

**MINUTES**  
**VIRTUAL MEETING**  
**CITY OF MAUMELLE PLANNING COMMISSION**  
**April 23, 2020; 6:30 PM**  
**CITY HALL**

**COMMISSION MEMBERS PRESENT**

David Gershner  
Mike Fisher  
Adrian Greene  
John Todd  
Scott Smith  
Craig Johnson  
Hall Ramsey

**COMMISSION MEMEBERS ABSENT**

**STAFF MEMBERS PRESENT**

Lawren Aycock, Project Coordinator  
Caleb Norris, Mayor  
Melissa Krebs, Madam City Attorney  
Scott Grummer, Chief of Staff and Interim Planning & Zoning Director

**OTHER STAFF MEMBERS ABSENT**

Mizan Rahman, City Engineer  
Dwight Pattison, Planning Consultant

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

**ANNOUNCEMENTS**

None

**APPROVAL OF MINUTES**

Chairman Gershner asked for comments and/or changes to the February 2020 minutes as submitted.

**MOTION:** Commissioner Fisher made a motion to approve the minutes as submitted.  
Commissioner Todd seconded the motion and the motion passed.

**PUBLIC COMMENT**

Chairman Gershner opened public comment at 6:31pm.

**OLD BUSINESS**

There was no old business

**NEW BUSINESS**

1. **Final Plat of Lots 1,2, & 3 Holsted Commercial Addition in the Maumelle Extraterritorial Jurisdiction.**

Mr. Grummer stated the item was deferred at the applicant's request.

2. **Revised Site Plan for Cypress Cold Storage**

Mr. Grummer stated the applicant was requesting an expansion of their site located in the Industrial district. Mr. Grummer stated the current size of the building was 73650 feet and they were proposing the site expansion to 88337 feet. Mr. Grummer stated the remaining Staff comments were a request for emergency access to the North of the building, the applicant had accommodated the request, additional comments were to comply with drainage requirements as

dictated from the City Engineer, and the Fire Department review was in favor of the site plan request.

Chairman Gershner asked that the applicant be required to place details regarding the emergency access with details in the note on the Site Plan.

Commissioner Fisher asked if there was an emergency plan in place in the case of issues in the future regarding any possible ammonia leak.

Mr. Grummer stated there was a letter from the contracting company for the refrigeration that stated there was a plan in place that met all EPA and OSHA requirements.

Commissioner Fisher asked if the City's police and fire departments were on schedule to assist in the emergency plan.

Brain Dale, applicant's representative, White Daters and Associates, 24 Rollings Circle Little Rock, stated the compressor and all components are remaining the same size the change was to the refrigeration lines and that all other components were designed for this expansion when installed.

Mr. Grummer stated at a prior meeting the applicant had stated that their plans were indicated to the Maumelle Fire and Police Departments.

MOTION: Commissioner Todd made a motion to approve the revised site plan contingent upon satisfaction of all City Staff, City Engineer, and Commissioner comments.

Commissioner Ramsey seconded the motion and the motion passed unanimously.

3. **Revised Landscape Plan for Cypress Cold Storage**

Mr. Grummer stated the landscape would be sprinkled and railroad ties were shown lining the parking lot, and applicant would be required to replace with more appropriate material per City Code. Mr. Grummer stated Staff recommended for contingent approval.

MOTION: Commissioner Todd made a motion to approve the revised landscape plan conditional upon satisfaction of all Staff comments.

Commissioner Ramsey seconded the motion and the motion passed unanimously.

4. **Revised Commercial Building Design for Cypress Cold Storage**

Mr. Grummer stated the remaining Staff comments were to comply with City Engineer regarding drainage and that Staff recommended for contingent approval.

Commissioner Ramsey asked if applicant could include the materials of the exterior façade.

Mr. Dale stated they were matching the existing façade and a note indicating such would be added to the notes section of the Commercial Building Design Plan.

MOTION: Commissioner Todd made a motion to approve the Commercial Building Design contingent upon satisfaction of all Staff and Commissioner comments.

Commissioners Smith and Ramsey seconded the motion and the motion passed unanimously.

