

PLANNING COMMISSION CITY HALL – COUNCIL CHAMBERS – 2101 JEFFCO BOULEVARD TUESDAY, JANUARY 9, 2024 | 7:00 P.M.

MEMBERS: Andrew Sutton (Chair), Phillip Hogan (Second), Steve Buss (Secretary), Alan Bess, Justin Lurk, Del Williams, Tim Seidenstricker, Andrew Sofia, Brandon Roberts, Brian McArthur (Council Liaison). **STAFF:** Robert Sweeney (City Attorney), David Bookless (Community Development Director), Sarah Turner (Senior Planner), Christie Hull-Bettale (Engineer/Planner).

REGULAR SESSION

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL
- 4. APPROVAL OF MINUTES: December 12, 2023
- 5. PUBLIC COMMENT
- 6. PUBLIC HEARING(S):
 - a. PC-2023-37 Target MVOE (Conditional Use Permit): A request by Allison Aldag (Kimley-Horn Engineering) on behalf of Target for a Conditional Use Permit (CUP) for a "Motor Vehicle-Oriented Establishment" (MVOE) to allow for 26 pick-up parking stalls at 3849 Vogel Rd, within the "C-3" Commercial District, as provided in the Arnold Zoning Ordinance.
 - b. PC-2023-38 Signature Health (Conditional Use Permit): A request by Jeffrey Solomon (VSP Construction) on behalf of Signature Health for a Conditional Use Permit (CUP) for a "Clinic" to allow a physical therapy clinic at 1895 Richardson Rd., within the "C-3" Commercial District, as provided in the Arnold Zoning Ordinance.
- 7. OTHER BUSINESS:
 - a. Comprehensive Plan Update: (Standing Item Not To Be Discussed)
- 8. ADJOURNMENT OF REGULAR SESSION

EXECUTIVE SESSION

- 9. OLD BUSINESS: None
- 10. NEW BUSINESS:
 - a. PC-2023-37 Target MVOE (Conditional Use Permit)
 - b. PC-2023-38 Signature Health Clinic (Conditional Use Permit)
- 11. DEPARTMENT REPORT
- 12. COUNCIL LIAISON'S REPORT
- 13. ANNOUNCEMENTS
- 14. ADJOURNMENT OF EXECUTIVE SESSION

The Public is welcome to comment on any item on this agenda following presentations by the Staff and petitioner. Comments concerning items not on the agenda should be made during the Public Comment section of the agenda, near the beginning of the meeting. When you address the Planning Commission, please come forward and state your name and address into the microphone. Unless otherwise directed by the Chairperson, individuals may speak for three minutes, while those representing a group may speak for six minutes.

Upon request, reasonable accommodations will be provided. Contact Tammi Casey, City Clerk, Arnold City Hall, 2101 Jeffco Boulevard, Arnold, Missouri 63010. Phone: 636-296-2100.



PLANNING COMMISSION MEETING COUNCIL CHAMBERS, CITY HALL, 2101 JEFFCO BLVD. DECEMBER 12, 2023

MINUTES

REGULAR SESSION

- 1. CALL TO ORDER: The regular meeting of the Arnold Planning Commission was called to order by Acting Chairman Phil Hogan at 7:00 p.m.
- ROLL CALL OF COMMISSIONERS: Andrew Sutton (Excused), Alan Bess (Excused), Brian McArthur, Del Williams, Steve Buss, Justin Lurk (Excused), Phil Hogan, Tim Seidenstricker, Drew Sofia, Brandon Roberts. STAFF PRESENT: David Bookless (Community Development Director), Robert Sweeney (City Attorney) (Excused), Christie Hull-Bettale (Engineer/Planner), Sarah Turner (Senior Planner).
- 3. PLEDGE OF ALLEGIANCE: The Commission and Staff stood and spoke the Pledge of Allegiance.
- 4. APPROVAL OF MINUTES: Motion by Buss to approve the minutes from the November 14, 2023 meeting. Second by Williams. *Voice vote*: Approved 7-0.
- 5. PUBLIC COMMENT: There was no comment from members of the public present or on Zoom.
- 6. PUBLIC HEARINGS:
 - a. PC-2023-33 ManUp (Conditional Use Permit): Mr. Hogan requested a motion to open the public hearing. Motion by Williams. Second by Sofia. *Voice vote*: Approved 7-0. Ms. Turner presented the Staff Report, recommending favorable consideration of the request to City Council. The applicants Jared Romaine and John Hrin were present for questions. Roberts asked for clarification on the nature of the business and the medical waste contractor. The applicants provided clarification. McArthur asked why the trash enclosure was not addressed. Staff explained that the proposed conditional use is not utilizing the dumpsters that were seen in site photos, but that Staff is recommending improvements to the landscape buffer. McArthur stated a wish to see more improvements for residents. Sofia commented in support of the request. There were no comments from the public. Mr. Hogan requested a motion to close the hearing. Motion by Seidenstricker. Second by Williams. *Voice vote*: Approved 7-0.
 - b. PC-2023-34 Playful Paws (Conditional Use Permit): Mr. Hogan requested a motion to open the public hearing. Motion by Williams. Second by Buss. *Voice vote*: Approved 7-0. Ms. Hull-Bettale presented the Staff Report, recommending favorable consideration of the request to City Council. The applicant, Melanie Pieper, was present for questions. The Commission had no questions. One member of the public was present to comment. Tracey Hanson (2155 Tenbrook Rd) shared concerns regarding traffic due to the business. Staff clarified that traffic issues are primarily due to the Fox campus. There were no additional comments. Mr. Hogan requested a motion to close the hearing. Motion by Buss. Second by Williams. *Voice vote*: Approved 7-0.
 - c. PC-2023-35 My Tiny Treasures (Conditional Use Permit): Mr. Hogan requested a motion to open the public hearing. Motion by Buss. Second by Seidenstricker. *Voice vote*: Approved 7-0. Ms. Hull-Bettale presented the Staff Report, recommending favorable consideration of the request to City Council. The applicant, Melanie Pieper, was present for questions. The Commission asked various clarification questions on the nature of the multi-use structure and daycare operations. The applicant provided clarification. McArthur asked about the fenced child play area blocking parking spaces. Staff proposed an additional condition of approval that the parking lot be re-striped to remove the blocked spaces. There were no comments from the public. Mr. Hogan requested a motion to close the hearing. Motion by Sofia. Second by Buss. *Voice vote*: Approved 7-0.

7. OTHER BUSINESS:

a. Comprehensive Plan Update: Mr. Hogan stated that the standing agenda item was not to be discussed.

8. ADJOURNMENT OF REGULAR SESSION: Motion by Seidenstricker to close Regular Session and move into Executive Session. Second by Sofia. *Voice vote*: Approved 7-0. Session adjourned at 7:35 p.m.

