

MINUTES

PUBLIC HEARING

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

**2016-10: RAISING CANE'S, MINOR RECORD/CONSOLIDATION PLAT, 1163 JEFFCO BLVD.:** Mr. Sutton read the staff report.

**2016-09: RAISING CANE'S, CONDITIONAL USE PERMIT, 1163 JEFFCO BLVD.:** Mr. Sutton read the staff report.

There being no questions or comments, the public hearing adjourned at 7:06 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Andrew Sutton at 7:06 p.m. The Pledge of Allegiance was recited by those in attendance.

**ROLL CALL OF COMMISSIONERS:** Del Williams, John Tucker, Anthony Sofia, Brian McArthur, Alan Bess, Ted Brandt, Frank Kutilek (excused), Jeff Campbell, Andrew Sutton, Todd Teuscher, Mary Holden, Christie Hull-Bettale, Derrick Redhead and Bob Sweeney. 9 voting members present, 1 excused.

**REVIEW AND APPROVAL OF AGENDA:** Item 3 under the Public Hearing is to be changed to 2016-09; item 7a. Is to be changed to 2016-11; item 9a. Is to be changed to 2016-09.

Motion by Jeff Campbell to approve the amended agenda. Second by Brian McArthur. Voice Vote – *Unanimously Approved.*

**APPROVAL OF MINUTES:** Motion by Jeff Campbell to approve the minutes from the July 26, 2016 meeting as presented. Second by Alan Bess. Voice Vote – *Unanimously Approved.*

**QUESTIONS FROM THE FLOOR:** None

**7a. 2016-11: RAISING CANE'S COMMERCIAL SITE PLAN, 1163 JEFFCO BLVD.:** Thomas Murphy, CSRS, Project Manager, gave a brief background on Raising Cane's. This will be their ninth store in the area. He talked about some of the challenges of the site. They will be doing some re-grading to try and get the site a little more cohesive to the surrounding area. There are 33 parking spaces required and there are only 29 so they will be asking for a variance. The landscape plan far exceeds the city's requirements.

Del Williams commented that he was hoping the site would be leveled down and have access to the surrounding parking lot as opposed to all traffic coming off Jeffco.

Jeff Campbell asked if they could investigate the possibility of a cross access at the south corner by the dumpster area.

Bill Barnes, NEI/DESCO Rep., asked Koch Development for access possibilities but did not have success.

John Tucker asked if the grade at the north entrance would be reduced. The representative stated the grade would be reduced by 5%.

Brian McArthur asked if they thought the cross access would work, would they re-approach Koch for their cooperation.

Bob Sweeney stated that there is a historic problem between the owner of the larger development and this lot. The owner of the larger development has never been cooperative with any development on this particular out lot, so as much as we might like cooperation, we will probably never get it.

Jeff Campbell asked for clarification of the access turns. Left in, Right in, Right out at south entrance.

Motion by Anthony Sofia to approve 2016-11, Raising Cane's Commercial Site Plan, 1163 Jeffco Blvd. with the seven (7) conditions:

1. The Board of Adjustment approves the variances for Raising Cane's to the front yard setback for parking and the number of parking stalls required for a fast food restaurant.
2. The conditional use permit for Raising Cane's is granted final approval by the City Council.
3. The minor record/consolidation plat for Raising Cane's is approved by the City Council.
4. Provide sight distance profiles for the entrances.
5. Light poles do not exceed twenty (20) feet in height, including the base.
6. Please be aware that shields may be needed on the light poles to prevent those lights shining directly onto drivers along Jeffco Blvd.
7. The revised landscape plan will be brought back for separate review and approval addressing the concerns identified above.

