

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

JANUARY 13, 2015 / 7:00 P.M.

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## MINUTES

### PUBLIC HEARING

The public hearing of the Arnold Planning Commission was called to order by Chairman 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.

#### **2014-33: CONDITIONAL USE PERMIT FOR FAST FOOD RESTAURANT AT 221 ARNOLD CROSSROADS:** Mr. Sutton read the staff report.

Tom Dixon, P.O. Box 305 Arnold, MO, representing Atomic Fireworks is concerned about the proposed gate at the rear of the drive thru. They would like to see the gate removed. There is an agreement between the owner of the shopping center and Atomic Fireworks that if the sidewalk is ever opened up, Atomic Fireworks has the right to use that drive for ingress and egress. Access to Atomic Fireworks is currently very limited. They also have safety concerns regarding emergency vehicle access.

#### **2014-35: CONDITIONAL USE PERMIT FOR FAST FOOD RESTAURANT AT LOT 3 MARKET AT WATER TOWER PLACE (IN FRONT OF WALMART):** Mr. Sutton read the staff report.

No Public Comment.

There being no further questions or comments, the public hearing adjourned at 7:09 p.m.

### REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Chairman Andrew Sutton at 7:09 p.m. The Pledge of Allegiance was recited by those in attendance.

**ROLL CALL OF COMMISSIONERS:** Del Williams, John Tucker, Randy Hoselton, Brian McArthur, Ralph Sippel (excused), Ted Brandt, Frank Kutilek, 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:** Motion by Jeff Campbell to approve the agenda as presented. Second by Ted Brandt. Voice Vote – *Unanimously Approved.*

**APPROVAL OF MINUTES:** Motion by Jeff Campbell to approve the minutes from the December 9, 2014 meeting as presented. Second by Randy Hoselton. Voice Vote – *Unanimously Approved.*

**QUESTIONS FROM THE FLOOR:** None

**7a. 2014-36: COMMERCIAL SITE PLAN, LOT 3 MARKET AT WATER TOWER PLACE (IN FRONT OF WALMART):** Jeff Campbell questioned the gap in the landscaping at the dumpster area.

Ryan Cochran and Andrea Loamier stated there is no reason and they can continue it.

Jeff Campbell added condition #6 to continue landscaping around the dumpster.

Motion by Jeff Campbell to approve 2014-36, Commercial Site Plan for Lot 3 market at Water Tower Place with the following six (6) conditions:

1. The 4 foot fence on top of the retaining wall along the access drive is approved to encroach as shown on the site plan approved by the Planning Commission.
2. Prior to construction of the retaining wall an agreement is in place with the City stating that the City is not responsible for the replacement of the wall in the future if it becomes necessary for the City (or future owners of the sanitary sewer district) to excavate the sanitary sewer main.
3. Show the 50 foot setback along the access drive.
4. Remove the parking from the 15 foot front setback along the access drive.
5. The retaining wall must be of decorative block.
6. Continue landscaping around the dumpster.

Second by Del Williams. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Brian McArthur, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Motion Approved.*

**8a. 2014-33: CONDITIONAL USE PERMIT FOR A FAST FOOD RESTAURANT AT 221 ARNOLD CROSSROADS:** Doug Tieman, Pickett, Ray & Silver, Inc., 22 Richmond Center Ct., St. Peters, MO gave a brief presentation.

Todd Teuscher questioned the purpose of the gate. Mr. Tieman stated it was to keep cut-through traffic out.

Frank Kutilek is concerned that the gate would constrict emergency access to the back of the property. Does not think a Knox Box and key distribution is a viable option.

Brian McArthur also expressed his concern for emergency vehicle access and questioned if there is a platted cross access agreement.

Mary Holden stated the City was not involved. It was a private agreement between Jones Realty and Atomic Fireworks and no recorded cross access agreement exists.

Brian McArthur is in favor of the drive-thru but feels adding the gate is not good planning.

Frank Kutilek agrees that adding the gate is not good planning.

Ted Brandt asked why there is an opening to the back of the property. Mr. Tieman stated it is to provide emergency vehicle access only.

John Tucker stated a gate system that is triggered by sirens may be an option for this situation.

Brian McArthur commented that if the Fire Dept. can get around the back of the building, surely the Ambulance can get around the back, so why do we care if there is a gate or not.

Bob Sweeney explained that because the Ambulance District submitted a letter of concern over the access, the City and Planning Commission are obligated to consider the opening or closing of this portion of the site.

Frank Kutilek stated this issue has been around for a long time. It's easier for a fire truck to jump the curb than it is for an ambulance. Feels the gate is a bad idea and bad planning. We have to look at public safety.

Bob Sweeney stated that Mr. Kutilek is correct in that the Fire Department indicated that although they are not thrilled about it, their trucks can jump the curb but the Ambulance District indicated that their vehicles would not be as likely to jump the curb.

Frank Kutilek stated he expected to see all the easements on the site plan as those could influence the review of this plan.

Motion by Frank Kutilek to "table" 2014-33, Conditional Use Permit for a Fast Food Restaurant at 221 Arnold Crossroads until they bring back a site plan with all easements shown and emergency access issue has been reviewed by Fire, Ambulance and Police Departments.

Second by Jeff Campbell. Roll call vote: Del Williams, no; John Tucker, yes; Randy Hoselton, no; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Brian McArthur, yes; Andrew Sutton, no; Todd Teuscher, yes. 6 yeas, 3 nays – *Motion to Table Approved.*

**8b. 2014-35: CONDITIONAL USE PERMIT FOR A FAST FOOD RESTAURANT, MARKET AT WATER TOWER PLACE:** Motion by Del Williams to approve 2014-35, Conditional Use Permit for a Fast Food Restaurant, Market at Water Tower Place with the three (3) conditions:

1. The commercial site plan needs to be approved in order to approve this request.
2. Comply with the conditions of approval for 2014-36, Commercial Site Plan approval for Lot 3, Market at Water Tower Place.
3. Will there be a grease trap? If so, will it be located in the same dumpster enclosure? Please address prior to final occupancy.

Second by Frank Kutilek. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Brian McArthur, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Motion Approved.*

**STAFF REPORT:** Mary Holden wished all a Happy New Year.

Derrick Redhead is completing the sign ordinance draft revisions and will have that ready for the next meeting.

**OLD BUSINESS:** Ted Brandt stated that he has heard comments and concerns over the size of the retaining wall at the Jeffco/Ridgecrest Development. Mary Holden stated that it was designed by a professional engineer.

Frank Kutilek asked about Value Place. Mary Holden stated they are a motel and are allowed to rent nightly.

Jeff Campbell asked if there are limits on the length of stay at Value Place. Mary Holden stated there was not.

**COMMISSIONERS REPORT:** Jeff Campbell wished all a Happy New Year.

Randy Hoselton – will not be at the next meeting.


Frank Kutilek wished all a Happy New Year.

Andrew Sutton asked how Ralph Sippel was doing after his surgery. Del stated he is doing reasonably well.

Andrew Sutton expressed his concern with the condition of the dumpster enclosure at Value Place. Asked that staff be vigilant in enforcing they keep it cleaned up.

**ADJOURNMENT:** Meeting adjourned at 8:07 p.m.

Respectfully Submitted,



JEFF CAMPBELL, ACTING SECRETARY

Todd Teuscher  
Planning Commission Secretary

