



## PLANNING COMMISSION

CITY HALL – COUNCIL CHAMBERS – 2101 JEFFCO BOULEVARD

**TELEPHONIC COMMISSION ATTENDANCE AUTHORIZED**

**TUESDAY, APRIL 14, 2020 – 7:00 PM**

**MEMBERS:** Andrew Sutton (Chair), Frank Kutilek (Second), Alan Bess (Secretary), Jeff Campbell, Justin Lurk, Christopher Ford, John Tucker, Del Williams, Phillip Hogan, Brian McArthur (Council Liaison). **STAFF:** Robert Sweeney (City Attorney), David Bookless (Community Development Director), Christie Hull-Bettale (Engineer), Sarah Turner (Planner).

### REGULAR SESSION

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC HEARING:
  - a. **PC-2020-10 Jeffco Commercial Park:** *An application for a Record Plat by Slater Litchfield LP, the property owner, to split the approximately 1.5.-acre parcel, located within the "C-2" Commercial District at 1424 Jeffco Blvd., into two separate parcels.*
4. ADJOURNMENT OF REGULAR SESSION

### EXECUTIVE SESSION

5. NEW BUSINESS:
  - a. **PC-2020-10 Jeffco Commercial Park (Record Plat)** - *The Planning Commission may vote on this item tonight.*
6. ADJOURNMENT OF EXECUTIVE SESSION

*In response to the COVID-19 concerns, all members of the Planning Commission will be participating in the hearing by telephone as permitted by state statute and city resolution. To allow for public comment, in-person attendance at the hearing is permitted, but social distancing protocols will be in place. The City is offering listen-only capabilities to the public via telephone dial-in. At the time of the hearing, call **(636) 282-6682 and use conference code 0438812 when prompted**. If you have any questions or would like to submit comments for the Commission to consider, please call staff planner Sarah Turner at 636-282-2378.*



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# REPORT TO PLANNING COMMISSION

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## CITY OF ARNOLD

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**APPLICATION NUMBER:** PC-2020-10

**APPLICATION NAME:** JEFFCO COMMERCIAL PARK

**APPLICANT NAME:** Govero Land Services  
5929 Old State Rd.  
Imperial, MO 63052

**PROPERTY OWNER NAME:** Slater Litchfield LP  
1424 Jeffco Blvd.  
Arnold, MO 63010

**APPLICANT'S REQUEST:** The applicant is seeking a minor record plat to split one commercial parcel into two parcels.

**STREET ADDRESS:** 1424 Jeffco Blvd.

**SITE LOCATION:** Immediately south of intersection of Jeffco Blvd. and Arnold Tenbrook Rd.

**ZONING DISTRICT:** "C-2" Commercial

**PARCEL ID:** 01-9.0-29.0-3-001-006

**TOTAL SITE AREA:** ± 1.52 acres

**MEETING DATE:** April 14, 2020

**REPORT DATE:** April 7, 2020

**CASE MANAGER:** Sarah Turner

**RECOMMENDATION:** **APPROVAL**



# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

### ZONING REQUEST

The applicant is seeking a minor record plat at 1424 Jeffco Blvd. There are currently two separately-owned structures on one parcel. This proposal seeks to subdivide said parcel into two parcels.

