

**PLANNING COMMISSION
MINUTES
June 3, 2021 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday June 3, 2021 at 5:30 p.m. in City Hall Council Chambers.

Commissioners Present

Chairman Wendell Miller
Vice-Chairman Jacimore
Luke Duffield
Cody Black
Larry Smith
Justin Keller

Commissioners Absent

Secretary Justin Cothren
Shirley Hatley
Cheryl Monfee
John Choate

Visitors Present: Mayor Richard Harris, City Attorney Trey Smith, City Planner Sara Jondahl, Planner I Victoria Marchant, Flood Manager Ben Gray, City Engineering Tech Armando Diaz, City Engineer Glenn Newman, Jim Lynch of City Corporation, David Garza of Barrett & Associates, Kerry Lott, David Boerner, Jerry Webster, Charlotte Brock and Timothy Tucker.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting May 6, 2021.

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

The Second Order of Business is a Commercial Building Design Waiver located at 5520 N Arkansas. Submitted by Barrett & Associates on behalf of Tobacco Town and Bates Distributing Co. (SPUP-0421-000069)

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

The Third Order of Business is a Memorandum of Understanding to allow parking in the Right-of-Way, located at 104 South Rochester Avenue. Submitted by Barrett & Associates on behalf of Arkansas Workforce. (SPUP-0521-000087)

City Planner Jondahl stated this application is a type of Special Use Permit called a Memorandum of Understanding. The application is to allow continued use of 5' of the right-of-way for a total of 14 parking spaces along South Rochester Avenue. She stated last month the

Large Scale Development came before the Planning Commission and with that application they proposed to move the 14 parking spaces back from the curb leaving 6' between the curb and where the parking spaces would remain. Since the City and Arkansas Workforce did not have an agreement for those parking spaces within the right-of-way, this application is to allow Arkansas Workforce to retain use of that 5' for the 14 parking spaces. City Planner Jondahl stated that there are specific conditions that come along with Memorandum of Understandings. Those conditions are as follows: 1. A license is assignable only for the allowance of Five (5) feet for each of the 14 total Parking spaces along south Rochester Ave within the Right-of-Way; and 2. The licensee shall not gain an interest in the land by granting of this license; and 3. Future improvements to the Right-of-Way that include sidewalks may require the licensee to abstain from using land that this agreement may cover; and 4. The licensee agrees that any expenditures of the licensee within the public Right-of-Way shall not be performed on the reliance of this license; and 5. The licensee agrees that there are not any interests in the land to be coupled with this license; and 6. The licensee shall not expand any more development within the public Right-of-Way than what is already presented as part of the application; and 7. The license is revocable at any time; and 8. The licensee understands and agrees that any improvement of the property owned by the City and covered by the license shall be solely at the Owner's expense and shall not be reimbursed by the City.

It is staff's recommendation that we forward the Memorandum of Understanding to the City Council for approval with the 8 conditions listed as a result of the findings below:

1. Arkansas workforce has been using that area of the ROW for parking for many years; and
2. They are relocating the parking away from the curb by 6 feet leaving space for a future sidewalk if ever constructed by the City; and
3. There are no plans to upgrade Rochester Avenue along this corridor.

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

The Fourth Order of Business is a Special Use Permit to allow a Print Shop in the C-1 zone, located at 316 W Main St. Submitted by The Print House on behalf of Dale Brothers of NW Ark #One LLC. (SPUP-0521-000085)

City Planner Jondahl stated this is a Special Use Permit application to allow operation for the Print House. This is in a building where a screen printing business had previously been located. However, a Special Use Permit had never been issued or granted to the previous owner, so when this application was brought to the City, staff recommended that they would need to go through this process and helped them work through the process. It is in an existing structure, there will be no impact to adjacent structures or to the exterior of the property.

Staff recommends forwarding this application to City Council for approval of this special use permit with the following condition:

1. Any signs proposed must apply for and obtain a Certificate of Appropriateness from the Historic Commission and obtain a sign permit.

