

MINUTES
REGULAR MEETING
CITY OF MAUMELLE PLANNING COMMISSION
MAY 27, 2021; 6:30 PM
CITY HALL

COMMISSION MEMBERS PRESENT

Mike Fisher
Roy Andrews
Scott Smith
Hall Ramsey
David Gershner
Craig Johnson

COMMISSION MEMBERS ABSENT

STAFF MEMBERS PRESENT

Lydia Dreher, Planning & Permits Technician
Scott Grummer, Director Planning & Permits Dept.
Jason Lyon, Planner II
Melissa Krebs, City Attorney

Chairman Gershner called the meeting of the Maumelle Planning Commission to order at 6:30 PM.

ANNOUNCEMENTS

Mr. Grummer stated Item 4 was withdrawn from the agenda, and Items 5 and 6 requested deferral until June (Attached email).

APPROVAL OF MINUTES

Chairman Gershner asked for comments and/or changes to the April 2021 minutes as submitted.

MOTION: Commissioner Fisher made a motion to approve the minutes as presented. Commissioner Ramsey seconded the motion and the motion passed.

PUBLIC COMMENT

Chairman Gershner opened public hearing at 6:31 PM.

OLD BUSINESS

None

NEW BUSINESS

Chairman Gershner announced a conflict of interest for items 1 and 2, handed the meeting over to Vice Chairman Andrews, and withdrew from discussion and voting.

1) Request for Approval of the Proposed Preliminary Development Plan of Country Club of Arkansas Phase 24C

- Holloway Engineering, Applicant Representative

Mr. Grummer stated lots 1790 through 1801 for lots bordering the wetland, the applicant placed front setbacks at 15' in order to provide improved rear lot size for lots bordering the wetlands. Staff asked for the remaining lots on the same side of the street which had 25' setbacks be changed to 15' to keep consistency with setbacks along the road, and the applicant had stated that these houses would have side loading garages due to the reduced front setbacks. Lots 1795 to 1796 were mis-labeled as 200 and 201, which should be corrected. Mr. Grummer stated all FEMA required documents must be provided prior to development. He stated additional items on the checklist included adding a plat note that all Tracts be used for utility, drainage and common space, and to move the sidewalk bordering lots 1790 and 1791 to the south side of the street to border lot 1840 in order to prevent a mid-block pedestrian crossing. He stated a 25' access easement was requested by staff to be added between lots 1811 and 1812 providing access to the land to the east not included in this plat, to prevent this land from being cut off from access until such time that deed restrictions are placed on the land by the current owner, who is the applicant, which access easement may be removed at time of Final Platting if such deed restriction is placed.

Mr. Grummer stated staff recommends a do pass recommendation to City Council contingent upon meeting all staff, engineering and Planning Commissioner comments.

Vice Chairman Andrews asked if the lots having a 15' front setback would have a plat note that those houses would require a side loading garage as stated by the applicant. Commissioner Johnson stated he did not believe the City could regulate that.

Eric Holloway, applicant representative stated that the purpose of the reduced front set back on these lots would provide a greater room for those home owners to install pools.

Commissioner Johnson asked the City Attorney whether the City could govern the type of home to go on a permitted lot. City Attorney Melissa Krebs stated that State law says the City does not govern the layout of houses as long as they are compliant with the building code, but there may be design requirements in the Bills of Assurance, but the City does not govern those.

Mr. Grummer asked the applicant to confirm whether they were willing to make the front setback for all lots bordering the wetlands to 15' for consistency, which Mr. Holloway affirmed.

Commissioner Johnson asked why they were seeing the Preliminary Development Plan before the Plan. Mr. Grummer stated if the Development Plan is denied, or changes requested, it could affect the Plat, so best to run the Plat second.

MOTION: Commissioner Fisher made a motion for a Do Pass Recommendation to City Council for the Proposed Preliminary Development Plan of Country Club of Arkansas Phase 24C contingent upon meeting all Staff, Engineering and Planning Commissioner comments.

Commissioner Ramsey seconded the motion and the motion passed unanimously.

2) Request for Approval of the Proposed Preliminary Plat of Country Club of Arkansas Phase 24C

- Holloway Engineering, Applicant Representative

Mr. Grummer stated the comments from the Preliminary Development Plan are the same as for the Plat. He stated the applicant proposes converting the Phase 24B detention to residential lots, and moving that detention to the new detention being developed in Phase 24C, which will require engineering review and approval once Civil Plans are designed. He stated the Flood Plain analysis will be needed, and copies of the SWPPP prior to approval of the Civil Plans.

Mr. Grummer stated staff recommends approval contingent upon meeting all staff, engineering and Planning Commissioner comments.