### DESCRIPTION OF EXISTING SITE CONDITIONS

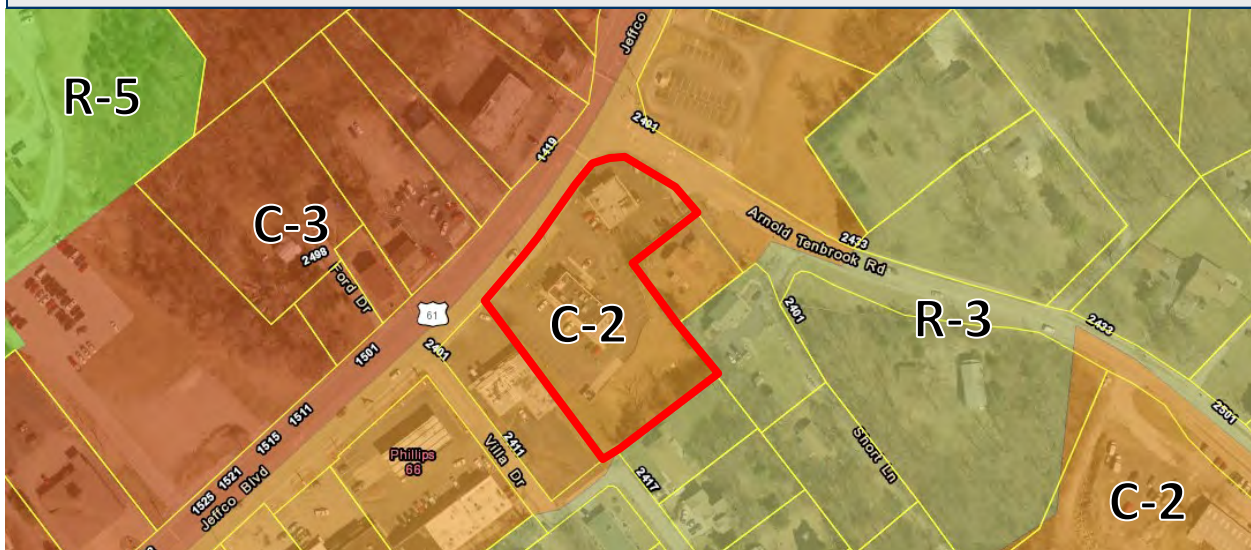
The approximately 1.52 acre tract is located immediately south of the intersection of Jeffco Blvd. and Arnold Tenbrook Rd. The property is developed with two structures (Kentucky Fried Chicken and El Paisano), paved parking and driving areas, and a storm water detention area in the rear of the property. It is accessed from both Jeffco Blvd. and Arnold Tenbrook Rd. The property is zoned "C-2" Commercial and abuts other "C-2" or "C-3" Commercial properties, as well as "R-3" Residential to the southeast.

### BACKGROUND

The subject property is the location of Kentucky Fried Chicken (1436 Jeffco Blvd) and El Paisano Mexican Restaurant (1424 Jeffco Blvd). The property is zoned "C-2" Commercial. The district allows for restaurants as a permitted use, however KFC is a pre-existing non-conforming use as it is a Motor Vehicle-Oriented Establishment (MVOE) without a Conditional Use Permit. The use as a MVOE can continue until non-conforming status is lost.

Govero Land Services applied for this minor record plat on behalf of the property owner, Slater Litchfield LP, which operates the Kentucky Fried Chicken. The northern structure (built in 1975) was the original location of KFC. In 1999, the current KFC site and structure was constructed. El Paisano Mexican Restaurant began business in the northern structure in 2002. The two businesses have co-existed on the same parcel under separate ownerships since that time. The intent of this proposal is to allow for the single parcel to be split to allow for separate property ownership for these two businesses.

### ZONING MAP



Jeffco Commercial Park

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



### PLANNING AND ZONING ANALYSIS

*When reviewing applications for a minor subdivision or amendments thereto, the Planning Commission is required to hold a public hearing, review, and make recommendations and report to the City Council. The Commission may waive the requirement of submission of all other plans, except the record plat, when considering minor subdivisions.*

Staff reviewed the Jeffco Commercial Park Record Plat as received on March 11, 2020 by Govero Land Services. There are currently two separately-owned structures on one parcel. This proposal seeks to perform a minor subdivision of said parcel into two parcels. Agency notices were distributed and comments accepted. The irregular shape of Lot 1 is to account for the minimum lot size requirement of the "C-2" Commercial District (18,000 square feet), which has been satisfied.

