

**PLANNING COMMISSION
MINUTES
September 7, 2023 @ 5:30 p.m.**

The Planning Commission held a meeting on Thursday September, 2023, at 5:30 p.m. in City Hall Council Chambers.

Commissioners Present

Wendell Miller, Chairperson
Don Jacimore, Vice-Chairperson
Eric Westcott, City Council Liaison
Justin Cothren
Luke Duffield
Cheryl Monfee

Commissioners Absent

John Choate
Cody Black
Shirley Hatley
Larry Smith

Visitors: City Planner Sara Jondahl, Planner I Victoria Marchant, Planning Assistant Caden Lemley, TJ Posey, Mike Dolente, Becky Ellison, and George Dolente.

Welcome Visitors

The First Order of Business is a request to review and approve the minutes of the Planning Commission Meeting August 3, 2023.

Commissioner Jacimore motioned to approve the minutes as presented. The motion was seconded by Commissioner Duffield and passed unanimously.

The Second Order of Business is a Rezoning of property from R-1 to R-O, located at 1805 W Main Street. Submitted by The Lighthouse Companies on behalf of Deanna Arivett.
(ZONE-0623-000372)

Planner I Marchant stated that the existing conditions are that it is zoned R-1, Single Family Residential. She stated that this is an existing single family home in a transitional neighborhood along West Main Street. She stated that the structure recently sustained fire damage and was deemed a total loss. She stated that it is located next to medical offices and across from Saint Mary's Hospital. She stated that the property to the south is zoned R-1, the property of the southwest is zoned R-O, the property to the east is zoned C-4, and the property to the north is zoned C-2. She stated that there is a residential development located to the south of this property

along with other residential properties along W 2nd and Reno Ave. Planner I Marchant stated that in their review there are three items to consider when rezoning properties. The first is future and current land uses of the area. She stated that in this area you do see a mixture of residential and commercial properties, however, recognizing that over time this area will transition to a predominately commercial area as shown by the business operating in historically residential structures. She stated that allowing this property to rezone extends R-O zoning. She stated that eventually staff will be looking to rezone the block to the east to R-O to maintain the look and feel of this corridor as Residential Office. She stated that zoning the property as R-O is consistent with the Future Land Uses of the area. Planner I Marchant stated that the second thing to consider is comprehensive plan recommendations. She stated that it is to provide commercial and office developments that are either abutting an arterial corridor or within a transition area. She stated that it is fair to make the assumption that within this transitional area we would see a mix of residential and commercial uses and would be in line with the Residential Office. Planner I Marchant stated that the third thing to consider is value or income potential of the property. She stated that this rezone would increase the income potential of the property. She stated that it is staff's opinion that rezoning this property is in line with the development within the area and supports the growth of the neighborhood center.

It is staff's recommendation that the Planning Commission forward to City Council with a recommendation to approve the rezone from R-1 Single Family Residential zoning designation to R-O Residential Office as a result of the findings below:

1. It 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. Although there may be an increase of value or income potential of the property it is in line with development within the area.

Commissioner Cothren made a motion to forward the application to city council with a recommendation of approval. The motion was seconded by Commissioner Monfee and passed unanimously.

The Third Order of Business is a Special Use Permit to allow a Trucking Company in a C-2 zone, located at 306 E 39th Street. Submitted by Metcalf Trucking on behalf of Jacquie Keeney Revocable Trust. (SPUP-0723-000391)

Planning Assistant Lemley stated that located on E 39th St in a C-2, Highway Commercial, zone within the Arkansas River Industrial District, this prosperity includes an existing building that was previously utilized as a truck accessory store. He stated that surrounding properties are zoned C-2 and R-2. He stated that uses within this corridor include other truck-auto repair shops and a welding shop. Planning Assistant Lemley stated that the proposed use of the property being Automobile/Truck sales, new and used; motorcycle sales and service, is in line with the Land Uses in the Arkansas River Industrial District. He stated that the permitting process allows staff to ensure that the standards for Russellville are equally applied. Planning Assistant Lemley stated

that Article 2.10 provides requirements for commercial zone building permit review to include parking and drainage improvements.