EXCECUTIVE SESSION

- 9. OLD BUSINESS: None
- **10. NEW BUSINESS:**
 - a. PC-2023-33 ManUp CUP: Mr. Hogan requested a motion to approve the request. Motion by Buss to approve the request with the conditions as recommended by Staff. Second by Seidenstricker. There was no discussion. *Roll call vote*: Brian McArthur, yes; Del Williams, yes; Steve Buss, yes; Phil Hogan, yes; Tim Seidenstricker, yes; Drew Sofia, yes; Brandon Roberts, yes. Approved 7-0.
 - b. PC-2023-34 Playful Paws CUP: Mr. Hogan requested a motion to approve the request. Motion by Williams to approve the request with the conditions as recommended by Staff. Second by Seidenstricker. There was no discussion. *Roll call vote*: Brian McArthur, yes; Del Williams, yes; Steve Buss, yes; Phil Hogan, yes; Tim Seidenstricker, yes; Drew Sofia, yes; Brandon Roberts, yes. Approved 7-0.
 - c. PC-2023-35 My Tiny Treasures CUP: Mr. Hogan requested a motion to approve the request. Motion by Williams to approve the request with the conditions as recommended by Staff. Second by Buss. Roberts shared concerns with the combination of human and pet daycare. Mr. Bookless clarified that the applicant and Staff have worked together for many months prior to this request coming before the Commission to address concerns. There was no further discussion. *Roll call vote*: Brian McArthur, yes; Del Williams, yes; Steve Buss, no; Phil Hogan, yes; Tim Seidenstricker, yes; Drew Sofia, yes; Brandon Roberts, no. Approved 5-2.
- **11. DIRECTOR'S REPORT:** Mr. Bookless reminded the Commission that there is not a second meeting in December and wished everyone a happy holiday season. Staff welcomed Brandon Roberts to the Commission.
- 12. COUNCIL LIAISON'S REPORT: Councilman McArthur stated that the City's Christmas in the Park event was a success.
- **13. ANNOUNCEMENTS:** There were no additional announcements from the Commission.
- **14. ADJOURNMENT:** Motion by Buss to adjourn. Second by Seidenstricker. *Voice vote:* Approved 7-0. Meeting adjourned at 7:44 p.m.

Respectfully Submitted,

Steven Buss

Planning Commission Secretary

Vote Record on next page.

VOTE RECORD

	Roll Call	Min.	Open PH 2023-33	Close PH 2023-33	Open PH 2023-34	Close PH 2023-34	Open PH 2023-35	Close PH 2023-35	Close Reg. Open Exec.	Vote PC- 2023-33	Vote PC- 2023-34	Vote PC- 2023-35	Adjourn
Andrew Sutton	Е	-	-	-	-	-	-	-	-	-	-	-	-
Alan Bess	E	-	-	-	-	-		-	-	-	-	-	-
Brian McArthur	Р	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Del Williams	Р	2 nd - Y	1 st - Y	Y	1 st - Y	2 nd - Y	Y	Y	Y	Y	Y	1 st - Y	Y
Steve Buss	Р	1 st - Y	Y	2 nd - Y	2 nd - Y	1 st - Y	1 st - Y	2 nd - Y	2 nd - Y	1 st - Y	1 st - Y	2 nd - N	1 st - Y
Justin Lurk	E	-	-	-	-	-	-	-	-	-	-	-	-
Phil Hogan	Р	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Tim Seidenstricker	Р	Y	Y	1 st - Y	Y	Y	2 nd - Y	Y	1 st - Y	2 nd - Y	2 nd - Y	Y	2 nd - Y
Drew Sofia	Р	Y	2 nd - Y	Y	Y	Y	Y	1 st - Y	Y	Y	Y	Y	Y
Brandon Roberts	Р	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ν	Y

David Bookless	Р
Robert Sweeney	E
Christie Hull-Bettale	Р
Sarah Turner	Р

CALL TO ORDER: 7:00 PM

ADJOURN REGULAR: 7:35 PM

ADJOURN EXECUTIVE: 7:44 PM



CITY OF ARNOLD

APPLICATION NUMBER:	PC-2023-37
APPLICATION NAME:	TARGET MVOE
APPLICANT(S) NAME:	Kimley-Horn Engineering Planning Design (on behalf of Target) Allison Aldag 111 W Jackson Blvd, Ste. 1320 Chicago IL 60603
PROPERTY OWNER NAME:	Dayton Hudson Corporation Matthew Flansburg 50 S 10th St, Ste. 400 Minneapolis MN 55403
APPLICANT'S REQUEST:	A request for a Conditional Use Permit (CUP) for a "Motor Vehicle -Oriented Establishment" (MVOE) to allow for 26 drive-up parking stalls, as provided in the Arnold Zoning Ordinance.
STREET ADDRESS:	3849 Vogel Rd
SITE LOCATION:	Along south-side of Vogel Rd across from National Geospatial Intelligence Agency, next to Home Depot
ZONING DISTRCIT:	"C-3" Commercial
PARCEL ID:	01-9.0-31.0-3-002-006.14
TOTAL SITE AREA:	10.76 acres
MEETING DATE:	January 9, 2024
REPORT DATE:	January 2, 2024
CASE MANAGER:	Sarah Turner, Senior Planner
RECOMMENDATION:	APPROVAL WITH CONDITIONS

CITY OF ARNOLD

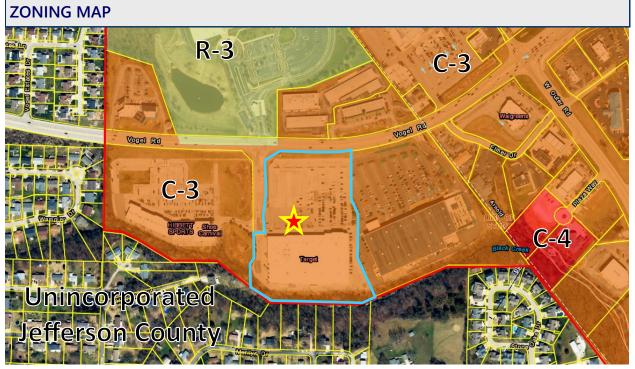
DESCRIPTION OF EXISTING SITE CONDITIONS

The approximately 10.76 acre parcel is located along Vogel Rd, across from Life Storage and the National Geospatial Intelligence Agency, and immediately west of Home Depot. The site has a Target department store, parking, loading and driving areas. The property is accessed from an unnamed access road.

SITE HISTORY

This site was originally a single property in unincorporated Jefferson County that included the future sites of the multi-tenant site to the west and Home Depot. In 1999, the site was subdivided to its current boundaries and developed in conjunction with the County. Target was annexed to the City with surrounding properties along Vogel Road in 2000.

