

**MINUTES**  
**REGULAR MEETING**  
**CITY OF MAUMELLE PLANNING COMMISSION**  
**JUNE 24, 2021; 6:30 PM**  
**CITY HALL**

**COMMISSION MEMBERS PRESENT**

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

**COMMISSION MEMBERS ABSENT**

**STAFF MEMBERS PRESENT**

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

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

**ANNOUNCEMENTS**

Jason Lyon stated the following items received staff level review and recorded plats:

1. CCA Lot 624R Filed
2. Osage Hills Replat Lots 122R, 127R Filed
3. Natural Trails Estates Replat Lot 1 Filed
4. Maumelle Commercial Park Lot 8A Site Plan Review
5. Majestic Pointe Replat 116R – current review

**APPROVAL OF MINUTES**

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

**MOTION:** Commissioner Johnson made a motion to approve the minutes as presented.

Commissioner Fisher seconded the motion and the motion passed

## **PUBLIC COMMENT**

Chairman Gershner opened public hearing at 6:32 P.M.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1) Code Amendment: Request to amend the Master Zoning Map from C-3 to C-2 for property located North and East of Commercial Park Drive**

- **Location: 80 Commercial Park Dr. (Gene Pfeifer Property)**
- **City of Maumelle, Applicant Representative**

Mr. Grummer stated this item had been seen and previously approved by Planning Commission in March, then in City Council staff requested it be sent back to Planning Commission because it was found that additional notification requirements were needed to be met. He stated all notifications were met, and this is now back for recommendation to City Council.

Mr. Grummer stated the property was located on Commercial Park Dr., and the downzone request from C-3 to C-2 was recommended by staff due to the downzoning across the street from C-3 to PRD earlier in the year, which the existing C-3 is incompatible with the residential uses proposed in the PRD, such as warehouses across from low density residential housing. He stated a site plan for multi-family was placed on a prior month's agenda for this parcel, but withdrawn, pending approval of a rezoning which R-3 residential density is allowed by right in a C-2 zone. Mr. Grummer stated staff recommended a do pass recommendation to City Council.

Commissioner Johnson asked if any Public Comments were received, and Mr. Grummer confirmed no public comments were received. Chairman Gershner asked for clarification on the type of notices sent, and Mr. Grummer confirmed Certified Letters to property owners within 300 feet, Legal Notice published in the Arkansas Democrat Gazette, and Signs posted on the property.

Commissioner Fisher commented that it did not make a lot of sense to call this area the Town Center, and the beginning paragraph of C-2 refers more to Commercial and Retail, not multi-family. He also stated he did not recall the previous action taken on this where multi-family was mentioned as a possibility, and he has a problem with this request.

Commissioner Johnson asked if it stays C-3 whether there would be any opportunity for multi-family, and Mr. Grummer stated residential is not allowed in a C-3 zone, but the C-2 commercial is allowed, but no activity has happened in 25 years since this was allowed.

Commissioner Fisher stated one of his objections was the inappropriateness of placing residential next to industrial. Mr. Grummer stated the Cities light industrial has comparisons to North Little Rocks C-3 commercial zone, and staff's recommendation to downzone was in response to City Council's actions which downzoned the adjacent property from C-3 to PRD, approving a low to medium density development plan for this area. He stated this downzone to C-2 would provide an appropriate barrier between the light industrial and the PRD.

Commissioner Johnson asked if the requirement of a buffer between the I-1 zone and this proposed C-2 would fall on the I-1 or C-2. Mr. Grummer stated the I-1 would require the necessary buffering if developed, but the ordinance comes into question whether that would apply here, which refers to I-1 adjacent to a residential lot, not use. He stated this lot is a Commercial lot, not residential, so buffering would be determined during any review, and felt this should not be an issue. Chairman Gershner stated his opinion was the interpretation of the

ordinance could go either way from lot to use, and either position is defensible. City Attorney Melissa Krebs noted the bulk and area regulations for I-1 states less than 50 feet from the boundary of any residence lot, which Chairman Gershner stated the wording makes it even muddier.

**MOTION:** Commissioner Fisher made a motion for a Do Pass Recommendation to City Council to amend the Master Zoning Map from C-3 to C-2 for property located North and East of Commercial Park Drive.

Commissioner Johnson seconded the motion and the motion passed 6 to 1.