1. The front of the property is gravel, does not currently have striping for the parking or loading area, and will need to include ADA access for customers/employees per the American with Disabilities Act.
2. The driveway to the parking area will need to meet hardsurface requirements.
3. Parking regulations per Article VI Parking calculations will need to be provided to confirm there is sufficient parking.

Planning Assistant Lemley stated that new auto repair facilities have specific requirements, those needing addressed are outlined below, all other requirements have been met or will be applicable if improvements are proposed.

1. A 6 foot tall masonry wall or other opaque decorative fence (as approved by the city) around all outdoor storage areas on the property. This includes, but is not limited to, the outdoor storage of vehicles awaiting repairs, parts, and other equipment. The owner is proposing to come into compliance with this requirement.

It is staff's recommendation that the Planning Commission approve this application with the following conditions:

1. Design and construct a sight obscuring fence in compliance with Article 3.14.1 of the Russellville Zoning Code; and
2. Design and construct a paved driveway access from the public road to the designated parking area; and
3. Ensure access to the customer area of the building from the parking lot is in compliance with the Americans with Disabilities Act (ADA).

As a result of the findings below:

1. The applicant demonstrates a willingness to comply with the Russellville Zoning Code; and
2. The proposed use is in line with the adjacent use in this district; and
3. Current traffic routes are constructed in such a way to handle the traffic from the business.

Chairman Miller stated that he had personally spoken with the applicant who had a prior engagement and therefore could not be there, and the applicant stated to Chairman Miller that he had no objections to staff's recommendation.

Commissioner Duffield motioned to approve. The motion was seconded by Commissioner Cothren and passed unanimously.

The Fourth Order of Business is a Special Use Permit to allow an RV Sales Business in a C-2 zone, located at 3814 S Arkansas Ave. Mike Dolente on behalf of GD Promotions LLC. (SPUP-0323-000341)

City Planner Jondahl stated existing conditions are that permits have not been applied for regarding recent expansions and the expansion caught the attention of Code Enforcement,

leading to this submittal. She stated that expansion has more than doubled what the operation was in June of 2019, and this latest expansion expanded their site by approximately one acre. She stated that this is zoned C-2, Highway Commercial Zone, and it is a redeveloping commercial area. City Planner Jondahl stated that the permitting process ensures that standards are equally applied. She stated that the proposed/existing use being "Sale of Recreational Vehicles" may be issued as a special use permit within this zone. She stated that to meet the intent of the zoning code:

1. Provide 6 hard surface parking spaces including 1 ADA van accessible space; and
2. The applicant will place slatting in the fence along the ROW and the first 8 feet along each side; and
3. Meet the landscaping requirements along S Arkansas and the Front Street buffer.

City Planner Jondahl stated the expansion did happen without permits, so staff could rule that they are not up to code, however, staff's intention is to work with the applicant in moving towards conformance. She stated that since the expansion took place prior to the updated zoning code, they have been relieved of some of the regulations of the code while still maintaining the intent of the code.

Staff recommends approval of this special use permit with the following conditions:

1. Provide 6 hard surface parking spaces (1 ADA) outside of the fence in the area identified as parking on the site plan submitted; and
2. Install slating in fence along South Arkansas and the first 8 feet of each side; and
3. Meet the landscaping requirements for the street trees and the 10 foot front street buffer; and
4. Apply for a property boundary verification prior to obtaining permits.

As a result of the findings below:

1. The applicant demonstrates compliance with the regulations withing Article 2.10 of the RZC; and
2. The applicant intends to come into compliance as recommended regarding Article 4 and Article 5 of the RZC; and
3. The proposed use is in line with the adjacent use in this district; and
4. Current traffic routes are constructed in such a way to handle traffic from the business.

Commissioner Duffield stated that he would like to commend both the City and the applicant. He stated that sometimes things happen, but with the city working with them and the way that they have set up their site he appreciates their willingness to work together. He stated that from the City's perspective that they care for small businesses in that they are willing to work through these things.

Commissioner Duffield made a motion to approve. The motion was seconded by Commissioner Monfee and passed unanimously.

