



REPORT TO PLANNING COMMISSION

CITY OF ARNOLD

APPLICATION NUMBER: 2019-01

APPLICATION NAME: Cedarhurst of Arnold

APPLICANT NAME: Dover Development LLC (owner under contract)
120 South Central Ave
Suite 150
Clayton, MO 63105

PROPERTY OWNER(S): Jeffery and Laura Broadway
1757 Old Lemay Ferry — ("C-4", 2.94 Ac)

Mary Nelson
1777 Old Lemay Ferry — ("R-3", 2.24 Ac)

Robinson Rental Ent LLC
2077 & 1739 Old Lemay Ferry — ("C-2", 2.14 Ac)

Halbert and Mary Robinson
2069 Missouri State Road — ("C-2", 1.0 Ac)

APPLICANT'S REQUEST: The applicant is seeking to rezone seven (7) properties to C-4" Planned Commercial District for the purposes of operating Assisted Living Apartments, Memory Care and Senior Services.

STREET ADDRESS: See above

SITE LOCATION: The southwest corner of Old Lemay Ferry Rd and Missouri State Rd

PARCEL IDs: 01-9.0-30.0-2-003-006, 01-9.0-30.0-4-002-012, 01-9.0-30.0-1-003-027, 01-9.0-30.0-1-003-028 01-9.0-30.0-2-003-003

TOTAL SITE AREA: 8.32 acres

MEETING DATE: April 9, 2019

REPORT DATE: April 2, 2018

CASE MANAGER: Christie Hull-Bettale

RECOMMENDATION: **Approval with conditions**



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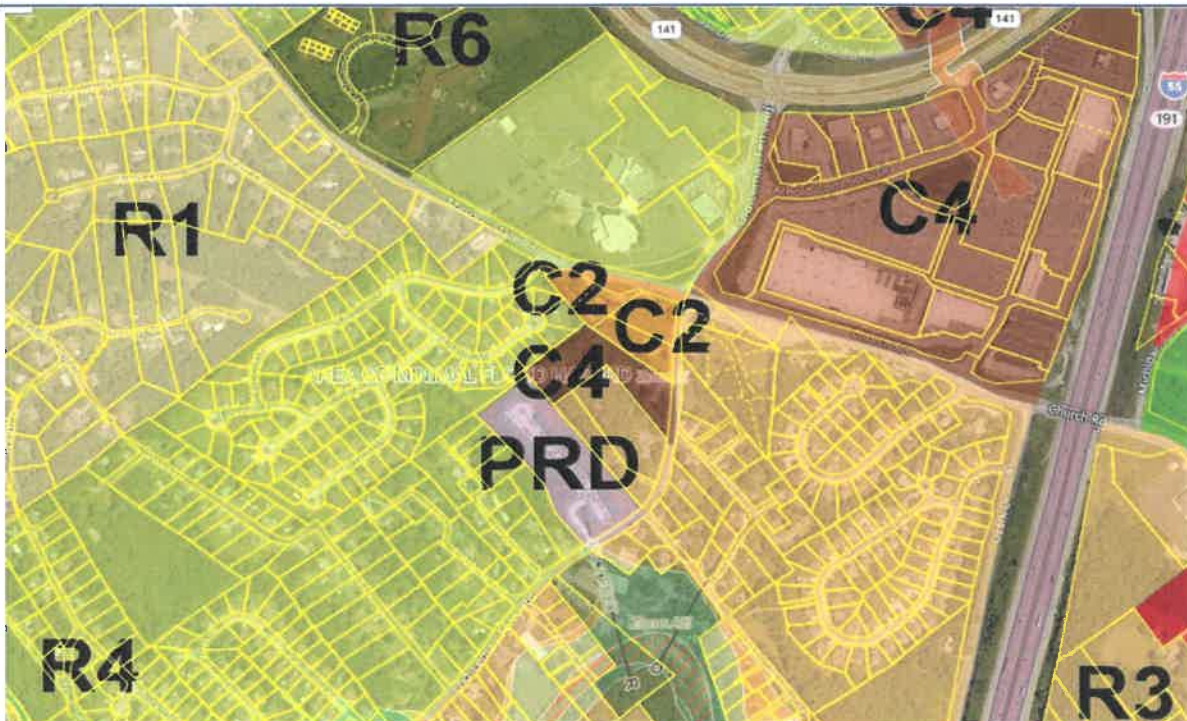
DESCRIPTION OF EXISTING SITE CONDITIONS

The tract is located at the southwest corner of Old Lemay Ferry Rd and Missouri State Rd. In total there are 7 homes and multiple parcels with cumulative 8.32 acres. All the existing structures operate and are used as residential in some form. With exception of the “Dogs in My Home,” which is within the “C-4” zoning district allowing for dog boarding in conjunction with the residential home. Each addressed building fronting on Old Lemay Ferry has an individual curb cut. The properties that front on Missouri State Road have one shared curb cut with access via Steckel Lane which is a private road.

LAND USE AND ZONING CONTEXT MATRIX

DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	Residential, Commercial	R-4, C-4	North of Missouri State Road Existing developments and Commercial Structures; Church and Arnold Commons
East	Residential	R-3	East of Old Lemay Ferry Road Single Family Homes
South	Varied Residential	R-3, PRD	One single family home Multifamily, Independent Senior Living
West	Residential	R-4	Single family homes