LAND USE AND ZONING CONTEXT MATRIX					
DIREC TION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS		
North	Institutional; Commercial	R-3; C-3	NGA; Mixed commercial		
East	Commercial	C-3	Home Depot		
South	Residential	N/A	Unincorporated single-family dwellings		
West	Commercial	C-3	Mixed commercial		



PC-2023-37 CONDITIONAL USE PERMIT APPLICATION



CITY OF ARNOLD

ZONING REQUEST/DEVELOPMENT PROPOSAL

The applicant is seeking approval of a Conditional Use Permit to allow for 26 drive-up parking stalls as a "Motor Vehicle-Oriented Establishment" (MVOE) at 3849 Vogel Rd.

COMPREHENSIVE PLAN CONSISTENCY REVIEW

A consistency review of the goals, objectives, and policies of the Comprehensive Plan, as they relate to the current request, follows:

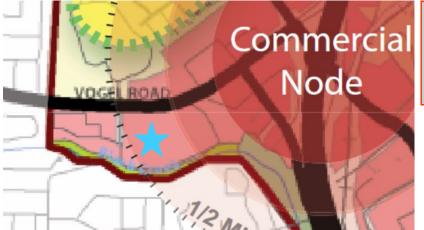
Land Use Policy 9.1 Apply Compatible Uses: Commercial developments should be compatible with nearby development and adequately buffered to mitigate adverse impacts on residential neighborhoods.

Economic Development Policy 3: Strengthen and reinvest in existing commercial and industrial areas in order to create greater vitality.

CITY PLANNER'S COMMENTS

Policies LU-9.1 and ED-3 are substantially satisfied as follows: The proposed Conditional Use Permit would bring the existing use for Target's drive-up pickup spaces into conformance while allowing for the expansion of the use. The proposed change is compatible with surrounding development and is more than adequately buffered from the closest residential area. separated from the proposed pickup spaces by Target itself and a creek. The existing commercial area will be strengthened with the expansion of popular drive-up services.





Substantially satisfied:

The proposed use aligns with the FLUM designation for the property as commercial within a commercial node.

CITY OF ARNOLD

SUMMARY OF PLANNING AND ZONING ANALYSIS

The applicant's proposed use is for a *Motor Vehicle-Oriented Establishment*, specifically for 26 drive-up spaces in the Target parking lot (Exhibit C, Applicant Narrative) at 3849 Vogel Rd. This use requires a Conditional Use Permit at the proposed location. Staff's findings for how the four review criteria may be met can be summarized as follows:

- A "MVOE" to allow for expanded contactless services is consistent with surrounding retail and commercial uses and the Comprehensive Plan's goals and policies.
- The proposal will relocate and expand on the existing drive-up area in a section of the parking lot that is further from the main entrance, freeing up parking spaces for walk-in customers. There are no changes outside of the denoted parking lot areas. General conditions of approval can be placed upon the MVOE to prevent possible detriment to other uses within the district.
- The parking beacons and signage will be visually compatible with other services in the surrounding area.
- Contactless pickup options are increasing in popularity due to the convenience and lower cost when compared to delivery. Target expanding their drive-up area and ensuring proper signage and direction for customers can be an essential and desired addition to the Arnold to preserve and promote the public health, safety, and general welfare of the City.

Staff finds that the application is substantially consistent with review criteria subject to the five (5) recommended conditions of use that can be found in Exhibit A of the Attachments. More detailed analysis of the above is contained in this report from pages 5 through 9.



PC-2023-37 CONDITIONAL USE PERMIT APPLICATION



CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS

When reviewing applications for Conditional Use Permits, or amendments thereto, the Planning Commission is required to hold a hearing, review, and make recommendations and report to the City Council.

CONSISTENT WITH GOOD PLANNING PRACTICE

"Good planning practice" involves a great many concerns, such as operational impacts, visual impacts, infrastructure needs, and general welfare. Equally as important is *consistency*. This request's consistency with the Zoning Ordinance and Comprehensive Plan is to be analyzed by this section, as well as the report as a whole. In response to this review criteria, the applicant's narrative (Exhibit C) states: "The site is in the C-3 Commercial District. Although MVOE's are not permitted uses in the C-3 District, this use is consistent with good planning practice because it will help reduce traffic in this parking lot. By dedicating specific parking stalls to Drive-Up customers picking up online orders, customers will know where to park while they wait versus temporarily parking near the store entrance. This will also give Target employees a designated place to walk to for online order delivery, as opposed to walking throughout the entire parking lot. Both of these considerations will help reduce traffic in the parking lot."

To clarify for those who are not familiar with the Drive-Up service, Target customers can complete online orders for pickup and are notified when the order is ready. The customer parks in one of the drive-up spaces, selects options on a mobile app, and an employee will load the order into the customer's vehicle according to the customer's needs. This use fits the Zoning Ordinance's definition of a <u>Motor Vehicle-Oriented Establishment</u> ("MVOE"):

Any establishment which, by design, type of operation, or nature of business, has as one (1) of its functions, the provision of services to a number of motor vehicles or its occupants in a short time span, or the provision of services to the occupants of motor vehicles while they remain in a vehicle. Businesses included in this category shall have one (1) or more of the following facilities: One (1) or more pump islands for retail sale of gasoline; or, one (1) or more drive-through lanes or service windows for distribution of products or other transactions; or more than four (4) parking spaces designated for the distribution of products or other transactions; or, include an automated car wash facility.

Based on available records, Target added two drive-up pickup spaces to their parking lot in 2018. Two more spaces were added in response to the COVID-19 pandemic and the increased demand for contactless pickup services. Although the total of 4 spaces designated for drive-up services triggered the need for a CUP at that time, the change was not caught by zoning staff. The proposed CUP for 26 drive-up spaces would bring the site into conformance with the Zoning Ordinance and allow the store to expand a popular service.

It is consistent with the intent of the Comprehensive Plan's policies to allow for retail and associated motor vehicle-oriented establishments in commercial areas. As such, the goals, objectives, and policies of the Zoning Code Ordinance and Comprehensive Plan are substantially met with this proposal.

CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS - CONTINUED

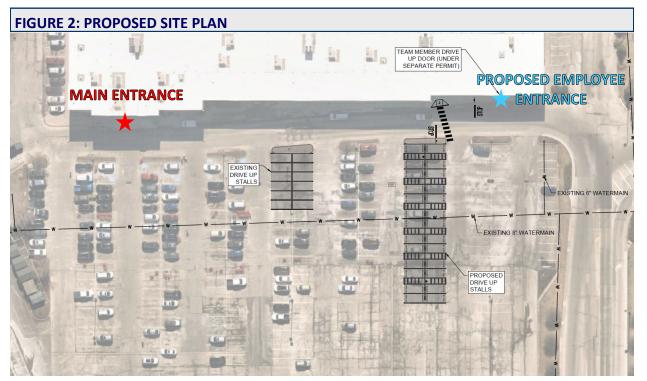
DETRIMENT TO PERMITTED DEVELOPMENT AND USES WITHIN THE DISTRICT

A part of good planning practice is to ensure that there is little to no detriment to permitted development and uses within a district due to an incoming use. In response to this review criteria, the applicants' narrative (Exhibit C) states: "The expansion of the Drive-Up parking area for Target stores across the country have been successful thus far. It has reduced traffic in for similar stores by dedicating waiting areas for short-term parking customers. We do not anticipate these parking stalls to affect the neighboring Home Depot store parking."