## 2) Proposed Conditional Use Permit for Health Education/Recreation Facility in I-1

- **Location: 1800 Murphy Dr**
- **Holloway Engineering, Applicant Representative**

Mr. Grummer stated the property is located on the outskirts of the Industrial Park next to Open Space on the north and Commercial to the west, and the proposed use is for a miniature golf course. He stated the Health Education/Recreation use was reviewed with the City Attorney, and found it complies, which was the use used for a previous action on the Jump Zone in the industrial park. He stated commissioners were provided with the checklist and analysis, and noted the property is not platted and has no previous requests for rezoning or conditional use. Mr. Grummer stated the proposed meets the requirements of the Maumelle Forward for providing additional recreational amenities for various age groups which are not currently available in the area. He stated the proposed location is relatively narrow and difficult to develop due to the surrounding drainage ditches and streams, which the applicant has stated he intends to preserve as much as possible. Mr. Grummer stated staff recommend a do pass recommendation to City Council contingent on Engineering review of Civil Plans for the development, and staff recommended conditions to include requiring a Plat be filed prior to pulling a building permit, planting of trees 30 feet on center around the perimeter, while allowing use of existing trees to meet this requirement, and industrial sign regulations would apply.

Chairman Gershner called question, and with no discussion, a motion was made.

**MOTION:** Commissioner Johnson made a motion for a Do Pass Recommendation to City Council for a Conditional Use Permit to Creekside Miniature Golf for a Health Education/Recreation Facility in I-1 for property located at 1800 Murphey Dr., contingent on meeting all Staff, Engineering and Planning Commissioner comments.

Commissioner Fisher seconded the motion and the motion passed unanimously.

Chairman Gershner stated a procedural point that the next items would need to be handled one of two ways, either approval of the Site Plan contingent upon the requested variances, or a motion be made to hear the agenda items out of order to hear the variance request first. Commissioner Johnson asked if historically they heard the variance first, and Chairman Gershner affirmed.

**MOTION:** Commissioner Johnson made a motion to hear the Agenda items out of order.

Commissioner Smith seconded the motion and the motion passed unanimously.

Chairman Gershner brought forth Agenda item number 5 to be heard next, being the Variance request.

Chairman Gershner temporarily closed the Planning Commission and convened the Board of Zoning Adjustments at 6:48 P.M.

### **5) Variance Request for reduced Side Setbacks for Creekside Miniature Golf**

- **Location: 1800 Murphy Dr**
- **Holloway Engineering, Applicant Representative**

Mr. Grummer stated the variance requests have modified as review progressed through the month, and the variance request for the width of the lot being less than 100 feet was removed, as it was found the width of the lot could be approved by Planning Commission down to a minimum of 60 feet. He stated the building structure was moved to meet the 15 foot setback requirement, so that one was removed, and the only variances remaining were the side setbacks on the south side parking lot to be 11 feet, and on the north side from the dumpster enclosure to be 7.5 feet in lieu of 15 feet for both. Mr. Grummer stated the width of the lot and the drainage ditch to the north impact the ability to make the parking work, and staff prefers the dumpster enclosure with the reduced setback because it provides more maneuverability for vehicles to turn around and leave if the parking lot is full, as well as the commercial trash truck to access the dumpster. Mr. Grummer stated staff recommends approval of a variance for the reduced side setback for the parking lot and the dumpster enclosure for the amounts stated.

Chairman Gershner called question, and with no discussion, a motion was made.

**MOTION:** Commissioner Fisher made a motion to approve a variance for a reduced side setback from 15 feet to 7.5 feet from the north lot line to the dumpster enclosure and from 15 feet to 11 feet from the south lot line to the parking lot, as detailed in the Site Plan dated 6/17/2021.

Commissioner Johnson seconded the motion and the motion passed unanimously.

Chairman Gershner closed the Board of Zoning Adjustment and re-convened the Planning Commission at 6:52 P.M.

Chairman Gershner brought forth the Agenda item number 3 to be heard next, being the Site Plan for Creekside Miniature Golf.

