

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.

**2012-34: REVISED REQUEST – KNAPP FAMILY TRUST, REZONING FROM PX TO R-1, LONEDELL ROAD, PARCEL #014.019.02001001. (ACROSS LONEDELL FROM PINEY):** Brian McArthur read the staff report.

Gene Smith, 1567 Lonedell, adjacent property owner (Lot 1 Knolls) opposed to any development between his house and the river that would adversely affect the value of his property.

John Thomas Prapotnik, Jr., 1865 Sonny, commented that this is a beautiful piece of property and can understand why the city zoned it Park & Scenic. The Knapp family was unaware that this property was zoned Park & Scenic. The woods are so dense in the summer; you would not even see a house. Building a home on this property will not take away Mr. Smith's view and will not lower his property value. He asked the Commissioner's to please approve this rezoning.

There being no further questions or comments, the public hearing adjourned at 7:08 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, Michelle Hohmeier (excused), Cricket Whaley, Brian McArthur, Ralph Sippel, Ted Brandt, Frank Kutilek, Jeff Campbell, Andrew Sutton, Todd Teuscher, Mary Holden, Christie Hull-Bettale (excused), Dan Bish (excused) 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 Andrew Sutton. Voice Vote – *Unanimously Approved.*

**APPROVAL OF MINUTES:** Motion by Andrew Sutton to approve the minutes from the December 11, 2012 meeting as presented. Second by Jeff Campbell. Voice Vote – *Unanimously Approved.*

**QUESTIONS FROM THE FLOOR:** Gene Smith, 1567 Lonedell Rd., asked if all three tracts will be rezoned or just one. He was told all three would be rezoned. He also asked what keeps the new owner from cutting the trees down and what keeps him from selling lots off.

Mary Holden explained that would require two public hearings. One to rezone and one to subdivide the lots. As far as cutting trees down, you can't keep him from cutting trees on his property just like he could not keep you from cutting trees down on yours.

Mr. Smith also questioned how they will gain utility access to tract 3. Brian McArthur stated that would need to be worked out.

**7a. 2012-34: REVISED REQUEST – KNAPP FAMILY TRUST, REZONING FROM PS TO R-1, LONEDELL ROAD, PARCEL #014.019.02001001. (ACROSS LONEDELL FROM PINEY):** Mary Holden commented that this is a unique situation that maintains Park & Scenic wooded land while achieving the goal of the owner and future purchasers. This is a win-win situation where the land owner and contract purchaser are both in agreement.

Ralph Sippel questioned how they will get to Lot 3. Will they have to cut down trees to get to it and can they cut down trees in Park & Scenic.

Mary Holden stated yes they can and that is what it states in the conditions. Construction of structures are limited to the tracts zoned R-1, except for work associated to bring utilities to those tracts and driveway construction.

Ted Brandt thought they approved something on this property a few months ago. Mary stated that is why is says “revised request”. It was never acted on by City Council.

Andrew Sutton asked the proposed purchaser (Kent Schmidt) why the tracts are laid out as they are. Mr. Schmidt stated that he tried to avoid 30% slopes and greater. He picked the flattest ground.

Motion by Del Williams to approve 2012-34, Knapp Family Trust, rezoning from PS to R-1, Lonedell Road, parcel #014.019.02001001. with the findings and two (2) conditions:

1. FEMA and City of Arnold rules and regulations must be met for any construction in the flood plain.
2. Construction of structures are limited to the tracts zoned R-1, except for work associated to bring utilities to those tracts and driveway construction.

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

#### **STAFF REPORT**

- a. **REVIEW OF THE PLANNING COMMISSIONERS HANDBOOK, CHAPTER 2, THE PLANNING COMMISSIONER’S TOOLBOX, PAGE 8:** Mary Holden expressed that the Zoning Ordinance and Comprehensive Plan are the two main tools.
  - Bryson Baker has resigned and Christie Hull-Bettale will fill in as Public Works Director until a new one is hired.
  - Tim McKeever – Spruce Up Landscaping has vacated the site except for the concrete blocks. He was fined \$175 in court and the issue is over. The Judge has allowed him to keep the concrete blocks there because potentially there is a buyer that will use them.
  - A building permit for the 911 Tower will be issued in a few days based on legal opinion and based on statutory authority of the city and statutory authority of 911. There will be no further reviews other than a building permit review.

**OLD BUSINESS:** None

**COMMISSIONERS REPORT:** Andrew Sutton thanked Mary and her Staff for taking care of the truck parking at Walmart.

Brian McArthur asked if a letter was sent out to the Declue Tree Service regarding asphalt piles and trash. Mary stated that indeed a letter was sent.

**ADJOURNMENT:** Meeting adjourned at 7:33 p.m.

Respectfully Submitted,

Todd Teuscher  
Planning Commission Secretary