ZONING MAP



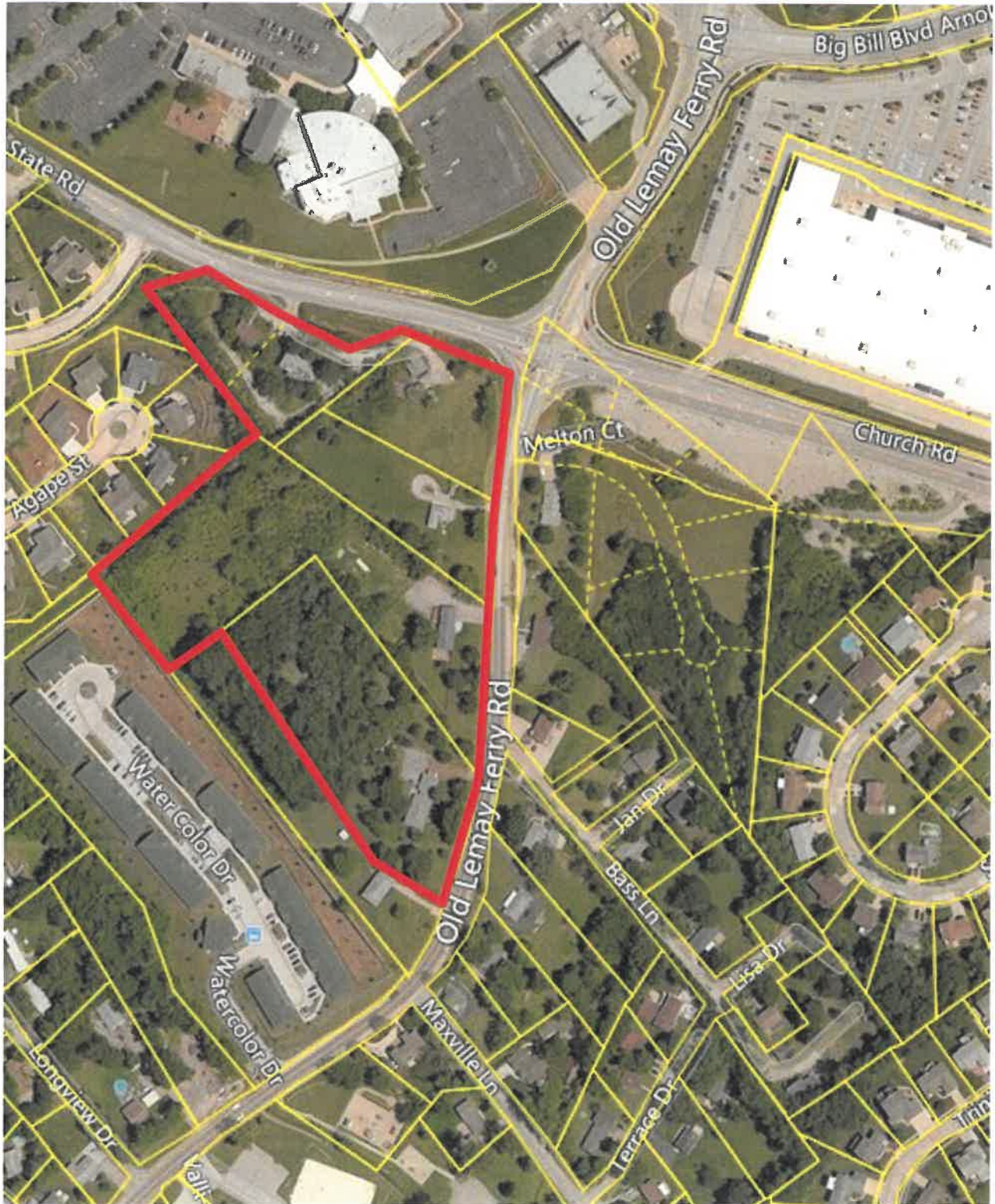
DOVER DEVELOPMENT (CEDARHURST OF ARNOLD)

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LOCATION AND REZONING LIMITS MAP





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ZONING REQUEST/DEVELOPMENT PROPOSAL

The applicant requests to establish a “C-4” Planned Commercial District for seven parcels of land totaling 8.32 acres. The proposed uses would include: 63 assisted living apartments, 20 memory care apartments, and senior services. The apartments are for rent on monthly basis. This facility will not include a nursing home. As required with “C-4” requests a Preliminary Site Development Plan is included with this application (See Exhibit F).

COMPREHENSIVE PLAN CONSISTENCY REVIEW

A consistency review of the goals, objectives, and policies of the Comprehensive Plan, as they relate to the current request, follows:

GOALS, OBJECTIVES, AND POLICIES:

LAND USE POLICIES

LU-2: Promote housing choices for all ages and life stages for existing and future population needs.

LU-9.1: Apply Compatible Uses. Commercial development should be compatible with nearby development and adequately buffered to mitigate adverse impacts on residential neighborhoods.

HOUSINGS & NEIGHBORHOOD POLICIES

NH-3: In existing neighborhoods, a mixture of land use types, housing sizes and lot sizes may be possible if properly mitigated and respectful of neighborhood character. Require careful design wherever land uses are mixed in order to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.

CITY PLANNER’S COMMENTS

LU-2 Substantially Satisfied: The proposed development will provide senior housing and service options. There is a need for senior living.

LU-9.1 Substantially Satisfied: The proposed development use is a combination of residential living and senior related services with other similar uses that are nearby.

The senior housing facility serves as a transition between the intensive commercial development to the northeast and residential development to the south. The application does not include 1787 Old Lemay Ferry Rd, the property directly south of the project. While Staff expressed some concern about the property being left out, the issue was examined and is discussed in staff analysis.

While the proposal includes a landscape buffer easement, the Final Development plan must have an additional buffer tree row planted in the 15’ wide buffer strip to supplement the existing tree mass, which will fulfill this policy.

NH-3.1 Substantially Satisfied: This development and rezoning is suited for the area and can provide a transition in uses from the intensity of the nearby commercial development to a less extreme residential and senior service use.

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GOALS, OBJECTIVES, AND POLICIES (CONTINUED):

NH- 3.1: Provide Transitions. Design infill and redevelopment to avoid negative impacts and ensure compatibility and appropriate transitions between land uses.

3.7: Compatible Infill. Encourage infill housing in older residential neighborhoods that is architecturally compatible with surrounding properties.

TRANSPORTATION POLICIES

Policy T-3.5: Access Standards. Implement access control standards to increase efficiency and safety and adopt access management guidelines to reduce conflict between highway traffic and adjacent land uses.

Policy T-3.6: Fair Share. Roadways and right-of-ways along property frontages that serve a development should be improved by the developer and/or complete development. Improvements may consist of driveway improvements, transitional right-of-way expansions, turn lanes, signalized intersections, center turn lanes, lane widening, lane tapers off-site, medians, shoulders, sidewalks, lighting, street lighting, street trees, landscaping, utility modifications, utility relocations, and overhead utility line burials. The improvements may be identified, shown or noted on the adopted City Transportation Master Plan, Improvement District Plan, Development Plan, Preliminary Plat or

NH-3.1 Substantially Satisfied: This development and rezoning is suited for the area and can provide a transition in uses from the intensity of the nearby commercial development to a less extreme residential and senior service use.

