

**AGENDA**

**PUBLIC HEARING**

1. Call to Order
2. 2012-01, Renewal of Conditional Use Permit to operate a Snow Cone Stand at 754 Jeffco Blvd
3. 2011-06, Amendment of Conditional Use Permit to open Snow Cone Stand on March 1 at 505-537 Jeffco Blvd.
4. 2012-03, Code Amendment to conditionally allow bar/cocktail lounges in commercial districts and adding definition of bar
5. Adjourn

**REGULAR MEETING**

1. Call to order
2. Pledge of Allegiance
3. Roll Call of Commissioners
4. Review and Approval of Agenda
5. Approval of Minutes
  - a. Regular Meeting January 10, 2012 (no meeting on January 24, 2012)
6. Questions from the floor
7. Conditional Use Permit
  - a. 2012-01, Renewal of Conditional Use Permit to operate a Snow Cone Stand at 754 Jeffco Blvd
  - b. 2011-06, Amendment of Conditional Use Permit to open Snow Cone Stand on March 1 at 505-537 Jeffco Blvd.
8. Commercial Site Plan
  - a) 2010-02, Texas Roadhouse addition
9. Code Amendment
  - a) 2010-03, Code Amendment to conditionally allow bar/cocktail lounges in commercial districts and adding definition of bar
10. Staff Report
11. Old Business
12. Commissioners Report
13. Adjournment

**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.

**2012-01: RENEWAL OF CONDITIONAL USE PERMIT TO OPERATE A SNOW CONE STAND AT 754 JEFFCO BLVD.:** Brian McArthur read the staff report.

**2011-06: AMENDMENT OF CONDITIONAL USE PERMIT TO OPEN SNOW CONE STAND ON MARCH 1 AT 505-537 JEFFCO BLVD.:** Brian McArthur read the staff report.

**2012-03: CODE AMENDMENT TO CONDITIONALLY ALLOW BAR/COCKTAIL LOUNGES IN COMMERCIAL DISTRICTS AND ADDING DEFINITION OF BAR:** Brian McArthur read the staff report.

There being no questions or comments, the public hearing adjourned at 7:05 p.m.

**REGULAR MEETING**

The regular meeting of the Arnold Planning Commission was called to order by Chairman Brian McArthur at 7:05 p.m. The Pledge of Allegiance was recited by those in attendance.

**ROLL CALL OF COMMISSIONERS:** Del Williams, Jeff Fitter (excused), Cricket Whaley, Brian McArthur, Roy Wilde, Ted Brandt, Frank Kutilek, Jeff Campbell, Todd Teuscher, Mary Holden (excused), Christie Hull-Bettale and Robert Sweeney. 9 voting members present, 1 excused.

**REVIEW AND APPROVAL OF AGENDA:** Christie Hull-Bettale commented that the year on item 8 and 9 needs to be corrected to 2012.

Motion by Jeff Campbell to approve the agenda as corrected. Second by Todd Teuscher. Voice Vote – Unanimously Approved.

**APPROVAL OF MINUTES:** Motion by Jeff Campbell to approve the minutes from the January 10, 2011 meeting if there are no corrections. Second by Todd Teuscher. Voice Vote – Approved.

**QUESTIONS FROM THE FLOOR:** None

**7a. 2012-01: RENEWAL OF CONDITIONAL USE PERMIT TO OPERATE A SNOW CONE STAND AT 754 JEFFCO BLVD.:** Brian McArthur suggested changing the date they can place the trailer to no sooner than March 1<sup>st</sup>.

Frank Kutilek questioned if all snow cone stands should expire at the same time. Dan Bish explained that one expires in February because that's when the original modification expires and they are just renewing it.

Ted Brandt questioned what happens if the city makes any changes in the fees or regulations. Dan Bish explained that they are locked in for 3 years. Bob Sweeney explained they are locked in to the use only.

Andrew Sutton questioned a couple of conditions that differ between the two snow cone stands. Christie Hull-Bettale stated that the conditions on each application were the conditions originally approved and at the time those site plans were reviewed those conditions were pertinent to each site.

Motion by Jeff Campbell to approve 2012-01, conditional use permit for the SNO-STOP at 754 Jeffco Blvd. with the 6 conditions:

1. The conditional use permit is good for three years and will expire on the last day of February 2015.
2. The area is kept clean of trash and debris that may result from the snow cone stand.
3. The hours of operation are from 10:00 a.m. to 10:00 p.m.
4. The trailer is removed on or before September 30<sup>th</sup> of each year the conditional use permit is valid and the trailer is placed no sooner than **March 1st** of each year.
5. The stand may not be located within the fifty-foot setback from Jeffco Blvd. and out of interior travel lane.
6. The business may operate from March 1<sup>st</sup>.

