian stated that fire marshals are required to maintain their jurisdictions and as a professional courtesy not render decisions outside of their jurisdictions unless specifically asked to do so. He stated that due to that professional courtesy, the only comment he could give is that the area is outside his jurisdiction. He acknowledged that this could be seen as an inadequate response. Mr. Setian stated that unfortunately when a community is growing, it is easier in urban areas because the areas have the infrastructure already in place. But if you do not have the infrastructure, you have to balance whether it is reasonable to make them have that infrastructure in preparation of annexation or take a chance and have the responsibility of improving the infrastructure fall on the city once the property is annexed. Mr. Setian stated that he thought it was possible to sit down and prepare a development for future annexation. While the water

capacity may not be there, instead of having blow-off valves hydrants could be put in. Six (6) inch pipes could be laid. He stated that right now if there was a fire Russellville Fire Department would respond first. The only way that fire could be fought is with tankers, which need to be refilled. They cannot be refilled well through a blow off valve but can be with hydrants. Mr. Setian stated that it could be possible for a compromise to be reached that would help to prepare the development. He stated that unfortunately he had seen many examples of property being annexed that, at the time of development, it had been unreasonable to build them to the city's standards. Commissioner Jacimore stated that if we know that it will take six (6) inch lines to meet the standards, it does not seem to be too much to ask of the developer. Mr. Setian emphasized that what he had just said was a recommendation of something that might work and that no one had asked him to plan a compromise. He restated that he was just offering a possibility. In the case that it was too costly to build a new water tank or another similar scenario. Mr. Setian stated that it was an example from the top of his head and not something he was proposing for this situation. Commissioner Smith asked if six (6) inch lines were possible in the development. Mr. Setian stated that the code requires a minimum of six (6) inch diameter lines. So if in the future there is annexation or Mr. Moore and Mr. Poole decide to add fire protection, they will have to lay new lines. He then stated that laying four (4) inch lines was Mr. Moore and Mr. Poole's choice and that he must keep his hands out of the development. His comments were just his understanding of the law, and what he would look at when thinking about future annexation.

David Garza of Barrett & Associates stated that there was a three (3) inch line in the Richland Hills Subdivision and a four (4) inch line coming off Apple lane. To tie a six (6) inch line to these two lines would collapse the system. So the developers decided to keep a four (4) inch line for as much volume as possible. He stated that they were also considering putting in an additional two hydrants to help ease worries. While these hydrants could not be directly used to fight fires, they could be used to help refill tankers. Mr. Garza stated that Russellville, Pottsville, and Crow Mountain fire departments covered that area.

Tony Moore of Moore & Company expressed his gratitude to the Planning Commission for the service they provide. He stated that the problem was that no other subdivisions in the path growth of the city have been held to the city's standards. So while these issues will have to be addressed at some point in a growth pattern, but those areas have never been held to that standard. Mr. Moore stated that other subdivisions in the county were on smaller lines with twice as many homes. He stated that the area wishing to gain the outside service agreement was in the county, not touching the city limits, and outside the one (1) mile perimeter. Mr. Moore also stated that the developer would be running the water lines and had already acquired the easements. All they are asking for is for the city to sell water to them. He also thanked Mr. Vaughn for his good job and Mayor Harris for his sentiment. Mr. Moore stated that he was pretty good salesman but he did not know how to explain to people, that would not create a fear factor that he could not take away. He would have to disclose that to them and he's not sure how to do that without scaring away the potential home buyers.

Commissioner Duffield asked if City Corporation had any plans to upsize the lines in that area that would allow for more water flow to that area. Steve Mallett of City Corporation stated that City Corporation did not have any plans to. The pipe in the area was built by Tri-county Water and was exchanged with City Corporation. Mr. Mallett explained that was the reason Commissioner Choate was able to answer an earlier question. He stated that Richland Hills is a closed system, and that this would in essence be an extension of the Richland Hills system. Mr. Mallett stated that there had been discussion about whether the subdivision was in the planning boundary, if it required fire flow, and about a possible partnership with the developers to install a water tower in the area. He explained that putting in a new tower would have required half a million to three quarters of a million dollars. It would include upsizing the water line going up the hill and all the water lines already on the hill. Mr. Mallett stated this would be hard to ask of the developer since fire flows are not required. The developer would likely choose to move to a different project. It would also be inappropriate to ask the customers in the area to subsidize a water tank for a new subdivision. He stated that the current proposal was likely the only way the subdivision would be built. Mr. Mallett stated that one thing that could be done is to reserve a hundred (100) by hundred (100) plot of land in the correct location so that in the future a water tower could be built there to benefit the entire area. He said that there had been thought that this could be the time to act if the developer chipped in a couple hundred thousand dollars towards the water tower. However, if the financial burden rested completely on either party it did not make sense to build the tower.