NH-3.7 Satisfied: By review of the building rendering plan; the architectural color and material choices of minimal stone veneer, "James Hardie" plank siding and architectural roof seems to aesthetically compliment the theme of nearby newer residential construction. Note: Applicant provided additional architectural treatments to enhance the side and rear of the building. *Further discussion is provided in staff analysis.*

T-3.5 Substantially Satisfied: The Preliminary Development Plan shows support that the proposed driveway curb cuts, their sight distance and proximity to the intersection were considered and are adequate with respect to applicable standards and does not show conflict with Old Lemay Ferry or Missouri State Road.

T-3.6 Substantially Satisfied: The applicants' Rezoning Preliminary Development Plan, makes a proposal to include adequate right of way dedication and sidewalk easement, for Old Lemay Ferry and Missouri State Road as outlined in this Policy and the Transportation Plan.

However, the applicant requests to contribute escrow in lieu of construction for the public sidewalks, so that the funds will go towards sidewalks to built in the future.

Staff suggests to completely satisfy the Policy, A **Conditions of Approval** should be made to require construction for part of the public sidewalks including pedestrian improvements to the intersection and portions of sidewalk not constructed must be escrowed for future sidewalks. *Further discussion in staff analysis.*



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GOALS, OBJECTIVES, AND POLICIES (CONTINUED):

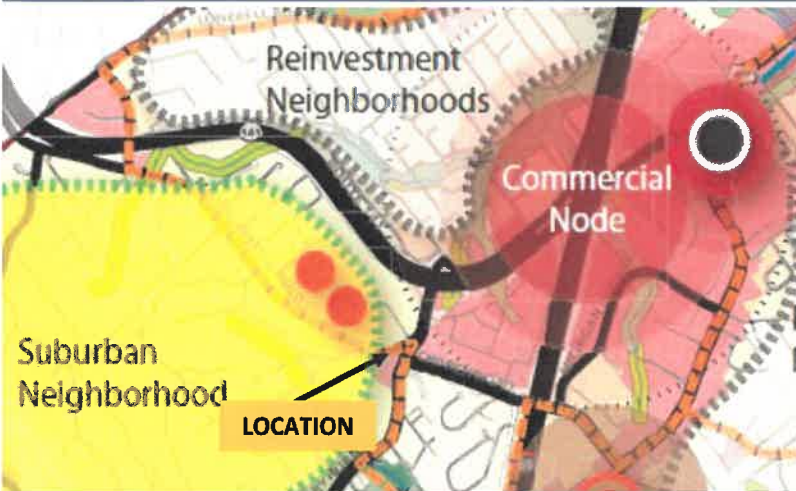
may be required by condition by city staff, Planning Commission or City Council.

Policy T-6: Subdivision applications and other development approvals should be reviewed for adequacy of streets and roadways. Approval may be different, phased in, or conditioned upon the availability of adequate capacity.

T-6 Substantially Satisfied: The "C-4" rezoning request and Preliminary Development Plan proposal, identifies required road right of way dedication and transportation improvements in the form of public sidewalks.

A Traffic Assessment was completed on behalf of the City of Arnold. The assessment included trip generation, ingress and egress management and recommended modifications to mitigate impacts of the development. The Assessment Summary is included as an exhibit, as the Findings and Recommendations are fulfilled, this Policy is satisfied.

FUTURE LAND USE MAP:



Satisfied: The proposed planned commercial district is consistent with the FLUM designation for the property as fringe of a commercial node.

PLANNING AND ZONING ANALYSIS

When reviewing applications for changes in zoning, or amendments thereto, the Planning Commission is required to hold a hearing, review, and make recommendations and report to the City Council.

The applicant requests to establish a "C-4" Planned Commercial District for multiple parcels of land, cumulatively 7 parcels totaling 8.32 acres. The proposed uses would include: 63 assisted living apartments, 20 memory care apartments, and senior services.

PURPOSE OF THE "C-4" PLANNED COMMERCIAL DISTRICT

The "C-4" Planned Commercial District is established in order facilitate the establishment of combinations of developments and uses for which no provision is made in any other single "C" Commercial District or the establishment of commercial developments and uses in locations where it would be appropriate to the area if they were to take place under approved site

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plans, and such conditions as to assure said developments and uses would be consistent with good planning practice and operated in a manner compatible with permitted developments and uses in adjoining districts, as necessary to protect the general welfare.

PERMITTED USES

The permitted uses in a "C-4" Planned Commercial District may potentially be any of the uses permitted or conditionally permitted in the "C-1", "C-2" or "C-3"; however, the specific ordinance authorizing the establishment of a particular planned commercial district related to a specific tract of land may further limit the uses permitted on the tract. *Staff finds that the uses proposed by the applicant are appropriate for this planned district subject to the applicant's ability to satisfy infrastructure requirements of the Zoning Ordinance.*

CONSISTENT WITH GOOD PLANNING PRACTICE

The redevelopment of the site for multi-family senior housing purposes advances the goals, objectives, and policies of the Comprehensive Plan and advances the goals of the Zoning Ordinance. The proposal reduces the opportunity for "piece meal" development of properties in the area, however, a parcel was left out of the plan. The properties selected for the rezoning did not include the parcel to the south of the limits, 1787 Old Lemay Ferry, owned by the Reininger Family. From a planning perspective, there was concern that if excluded, there may be adverse impact on the property, wedged between two higher density multi-unit senior facilities. Secondly, staff questioned if adequate opportunity was given to the Reiningers to be included in the project, if they so desired. Mr. Gregory Reininger is aware of the effects of the project, and provided a statement of opposition pertaining to this development (*See Exhibit A*). Since the original report, there has not been any written status update from the owner, however, it is staff's understanding that Mr Reininger and Dover, after good faith efforts, were no able to reach an agreement.