### **3) Site Plan Review Creekside Miniature Golf**

- **Location: 1800 Murphy Dr**
- **Holloway Engineering, Applicant Representative**

Mr. Grummer stated the only plans for review in an industrial park is the site plan and landscape plan, which is different from commercial which also includes elevations. He stated elevations were provided to staff of the proposed building, but it was for informational purposes only, and will not be acted on. Mr. Grummer stated the applicant combined the site plan with the landscape plan which is allowed by ordinance, and referred commissioners to a modified site plan on the screen which was different from the packet due to comments that came in from commissioners, which indicated a shifting of the building and reduction of a concrete apron next to the building, in order to increase the throat length of the hammerhead to allow greater turning radius for cars backing out of parking spaces. He stated a checklist was provided, which noted approval is contingent on review and approval of drainage plans by the City Engineer, and a need to add the building coverage on the site plan, which is in compliance with lot coverage. Mr. Grummer stated staff recommends approval of the Site Plan contingent on approval of the Conditional Use Permit by City Council, and meeting all staff, City Engineer and Planning Commissioner requirements.

Commissioner Smith asked if the building was sprinkled, as he did not see a hydrant on the plans. Mr. Grummer stated the Fire Marshal had no objections of the site plan and that there was a hydrant on Murphy drive, which Fire Marshal Eaton affirmed from the audience.

Commissioner Johnson asked how many total spaces are required, and Mr. Grummer stated the minimum required is 17, but 21 are shown on the plan. Commissioner Johnson stated there is limited site circulation, and recommended stripes be placed in front of the dumpster to prevent parking and obstruction in that area.

Commissioner Johnson asked the word Townhome be struck from the Quantitative Data chart.

Commissioner Fisher asked for clarification on the number of parking spaces, and Chairman Gershner stated the Quantitative Data table and other references to parking need to be updated to show the correct number, which should be 19 and 2 handicap.

**MOTION:** Commissioner Johnson made a motion to approve the Site Plan for Creekside Miniature Golf contingent on approval of a Conditional Use by City Council, and meeting all Staff, City Engineer and Planning Commissioner requirements.

Vice Chairman Andrews seconded the motion and the motion passed unanimously.

Chairman Gershner brought forth the Agenda item number 4 to be heard next, being the Landscape Plan for Creekside Miniature Golf.

## **2) Landscape Plan Review Creekside Miniature Golf**

- **Location: 1800 Murphy Dr**
- **Holloway Engineering, Applicant Representative**

Mr. Grummer stated a checklist had been provided to the Commissioners, and went through the items from that list that did not comply, which included items #2, #3, and #4 dealing with the landscaping strip, tree spacing of 30 feet and shrub spacing of 5 feet were not shown on the east, north or south sides of the property, and needed to be added; Item #10 dealing with tree limb clearance needed to be noted on the plan; item #7 & #12 dealing with curbing or other approved materials at the base of planters were missing from the plan; #20 dealing with location and size of existing trees greater than 6" in caliper to be preserved was missing from the plan; and #14 was a note that drip irrigation was noted on the plan, but no radii or installation requirements were not noted on the plan.

Commissioner Fisher stated in the past, the commissioners received a separate Landscape Plan from the Site Plan, and if the combination was going to be the normal going forward. Mr. Grummer stated the ordinance does allow the combination, and in situations like this where there is not a lot of landscape requirements, that the combination does save cost to the applicant.

Commissioner Fisher noted the missing radii on irrigation and asked if staff would be the ones to confirm all comments are addressed, including the trees 30 feet on center, and Mr. Grummer affirmed.

**MOTION:** Commissioner Johnson made a motion to approve the Landscape Plan for Creekside Miniature Golf contingent on approval of a Conditional Use by City Council, and meeting all Staff, City Engineer and Planning Commissioner requirements.

Commissioner Fisher seconded the motion and the motion passed unanimously.

PUBLIC HEARING WAS CLOSED AT 7:02 P.M.

CITY COUNCIL LIAISON REPORTS

June 7 – Commissioner Smith reported the third reading of Ordinance 1033 amending the Land Use Map failed 3 to 5, the third reading of Ordinance 1034 amending the current zoning map failed 0 to 8, and the appointment of Mr. Darrell Stephens.

June 21 – Commissioner Fisher reported resolution approving the Preliminary Development Plan for Country Club of Arkansas Phase 24C did pass, first reading of the ordinance for street and drainage dedication for CCA Phase 24C, and big discussion was with Crystal Hill Road improvements and Entergy, which is ongoing.

Chairman Gershner stated the City Council Liaison assignments for July 5 is Chairman Gershner, and July 19 is Commissioner Ramsey.

MOTION: Commissioner Fisher made a motion to adjourn.

Commissioner Ramsey seconded the motion and the motion passed unanimously.

The meeting was adjourned at 7:04 P.M.

Approved:

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Chairman David Gershner, June 24, 2021