

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

APRIL 14, 2015 / 7:00 P.M.

MINUTES

PUBLIC HEARING

The public hearing of the Arnold Planning Commission was called to order by Acting Chairman Frank Kutilek at 7:00 p.m. Mr. Kutilek informed those in attendance as to the procedures by which the public hearing would be conducted.

2015-07: CONDITIONAL USE PERMIT FOR 1859 ENGLE DRIVE TO CONSTRUCT A DUPLEX: Mr. Kutilek read the staff report.

Dan Gash, 1865 Engle: opposes rental property; concerned about property values; traffic on their narrow roads; improper notification.

James Horst, 1764 Engle: received no notification of this meeting; duplexes were prohibited in this subdivision at the time of incorporation.

Beverly Ott, 2019 Ridgeway: no notification; only one sign put out; already have enough rental property that is run down; roads are narrow and hilly; feels the city is trying to sneak this project in without letting anyone know.

Darril Best, 2054 Ridgeway: opposed to rental property.

Anthony Schmaltz, 2050 Ridgeway: too much rental property already in the neighborhood; traffic concerns; one way in, one way out. He is afraid this will open the door to multi-family building on the property at the end of Engle.

Kerry Checket, 1967 Ridgeway: already too many improperly maintained rental properties in the area; increased traffic concerns.

Amber Cook, applicant: informed the audience that notices were sent to all property owners within 185 feet of this property and assured them that they are not absentee landlords. They will maintain the property; new construction will bring up the property values in the area.

2015-08: ZONING CODE, SECTION 6, DISTRICT REGULATIONS FOR C-2 TO ALLOW FOR 20 FOOT SETBACK IF PARKING LOCATED BEHIND BUILDING: Mr. Kutilek read the staff report.

No public comment.

RATIFICATION OF ZONING MAP: Mr. Kutilek read the staff report.

No public comment.

There being no further questions or comments, the public hearing adjourned at 7:15 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Acting Chairman Frank Kutilek at 7:15 p.m. The Pledge of Allegiance was recited by those in attendance.

ROLL CALL OF COMMISSIONERS: Del Williams, John Tucker, Randy Hoselton, Brian McArthur, Ralph Sippel, Ted Brandt, Frank Kutilek, Jeff Campbell, Andrew Sutton (excused), Todd Teuscher (excused), Mary Holden, Christie Hull-Bettale, Derrick Redhead and Bob Sweeney. 8 voting members present, 2 excused.

REVIEW AND APPROVAL OF AGENDA: Motion by Ted Brandt to approve the agenda as presented. Second by Del Williams. Voice Vote – *Unanimously Approved.*

APPROVAL OF MINUTES: Motion by Ted Brandt to approve the minutes from the March 10, 2015 meeting as presented. Second by Del Williams. Voice Vote – *Unanimously Approved.*

QUESTIONS FROM THE FLOOR: James Horst, 1764 Engle, emphasized again that duplexes were not allowed in Engle Acres at the time of the city's incorporation.

7a. 2015-07: CONDITIONAL USE PERMIT FOR 1859 ENGLE DRIVE TO CONSTRUCT A DUPLEX: Mary Holden clarified that the public hearing sign was posted properly per our code. There is no requirement to post a sign anywhere else. Also, notification of the public hearing is only required to be sent to property owners within 185 feet. The reason for this is that the only people that have a legal standing to challenge the application are the ones within 185 feet.

Del Williams voiced his concern about a comment made by a resident that the city is trying to sneak a project in. These people own a piece of property and have a right to build on it as long as they meet all the regulations. Narrow roads is not a reason for denial. Also referred to the comment made about only single-family homes being allowed stating he looks at a duplex as two single-family homes.

Brian McArthur asked Mary if there is any documentation or notation specifying that when the city incorporated, duplexes were not allowed to be built in Engle Acres. Mary stated that we do not research the plats and if the stipulation is in their indentures, the city does not enforce subdivision indentures. The way this property is zoned, is that a duplex requires a conditional use permit.

Brian McArthur questioned what the road width of Engle is. Mary stated she didn't know but it is a public street. Christie Hull-Bettale checked and the road is 20' wide which is 4' narrower than our 24' wide pavement regulation with a 30' wide right-of-way.

Disruption from resident in the audience.

Del Williams referred to a comment made by one of the residents concern of this opening the door to multi-family being built on the property at the end of Engle Drive. Mary Holden stated that multi-family requires R-6 zoning.

Ralph Sippel asked if the 22 acre tract of land were to be developed would another access be required. Mary Holden stated not unless there was a feasible or easy access point to hook up to another street.

Brian McArthur asked staff to check into some of the comments made by the residents.

Motion by Ted Brandt to approve 2015-07, conditional use permit for a duplex at 1859 Engle Drive with the one (1) condition:

1. Even though the property is under a half acre, erosion control measures will be required on the site during construction since this is an established neighborhood with residences on both sides of the lot.

Second by Del Williams.

Del Williams questioned if this should be tabled for a couple of weeks in order to notify more residents.

Bob Sweeney commented that we are required to send notices to property owners within 185 feet of the site which is what was done. He does not recommend tabling an application due to a notice issue.

Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Brian McArthur, yes; Ralph Sippel, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes. 8 yeas, 0 nays – *Motion Approved.*

Mary Holden commented that this application will be on the May 7th City Council Agenda.

8a. 2015-09: COMMERCIAL SITE PLAN, 42 TENBROOK INDUSTRIAL COURT, MCC VARIOUS MINOR ADDITIONS: Mr. Kutilek read the staff report.

Motion by Del Williams to approve 2015-09, site plan approval for Metal Container Corporation (MCC), various small additions at 42 Tenbrook Industrial Court. Second by Randy Hoselton. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Brian McArthur, yes; Ralph Sippel, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes. 8 yeas, 0 nays – *Motion Approved.*

9a. 2015-08: ZONING CODE, SECTION 6, DISTRICT REGULATIONS FOR C-2 TO ALLOW FOR 20 FOOT SETBACK IF PARKING LOCATED BEHIND BUILDING: Motion by Ralph Sippel to forward a recommendation of approval to the City Council for 2015-08, proposed C-2 Commercial District regulation addition to allow a 20 foot building setback if parking is located behind the building with the findings. Second by Del Williams. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Brian McArthur, yes; Ralph Sippel, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, no. 7 yeas, 1 nay – *Motion Approved.*

STAFF REPORT:

- **RATIFICATION OF THE ZONING MAP:** Ted Brandt asked if Derrick found any changes that he made.

Derrick Redhead explained that he verified existing zoning of parcels and checked them against previous zoning maps, zone changes and files.

Ted Brandt asked if any of the zoning districts changed.

Mary Holden commented that staff did not rezone any property unless Council had approved a change.

Bob Sweeney explained that there were no zoning changes only corrections.

Brian McArthur would like more distinction between the colors.

Motion by Ralph Sippel to approve the ratification of the zoning map. Second by Del Williams. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Brian McArthur, yes; Ralph Sippel, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes. 8 yeas, 0 nays – *Motion Approved.*

- **NATIVE SHRUBS:** Mary Holden stated she would like the Commissioners to read this over and bring back comments.

Ted Brandt has concerns with plants with berries.

OLD BUSINESS: None

COMMISSIONERS REPORT: No Reports

ADJOURNMENT: Meeting adjourned at 8:02 p.m.

Respectfully Submitted,



Jeff Campbell
Acting Planning Commission Secretary