The proposed development uses, as described, are considered generally compatible, however the required landscape buffer strip still must include a planting plan for the area. It doesn't appear that the existing tree mass along this buffer suits the purpose as a barrier. The mass of the building, lighting, and site compared to the typical adjacent residential, will require adequate buffer to mitigate impact. The Final Development plan will come before Commission for approval at a later time, and it must have additional buffering tree row planted in the 15' wide buffer strip to supplement the existing tree mass. *Staff finds that the proposal is substantially consistent with good planning practices.*

Housing and Neighborhood

In reviewing the architectural renderings; colors and material choices, the some use of stone veneer, the primary use of James Hardie plank, and architectural roof. It is not consistent with the large format development across MO State Road or with Arnold Commons across Old Lemay, but it is substantially similar to residential neighborhoods uses of the area.

This location is a primary corner of the city, nearing the top of a hill and is prominently visible, all sides of the building. Since this is a "C-4" Commercial Planned District Zoning application, the applicant did make some upgrade to materials and colors as recommended by Commission. Changes related to the rear and side facades facing the residential area, in order



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to break up the building mass. In the past, Cedarhurst projects have been proved successful with these materials for construction and maintenance in their other facilities, as shown in Exhibit B.

Transportation; Roadway and Pedestrian facilities

Over the course of staff review for this development; feedback and comments were provided to the applicant regarding the Preliminary Site Development Plan specific to the rezoning; that additional right-of-way and overall transportation improvements will be required, and the potential need for a traffic study.

As suggested by the staff and directed by the Commission. A Traffic Assessment was completed by CBB Transportation Engineers and Planners on behalf of the City of Arnold. The purpose of the assessment was to determine the number of trips that would be generated by the proposed development, assess the relative impact of those trips on the adjacent roadways, and assess the ability of motorists to safely enter and exit the site. If necessary, roadway improvements and/or traffic control modifications would be recommended to mitigate the impact of the development. The focus of this study was the weekday AM and PM commuter peak hours. The Assessment Summary is included as an Exhibit E(2).

The Preliminary Development Plan, Exhibit F, has been modified to include all the CBB recommendations in the Traffic Assessment, except that Dover has requested to escrow the cost of sidewalks in lieu of construction.

Staff supports the finding of CBB and believes the sidewalk should be constructed by the applicant along the Missouri State Road frontage to provide pedestrian connection between the proposed development and the Maxville subdivision to the existing pedestrian facilities at the Missouri State Road and Old Lemay Ferry Road intersection. A new marked pedestrian crossing and push button would be needed to cross the south leg of the intersection and tie into the existing pedestrian system. This new sidewalk and crossing would connect the Maxville subdivision and the Cedarhurst development to the primary commercial centers in Arnold (i.e., Arnold Commons and Water Tower Place). According to the code, a sidewalk is also required along Old Lemay Ferry, however staff believes this portion of sidewalk is appropriate for a contribution in lieu of construction, and recommends it be a condition of approval.

A handwritten signature in blue ink that reads "Christie Hull-Bettale".

Christie Hull-Bettale, EIT
Community Development Engineer

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FINDINGS AND RECOMMENDATION

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND REGULATIONS OF THE CITY

Staff finds that the proposed change of zoning is not substantially inconsistent with the Comprehensive Plan and Regulations of the City of Arnold subject to conditions contained in Attachment A..

CONSISTENT WITH GOOD PLANNING PRACTICE

Staff finds that the proposed change of zoning is consistent with good planning practice subject to conditions contained in Attachment A.

COMPATIBLE WITH PERMITTED DEVELOPMENT AND USE IN ADJOINING DISTRICTS

Staff finds that the proposed change of zoning is compatible with permitted development and uses in adjoining districts subject to conditions contained in Attachment A.

NECESSARY TO THE GENERAL WELFARE

Staff finds that the proposed change of zoning will have no substantial adverse impact on promotion of the health, safety, quality of life, comfort and general welfare of the city, and further is necessary to promote well-planned development in the City subject to conditions contained in Attachment A.

EXTENSION OF BOUNDARY

Staff finds the extension of the boundary to be warranted. While one parcel being left out of the proposal, it appears a reasonable effort was made for its inclusion.

SIGNIFICANT CHANGE

Staff finds that significant changes have occurred in the area, including the development of large format residential and commercial development.

MISTAKE IN ZONING MAP

Staff finds there was not a mistake made on the map.

CHANGE IN CLASSIFICATION

Staff finds the map change is consistent with the comprehensive plan.

BEST INTERESTS OF CITY OF ARNOLD

Staff finds that the proposal helps in fulfilling a need for senior housing and services. However, as previously discussed there are a number of issues that must be addressed through conditions of approval and during Final Development Plan approval.

RECOMMENDATION

Staff finds that the proposed change of zoning meets the review criteria and further advances the intent of both the Comprehensive Plan and Zoning Ordinance. *Based on this finding Staff requests favorable consideration of the application subject to conditions contained in Attachment A.*