Commissioner Jacimore asked Mr. Mallett if there had been forethought out into when the area may be annexed. Mr. Mallett said that there had been and the area for the tower was shown on the plans. The plans for the tower had also been cleared by the FFA. He stated that if the area was annexed and the surrounding area developed and a need for the tower arose, the areas would be reserved. At that time some lines may have to be upsized and spurs made to support hydrants. Commissioner Jacimore stated that is why he asked about up-sizing the lines earlier. He clarified that he did not want them upsized now, but was looking forward to who would be responsible once the time came. Commissioner Jacimore stated that several towers had been built in Russellville to help with pressure. If the time comes where that area is annexed, hopefully the city is growing so why not do it, upfront if that is the direction the city is moving. He stated that he knew that a three (3) inch line was not going to feed a six (6) inch line. Commissioner Smith then asked Mr. Mallett who would be responsible for changing the line when it was required. Mr. Mallett stated that it would have to be the city's responsibility, unless an agreement with the property owners was made now. He thought this would be harder to sell to a potential buyer than the annexation agreement. Mr. Mallett said it would be similar to when City Corporation installed a tank in Bradley Cove to feed the Cove Landing Subdivision. The subdivision had large enough mains but no dependable pressure. He stated that there was now a water tank in the area on a piece of land reserved by Tri-county Water. The difference being that the lines were sized correctly originally. Mr. Mallett stated that he believed that it would be possible to fill the tank with the current line going up the hill. Because once the tank was full, it would provide the pressure needed. He stated that not every line would need to be replaced but just in strategic places in accordance with the agreement made with the fire department. A smaller network could be made to serve fire protection.

Mayor Harris stated that he was thankful for the Planning Commission's concerns and questions. He stated that he understood that the Planning Commission was looking out for the safety of the people in the area, and the city in the future. But, Russellville needs the housing development. Mayor Harris shared that in June fifty-four (54) employees of an industry in the area would be moving to the community and currently Russellville does not have enough houses for them. He stated that he had spoken to Mr. Moore earlier in the week and asked if he was ready for them, and Mr. Moore responded that he was preparing and that this was a step in that direction. Mayor Harris stated that this needed to be done right and he was not asking anything else of the Planning Commission. However, as Mayor of Russellville, knowing that there were fifty-four (54) high paying jobs coming into the community, in four (4) to five (5) months, he is worried about where they will live. The city needs to encourage development. Mayor Harris restated what Mr. Moore had stated earlier. That the property does not abut the city limits and is outside the planning boundary and there are no plans to annex that area. If that area were to be annexed, there would be several other areas to worry about, including the Richland Hills and Cove Landing developments. He cautioned the Planning Commission not to over react, because the houses are needed. Mayor Harris stated that he wants those people to move into the community, and not get frustrated because the city does not have a place for them to live, and instead move to another community.

Fire Marshal/Building Official Richard Setian stated that he had one comment. He stated that we want the lots to sell, and we tell them that it will be annexed without choice that can hurt the sell. Mr. Setian stated that if the area is to be annexed in the future and it has substandard fire protection, protection is owed to those people. He stated that he had been on calls at two (2) in the morning. On these calls people were distraught because the Fire Department could do nothing because water wasn't available. He stated that no one else was there from the meeting but he had seen the distraught families while he couldn't do anything. Mr. Setian stated that his concern is that in eight (8) years when none of the people in this room are here anymore, and someone bought or built a five-hundred thousand (500,000) home and made some assumptions.

Commissioner Choate made the motion to approve as presented without the annexation agreement. The motion was seconded by Commissioner Duffield and passed unanimously.

The Fifth Order of Business is a Large Scale Development located on 2409 East Main Street. Submitted by Harrison French & Associates on behalf of Walmart Real Estate Business Trust. (LSDV-0222-000186)

Chairman Miller stated that there had been a request to table the motion until the April meeting.

Commissioner Monfee made a motion to table the item. The motion was seconded by Commissioner Smith and passed unanimously.