5. **Request for amendment to Maumelle Master Land Use Plan for Maumelle Water Plant from “OS” (Open Space) to “SUR” (Special Use Residential).**

Mr. Grummer stated there were several citizen comments regarding the proposed Land Use and Zoning change, Staff had received approximately 150 emails opposing the request, and one in favor. Mr. Grummer stated the comments were similar and the information was forwarded to the Planning Commissioners that stated

“I wish to enter a public comment regarding agenda items 5 and 6 of the Planning Commission’s April 23<sup>rd</sup> Virtual Meeting. Since I am not able to appear in person at this meeting, I would like for my comments to be made known to the Commissioners as they deliberate this important matter. It is my understanding that the applicant for the amendment of the land use plan and for the rezoning of the subject property has not presented an acceptable plan to the Country Club for accessing the property for the applied purpose. Maumelle Country Club is very important to me and my family and I strongly oppose any efforts to disrupt the Club’s operations and anything that would create serious safety concerns for myself and others, including those going to or from that property if it were zoned residential. Unless and until the applicant and/or their engineers or other developers present an acceptable plan for a suitable residential local street or drive to access the property for residential purposes, I strongly urge our Planning Commissioners to maintain a Don’t Pass resolution on these two applications.”

Mr. Grummer read a portion of the Staff’s zoning analysis.

Gib Carpenter, Country Club of Arkansas representative, 222 Mountain Terrace Drive, showed information on the zoom shared screen and stated the situation had occurred in the past with developer Bottom Line Inc. and their position was the same, the access easement had been severed and abandoned. Mr. Carpenter stated they were not wanting to land lock their neighbor and their concerns were the problems that would occur if the access easement would be used as a multi-family residential access. Mr. Carpenter stated the area was a high concentration area during tournaments near the pro shop, the practice green is used daily, as well as substantial cart traffic. Mr. Carpenter stated

Chairman Gershner asked Mr. Carpenter what exactly was the decision making structure of the Country Club of Arkansas?

Mr. Carpenter stated the club had a board of directors elected by the members, there were also voting members, social members, and junior members. Mr. Carpenter stated there were approximately 160 voting members, and a total of 400 member families.

Commissioner Ramsey asked Mr. Carpenter if the club had considered access from the south.

Mr. Carpenter stated their opinion was that it was not their responsibility to look at how to access the property and that the Country Clubs position was that it was the responsibility of the developer to resolve access issues without adversely impacting their business.

Mr. Grummer stated the other public comments received by City Staff the concerns were operations of the Country Club would be disrupted, the safety of the pedestrians on the cart path, children at play, decrease in property values, increase in automotive traffic, possible crime, and dump truck and heavy equipment traffic during the construction phase. Mr. Grummer also stated there were concerns regarding the overall viability of the operations of the Country Club, and that the Country Club was a business with a history in Maumelle and the members believe it's impact should be considered.

Mark Bingman, applicant's representative, stated the former condition of the property was unusable land and they believed developing the property into high end multifamily with 25, no more than 30 would be the best use. Mr. Bingman stated and sale proceeds would go directly to paying off the bond and would be a benefit to all citizens of Maumelle. Mr. Bingman added there was somewhat of a proposed road that would run parallel to the existing road. Mr. Bingman stated that the packet included a letter from Central Arkansas Water that stated the easement was not abandoned, the easement belonged to the owner of the property, and could be improved by Arkansas State and Federal case law. Mr. Bingman stated they were sensitive to cart safety on the path and there were proposed cart crossings on the new design and additional parking by the cart barn. Mr. Bingsman stated in regards to the street it would be curbed to help control cart safety, and he was confident that reasonable minds could create an acceptable access and road design into the small residential development once it was rezoned. Mr. Bingman stated the applicant indented to create a private drive or a city street. Mr. Bingman asked the property be approved to rezone as PRD and that it would complement what was existing on the 9<sup>th</sup> and 18<sup>th</sup> fairways.

Commissioner Johnson asked Mr. Bingman if the plan had been shared with the Country Club members.

Mr. Bingman stated it had not been shared but was a work in progress and they did not want to move forward with the information if it was not approved for rezoning. Mr. Bingman stated if rezoned they would move forward with discussions regarding the road improvement and he believed reasonable minds could find a compromise.