Staff was primarily concerned with the continued function of the site, pertaining to the cross-access and parking easement (area indicated in green on right side of Fig. 1) and the storm water detention easement (area indicated in blue on right side of Fig. 1). Considering the cross-access and parking easement, Staff requested that parking spaces be shown. Per the plat, there are 16 parking spaces provided to El Paisano (Lot 1), 25 parking spaces provided to KFC (Lot 2), and 7 spaces that are within the cross-access and -parking agreement. Parking requirements of the "C-2" Commercial District are met to the satisfaction of Staff for these businesses. Pertaining to the storm water detention easement, Staff requested that the script include language that permits the City of Arnold to enter the easement for inspections/repairs as needed and that the City would bill responsible parties for services performed.

The cross access and parking easement, the storm water detention easement, and the wall maintenance easement as proposed are substantially satisfactory to Staff.

**FIG. 1: SATELLITE IMAGE (LEFT) & PROPOSED MINOR PLAT (RIGHT)**



PC-2020-10 MINOR RECORD PLAT



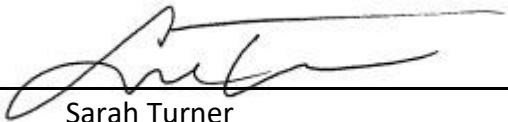


# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

### RECOMMENDATION

Staff finds the proposed plat to substantially conform to the requirements of RSMo 89.410 and the Zoning Code of the City of Arnold, Missouri, subject to the establishment of any required easements or agreements, and recommends favorable consideration of the application and plat in Exhibit A.