The Sixth Order of Business is a Special Use Permit to allow an industrial Use Not Listed (Cryptocurrency Mining Facility) in an M-1 Zone, located at 615 Tyler Road. Submitted by Eleven11 Holdings LLC and Iivel Inc. on behalf of Travis Parker. (SPUP-0222-000184)

Chairman Miller stated that there had been a request to table the motion until the April meeting.

Commissioner Hatley made a motion to table the item. The motion was seconded by Commissioner Monfee and passed unanimously.

The Seventh Order of Business is a Zone Text Amendment to allow an update to Article 2.18.1(4) El Paso University Area of the Russellville Zoning Code. Submitted by the City of Russellville. (ZONE-0222-000188)

City Planner Jondahl stated that she unintentionally missed pointing out that the University Lofts needs this zone text amendment to go through in order for the rezoning to be approved. If this amendment is approved and sent to City Council, it will be listed before the rezoning request. However, since the request was unfinished business from the previous meeting, it was listed first. She stated that Arkansas Tech University had been made aware of the update. City Planner Jondahl stated that this is a zone text amendment for the El Paso/University District. She showed a map describing all areas that could rezone at some point with the adoption of the amendment. It does not change the current zoning, it is only a text amendment. She also showed a concept plan for the El Paso district to help remind the Planning Commission what the College Hill Zone is. It allows for mixed use and student housing. Commercial and multifamily could be built on the same parcel of land. City Planner Jondahl stated that the original text was very clear that no property outside of this area or disconnected shall be brought in the zoning district. She stated that one of the small changes was deleting the “Downtown Master Plan Update 2017” text, because that does not accurately describe the zone as it is currently. It was changed to “character area identified as the El Paso Mixed Use District on the zoning map”. The following text was added to the end, “designated as College Hill Zone when at least 50% of the proposed property is located within 750 feet of the Arkansas Tech University Campus”. City Planner Jondahl clarified that only one section of the El Paso/University, specifically the College Hill Zone, to be expanded. This will expand the college or university feel. She stated that the El Paso / University District was formed in 2018, to facilitate walkability and livability, and connect campus activity with other areas of town. The zone is meant to maintain the small town ambience and natural heritage of Russellville. City Planner Jondahl stated that the Russellville Zoning Code is currently being revised and that this article has been identified as one area that should not be changed without doing the changes as part of the zoning code updates. She stated that she had spoken to the consultant that is working on the zoning code update, and asked if there were any objections. They commented that additions to this zone do not change the requirements of the zone, and are not in conflict with the updating process. City Planner Jondahl stated that she pointed this out because she had previously stated that changes should not be made to the zone at this time. This also allows opportunities for redevelopment adjacent to the University. She stated that even though this would allow the rezoning of property does not mean that if the property is at the edge of the seven-hundred and fifty (750) feet with no other College Hill Zone in-between would be allowed to rezone. All requests will still be reviewed to see if it would be spot zoning or if it’s an extension of the University. City Planner Jondahl stated that if the property in question is completely surrounded by R-1, staff would most likely still recommend to deny the application, even though they have the opportunity to request the rezoning, because it would be spot zoning. She stated that the zone would grow outwards from the University to the seven-hundred and fifty (750) foot line. City Planner Jondahl showed a series of images zooming in on

different areas within the seven-hundred and fifty (750) foot line. She did not show any images from the western side of the campus because it is largely conservation land. And any request to rezone any of the property would most likely not be supported by the Corp of Engineers. The first image showed the northern portion of the area which includes the proposed micro-loft apartments, and stretches towards the interstate. The next image showed the area to the west of the university and south of O-street. City Planner Jondahl stated that some of this area may redevelop as College Hill Zone.

Staff recommends forwarding to City Council for approval as a result of the findings that:

1. The El Paso / University District was created on March 15, 2018; and
2. This zone was created to facilitate walkability and livability as a connector between the ATU campus and downtown with food, activities, events, and residences; and
3. Allowing this extension to other areas surrounding the University will act as a connector to other areas of town: and
4. This zone is meant to maintain the small town ambience and natural heritage; and
5. The change is consistent with the objectives outlined in the zoning code; and
6. This change does not impact the current efforts to revise the Russellville Zoning Code.

Commissioner Duffield asked about the property across Highway 7 which is owned by Arkansas Tech University but not included in the campus outline. City Planner Jondahl stated that while the property is already owned by Arkansas Tech University, the university does not currently map it as part of their campus. Commissioner Duffield asked if this change would be restricting the university by changing the zoning of their property. City Planner Jondahl restated that it is an amendment to the text and not a rezoning and would not restrict the university but allow for the possibility of rezoning the property to College Hill Zone. Commissioner Duffield then confirmed that this would not be restrictive to any of the property owners, but instead would give them another option. City Planner Jondahl confirmed his statement.