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ATTACHMENTS

SUPPLEMENTAL MATERIALS

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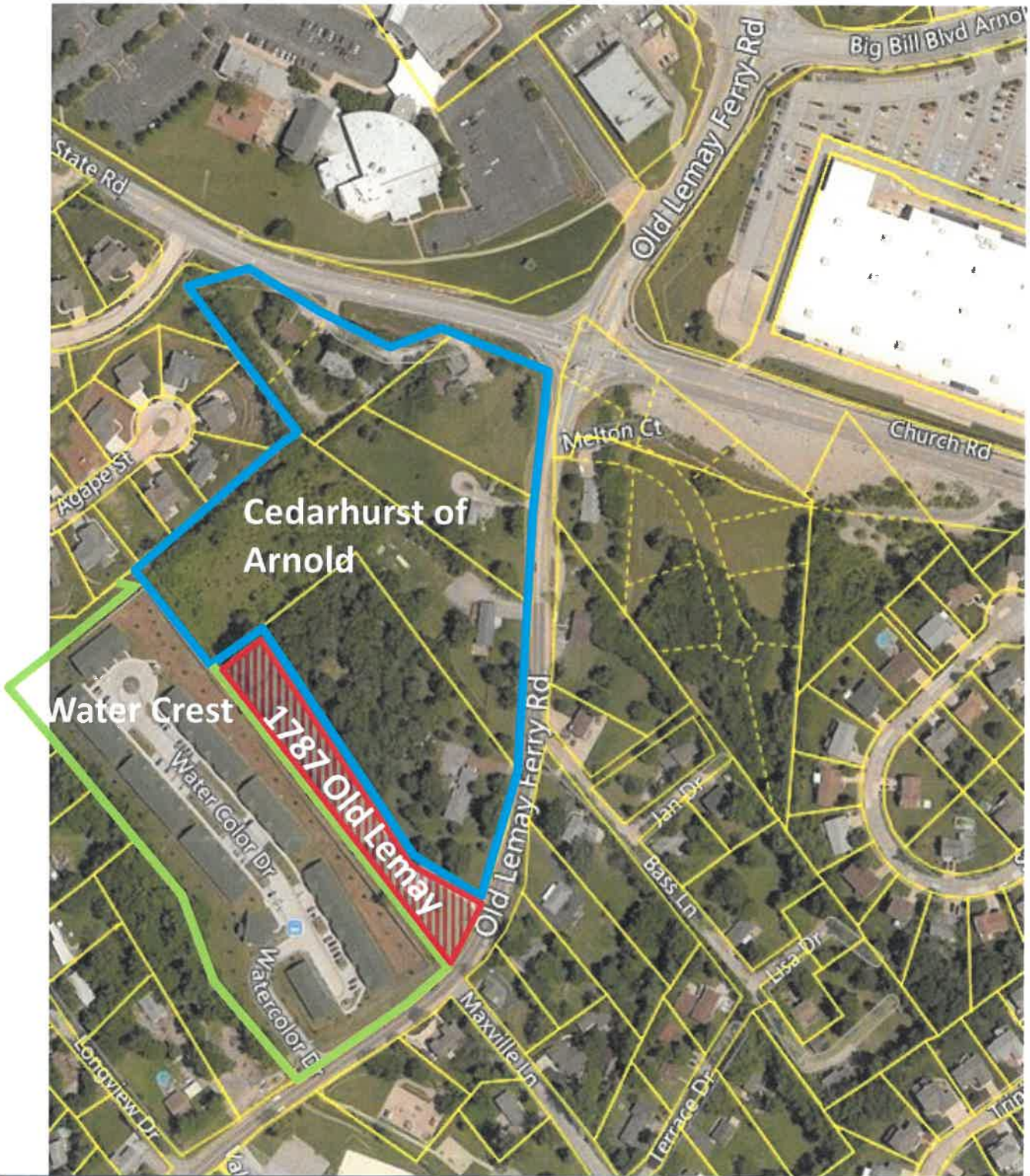


EXHIBIT A: 1787 OLD LEMAY FERRY– REININGER’S PROPERTY AND LETTER

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1787 BIG BILL ROAD (OLD LEMAY FERRY) - ARNOLD, MO

PUBLIC HEARING - ARNOLD PLANNING COMMISSION - 636-282-2378

TUESDAY, FEBRUARY 12, 2019 , 7:00 PM -- ARNOLD CITY COUNCIL

- 1) 2019-01: REZONING REQUEST, 2069 MISSOURI STATE ROAD; 2077, 1739, 1757 & 1777 OLD LEMAY FERRY RD, C-4 PLANNED COMMERCIAL DISTRICT.
- 2) 2019-02: PRELIMINARY PLAT/CONSOLIDATION PLAT 2069 MISSOURI STATE RD., CEDARHURST ASSISTED LIVING FACILITY.
- 3) MY PROPERTY, LOCATED AT 1787 OLD LEMAY FERRY ROAD, ADJOINING THE PROPERTY KNOWN AS 1777 OLD LEMAY FERRY ROAD, WHICH IS INCLUDED IN THE CEDARHURST REZONING REQUEST. THIS WILL IMPACT THE VALUE OF MY PROPERTY. I WAS INFORMED BY THE ARNOLD PLANNING COMMISSION, THAT AT SOME POINT IN TIME, THAT CEDARHURST COULD IN FACT PLACE A 6 FOOT HIGH WALL AT THE PROPERTY LINE ADJOINING OUR PROPERTY. IF THAT WOULD HAPPEN, I WOULD BE LOOKING AT THE WALL, BEING LOCATED AT THE HOUSE, 9 FEET FROM THE BRICK WALL OF THE HOUSE PRESENTLY THERE. THE WALL COULD BE CONSTRUCTED AT THE STREET, OLD LEMAY FERRY ROAD TO THE REAR OF THE PROPERTY, WHICH IS PRESENTLY 589 FEET LONG. I KNOW THAT PRESENTLY THERE IS NO REQUEST BY CEDARHURST TO CONSTRUCT A WALL THERE. IN THE FUTURE, IT COULD BE BUILT. THE REZONING PLACES OUR PROPERTY BETWEEN 2 - C-4 ZONING AREAS. THE PROPERTY ADJOINING OUR PROPERTY ON THE OTHER SIDE IS CALLED 1803 OLD LEMAY FERRY RD., ALSO KNOWN AS WATER COLOR VILLAS. THIS IS A SENIOR LIVING DEVELOPMENT, WITH 50 HOUSING UNITS, FOR LOWER INCOME PEOPLE.
- 4) I AM AGAINST HAVING A C-4 ZONING ADJOINING BOTH SIDES OF MY PROPERTY.
- 5) THE PROPERTY KNOWN AS 1757 OLD LEMAY FERRY RD. WRAPS AROUND THE BACK SIDE OF MY PROPERTY. THEREFORE THE REZONING TO C-4 AS PRESENTED HERE TODAY, WILL BE ON 3 SIDES OF MY PROPERTY AND THE 4TH SIDE IS OLD LEMAY FERRY ROAD.
- 6) I HAVE BROUGHT SEVERAL PHOTOS WITH ME TO HELP EXPLAIN THE SITUATION.