As shown in Figure 2 below, Target is proposing 26 new drive-up spaces with beacons and signs to help guide customers. The proposed drive-up area will have a dedicated employee door and crosswalk. The existing 4 drive-up stalls will be returned to standard parking spaces. There are no other proposed changes to the site.

"Commercial service facilities and retail sales" is required to provide 4.5 parking spaces per 1000 sq.ft. in the "C-3" Commercial District. Target currently provides 605 spaces (593 standard, 12 ADA-accessible), where 573 spaces are required per the Zoning Ordinance. There would be a net loss of 22 parking spaces with this proposal (losing 34 spaces in new drive-up area and restoring 12 in existing drive-up area). The final site would provide 583 spaces, which still exceeds the minimum parking requirements as described above. Additionally, the relocated drive-up area utilizes an area of the parking lot that generally sees less use, and will free up parking spaces closer to the main entrance for the convenience of Target customers.

As a part of review procedure, the City notified other reviewing agencies of this application. Staff received only one comment of note: the water district wanted verification that no



PC-2023-37 CONDITIONAL USE PERMIT APPLICATION



CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS - CONTINUED

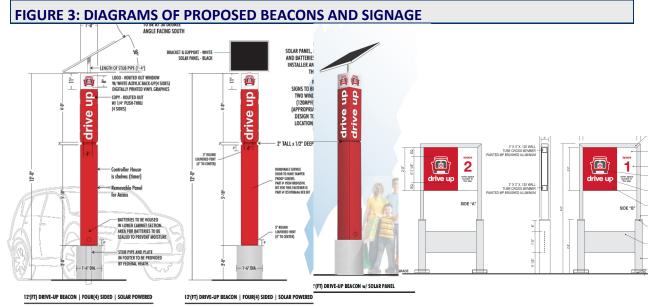
structures would be built over the water main. The applicant provided the revised plans that are included in this report, which show the water main underneath pavement markings but no posts or other structures for the drive-up parking area.

To ensure that there is no detriment to the permitted development and uses in the district, there are four general conditions speaking to the City's power to revoke the CUP and other licenses through the City should the conditions not be met. This combined with the desired drive-up area being located further away from the main entrance leads Staff to find that the proposed use as a pickup space MVOE is substantially consistent with the second review criteria for Conditional Use Permits to not be a detriment to permitted development and uses within the district, subject to said conditions.

VISUAL COMPATIBILITY WITH PERMITTED DEVELOPMENT & USES IN SURROUNDING AREA

Aesthetic compatibility with the neighborhood is an important factor in good planning practice. In response to this review criteria, the applicants' narrative states: "The Target store will be compatible with the neighboring Home Depot. The Home Depot has a loading zone at the front of its store – the smaller-scale Drive-Up parking designation at Target will be compatible with this."

Figure 3 shows elevations and diagrams of how the 12 foot-tall drive-up beacon structures and 6 foot-tall signage panels will look. A photo is on the next page in Figure 4. Staff finds that the proposed use is substantially consistent with the third review criteria for Conditional Use Permits to be visually compatible with permitted development and uses in the surrounding area.



Target (MVOE)

CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS - CONTINUED

ESSENTIALNESS OR DESIRABILITY TO THE CITY

Being an essential or desirable addition to the City is the final required review criteria of the City's Conditional Use Permit process. In response to this criteria, the applicants' narrative states: "Since the Covid-19 pandemic started, online orders have become more and more common for Target stores across the country. Increasing signage and dedicating an area for online orders will help this store function smoothly and safely."

In researching this review criteria, Staff looked into the desirability of pickup, curbside, and other similar services. According to Pymnts and Statista, there was a 66% increase in online shoppers using pickup services from 2021 to 2022. In 2022, 42% of customers preferred curbside pickup over in-store purchases. Additionally, 33% of young adults who began curbside pickup during the pandemic intend to continue. The prevalence of these pickup services means that stores, including Target, must make changes like the ones proposed in this CUP request to accommodate the preferred shopping methods of their customers.

Staff finds that the proposal to dedicate area for 26 drive-up parking spaces at Target is substantially consistent with the review requirement to be an essential or desired addition to the City to promote public health, safety, and general welfare to the City, subject to the conditions contained in Exhibit A.



PC-2023-37 CONDITIONAL USE PERMIT APPLICATION



CITY OF ARNOLD

RECOMMENDATION

CONSISTENT WITH GOOD PLANNING PRACTICE

Staff finds that the proposed use as a MVOE to allow for 26 pickup spaces is substantially consistent with good planning practice, subject to conditions contained in Exhibit A.

DETRIMENT TO PERMITTED DEVELOPMENT AND USES WITHIN THE DISTRICT

Staff finds that the proposed use is substantially consistent with being developed or operated in a manner that is not detrimental to the permitted developments or uses within the district, subject to conditions contained in Exhibit A.

COMPATIBLE WITH PERMITTED DEVELOPMENT AND USES IN SURROUNDING AREA

Staff finds that the proposed use is substantially consistent with being developed or operated in a manner that is visually compatible with the permitted development and uses in the surrounding area, subject to conditions contained in Exhibit A.

ESSENTIALNESS OR DESIRABILITY TO THE CITY

Staff finds that the proposed use is substantially consistent with being an essential or desirable to preserve and promote the public health, safety, and general welfare to the City of Arnold, subject to conditions contained in Exhibit A.

RECOMMENDATION

Staff finds that the proposed Conditional Use Permit is substantially consistent with the review criteria and with the Zoning Ordinance and Comprehensive Plan. Based on this finding, Staff requests favorable consideration of the application subject to the recommended four (4) conditions of use contained in Exhibit A.

Sarah Turner Senior Planner





ATTACHMENTS

EXHIBIT A: RECOMMENDED CONDITIONS EXHIBIT B: SITE PLANS EXHIBIT C: APPLICANT NARRATIVE SITE PHOTOS



CITY OF ARNOLD

CONDITIONS

- 1. The motor vehicle-oriented establishment use of 26 pickup spaces shall be established and operated according to the attached site plan.
- 2. This Conditional Use Permit may be revoked by the City Council if the terms of the permit have been found to have been violated. The procedure for revocation shall require a hearing before the City Council.
- 3. Revocation of this Conditional Use Permit shall constitute grounds for the revocation of all other City licenses and/or permits associated with this business establishment.
- 4. Approval for Conditional Use Permit does not supersede other local, state, or federal requirements.