Commissioner Johnson asked Mr. Holloway if her believed the road could be developed to the city standard without a variance either public or private to provide the necessary access.

Mr. Eric Holloway, project engineer, stated based on the 2018 survey he believed Commissioner Johnson to be correct it would be difficult if not impossible however there had been several easements filed over the years and the previous week an easement was discovered that was a 50-foot easement. Mr. Holloway stated the easement followed the current road completely and a full city standard street could be built within that easement.

Commissioner Johnson asked Mr. Holloway to clarify that the survey that was provided to the Commissioners was not current and did not accurately reflect the easement to be used.

Mr. Holloway stated the easement was shown but not clearly, it was indicated with solid lines but no dimensions.

Commissioner Johnson asked Mr. Holloway if he had run meets and bounds on the easement shown on the plat.

Mr. Holloway answered yes.

Chairman Gershner asked the applicants representatives what were the changes to the neighborhood.

Mr. Bingman stated the changes to the neighborhood were making it more conformed with the existing property as there were condominiums on the 9<sup>th</sup> and 18<sup>th</sup> fairways.

Mr. Bingman stated the applicant was proposing upscale units similar only more modern. Mr. Bingman stated there was no change to the neighborhood only bettering the entire area.

Mr. Holloway stated the proposed use was more harmonious than the previous use.

Mr. Bingman stated everyone could agree residential use would be an improvement compared to what could be placed on the site and the proposed use would improve the neighborhood with potential 25-30 new Country Club members.

Commissioner Johnson stated it was clear the applicants did not want to work with the 150 in opposition and that the client could not continue until access is worked out, and that he appreciated the assurance of the client and its representatives however access was an issue. Commissioner Johnson asked the representatives if a 30-day deferral would be considered to work out more details with the Country Club.

Mr. Grummer stated the process was the request for zoning and land use change would receive a vote by the Planning Commission then it would move onto the City Council for their vote. Mr. Grummer stated the process of the Council would require three readings meaning three council meetings and opportunities for public comments.

Mr. Bingman stated they wanted a vote on the rezoning and land use change and reasonable minds could figure out access and that they would find a compromise and meet city standards. Mr. Bingman stated that Mr. Grummer possessed their proposed plans and he could share with City Staff and Commissioners if there was a need to understand the road development. Mr. Bingman stated to leave the property as it was did not make any sense.

Chairman Gershner stated unless the development plans for the access were approved by the Country Club it was not necessary for the Planning Commission to view to make their decision on the rezoning and land use changes.

MOTION: Commissioner Fisher made a motion make a "do-pass" recommendation to the Maumelle City Council the amendment to the Maumelle Master Land Use Plan from "OS", (Open Space) to "SUR", (Special Use Residential)

Commissioner Smith seconded the motion and the motion passed 5 favor, 2 not in favor.

6. **Request for amendment to Maumelle Zoning Map for Maumelle Water Plant from “OS” (Open Space) to “PRD” (Planned Residential District).**

Mr. Grummer stated Staff recommended for a “do-pass” recommendation to the Maumelle City Council.

MOTION: Commissioner Fisher made a motion make a “do-pass” recommendation to the Maumelle City Council the amendment to the Maumelle Master Zoning Map, from “OS”, (Open Space) to “PRD”, (Planned Residential District).

Commissioner Smith seconded the motion and the motion passed unanimously.

PUBLIC HEARING WAS CLOSED AT 7:49 pm.

CITY COUNCIL LIAISON REPORTS

- March 2 – Commissioner Ramsey stated there were no Planning Commission items.

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- March 16 – Commissioner Todd stated there was the reading of Resolution 2020-4, the first readings of Ordinances 996, 997, and 998.
- April 6 – Commissioner Johnson stated there was the second readings of Ordinances 996, 997, and 998.
- April 20 – Commissioner Greene – refer to website for video of meeting.

MOTION: Commissioner Fisher made a motion to adjourn.

Commissioners Smith and Ramsey seconded the motion and the motion passed unanimously.

The meeting was adjourned at 7:51pm.

Approved:

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Chairman David Gershner, May 21, 2020