GREGORY J. REININGER - OWNER

1787 OLD LEMAY FERRY ROAD, ARNOLD, MO.63010

314-974-6884

EXHIBIT A: 1787 OLD LEMAY FERRY- REININGER'S PROPERTY AND LETTER

DOVER DEVELOPMENT (CEDARHURST OF ARNOLD)

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**CEDARHURST OF
ARNOLD**
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EXHIBIT B

2019-01 APPLICATION TO REZONE



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Cedarhurst of Arnold

Below is a description of all the services Cedarhurst of Arnold will provide:

- 63 Assisted Living Apartments and 20 Memory Care Apartments licensed by the Missouri Department of Health and Senior Services. Apartments are available for rent on a monthly basis, with additional levels of care available as needed. These are residential apartments. This building is not a nursing home.
- Professional caregiving staff available 24-hours a day
- On-going assessments and health monitoring by licensed nurses
- Full-service dining provides three healthy, seasonal and fresh home-cooked meals prepared by chefs
- Resident Centered Life-Enrichment Program featuring the following:
 - Activity programs
 - Creation of personalized memory boxes for each resident
 - Intergenerational programs
 - Music therapy and pet therapy
 - Exercise and fitness sessions
 - Social functions and parties
 - Weekly religious services
 - Shopping and errand services
 - Community event participation
 - Bus shuttle for events and activities
- Housekeeping:
 - Trash removal service
 - Weekly apartment cleaning with bed linen and towel service
 - Personal laundry service available
 - Suite repairs
- Physical Therapy, Rehabilitation, and Home Health services provided by EmpowerMe Wellness, a Cedarhurst affiliate.

EXHIBIT C: NARRATIVE OF SERVICES

DOVER DEVELOPMENT (CEDARHURST OF ARNOLD)

REPORT TO PLANNING COMMISSION

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120 S. Central Avenue | Suite 1050 | (314) 932-2352
Clayton, Missouri 63105 | F (314) 442-4081 | dovercapital.com

Nick Dwyer, Development Associate
Direct: 314-884-8968
Email: ndwyer@dover-development.com

February 1, 2019

VIA EMAIL – chullbettale@arnoldmo.org

Attn: Christie Hull-Bettale
Community Development Engineer
City of Arnold
2101 Jeffco Blvd.
Arnold, MO 63010

RE: ZONING CHANGE - CEDARHURST OF ARNOLD

Ms. Hull-Bettale,

In regard to comment #1 provided by the City of Arnold in their review of our Consolidation Preliminary Plat/Rezoning Exhibit, we have addressed the following questions concerning the rezoning of the property:

- a. The extension of an existing boundary where said change will not be detrimental and where it is shown that such changes are necessary for public convenience or necessity.

The rezoning of the Cedarhurst property would be an extension of the C-4 Planned Commercial zoning of the Arnold Commons Shopping Center across the Old Lemay Ferry and Missouri State intersection.

- b. There has been significant change in the area to warrant a change in zoning classification.

The redevelopment of the property consists of a significant change in the area from single-family residential to senior housing, warranting a change in zoning classification.

- c. It is shown that a mistake was made in the original zoning map.

There were no mistakes made in the original zoning map.

- d. A change that would make the zoning classification reflects the proposed use in the Land Use Plan of the City of Arnold.

The proposed use for this property featured in the Land Use Plan of the City of Arnold shows Residential. While this property will not be zoned



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residential. Cedarhurst of Arnold will be a residential-style facility for seniors, with architectural features nearly identical to a residential home.

- e. Other changes where it is shown to be in the best interests for the health, safety, and welfare of the citizens of the City of Arnold.

The proposed zoning will allow for this facility to provide any and all services needed by local seniors to ensure their health, safety, and welfare are made top priority.

Based upon the Planning & Zoning Department's recommendation through the development process, and for the reasons stated above, we believe this zoning change is appropriate for the project we are proposing. Please let me know if you have any further questions.

Regards,

A handwritten signature in black ink, appearing to read "Nick Dwyer".

Nick Dwyer

CC: Jordan Dorsey (via email)

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120 S. Central Avenue | Suite 1050 | (314) 932-2352
Clayton, Missouri 63105 | F (314) 442-4081 | dovercapital.com

Nick Dwyer, Development Associate
Direct: 314-884-8968
Email: ndwyer@dover-development.com

March 8, 2019

[VIA EMAIL – chullbettale@arnoldmo.org]

Attn: Christie Hull-Bettale
Community Development Engineer
City of Arnold
2101 Jeffco Blvd.
Arnold, MO 63010

RE: Cedarhurst of Arnold – Planning & Zoning Resubmittal

Ms. Hull-Bettale,

During the Planning & Zoning Commission Meeting held on February 12, the Planning Commission raised three concerns pertaining to our preliminary site plan for Cedarhurst of Arnold. Over the past several weeks we have worked to address all three critical items per the Planning Commission's comments and would like to resubmit with changes to alleviate their concerns and continue to move this project forward. Below is a breakdown of the three items and how we have addressed each one:

1) Traffic Study & Drive Lane Improvements

During our meeting the commission expressed a desire for a traffic study to be completed on the project. Since the meeting we have engaged CBB, a local traffic engineer, to complete a study on our project. The traffic study found our development to have a very minimal impact on the traffic in the area due to the nature of our residents and how our building operates. However, it was determined that in order to prevent stacking on Missouri State Road, it would be beneficial to move our main entrance further back from the intersection to a total distance of 400 feet. We have since made that change and it is reflected on Civil Sheet 2.1 attached.

2) Architectural Updates to Left and Rear Elevations

There was a request in the meeting to make an effort to break up the large mass of material on the rear and left elevations. We have since made changes to both elevations as well as the landscaping plan in order to dress up the sides of the building that will be visible from Old Lemay Ferry Road. Below is a summary of the updates:

Left Elevation (Facing Old Lemay Ferry Road):

Sheet A6.1 (attached):

We have added two architectural features under both gables on the Left Elevation. Each gable will feature a shake Hardie siding accent for the full height of the building in "Slate Gray" accent color. This will greatly dress up that side of the building and provide a change in material and color.

EXHIBIT E - APPLICANT LETTER OF DISCUSSION FOR TRAFFIC STUDY AND PARKING

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Sheets A1.8 & A1.9 (attached):

This side also features several stone enclosures for the dumpster and generator enclosure. From the road this will greatly break up the view and provide differentiation in color and material.

Sheet L-1 (attached):

The enclosure facing the road will be landscaped with evergreen trees, and we have added additional trees along the secondary drive lane entrance, featuring a mix of honeylocust trees to provide an increased buffer from the road.

Rear Elevation (Facing South):

Sheet A6.1 (attached):

We have added a shake Hardie board siding accent to the Memory Care Dining courtyard to match the accents we have done on the left elevation.