EXHIBIT A: STAFF RECOMMENDED CONDITIONS OF APPROVAL

Target (MVOE)

CITY OF ARNOLD





EXHIBIT B: SITE PLAN

PC-2023-37 CONDITIONAL USE PERMIT APPLICATION

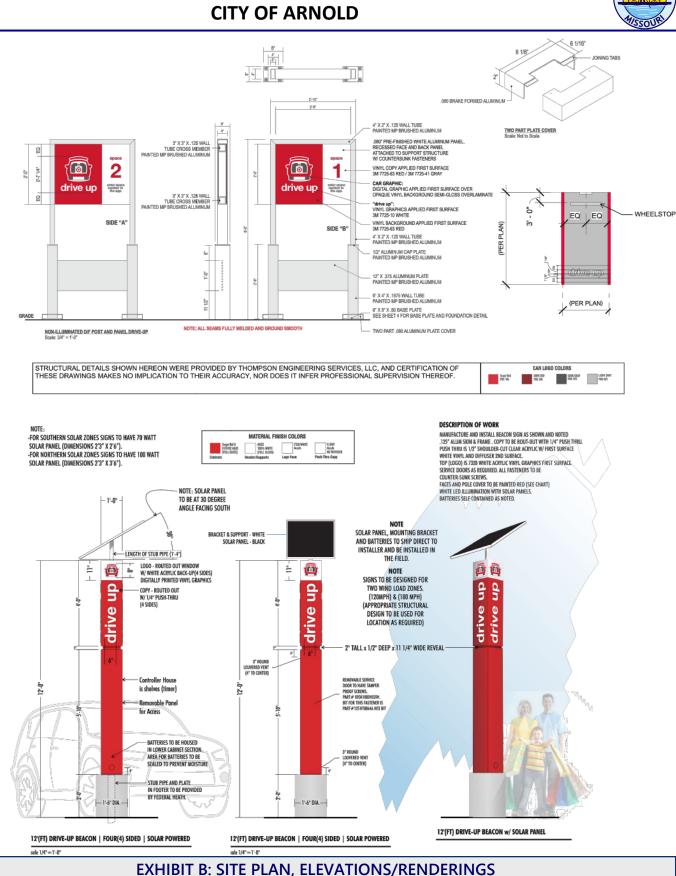


CITY OF ARNOLD



Target (MVOE)

PC-2023-37 CONDITIONAL USE PERMIT APPLICATION



REPORT TO PLANNING COMMISSION



CITY OF ARNOLD

Kimley **»Horn**

August 30, 2022

RE: Target Store T-1278 3849 Vogel Rd. Conditional Use Permit – Written Responses

Dear Mrs. Turner,

Below are the written responses to the criteria for review of a Conditional Use Permit Application:

- a. Such development or use is deemed consistent with good planning practice. Response: The site is in the C-3 Commercial District. Although MVOE's are not permitted uses in the C-3 District, this use is consistent with good planning practice because it will help reduce traffic in this parking lot. By dedicating specific parking stalls to Drive-Up customers picking up online orders, customers will know where to park while they wait versus temporarily parking near the store entrance. This will also give Target employees a designated place to walk to for online order delivery, as opposed to walking throughout the entire parking lot. Both of these considerations will help reduce traffic in the parking lot.
- b. The development or use can be operated in a manner that is not detrimental to the permitted developments and uses in the district. Response: The expansion of the Drive-Up parking area for Target stores across the country have been successful thus far. It has reduced traffic in for similar stores by dedicating waiting areas for short-term parking customers. We do not anticipate these parking stalls to affect the neighboring Home Depot store parking.
- c. The development or use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area. Response: The Target store will be compatible with the neighboring Home Depot. The Home Depot has a loading zone at the front of its store – the smaller-scale Drive-Up parking designation at Target will be compatible with this.
- d. The development or use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare or the City or Arnold. Response: Since the Covid-19 pandemic started, online orders have become more and more common for Target stores across the country. Increasing signage and dedicating an area for online orders will help this store function smoothly and safely.

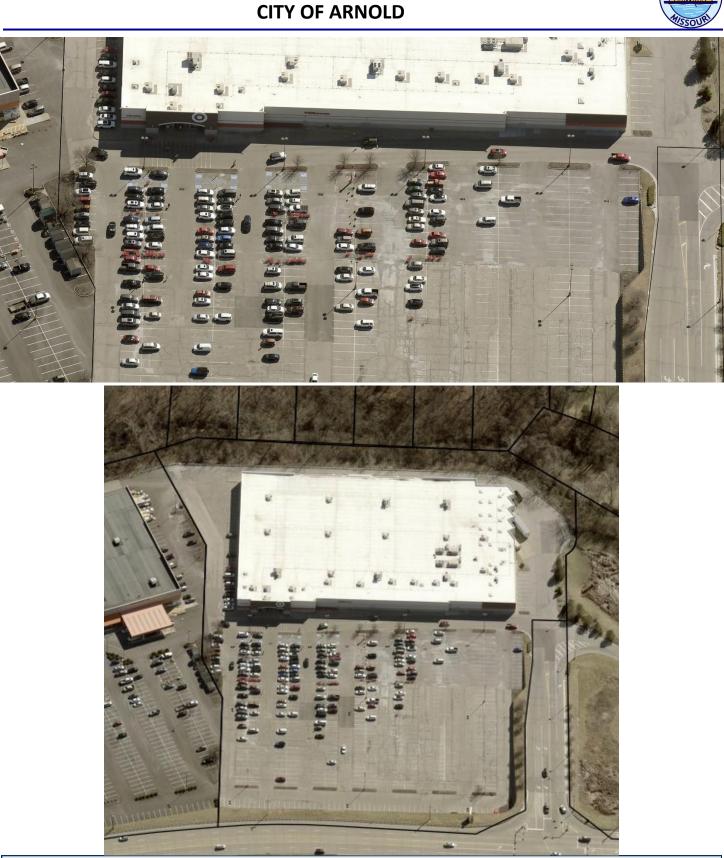
Sincerely,

allison aldag

Allison Aldag Kimley-Horn and Associates, Inc. Phone: (331) 209 - 8526 Email: allison.aldag@kimley-horn.com

EXHIBIT C: APPLICANT'S NARRATIVE

Target (MVOE)



PICTOMETRY, MARCH 2022

PC-2023-37 CONDITIONAL USE PERMIT APPLICATION



CITY OF ARNOLD





STREETVIEW OF TARGET (JUNE 2023)

Target (MVOE)