Second by Andrew Sutton. Roll call vote: Del Williams, yes; Cricket Whaley, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Approved.*

**7b. 2011-06: AMENDMENT OF CONDITIONAL USE PERMIT TO OPEN SNJ SNO CONE STAND ON MARCH 1 AT 505-537 JEFFCO BLVD.:** Motion by Jeff Campbell to approve 2011-06, amendment to conditional use permit to open snow cone stand on March 1<sup>st</sup> along with the original findings and conditions:

1. The conditional use permit is good for three years and will expire on the last day of September 2014.
2. The area is kept clean of trash and debris that may result from the snow cone stand.
3. The hours of operation are from 12:00 a.m. to 10:00 p.m.
4. The trailer is removed on or before September 30<sup>th</sup> of each year the conditional use permit is valid and the trailer is placed no sooner than **March 1st** of each year.
5. Provide documentation that the employees of the snow cone stand will have access to a restroom.
6. The stand may not be located within the fifty-foot setback from Jeffco Blvd. and out of interior travel lane.

Second by Todd Teuscher. Roll call vote: Del Williams, yes; Cricket Whaley, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Approved*.

**8a. 2012-02: COMMERCIAL SITE PLAN, TEXAS ROADHOUSE ADDITION:** Motion by Jeff Campbell to approve the commercial site plan for the Texas Roadhouse Addition as presented. Second by Del Williams. Roll call vote: Del Williams, yes; Cricket Whaley, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Approved*.

**9a. 2012-03: CODE AMENDMENT TO CONDITIONALLY ALLOW BAR/COCKTAIL LOUNGES IN COMMERCIAL DISTRICTS AND ADDING DEFINITION OF BAR:** Bob Sweeney addressed this amendment stating they could approve this amendment as the staff has recommended (conditional use in all commercial districts) or another option would be making bar/cocktail lounges a permitted use in C-1 and a conditional use in the other commercial districts.

General consensus was to approve the amendment as staff recommended.

Motion by Jeff Campbell to approve 2012-03, code amendment to conditionally allow bar/cocktail lounges in commercial districts and adding definition of bar. Second by Andrew Sutton. Roll call vote: Del Williams, yes; Cricket Whaley, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Approved*.

**STAFF REPORT:** No Report

**OLD BUSINESS:** Ted Brandt asked the status of the wall at Foxwood. Christie stated the engineered embankment is complete; they have submitted the geo tech report but it has not been reviewed yet; they are progressing.

**COMMISSIONERS REPORT:** Frank Kutilek asked for a project update list. Also asked the status of the proposed CVS. Christie stated their grading permit is in place and they have their DNR permit. Record plat will be next.

**ADJOURNMENT:** Meeting adjourned at 7:35 p.m.

Respectfully Submitted,



~~Roy Wilde~~ TODD TEUSCHER  
Planning Commission Secretary

**PLANNING COMMISSION  
ROLL CALL SHEET**

DATE: 2/14/2012								
CALLED TO ORDER: 7:00 PM								
ADJOURNMENT: 7:35 PM								
	<b>ROLL CALL</b>	<b>2012-01 - APPROVED</b>	<b>2011-06 - APPROVED</b>	<b>2012-02 - APPROVED</b>	<b>2012-03 - APPROVED</b>			
DEL WILLIAMS	P	Y	Y	Y	Y			
JEFF FITTER	EXCUSED							
CRICKET WHALEY	P	Y	Y	Y	Y			
BRIAN MCARTHUR	P	Y	Y	Y	Y			
ROY WILDE	P	Y	Y	Y	Y			
TED BRANDT	P	Y	Y	Y	Y			
FRANK KUTILEK	P	Y	Y	Y	Y			
JEFF CAMPBELL	P	Y	Y	Y	Y			
ANDREW SUTTON	P	Y	Y	Y	Y			
TODD TEUSCHER	P	Y	Y	Y	Y			
MARY HOLDEN	EXCUSED	NO VOTE						
CHRISTIE HULL-BETTALE	P	NO VOTE						
DAN BISH	P	NO VOTE						
CITY ATTORNEY ROBERT SWEENEY	P							