Commissioner Black asked if this gave the University Lofts development the option. City Planner Jondahl stated that it would give them the option.

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

The Eighth Order of Business is a discussion of the Russellville Zoning Code Update.

City Planner Jondahl stated that from this month forward there would be a discussion item on every meeting for the Russellville Zoning Code Update. This way the commission could be kept up to date on progress made on the update. She stated that this would also give time for the commissioners to read the documents pertaining to the update that had been shared with them and that the drive that had been shared with them had been cleaned in order to make it easier to understand. City Planner Jondahl stated that in addition to any comments or questions the commissioners had, the staff had been asking applicants to review the updates and give feedback. She stated that the University Lofts had reviewed the multifamily home design guidelines. That

staff was ensuring real world feedback. So if anything is unreasonable, it would be caught before implementation.

City Planner Jondahl showed a graphic which displayed the project's mission. This included promoting economic development, modernization, updates to the Subdivision and Zoning Codes, and making it equitable for all. She stated that the overarching theme was quality of place. The goal is to make Russellville a place where people want to be. To accomplish this the staff is designing for people and places, ensuring clear standards and making simplified and predictable processes. City Planner Jondahl stated that the first public meeting was held in September. During this meeting a first impressions choice was posed, which showed limited landscaping with the sidewalk adjacent to the street compared to street trees with greenspace between the street and sidewalk. Staff has been gathering feedback through discussions with developers as well. She stated that she would cover three sections in the current meeting. The first section was the Commercial Building Design Standard's Significant Changes. City Planner Jondahl stated that the Waiver process had been removed. If a commercial building did not design standards it now followed the same variance process as every other project. Making the process simple. The new code clarified that industrial buildings within an Industrial Zone (M-1 or M-2) do not need to meet Commercial Building Design Standards. This was due to a comment received from the public. Alternative materials proposal process that can be approved by staff as long as the proposal is in line with the intent of the code. This would allow some projects to have their alternative material approved by staff and not have to go before the Planning Commission. New design guidelines for articulation for the walls and roof lines, entrances, equipment screening, parking lot layout, and pedestrian. She stated that this is already fairly common amongst commercial designers. The final change is that the dumpster enclosure into the code, instead of in a standalone ordinance. Ensuring that everyone knows about it and that it is easy to access. The second section was the proposed Multifamily Building Design Standards. City Planner Jondahl stated that this section had been reviewed by the University Lofts developers and to her knowledge they did not have to change anything to meet these standards. She also noted that it has been made clear to everyone who has read any of the draft documents that they are just drafts and not required. City Planner Jondahl stated that the plans were created for standards for consistency and aesthetic purposes. The proposed standards follow the standard process for Commercial Building Design, which is a staff level review unless requesting a variance. Alternative materials proposal process that can be approved by staff as long as the proposal is in line with the intent of the code. Site planning and design guidelines for articulation for the walls and roof lines, entrances, equipment screening, parking lot layout, and pedestrian circulation were added. The new document also includes the dumpster enclosure requirement for multi-family structures. It also requires the amenities for multi-family developments with over fifty (50) units, with increased amenities for multi-family developments with scaling amenity requirements. The third section was the Fences, Walls Visibility, and Landscaping significant changes. City Planner Jondahl stated that these included removing retaining walls from the standard sections of Fences, Walls, and Hedges. A section on maintenance and installation fences which includes a timeframe for maintaining fences was added. The intersection visibility section was updated to include all intersections. A new retaining wall section was added to ensure that standard engineering principles were used and that the walls would be reviewed by

the City Engineer when exceeding four (4) feet in height. A new section on landscaping will also be added if approved by the Planning Commission and City Council. Currently there is an ordinance that states that areas within the right-of-way shall be filled with dirt, planted with grass and/or trees and maintained. However it does not give any expectations and by providing clear guidelines it will be simpler for everyone. City Planner Jondahl then showed a table that outlines the proposed landscaping requirements. She stated that the only requirements for single, two, and small-scale multifamily residential developments is a single tree per front yard. City Planner Jondahl then stated that the next public meeting would be held March 31, at six (6) pm. She stated that during this meeting density allowances and specific conditions on certain applications instead of Special Use Permits would be discussed during the meeting.

Meeting adjourned.

Chairman Wendell Miller