Sarah Turner  
Community Development Planner

**FIG. 2: VIEW FROM STREET OF SUBJECT PROPERTY (FACING NORTHEAST)**



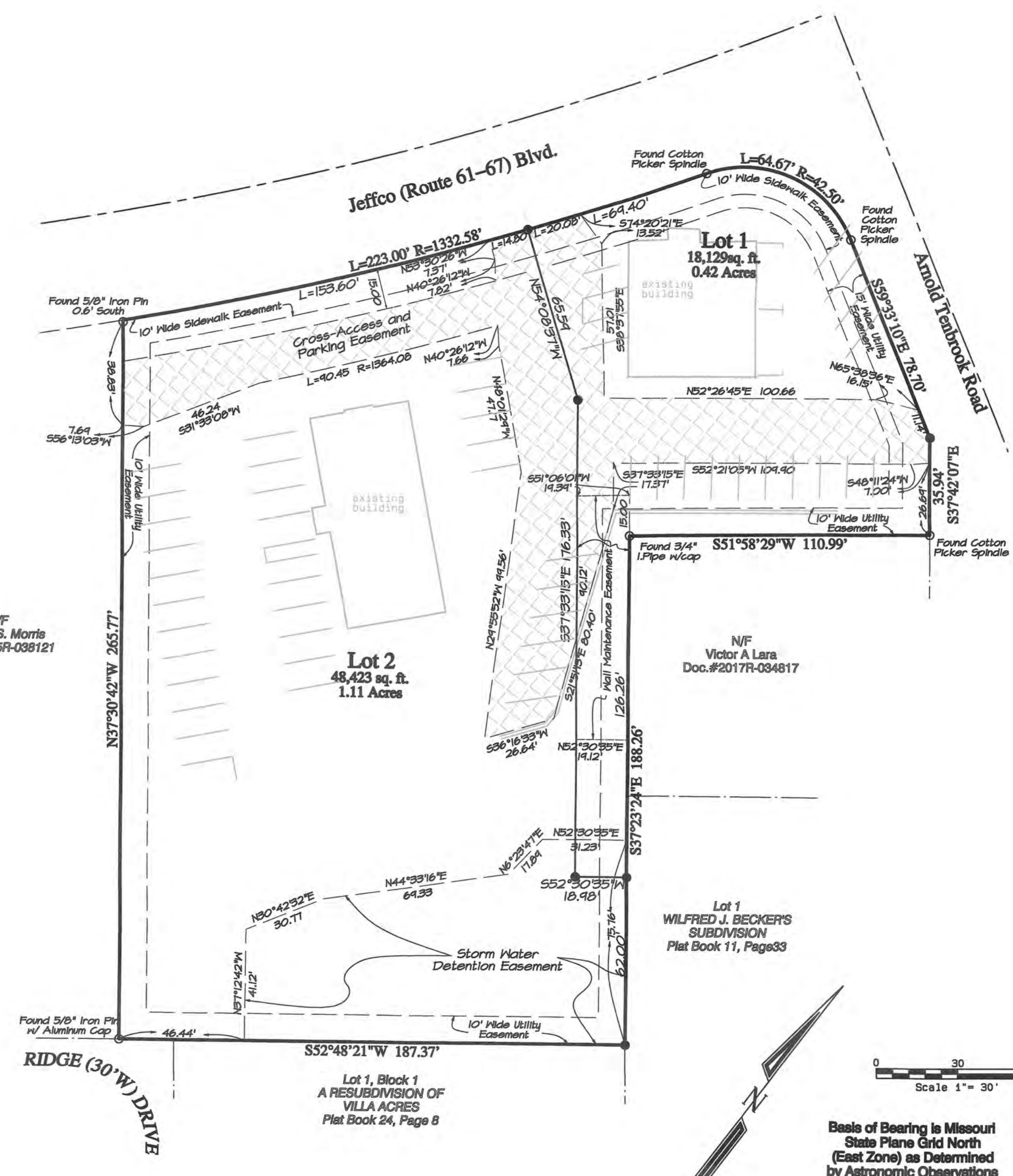


# ATTACHMENTS

## **EXHIBIT A: JEFFCO COMMERCIAL PARK PLAT**



**Jeffco Commercial Park**  
a Minor Subdivision of  
Part of Lot 25 of U.S. Survey 2991,  
Township 43 North, Range 6 East,  
City of Arnold, Jefferson County, Missouri  
Zoned C2



**OWNER'S CERTIFICATE**  
The undersigned owners of the tract of land herein platted and further described in the foregoing surveyor's certificate have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereinafter be known as Jeffco Commercial Park.

All utility easements shown on this plat, unless designated for other specific purposes, are dedicated for the non-exclusive use by all utilities, corporations and governmental entities providing utility service to this development. Such utilities include, but are not limited to electric, gas, telephone, cable tv, water, and sewer, as applicable. Each such utility may make use of this easement for the purpose of constructing, maintaining and repairing utility, water, sewer or drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for excavation and storage of materials during installation, repair or replacement of utility, water, sewer or drainage facilities. Construction by each utility within the easement should conform to all applicable State and Federal regulations as to separation of such utility's system from other utilities using such easement.

All lots in this subdivision shall be subject to a fifteen foot (15') wide utility easement adjoining and parallel with all roadways, and a ten foot (10') wide utility easement adjoining and parallel with the subdivision boundary.

All lots in this subdivision shall be subject to a ten foot (10') wide sidewalk easement adjoining and parallel with public streets, as shown on this plat.

A wall maintenance easement as shown on this plat is hereby dedicated to and for the benefit of Lot 2. The retaining wall located in the well maintenance easement shall be repaired, or maintained in a good and structurally sound condition by the owner of Lot 2. All costs of such repair, maintenance and replacement shall be equally shared by the owners of Lot 1 and 2.

The cross-access easement shown hatched on this plat is hereby dedicated for cross vehicular and pedestrian access and for no other purposes, to the owners of Lot 1 and Lot 2, for use by Lot 1 and Lot 2 owners, their successors, invitees, guests, customers and tenants. Each lot owner shall repair or maintain in good, sound condition, the cross-access easement area on its lot at each owner's cost and expense.

The owners of Lot 1 and Lot 2, their successors, invitees, guests, customers and tenants, shall have the joint use of seven (7) parking spaces located on a portion of Lot 1 and Lot 2 adjoining and along the concrete retaining wall. The parking spaces shall be maintained or repaired in a good condition by all present and future lot owners. All costs of such repair, maintenance and replacement of the seven parking spaces shall be equally shared by the owners of Lot 1 and Lot 2.