The Fifth Order of Business TABLED DUE TO LACK OF UTILITY RESPONSE Vacation of an alley located between Lots 3 and 10 Block 1 Northside Addition. Submitted by Drake Adams and John Stumbaugh. (VAC-0823-000407)

Commissioner Jacimore made a motion to table the application. The motion was seconded by Commissioner Duffield and passed unanimously.

The Sixth Order of Business is a Zone Text Amendment to adopt proposed changes to the Russellville Zoning Code. Submitted by the City of Russellville. (ZONE-0823-000397)

The Seventh Order of Business is a Zone Text Amendment to adopt proposed changes to the Land Subdivision and Development Code. Submitted by the City of Russellville. (ZONE-0823-000398)

City Planner Jondahl stated that she will be giving a staff report for both this item and the next item—the first being an update to the Zoning Code and the second to the Land-Subdivision Development Code. She stated that these items have been brought forward by the Long Range Planning Committee. City Planner Jondahl stated that the committee currently has a few items that require further research and clarification before final decisions can be made. She stated that these items include the appropriate approach for dealing with portable buildings converted to single-family living structures, establishing regulations for data centers (including bitcoin mining facilities), setting noise level standards for industries, and potentially amending the definition of a family as defined in the Russellville Zoning Code. City Planner Jondahl stated the following updates were discussed by the Long Range Planning Committee:

- **Article 3.1.2** Dimensional Requirements. The proposal required additional setbacks for structures that do not substantially duplicate the primary structure on corner lots, which the committee felt met the intent of the original language.
- **Article 3.22.4** regarding commercial building design. When a building expansion is less than 20%, the architectural features outlined in the commercial building design requirements are not mandatory. However, the committee determined that there should be a two year time frame when expansions shall still comply with the is requirement.
- **Article 3.22.5** Design Standards and **Article 3.22.6** Site Design. This update separated the Building Design from the Site Design requirements. The committee believes that the original intention was to always address site design, ensuring that pedestrian movement and enclosure of trash facilities in parking lots are taken into consideration.
- **Article 10.2** Building Permit. New language is being introduced to ensure compliance with the state building code regarding permit expiration. The purpose of this addition is to provide clarity and establish a clear procedure for requesting an extension of the permit.
- **Article 11.4** Procedure for Appeals. This section addresses the procedure for appeals variances, and special exceptions. As a result, the heading is being corrected to accurately reflect this section of the code. Furthermore, in Article 11.4.1 verbiage is updated to reflect when it is relating specifically to appeals and where it more generally refers to all three application types. 11.4.4 specifies time limits on permits aligning with the same time frame as the state building code. These changes aim to provide clarity and consistency in the code's language regarding the various application types.
- **Article 12: Definitions.** Within the Area requirement stable, a term called “Triggering Property” is mentioned without a defined meaning. To provide clear guidance to staff, after lengthy discussion, this definition is being added.

Proposed updates to the Land-Subdivision Development Code:

- **Article 4.2.1 15):** Application Requirements. Item 15 always required a letter of certificates of approval or disapproval from city, county, or state agencies. At the time of preliminary plat those letters may or may not be possible. The committee felt that it was better represented by adding language for facilities not under City Jurisdiction.

- **Article 7.5** Planning Commission Procedure: Historically there was an expiration date listed on Large Scale Developments but at some point prior to 2019 that expiration was removed. It is best practice to have an expiration date listed on Large Scale Developments. This brings us into alignment with the best practices and the Comprehensive Plan.

Forward both applications to City Council with a recommendation of approval as a result of the findings:

1. The Long Range Planning Committee recommends these updates to the regulations; and
2. The changes align with the intent and are meant to clarify regulations; and
3. The change is consistent with the objectives outlined in ReImagine Russellville 2040 Comprehensive Plan, The Russellville Zoning Code, and the Land-Subdivision Development Code.

Chairman Miller entertained a motion regarding Item 4.

Commissioner Duffield made a motion to recommend approval of the Zoning Code updates. The motion was seconded by Commissioner Jacimore and passed unanimously.

Chairman Miller entertained a motion regarding Item 5.

Commissioner Monfee made a motion to recommend approval of the Land-Subdivision Development Code updates. The motion was seconded by Commissioner Duffield and passed unanimously.

Meeting adjourned.

Chairperson