CITY OF ARNOLD

APPLICATION NUMBER:	PC-2023-38			
APPLICATION NAME:	SIGNATURE HEALTH (CLINIC)			
APPLICANT NAME:	Signature Health Physical Therapy Jeffrey Solomon (Architect, VSP Construction) 12639 Old Tesson Rd St Louis MO 63128			
PROPERTY OWNER NAME:	AC Richardson LLC 13960 Manchester Rd Ballwin MO 63011			
APPLICANT'S REQUEST:	A request for a Conditional Use Permit (CUP) for a "Clinic" to allow for a physical therapy clinic as provided in the Arnold Zoning Ordinance.			
STREET ADDRESS:	1895 Richardson Rd			
SITE LOCATION:	Immediately west of intersection of Jeffco Blvd and Richardson Rd, along north-side of Richardson, next to White Castle and across from Wesley Roger's			
ZONING DISTRCIT:	"C-3" Commercial			
PARCEL ID:	09-3.0-06.0-1-001-001.07			
TOTAL SITE AREA:	1.45 acres (Tenant space: 2,000 sqft)			
MEETING DATE:	January 9, 2024			
REPORT DATE:	January 2, 2024			
CASE MANAGER:	Sarah Turner			
RECOMMENDATION:	APPROVAL WITH CONDITIONS			

CITY OF ARNOLD

DESCRIPTION OF EXISTING SITE CONDITIONS

The 1.45 acre parcel is located along the north-side of Richardson, immediately west of the intersection of Jeffco Blvd and Richardson Rd. To the north is the old Highway 9 roadbed (now vacated) and property owned by St John's Lutheran Church. This is the site of an approx. 8,900 square foot mixed use commercial center with associated on-site parking, accessways, and landscaping. It is accessed by Richardson Rd.

SITE HISTORY

This property was vacant and undeveloped prior to the construction of the neighborhood shopping center in 2002. 1895 Richardson Rd., the subject tenant space, is a 2,000 square foot retail space at the eastern end of the structure. It was previously a Berkshire Hathaway real estate office. Other uses in the center include Shamrock Donuts and American Cleaners.

LAND USE AND ZONING CONTEXT MATRIX					
Direc tion	Existing Land Use	Zoning District	COMMENTS		
North	Institutional (Vacant)	C-3; R-4	St John's Lutheran Church		
East	Vacant; Commercial	C-3	St John's (vacant), Jeffco, mixed commercial		
South	Commercial	C-3	Mixed commercial (medical offices)		
West	Commercial	C-3	Mixed commercial (retail, restaurants)		



PC-2023-38 CONDITIONAL USE PERMIT APPLICATION



CITY OF ARNOLD

ZONING REQUEST/DEVELOPMENT PROPOSAL

The applicant is seeking approval of a Conditional Use Permit to allow for a physical therapy clinic at 1895 Richardson Rd.

COMPREHENSIVE PLAN CONSISTENCY REVIEW

A consistency review of the goals, objectives, and policies of the Comprehensive Plan, as they relate to the current request, follows:

Land Use Policy 9.1 Apply Compatible Uses:

Commercial developments should be compatible with nearby development and adequately buffered to mitigate adverse impacts on residential neighborhoods.

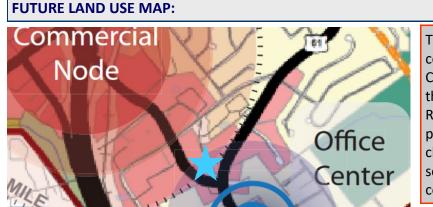
Housing & Neighborhood Policy 3.2 Mitigate Impacts:

Protect the character and livability of established residential neighborhoods by minimizing spill-over impacts from adjacent commercial areas and incremental expansion of business activities into residential areas.

CITY PLANNER'S COMMENTS

Policies LU-9.1 and NH-3.2 are substantially satisfied as follows:

The proposed location is within an existing commercial center. This center and the surrounding area has a diverse array of retail. commercial services. medical offices, and restaurants. The proposed use is compatible with nearby medical services and would provide a convenient physical therapy space. The existing center provides buffering nearby to the institutional property that would, in conjunction with conditions of approval, minimize impact of the clinic on surrounding properties.



The property is shown as commercial and within a major Commercial Node centered at the intersection of Richardson Rd. and Interstate 55. The proposed conditional use as a clinic is consistent with medical service uses typically found in commercial areas.

Signature Health (Clinic)

CITY OF ARNOLD

SUMMARY OF PLANNING AND ZONING ANALYSIS

The applicant's proposed use is for a *clinic*, specifically for a physical therapy office. This use requires a Conditional Use Permit at the proposed location. Staff's findings for how the four review criteria may be met can be summarized as follows:

- A physical therapy clinic is consistent with surrounding commercial uses and the Comprehensive Plan's goals and policies.
- The use is to be located within an existing commercial center. No changes are proposed to the center's parking, landscaping, etc. Minimum parking needs are met and ADA accessible spaces are adjacent to the proposed clinic.
- The use will be visually compatible with other commercial services in the development and surrounding district.
- Quality physical therapy treatment providers are an essential and desired addition to the City.

Staff finds that the application is substantially consistent with review criteria subject to the four (4) recommended conditions of use that can be found in Exhibit A of the Attachments. More detailed analysis of the above is contained in this report from pages 5 through 9.



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CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS

When reviewing applications for Conditional Use Permits, or amendments thereto, the Planning Commission is required to hold a hearing, review, and make recommendations and report to the City Council.

CONSISTENT WITH GOOD PLANNING PRACTICE

"Good planning practice" involves a great many concerns, such as operational impacts, visual impacts, infrastructure needs, and general welfare. Equally as important is *consistency*. This request's consistency with the Zoning Ordinance and Comprehensive Plan is to be analyzed by this section, as well as the report as a whole. In response to this review criteria, the applicant's narrative (Exhibit C) states: "Locating a physical therapy clinics in commercial areas and along corridors like Richardson Rd. makes access convenient for patients. Physical therapy orders usually require attendance 2-3x/week for pts and thus require convenient locations to reduce pt and caregiver burden when rehabilitating orthopedic conditions that generally involve pain."

A physical therapy office fits the Zoning Ordinance's definition of a <u>Clinic</u>:

"A facility operated by one (1) or more physicians, dentists, psychiatrists, psychologists, mental health counselors, optometrists, ophthalmologists, chiropractors, rehabilitation therapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis, including but not limited to diagnostic services, blood donation stations, infusion centers, surgery centers, and urgent care facilities."

The property selected by the applicant is located within a "C-3" Commercial District, which permits clinics on a conditional basis. It is consistent with the intent of the Comprehensive Plan's policies to allow for medicinal, clinical, or other health-related land uses to locate within commercial centers for the convenience of the general public. Staff finds that the request is substantially consistent with the first review criteria for Conditional Use Permits that the use be consistent with good planning practice, subject to conditions contained in Exhibit A.