Sheet L-1 (attached):

We have also added several trees, a redbud and an oak, to the Memory Care courtyard to create additional greenery and buffer from the rear to Old Lemay Ferry and the view to the south.

3) Reininger Parcel

Before the meeting on February 12, we had reached out to Mr. Reininger several times about purchasing his property at 1787 Old Lemay Ferry. We offered him what we felt was fair market value, and actually more than what we have paid for other parcels included in this development. After several weeks of silence, I received a call from Mr. Reininger offering to purchase 0.5 acres from us. I explained we were not able to sell property that we don't already own. He said at that time he was not open to selling his property. After the planning commission meeting, I sent a letter to Mr. Reininger (attached) offering to buy his property once again, this time increasing our offer, and willing to pay over 20% more than what we have paid for similar properties in this development. On February 20, I received a call from John Brown of the law firm Kilo Flynn. He stated he was representing Mr. Reininger and that Mr. Reininger would not accept less than \$250,000 for his property, almost double our previous offers. I told Mr. Brown that seemed unreasonable, and he was going to wait to discuss our offer with Mr. Reininger. I have since tried following up with Mr. Brown but have yet to hear back. We feel we have tried in good faith several times to enter a fair market deal with Mr. Reininger, but at this time it seems they are unwilling to enter into a sale of the property.

Please let us know if there is any further information or clarification needed in order to review this resubmittal. We look forward to continuing our partnership with the City of Arnold, and most importantly appreciate the opportunity to serve the seniors of Arnold and Jefferson County.

Regards,

Nick Dwyer

CC: David Bookless (via email)
CC: JD Howell (via email)
CC: Jordan Dorsey (via email)

EXHIBIT E - APPLICANT LETTER OF DISCUSSION FOR TRAFFIC STUDY AND PARKING

DOVER DEVELOPMENT (CEDARHURST OF ARNOLD)

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Traffic Assessment – Proposed Cedarhurst Assisted Living
Arnold, Missouri
March 1, 2019
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SUMMARY

CBB completed the preceding traffic assessment to evaluate the relative impact of the anticipated site trips on the adjacent roadways and to review the site access associated with the proposed Cedarhurst assisted living development in Arnold, Missouri. The following summarizes the findings and recommendations:

- Considering the trips associated with the existing uses to be removed, the proposed development would result in a net increase of only 6 trips during the AM peak hour and 10 trips during the PM peak hour.
- It is recommended that a STOP sign be installed at each of the proposed drives exiting the development.
- Based on a cursory review of the site, it appears that the sight distance for patrons exiting the site drives could be impacted by the existing vertical profile of the roadways and vegetation. As such, the site civil engineer should provide the intersection sight distance triangles on the plan sheet to confirm that the exiting motorists can safely see to exit the site.
- Based on the eastbound Missouri State Road queues and the conflicting left-turn motorists competing for the same space within the center TWLTL, it is recommended that the proposed site drive on Missouri State Road be shifted a minimum of 135 feet further west to provide 400 feet between the proposed site drive and the traffic signal at Old Lemay Ferry Road.
- A sidewalk should be constructed along the Missouri State Road frontage to provide a pedestrian connection between the proposed development and the Maxville subdivision to the existing pedestrian facilities at the Missouri State Road and Old Lemay Ferry Road intersection. A new marked pedestrian crossing and push button would be needed to cross the south leg of the intersection and tie into the existing pedestrian system. This new sidewalk and crossing would connect the Maxville subdivision and the Cedarhurst development to the primary commercial centers in Arnold (i.e., Arnold Commons and Water Tower Place).
- It is recommended that adequate right-of-way be reserved or dedicated along the Old Lemay Ferry Road frontage and at the intersection with Missouri State Road to facilitate future potential widening (by others).

We trust that this traffic assessment will be useful in your review of the proposed Cedarhurst assisted living development located in the southwest quadrant of the intersection of Old Lemay Ferry Road and Missouri State Road in Arnold, Missouri. Should there be any questions regarding this assessment, please contact me at 314-449-9572 or swhite@cbtraffic.com.

Sincerely,

A handwritten signature in blue ink that reads "Dawn White".

EXHIBIT E(2)- SUMMARY EXCERPT BY CBB TRAFFIC ASSESSEMENT

2019-01 APPLICATION TO REZONE



REPORT TO PLANNING COMMISSION
CITY OF ARNOLD

**SUBMITTAL OF PRELIMINARY
SITE DEVELOPMENT PLAN**

**COVER SHEET
PRELIMINARY SITE PLAN
CONSOLIDATION/REZONING EXHIBIT
TREE PRESERVATION PLAN
LANDSCAPE PLAN
ARCHITECTURAL RENDERINGS
REDUCED 11 X 17 PLANS ATTACHED
GEOTECHNICAL (NOT INCLUDED WITH THIS REPORT)**

EXHIBIT F—PRELIMINARY SITE DEVELOPMENT PLAN

DOVER DEVELOPMENT (CEDARHURST OF ARNOLD)

REPORT TO PLANNING COMMISSION
CITY OF ARNOLD



**INSERT
ATTACHMENT A
HERE**

EXHIBIT G : ATTACHMENT A

2019-01 APPLICATION TO REZONE

ATTACHMENT A

C-4 PLANNED COMMERCIAL DISTRICT FOR THE CEDARHURST OF ARNOLD

All provisions of the City of Arnold City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "C-4" Planned Commercial District shall be:
 - a. All uses permitted in the "C-1", "C-2", and "C-3" Commercial Districts, with the **exception** of the following:
 - (i) Hotels, Motels or Extended Stay Facilities
 - (ii) Used car sales;
 - (iii) Pay day and title loan businesses
 - (iv) Consumer installment/small loan businesses.
 - (v) Automotive parking lots and garages, including any storage of wrecked or otherwise damaged and immobilized automotive vehicles.
 - b. Conditional Uses listed in the "C-1", "C-2", and "C-3 shall be granted in accordance with the requirements of the Zoning Ordinance and including:
 - (i) Clinics
 - (ii) Medical Offices
 - c. Conditional Uses shall not be granted for the following:
 - (i) Apartments
 - (ii) Condominiums
 - d. Accessory uses as otherwise permitted in the "C-1", "C-2", and "C-3" Commercial Districts and including:
 - (i) Physical Therapy
 - (ii) Rehabilitation
 - (iii) Home Health Services
 - e. 63 Assisted Living Apartments, 20 Memory Care Apartments- Licensed by the Missouri Department of Health and Senior Services, exception of the following:
 - (i) Nursing Home
2. Hours of operation
 - a. All deliveries and trash pick-up shall be limited to the hours from 7:00 AM to 9:00 PM.