Second by Del Williams. Roll call vote: Del Williams, yes; Jon Tucker, yes; Anthony Sofia, yes; Brian McArthur, yes; Alan Bess, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – ***Motion Approved.***

**8a. 2016-10: RAISING CANE'S, MINOR RECORD/CONSOLIDATION PLAT, 1163 JEFFCO BLVD.:** Motion by Jeff Campbell to approve 2016-10, Raising Cane's, minor record/consolidation plat, 1163 Jeffco Blvd., second by Anthony Sofia. Roll call vote: Del Williams, yes; Jon Tucker, yes; Anthony Sofia, yes; Brian McArthur, yes; Alan Bess, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – ***Motion Approved.***

**9a. 2016-09: RAISING CANE'S CONDITIONAL USE PERMIT, 1163 JEFFCO BLVD.:** Motion by Jeff Campbell to approve 2016-09, Raising Cane's conditional use permit, 1163 Jeffco Blvd. with the seven (7) conditions:

1. The Board of Adjustment approves the variances for Raising Cane's to the front yard setback for parking and the number of parking stalls required for a fast food restaurant.
2. The commercial site plan for Raising Cane's is approved by the City Council.
3. The minor record/consolidation plat for Raising Cane's is approved by the City Council.
4. Provide sight distance profiles for the entrances.
5. Light poles do not exceed twenty (20) feet in height, including the base.
6. Please be aware that shields may be needed on the light poles to prevent those lights shining directly onto drivers along Jeffco Blvd.
7. The revised landscape plan will be brought back for separate review and approval addressing the concerns identified above.

Second by Del Williams. Roll call vote: Del Williams, yes; Jon Tucker, yes; Anthony Sofia, yes; Brian McArthur, yes; Alan Bess, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Motion Approved.*

#### STAFF REPORT

**Approval of fence at K & K Car Repair, 1740 Jeffco Blvd.:** Motion by Jeff Campbell to approve the fence extension at K&K Car Repair, 1740 Jeffco Blvd. Second by Brian McArthur. Roll call vote: Del Williams, yes; Jon Tucker, yes; Anthony Sofia, yes; Brian McArthur, yes; Alan Bess, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Motion Approved.*

**Sign Code proposal as suggested by Brian McArthur:** Brian McArthur discussed some additional recommendations to the sign code such as adding a section under items 8 & 9 to define locations for temporary signs on commercial lots; one temporary sign per applicant on a commercial lot; location for sign clusters as they occur now, would be defined.

John Tucker asked how to designate certain areas as “on-site.”

Brian McArthur answered the sign must be on their property.

John Tucker asked how political signs are “on-site.”

Brian McArthur answered it applies to your ward, county, state, etc.

Jeff Campbell would like to limit the number of signs on a property.

Mary Holden recommends allowing two (2) signs per lot under item 3A.

**OLD BUSINESS/COMMISSIONERS REPORT:** Ted Brandt asked if you live on a corner lot, will you be allowed to have a temporary sign per frontage or per lot. Mary stated per lot.

**ADJOURNMENT:** Meeting adjourned at 7:55 p.m.

Respectfully Submitted



Todd Teuscher  
Planning Commission Secretary

**PLANNING COMMISSION  
ROLL CALL SHEET**

DATE:	8/23/2016						
CALLED TO ORDER:	7:00 P.M.						
ADJOURNMENT:	7:55 P.M.						
		<b>ROLL CALL</b>	<b>2016-11 - APPROVED</b>	<b>2016-10 - APPROVED</b>	<b>2016-09 - APPROVED</b>	<b>K&amp;K FENCE EXT.</b>	
<b>DEL WILLIAMS</b>	P	Y	Y	Y	Y		
<b>JOHN TUCKER</b>	P	Y	Y	Y	Y		
<b>ANTHONY SOFIA</b>	P	Y	Y	Y	Y		
<b>BRIAN MCARTHUR</b>	P	Y	Y	Y	Y		
<b>ALAN BESS</b>	P	Y	Y	Y	Y		
<b>TED BRANDT</b>	P	Y	Y	Y	Y		
<b>FRANK KUTILEK</b>	EXCUSED						
<b>JEFF CAMPBELL</b>	P	Y	Y	Y	Y		
<b>ANDREW SUTTON</b>	P	Y	Y	Y	Y		
<b>TODD TEUSCHER</b>	P	Y	Y	Y	Y		
<b>MARY HOLDEN</b>	P	<b>NO VOTE</b>					
<b>CHRISTIE HULL-BETTALE</b>	P	<b>NO VOTE</b>					
<b>DERRICK REDHEAD</b>	P	<b>NO VOTE</b>					
<b>CITY ATTORNEY ROBERT SWEENEY</b>	P	<b>NO VOTE</b>					