
MINUTES**PUBLIC HEARING**

The public hearing was called to order by Chairman Brian McArthur at 7:00 p.m. Mr. McArthur informed those in attendance as to the procedures by which the public hearing would be conducted.

2013-17, Zoning code Amendment, Used Car Sales lot regulations. Brian McArthur read the staff report. There were no comments or questions.

2013-21, Minor Record Plat, Lot 9 & 10, Sterling Pines, Plat Two. Brian McArthur read the staff report. There were no comments or questions.

There being no further 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 Chairman Brian McArthur at 7:08 p.m. The Pledge of Allegiance was recited by those in attendance.

ROLL CALL OF COMMISSIONERS: Del Williams, Jason Fulbright, Brian McArthur, Ralph Sippel, Ted Brandt, Frank Kutilek, Jeff Campbell, Andrew Sutton, Todd Teuscher (excused), Mary Holden, Christie Hull-Bettale (excused), Dan Bish and Bob Sweeney. 8 voting members present.

REVIEW AND APPROVAL OF AGENDA: Motion by Ralph Sippel to approve the agenda as correct. Second by Del Williams. Voice Vote – *Unanimously Approved.*

APPROVAL OF MINUTES: Andrew Sutton asked about the discussion regarding Mr. Klamert's request and what substantial construction constituted. Andrew Sutton asked that the discussion surrounding substantial construction be added to the minutes. The minutes were not approved pending the modification and will be submitted for approval at the next scheduled meeting.

QUESTIONS FROM THE FLOOR: There were no questions from the floor.

7a. 2013-21, Minor Record Plat, Lot 9 & 10, Sterling Pines, Plat Two. There was no discussion. Andrew Sutton moved to approve 2013-21, Minor Record Plat, Lot 9 & 10, Sterling Pines, Plat Two with the three conditions as recommend by Staff. Second by Ted Brandt. Roll Call vote: Del Williams yes, Jason Fulbright yes, Brian McArthur yes, Ralph Sippel yes, Ted Brandt yes, Frank Kutilek yes, Jeff Campbell yes, Andrew Sutton yes. 8 yeas and 0 nays. **Motion approved.**

8.a. 2013-17, Zoning code Amendment, Used Car Sales lot regulations. Mary Holden noted she received a few phone calls and clarified existing used car sales will be grandfathered from these provisions and apply to new used car sales lots only or they fall outside of the existing non-conforming clause.

Ted Brandt asked how you determine employee/customer parking and it was clarified that is out lined in the Zoning Code.

Frank Kutilek moved to approve 2013-17, Zoning code Amendment, Used Car Sales lot regulations. Seconded by Andrew Sutton. Roll Call vote: Del Williams yes, Jason Fulbright yes, Brian McArthur yes, Ralph Sippel yes, Ted Brandt yes, Frank Kutilek yes, Jeff Campbell yes, Andrew Sutton yes. 8 yeas and 0 nays. **Motion approved.**

STAFF REPORT: Mary Holden reported on the Tree Preservation Ordinance and the revisions made to the draft ordinance. It was sent to the Home Builders Association and the Home Builders Association (letter provided to the Planning Commission) asked for an exemption from the trees being counted where the storm water detention basins are placed. The consensus was not to allow that since the purpose of the ordinance is to plan around the trees and taking out mature trees for detention defeats the purpose of detention and the proposed ordinance. The second request of the Home Builders is to receive credit for trees planted on the individual lots that would be placed in a preservation easement on the individual lot. There was discussion about the request and how a preservation easement on an individual lot is problematic for Staff and the future home owner. The consensus was not to provide the credit per the Home Builders Association offer.

Del Williams stated he has given this a lot of thought and is opposed to the tree preservation. He appreciates what is being done but is not in favor of an individual on their lot having to ask permission from the City to remove a tree.

There was discussion about the importance of preserving trees for storm water in addition to saving trees, how the intent is not to be cumbersome/burdensome and how the variance procedure goes to the Planning Commission and not the Board of Adjustment. It was clarified this applies to individual lots in addition to large lots for development.

Ralph Sippel asked for clarification on four inch caliper and six inch caliper and if a lot has not trees, then no trees are required to be planted, which is the case.

Various examples of how this ordinance would apply were discussed.

The proposed draft will be scheduled for October 8, 2013 before the Planning Commission.

Mary Holden updated the Planning Commission on a minor change to Quattro Development and the elimination of square feet from the approved building.

Mary Holden updated the Planning Commission on the minor changes to the Midwest Regional Bank site plan as a result of a dispute and resolution with the adjacent owner.

Mary Holden asked of the Planning Commission if they would like to have a meeting on September 10, 2013 since there are no applications and she will be out of town the week before the meeting. Andrew Sutton moved to cancel the September 10, 2013 meeting. Del Williams seconded the motion. Motion approved.

OLD BUSINESS: Frank Kutilek asked about Baskin Robbins. It was relayed the lease has been signed with the property owner.

Ted Brandt asked when the last day is for snow cone stands and he was told it varies. He stated they are not open.

Andrew Sutton wants to put together a committee to discuss the sign code. He would like to solicit interest parties among the Commission. There was discussion of the meetings of the committee need to be public and posted. Bob Sweeney strongly suggested parameters be set on what is to be accomplished before progressing forward. In addition he suggested a small committee to include members of the "sign using" community. The committee would consist of no more than

four Planning Commissioners (less than quorum). They are Andrew Sutton, Frank Kutilek, Ted Brandt and Jason Fulbright as a Planning Commission and City Council representative.

COMMISSIONERS REPORT

Ralph Sippel thanked Dan Bish who gave an outstanding talk at Rotary Club lunch.

Brian McArthur mentioned he delivered a cake to New Towne and how he found the development interesting.

ADJOURNMENT: Motion by Del Williams to adjourn the meeting. Second by Andrew Sutton. Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeff Campbell". The signature is written in a cursive, flowing style with a large, prominent initial "J".

Jeff Campbell
Acting Planning Commission Secretary

**PLANNING COMMISSION
ROLL CALL SHEET**

DATE: 8/27/13
 CALLED TO ORDER: 7:00
 ADJOURNMENT:

ROLL CALL
 MINOR RECORD PLAN FILE 2013-21
 ZONING CODE AMENDMENT 2013-17

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|---------------------------------|----|---------|---|--|--|--|--|--|
| DEL WILLIAMS | P | Y | Y | | | | | |
| JASON FULBRIGHT | P | Y | Y | | | | | |
| BRIAN MCARTHUR | P | Y | Y | | | | | |
| RALPH SIPPEL | P | Y | Y | | | | | |
| TED BRANDT | P | Y | Y | | | | | |
| FRANK KUTILEK | P | Y | Y | | | | | |
| JEFF CAMPBELL | P | Y | Y | | | | | |
| ANDREW SUTTON | P | Y | Y | | | | | |
| TODD TEUSCHER | EX | | | | | | | |
| MARY HOLDEN | P | NO VOTE | | | | | | |
| CHRISTIE HULL-BETTALÉ | EX | NO VOTE | | | | | | |
| DAN BISH | P | NO VOTE | | | | | | |
| CITY ATTORNEY ROBERT SWEENEY | P | NO VOTE | | | | | | |
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