Commissioner Johnson asked if the requested access easement between lots 1811 & 1812 is applicable here. Mr. Grummer confirmed that access easement would need to be shown on the plat.

Commissioner Johnson asked about the access easements, whether there were sufficient access to parts of the common space, and he asked staff why they are recommending the one between 1811 and 1812. Mr. Holloway stated he felt there were sufficient access and drainage easements to areas accessing the detention pond for maintenance, but his client would prefer not to have the one recommended by staff between lots 1811 and 1812. Mr. Grummer stated if they ever wanted to develop that for any reason, having access to it would be necessary. Commissioner Johnson stated they can deal with that with the Final Platting as recommended by staff, and the applicant affirmed.

MOTION: Commissioner Johnson made a motion to approve the Preliminary Plat of Country Club of Arkansas Phase 24C contingent on meeting all Staff, Engineering and Planning Commissioner comments.

Commissioner Fisher seconded the motion and the motion passed unanimously.

Vice Chairman Andrews returned control of the meeting to Chairman Gershner. Chairman Gershner asked for staff report on agenda item number 3.

3) Request for Approval of the Proposed Preliminary Plat of Pfeifer Addition

- Holloway Engineering, Applicant Representative

Mr. Grummer stated this lot is located off of Commercial Park Drive, and adjacent to land on the east having been recently rezoned from C-3 to PRD and land use of SUR. He referred Commissioners to the checklist which stated engineering review and approval of items 8 & 12 dealing with storm drainage plans are needed, and the appropriate right of way delineation and dedication needs to be shown on the plat for Commercial Park Drive, which the applicant had agreed to add with this plat.

Mr. Grummer stated that staff recommends approval contingent on meeting all staff, City Engineer and Planning Commissioner comments.

Vice Chairman Andrews asked if the current right of way line shown is correct or if the City will be getting additional. Mr. Grummer stated that the current right of way line shown for this lot is correct, but it is not shown for the surrounding lots. He stated for proper dedication, the area to be dedicated needs lot lines around the entire area to be dedicated consistent with the platted lot lines.

Commissioner Johnson questioned whether the 15' rear setback on the eastern edge is correct, abutting industrial. Jason Lyon, Planner II stated the 15' setback for C-3 zone is correct, and

that the 50' buffer requirement is for the industrial abutting residential. Commissioner Johnson asked what is to be developed on this lot, and Mr. Lyon stated nothing has been presented.

MOTION: Commissioner Fisher made a motion to approve the Proposed Preliminary Plat of Pfeifer Addition contingent on meeting all Staff, City Engineer and Planning Commissioner comments.

Commissioner Andrews seconded the motion and the motion passed unanimously.

Chairman Gershner asked staff to confirm item number 4 was withdrawn, and Mr. Grummer affirmed.

Chairman Gershner stated item 5 is requesting a motion to defer, and asked for any commentary from staff. Mr. Grummer stated staff recommended deferral. Commissioner Johnson asked if staff recommended or the applicant requested, and Mr. Grummer stated the applicant requested per the attached email to the amended checklist. Mr. Johnson clarified that no motion was in order if the applicant requested deferral, only if staff recommends. Commissioner Fisher added that in past meetings when the applicant requested, this was done automatically with no motion.

Chairman Gershner asked staff what the public notification requirements are for items requesting deferral, versus a motion to defer. Mr. Grummer stated the ordinance is not clear, and City Attorney Krebs stated there is not as much notification requirements on site plans. Mr. Grummer stated they would verify the requirements and instruct the applicant to make sure all notification requirements are met.

Chairman Gershner considered these items withdrawn from the agenda with no action required, and commissioners agreed.

PUBLIC HEARING WAS CLOSED AT 6:59 P.M.

CITY COUNCIL LIAISON REPORTS

- May 3 – Chairman Andrews reported the 3rd reading on ordinance 1028 to amend the zoning map from C-3 to C-2 passed. The motion on short term rental failed. The 1st reading for Ordinance 1033 amending Land Use Plan for Carnahan and Club Manor and 1034 Zoning Map amendment. Motion for the Preliminary Development Plan for Harris Addition passed.
- May 17 – Commissioner Johnson reported 3rd reading of Ordinance regarding Bill of Assurance, 2nd reading of the Land Use Plan and Zoning Map amendments for the Isabell's Court.

Chairman Gershner stated the City Council Liaison assignments for June 7th is Commissioner Smith, and June 21st is Commissioner Fisher.

MOTION: Commissioner Andrews made a motion to adjourn.

Commissioner Ramsey seconded the motion and the motion passed unanimously.

The meeting was adjourned at 7:02 P.M.

Approved:

Chairman David Gershner, May 27, 2021