Utility easements for electric, gas, telephone, cable, water, and storm and sanitary sewer lines as currently located on the property are hereby dedicated to the owners of Lot 1 and Lot 2. Each lot owner, at its cost, may repair, maintain and replace any utility lines serving its individual lot. In the event that a utility line is serving both Lot 1 and Lot 2, the cost of repair or maintenance of that portion of the joint line shall be equally shared by the owners of Lot 1 and Lot 2.

A storm water detention easement as shown on this plat is hereby dedicated for the use by Lot 1 and Lot 2. The storm water detention easement area shall be maintained by the owner of Lot 2. All costs of such maintenance shall be equally shared by the owners of Lot 1 and Lot 2. The City of Arnold shall be permitted to enter said easement for inspections; or to make repairs and corrections in the event of a storm water violation. The City of Arnold will bill the responsible parties for the services performed.

**PLANNING & ZONING COMMISSION CERTIFICATE**  
This is to certify that this plat of Jeffco Commercial Park as shown hereon, has been approved by the Planning and Zoning Commission of the City of Arnold on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

David Bookless  
Community Development Director

**TAX STATUS CERTIFICATE**  
This is to Certify that this plat of Jeffco Commercial Park was approved by the Community Development Director this \_\_\_\_\_ day of \_\_\_\_\_, 2020 and we find from the collector of Revenue's records that there are no outstanding delinquent taxes on the following parcel number: 01902903001006

David Bookless  
Community Development Director

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our seal this \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
Slater Litchfield, L.P.  
Tom Slater, General Partner

State of Missouri : SS  
County of : \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me personally appeared Tom Slater, a general partner of Slater Litchfield, L.P., a limited partnership to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said limited partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in \_\_\_\_\_ the day and year first above written.

Notary Public  
Name Printed

My Commission expires \_\_\_\_\_

**SURVEYOR'S NOTE**  
There are a total of 52 parking spaces in this subdivision.

**WELLS FARGO BANK**  
The undersigned holder or legal owner of notes secured by Deed in Book \_\_\_\_\_ Page \_\_\_\_\_ of the Jefferson County Land Records joins in and approves in every detail this subdivision plat, in witness whereof, we have hereunto set our hand and affixed our corporate seal this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Tammi Casey, City Clerk

Signature \_\_\_\_\_  
Print Name, Title \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**  
This is to certify to the best of my belief, knowledge, and ability that GOVERO LAND SERVICES, INC., at the request of Tom Slater, during the month of January, 2020, prepared a minor subdivision plat, based on field information obtained from field personnel under my direction, on a tract of land located in part of Lot 25, U.S. Survey 2991 in Township 43 North, Range 6 East and being a tract of land conveyed to Slater Litchfield, L.P. as described in Deed Doc. #2018-01694 of the Land Records of Jefferson County, Missouri.

I also declare that under my supervision and to the best of my ability and professional judgement that the results shown hereon are made in accordance with the current STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN CLASS PROPERTY as set forth by the MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND SURVEY and rules promulgated by THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND LAND SURVEYORS effective June 30, 2017.

IN WITNESS WHEREOF, we hereunto set our firm name at our office in Jefferson County, Missouri on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GOVERO LAND SERVICES, INC. 242-D  
By DANIEL L. GOVERO LS#1778  
MISSOURI REGISTERED LAND SURVEYOR

	<b>GOVERO LAND SERVICES, INC.</b> SURVEYING * ENGINEERING (CERTIFICATE OF AUTHORITY NO.: L.S. 242-D)		SITE ADDRESS: 1424 Jeffco Blvd. CITY/CO./STATE: Arnold, MO	NAME: Daniel L. Govero DISCIPLINE: PLS
	DATE PREPARED: 01-23-2020	LICENSE #: 1778	CHECKED BY: D. Govero	DRAWN BY: S. Herman
SHEET #: 1 of 1	JOB #: 87015-A	5929 OLD STATE ROAD IMPERIAL, MO. 63052 PH: (636) 444-9950 FAX: (636) 444-9956 gls@govalandservices.net		