Signature Health (Clinic)

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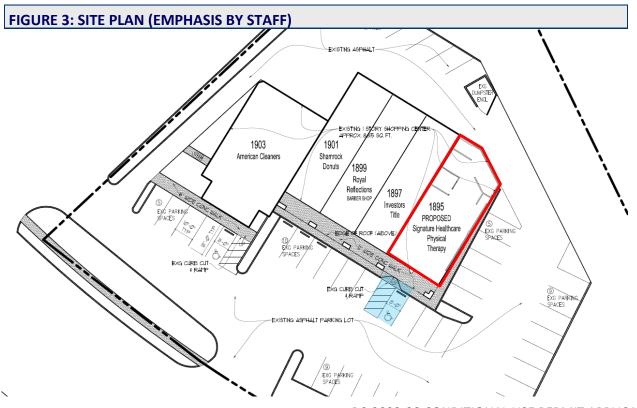
PLANNING AND ZONING ANALYSIS - CONTINUED

DETRIMENT TO PERMITTED DEVELOPMENT AND USES WITHIN THE DISTRICT

A part of good planning practice is to ensure that there is little to no detriment to permitted development and uses within a district due to an incoming use. The applicant's narrative describes compliance with this criteria as follows: "Signature Physical Therapy will be located within the existing structure at 1895 Richardson Rd. and thus there will be no detriment to permitted uses and developments in the district."

The proposed location is a tenant space within an existing commercial center, which has limited landscape buffering along its rear/north property line that is shared with the now-vacated old Highway 9 roadbed. This particular center does not have existing medical uses, but there are many in the surrounding area, including JL Dental and a Mercy Clinic. Physical therapy offices have a low-impact on surrounding traffic, and patients will generally stay at a location for at least an hour. The proposed physical therapy office would be a similar or lesser intensity to nearby medical and mixed commercial uses.

"Medical or dental office or clinic" as well as "Commercial center/mixed uses" are required provide 5 spaces per 1000 sqft. in the "C-3" Commercial District. This parcel provides 45 parking spaces (43 standard, 2 ADA-accessible van spaces), which is the exact number required by the Zoning Ordinance. In addition to meeting minimum parking requirements, the particular tenant space proposed to house a physical therapy clinic is in close proximity to two ADA-compliant accessible parking spaces as shown in the figure below. The parking needs of the clinic are met at the proposed site.



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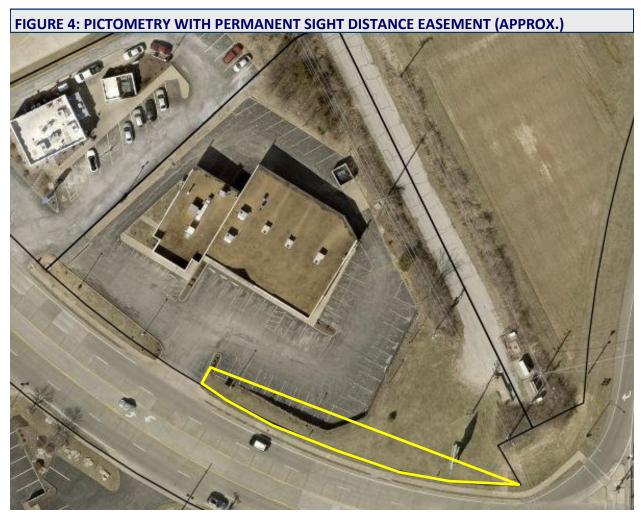
CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS - CONTINUED

The parcel itself is along a curve and comes to a point at the Richardson and Jeffco intersection. There is a permanent sight distance easement (Exhibit D) to ensure that there are no structures or features that would block visibility along Richardson Rd near this crucial intersection. Most parking spaces in this permanent easement are below grade behind a retaining wall to help drivers' visibility. As discussed on the previous page, the traffic generated by this use is expected to be low and the parking needs are met.

As a part of review procedure, the City notified other reviewing agencies of this application, including City Engineer Judy Wagner. Staff did not receive any comments of note.

To ensure that there is no detriment to the permitted development and uses in the district, there are two additional conditions speaking to the City's power to revoke the CUP and other licenses through the City should the conditions not be met. This combined with the low impact of a new tenant moving in to an existing center leads Staff to find that the proposed use as an outpatient physical therapy clinic is substantially consistent with the second review criteria for Conditional Use Permits to not be a detriment to permitted development and uses within the district, subject to said conditions.



Signature Health (Clinic)

CITY OF ARNOLD

PLANNING AND ZONING ANALYSIS - CONTINUED

VISUAL COMPATIBILITY WITH PERMITTED DEVELOPMENT & USES IN SURROUNDING AREA

Aesthetic compatibility with the neighborhood is an important factor in good planning practice. The proposed use would be *inside* the existing commercial space at 1895 Richardson Rd. In response to this review criteria, the narrative states: "[The space will be used] in a manner that is visually compatible with the permitted uses in the surrounding areas as there are no proposed changes to existing façade and signage will be code-compliant."

Figure 5 below shows the front façade of the proposed clinic, Signature Health's other physical therapy office location in South County, and their associated signage. Staff finds that the proposed use is substantially consistent with the third review criteria for Conditional Use Permits to be visually compatible with development and uses in the surrounding area.

ESSENTIALNESS OR DESIRABILITY TO THE CITY

Being an essential or desirable addition to the City is the final required review criteria of the City's Conditional Use Permit process. In response to this criteria, the applicants' narrative states: "It is both essential and desirable for the general welfare of the public to have diverse and varied options for physical therapy."

As mentioned above, Signature Health has another physical therapy office at 12639 Old Tesson Rd. The proposed location at 1895 Richardson Rd will expand their physical therapy offerings to Arnold and Jefferson County to better serve the community's needs. Staff finds that the services provided by a proposed physical therapy clinic is substantially consistent with the review requirement to be an essential and desired addition to the City to promote public health, safety, and general welfare to the City, subject to the conditions contained in Exhibit A.





CITY OF ARNOLD

FINDINGS AND RECOMMENDATION

CONSISTENT WITH GOOD PLANNING PRACTICE

Staff finds that the proposed use as a physical therapy clinic is substantially consistent with good planning practice, subject to conditions contained in Exhibit A.

DETRIMENT TO PERMITTED DEVELOPMENT AND USES WITHIN THE DISTRICT

Staff finds that the proposed use is substantially consistent with being developed or operated in a manner that is not detrimental to the permitted developments or uses within the district, subject to conditions contained in Exhibit A.

COMPATIBLE WITH PERMITTED DEVELOPMENT AND USES IN SURROUNDING AREA

Staff finds that the proposed use is substantially consistent with being developed or operated in a manner that is visually compatible with the permitted development and uses in the surrounding area, subject to conditions contained in Exhibit A.

ESSENTIALNESS OR DESIRABILITY TO THE CITY

Staff finds that the proposed use is substantially consistent with being an essential or desirable to preserve and promote the public health, safety, and general welfare to the City of Arnold, subject to conditions contained in Exhibit A.

RECOMMENDATION

Staff finds that the proposed Conditional Use Permit is substantially consistent with the review criteria and with the Zoning Ordinance and Comprehensive Plan. Based on this finding, Staff requests favorable consideration of the application subject to the recommended four (4) conditions of use contained in Exhibit A.