As a result of the findings below:

1. The structure is existing and previously used in a similar manner; and
2. Public Safety requirements of the proposed structure are met; and
3. Current traffic routes are constructed in such a way to handle the traffic from the business; and

4. Public Facilities already service this location.

Commissioner Smith said he was under the impression the business was some kind of sporting goods store. City Planner Jondahl said there are going to be two businesses in the building and one business is permitted in the Central Business District, whereas the Print Shop is only permitted by Special Use. The one business has started and the Print House will be in the back portion of the building.

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

The Fifth Order of Business is a Special Use Permit to allow a Storage Building/Container Sale or Rental business in a C-2, located at 3525 E Main St. Submitted by Chadwin Dirks on behalf of Linda Mathis. (SPUP-0521-000083)

Commissioner Duffield made the motion to withdraw the item from the agenda. The motion was seconded by Commissioner Black and passed unanimously.

The Sixth Order of Business is a Rezoning a property from R-2 to R-3, located at 1401 N Parker Rd. Submitted by Plunkett, Boerner & Associates, Inc. on behalf of ABL Properties, LLC. (ZONE-0521-000084)

City Planner Jondahl stated this application is similar to a couple other applications the Commission had seen recently for apartment buildings. It is existingly zone R-2 (medium density residential) and they are requesting to rezone it to R-3 (medium high density residential). Because of the number of units on the property, the apartment complex would not be permitted in an R-2 zone. They are proposing to sell this property and then the future property owner is proposing some façade updates to the apartments. The sale is contingent on the rezoning to change it from a non-compliant structure to a compliant structure.

Staff recommends that the commission forward this application to the City Council for approval of the request to rezone the property from R2 Medium Density Residential zoning designation to R3 Medium/High Density Residential as a result of the findings below:

1. Is in line with existing and Future Land Uses within 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 since it is existing.

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

The Seventh Order of Business is a Rezoning a property from R-2 to R-O, located in the 1900 block of Fairway Blvd. Submitted by Barrett & Associates on behalf of Beaver Trails LLC. (ZONE-0521-000088)

City Planner Jondahl stated that this application is a request to rezone a property from R-2 to R-O (residential office) located on Fairway Boulevard. This is adjacent to the nursing home which was constructed in 2013 in the curve of Fairway Blvd. The nursing home property was rezoned to R-O so that it could be constructed in 2013 and this property is under contract to be sold to

BOST incorporated that has adult and child development programs. City Planner Jondahl stated when doing zone map adjustment you must consider future and current land uses within the area, if the rezoning is in alignment with the Comprehensive Plan, and the value and income potential for the property. Staff does find that current land uses of the area contain a mixture of lower and medium density residential and it is considered to remain suburban residential in the future land use plan. Given that the uses within the Fairway corridor are a nursing home to the south, ABC Children's Academy, a proposed church, and medium density residential subdivisions, it is fair to make assessment that a residential office would be an appropriate zone change given the location. In the Comprehensive Plan there is a lot of flexibility in the suburban residential area, it is a fair assessment to say it would be in alignment with the Comprehensive Plan. As it is currently zoned, this use would not be permitted. The allowance of this rezone would allow the development of the property as proposed by the future owners. Changing the zone from R2 to RO may increase the income potential of the property, however, seems to be in line with other uses within the Fairway corridor and the proposed use would directly benefit the surrounding community.

Staff recommends that the commission forward this application to the City Council for approval of the request to rezone the property from R2 Medium Density Residential zoning designation to RO Residential Office as a result of the findings below:

1. Is in line with existing and Future Land Uses within 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 since it is existing.

David Garza of Barrett & Associates stated they are excited that BOST is going to build a new facility. He stated that right now they have a temporary facility on North Elmira and they are building a new facility in Dardanella. He said with this we will not only get new construction but we will also get jobs in the nursing and training field. Mr. Garza said he likes to see development happening in Russellville especially in the medical and technical fields. He stated that BOST is excited and kind of in a hurry to get started and get going on the project.

Commissioner Smith made the motion to approve the item with conditions as presented by staff. The motion was seconded by Commissioner Black and passed unanimously.

Meeting adjourned.

Chairman Wendell Miller