B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. Floor Area

- a. The total building floor area within this development shall be as approved on the Final Site Development Plan

2. Height

- a. The development shall adhere to the General Height Regulations of the City of Arnold Code and as restricted by application of regulations of Section 405.650.

C. SETBACKS

1. Structure Setbacks

Setbacks shall be as approved on the Development Site Plan.

2. Parking Setbacks

- a. No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress, will be located within the following setbacks: Fifteen (15) feet from residential boundary of the "C-4" District nor closer than Fifteen (15) feet to the street right-of-way.
- b. Any parking stall directed toward residential shall have screening.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Arnold Code.
2. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.
3. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Tree Preservation Program of the City of Arnold Code.
2. Landscaping for this development shall adhere to the City of Arnold Code or as depicted on the approved Development Site Plan.
 - a. The landscape plan shall include a combination of durable, site-proof fencing and plant material indicated on the Development Site Plan, consistent with the commercial district landscape material.
 - b. Areas not for access or storage must be finished with vegetative material.

F. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Arnold Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Arnold Planning Commission.

G. LIGHTING REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Arnold Code.

H. DESIGN REQUIREMENTS

1. Architectural elements, construction materials, and colors shall be as depicted on the approved Development Site Plan.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Arnold on the Site Plan.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be as shown on the Preliminary Plan attached hereto as Attachment B.
2. Adequate sight distance shall be provided as directed by the City of Arnold or the Missouri Department of Transportation (MoDOT), as applicable.
3. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide the required sight distance as required by the City of Arnold and the Missouri Department of Transportation (MoDOT), as applicable.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, UTILITIES, INCLUDING PEDESTRIAN CIRCULATION

1. Construct improvements as depicted on the Development Site Plan and required by the City of Arnold, or the Missouri Department of Transportation (MoDOT), as applicable, as directed by the City.
2. Additional right-of-way and road improvements shall be provided, as required by the City of Arnold or the Missouri Department of Transportation (MoDOT), as applicable.
3. Public sidewalk should be constructed along the Missouri State Road frontage between the proposed development and the Maxville subdivision to the existing pedestrian facilities at the Missouri State Road and Old Lemay Ferry Road intersection. A new marked pedestrian crossing and push button shall be installed cross the south leg of the intersection and tie into the existing pedestrian system. The sidewalk shall be shown on the Development Site Plan to be constructed. A sidewalk is also required along Old Lemay Ferry, this portion of sidewalk is appropriate for a contribution in lieu of construction. If sidewalk is not constructed, a contribution must be made prior to building permit issuance.
4. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

5. Any request to install a gate at the entrance to this development must be approved by the City of Arnold or the Missouri Department of Transportation (MoDOT), as applicable, and the Rock Fire District. No gate installation will be permitted on public right-of-way.

K. STORM WATER

1. The development shall adhere to the Storm Water Design Requirements of Stormwater Drainage Facilities, Rules and Regulations the City of Arnold Code and Best Management Practices and Post Construction Requirements there in.
2. Approval from the Missouri DNR will be required for disturbance greater than 1 acre.
3. Any land disturbance which includes disturbance of root zone, grading or filling, requires a City of Arnold Grading and Storm water Pollution Prevention Permit.

L. SANITARY SEWER

1. Sanitary sewers shall be as approved by the City of Arnold and Missouri-American Water.

M. GEOTECHNICAL REPORT

1. A geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, is included with the approved Development Site Plan. The report shall verify the suitability of slopes steeper than 3:1 or for proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Plans and Improvement Plans.

N. MISCELLANEOUS

1. Refer to the Code of Ordinances of the City of Arnold and Section 405.340 "C-4" Planned Commercial District for requirements specific to the "C-4" Zoning District.
2. All utilities will be installed underground.
3. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
4. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
5. Sidewalk improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right of-way dedication, and access requirements for each phase of development as directed by the City of Arnold or the Missouri Department of Transportation (MoDOT). Delays due to utility relocation and

adjustments will not constitute a cause to allow occupancy prior to completion of said improvements.

II. TIME PERIOD FOR SUBMITTAL OF FINAL DEVELOPMENT PLAN (SITE PLAN)

- A. The developer shall submit a Final Development Plan within eighteen (18) months of City Council approval of the change of zoning.
- B. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- C. Said Plan shall be submitted in accordance with the requirements for Final Development Plans, identified herein. The submission of Amended Final Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- D. Where due cause is shown by the developer, the City Council may extend the period to submit said Plan for eighteen (18) months.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the Final Development Plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

IV. GENERAL CRITERIA

A. FINAL DEVELOPMENT PLAN (SITE PLAN) SUBMITTAL REQUIREMENTS

The Final Development Plan shall adhere to the above criteria and to the following:

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- 3. Density calculations.
- 4. Parking calculations, including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
- 5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
- 6. A note indicating all utilities will be installed underground.
- 7. A note indicating signage approval is separate process.
- 8. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use of each.
- 9. Specific structure and parking setbacks along all roadways and property lines.
- 10. Indicate location of all existing and proposed freestanding monument signs.
- 11. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
- 12. Floodplain boundaries.

13. Depict existing and proposed improvements within one hundred fifty (150) feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
14. Depict all existing and proposed easements and rights-of-way within one hundred fifty (150) feet of the site and all existing or proposed offsite easements and rights-of-way required for proposed improvements.
15. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
16. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending one hundred fifty (150) feet beyond the limits of the site as directed.
17. Include a Landscape Plan in accordance with the City Of Arnold Code to indicate proposed landscaping.
18. Include a Lighting Plan in accordance with the City Of Arnold Code to indicate proposed lighting.
19. Comply with all preliminary plat requirements of the City of Arnold Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, and Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/ approvals from the Rock Fire District, and other agencies, as applicable.

V. RECORDING

- A. Within sixty (60) days of approval of any development plan by the City of Arnold, the approved Plan will be recorded with the Jefferson County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.