Sarah Turner Senior Planner

CITY OF ARNOLD



ATTACHMENTS

EXHIBIT A: RECOMMENDED CONDITIONS EXHIBIT B: SITE PLANS EXHIBIT C: APPLICANT NARRATIVE EXHIBIT D: SIGHT DISTANCE EASEMENT SITE PHOTOS



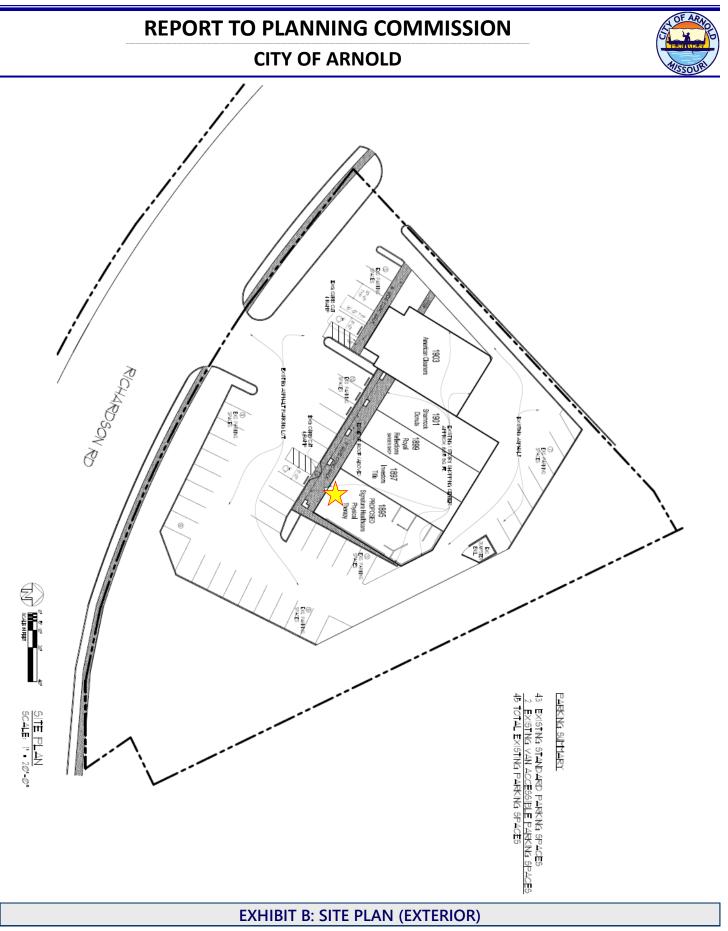
CITY OF ARNOLD

CONDITIONS

- 1. The physical therapy clinic shall be established and operated according to the attached site plan.
- 2. This Conditional Use Permit may be revoked by the City Council if the terms of the permit have been found to have been violated. The procedure for revocation shall require a hearing before the City Council.
- 3. Revocation of this Conditional Use Permit shall constitute grounds for the revocation of all other City licenses and/or permits associated with this business establishment.
- 4. Approval for Conditional Use Permit does not supersede other local, state, or federal requirements.

EXHIBIT A: STAFF RECOMMENDED CONDITIONS OF APPROVAL

Signature Health (Clinic)



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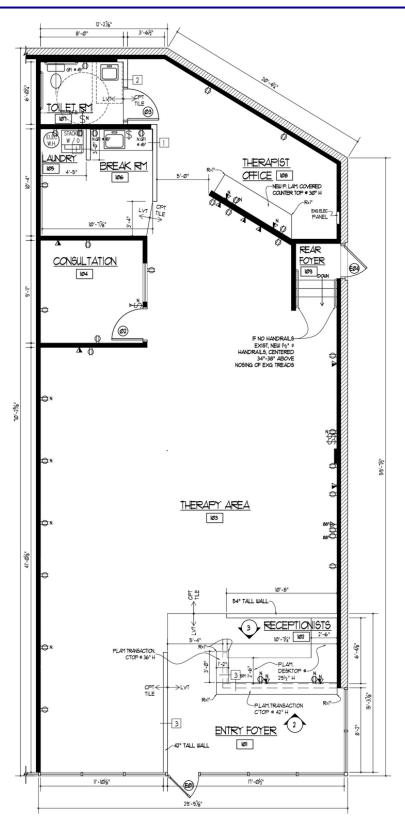


EXHIBIT B: SITE PLAN (INTERIOR)

Signature Health (Clinic)





Criteria for Review of Conditional Use:

8a. Signature Physical Therapy's use of 1895 Richardson Rd. is consistent with good planning practice as locating a physical therapy clinics in commercial areas and along corridors like Richardson Rd. makes access convenient for patients. Physical therapy orders usually require attendance 2-3x/week for pts and thus require convenient locations to reduce pt and caregiver burden when rehabilitating orthopedic conditions that generally involve pain.

8b. Signature Physical Therapy will be located within the existing structure at 1895 Richardson Rd. and thus there will be no detriment to permitted uses and developments in the district.

8c. Signature Physical Therapy can use the office space at 1895 Richardson Rd. in a manner that is visually compatible with the permitted uses in the surrounding areas as there are no proposed changes to existing façade and signage will be code-compliant.

8d. Use of the property at 1895 Richardson Rd. by Signature Physical Therapy is good planning practice as it is both essential and desirable for the general welfare of the public to have diverse and varied options for physical therapy.

EXHIBIT C: APPLICANT NARRATIVE

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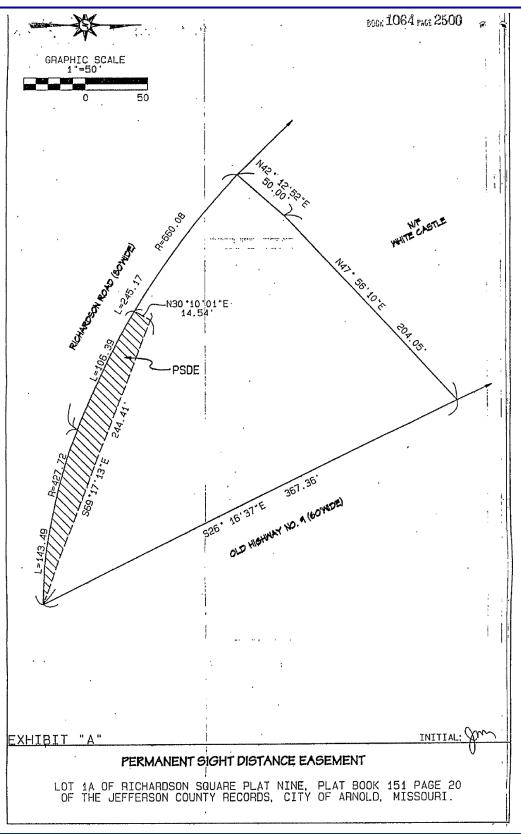


EXHIBIT D: SIGHT DISTANCE EASEMENT

Signature Health (Clinic)

CITY OF ARNOLD



PICTOMETRY (MARCH 2022)

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STREETVIEW FROM RICHARDSON (OCT 2022)

Signature Health (Clinic)