

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

JULY 14, 2015 /7:00 PM

AGENDA

PUBLIC HEARING

1. Call To Order
2. 2015-14, Conditional Use Permit for TVI/Savers Attended Donation Pod and after hours drop-off bin (temporary building) in parking lot of Schnucks, 3900 Vogel Rd.
3. 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. June 9, 2015 (June 23, 2015 canceled)
6. Questions from the floor
7. Conditional Use Permit
 - a. 2015-14, Conditional Use Permit for TVI/Savers Attended Donation Pod and after hours drop-off bin (temporary building) in parking lot of Schnucks, 3900 Vogel Rd.
8. Staff Report
 - a. Native Shrubs
 - b. Reed v Town of Gilbert, AZ U.S. Supreme Court Decision
9. Old Business/Commissioners Report
10. Adjournment

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.

2015-13: CONDITIONAL USE PERMIT TO OPERATE AN OUTPATIENT DIALYSIS CLINIC AT 2194 MICHIGAN AVE.: Mr. Sutton 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 Andrew Sutton at 7:05 p.m. The Pledge of Allegiance was recited by those in attendance.

ROLL CALL OF COMMISSIONERS: Del Williams, John Tucker, Randy Hoselton, Brian McArthur (excused), Ralph Sippel (excused), Ted Brandt (excused), Frank Kutilek, Jeff Campbell, Andrew Sutton, Todd Teuscher, Mary Holden, Christie Hull-Bettale (excused), Derrick Redhead and Bob Sweeney (excused). 7 voting members present, 3 excused.

REVIEW AND APPROVAL OF AGENDA: Motion by Jeff Campbell to approve the agenda as presented. Second by Del Williams. Voice Vote – *Unanimously Approved.*

APPROVAL OF MINUTES: Motion by Jeff Campbell to approve the minutes from the May 26, 2015 meeting as presented. Second by Del Williams. Voice Vote – *Unanimously Approved.*

QUESTIONS FROM THE FLOOR: None

7a. 2015-13: CONDITIONAL USE PERMIT TO OPERATE AN OUTPATIENT DIALYSIS CLINIC AT 2194 MICHIGAN AVE.: Frank Kutilek asked if we are losing the current businesses in this space.

Mary Holden stated that Trek Bicycle is relocating in Arnold but she is not sure about the Home Mortgage Store or the Recruiter.

Motion by Jeff Campbell to approve 2015-13 Conditional Use Permit to operate an outpatient dialysis clinic at 2194 Michigan Ave. with the one (1) condition:

1. The existing trash facilities must be able to accommodate the additional waste. Otherwise the applicant must provide trash facilities.

Second by Del Williams. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 7 yeas, 0 nays – *Motion Approved.*

STAFF REPORT:

8a. Native Shrubs: Mary Holden went over her draft list of allowed shrubs and where she got the information. Her one concern is that if somebody says they are using a grape honeysuckle or yellow honeysuckle, we need to make sure that they truly are a grape or yellow honeysuckle because honeysuckles are very invasive and hard to get rid of. Her only other thought would be to remove honeysuckle from the screening list.

Todd Teuscher thinks it would be a good idea to put the botanical names on for the users and for Staff.

Randy Hoselton asked how we enforce planting plans.

Mary Holden stated we review the original landscape plan submitted; we check it in the field; and we have started doing on-site inspections when a change in occupancy is occurring to make sure everything is up to code.

Jeff Campbell asked if these honeysuckle plants are easily identified or should we remove them to be safe.

After some discussion, Todd agreed it might be better to leave the honeysuckle off.

OLD BUSINESS: None

COMMISSIONERS REPORT: Randy Hoselton will not be at the next meeting.

Todd Teuscher commented that he and some of Staff went to the Earth Day Conferences and there was a lot of good information and ideas.

Jeff Campbell thanked everyone for the well wishes for the loss of his dad and expressed his appreciation for those that came to the viewing. It meant a lot to him.

Frank Kutilek suggested the Commissioners get polo shirts with the city logo and Planning Commission underneath it.

ADJOURNMENT: Meeting adjourned at 7:26 p.m.

Respectfully Submitted,

Todd Teuscher
Planning Commission Secretary

PLANNING COMMISSION

ROLL CALL SHEET

DATE: 6/9/2015 CALLED TO ORDER: 7:00 P.M. ADJOURNMENT: 7:26 P.M.	ROLL CALL	2015-13 - APPROVED						
DEL WILLIAMS	P	Y						
JOHN TUCKER	P	Y						
RANDY HOSELTON	P	Y						
BRIAN MCARTHUR	EXCUSED							
RALPH SIPPEL	EXCUSED							
TED BRANDT	EXCUSED							
FRANK KUTILEK	P	Y						
JEFF CAMPBELL	P	Y						
ANDREW SUTTON	P	Y						
TODD TEUSCHER	P	Y						
MARY HOLDEN	P	NO VOTE						
CHRISTIE HULL-BETTALE	EXCUSED	NO VOTE						
DERRICK REDHEAD	P	NO VOTE						
CITY ATTORNEY ROBERT SWEENEY	EXCUSED	NO VOTE						

**CITY OF ARNOLD, PLANNING COMMISSION, JULY 14, 2015
MEETING**

TO: PLANNING COMMISSION
FROM: MARY P. HOLDEN, DIRECTOR OF COMMUNITY DEVELOPMENT
SUBJECT: NATIVE SHRUBS
DATE: JULY 8, 2015
CC:

There was discussion at the last meeting about certain native shrubs being better suited for screening and as a result, Staff has sorted (to the best of their ability) the list of native shrubs into regular use and for screening. Staff looks to the Commission for their input on the below list and welcomes comments and direction.

As an FYI, Staff heavily relied on the Missouri Botanical Garden website and the Department of Conservation website.

DRAFT List Of Allowed Shrubs (others will be considered if proven to be viable in the urban environment):

Botanical Name

Amelanchier alnifolia,
Amorpha canescens,
Aronia arbutifolia 'Brilliantissima',
Aronia melanocarpa,
Callicarpa americana L.,
Ceanothus americanus L.,
Cornus racemosa,
Corylus americana Walt,
Filbert
Dirca palustris L.,
Euonymus atropurpureus,
Hibiscus lasiocarpus,
Hydrangea arborescens 'Hayes Starburst',
Hypericum hypericoides,
Hypericum prolificum,
Ilex deciduas,
Ilex verticillata,
Itea virginica,

Common Name

Serviceberry
Lead Plan
Chokeberry
Black Chokeberry
American Beautyberry
New Jersey Tea
Grey Dogwood shrub
American Hazelnut, American

Leatherwood
Eastern Wahoo
Rose Mallow
Smooth Hydrangea
St. Andrew Cross
Shrubby St. John's Wort
Deciduous Holly/Possumhaw
Winterberry
Virginia Sweetspire

Physocarpus opulifolius,
Rhododendron prinophyllum,
Ribes missouriense,
Ribes odoratum 'Crandall',
Rosa Carolina,
Sambucus Canadensis,
Sambucus canadensis 'Laciniata',

Ninebark
 Roseshell Azalea
 Missouri Gooseberry
 Clove Currant
 Carolina Rose
 American Elder
 Elderberry

List of shrubs for screening

Botanical Name

Alnus serrulata,
Cephalanthus occidentalis,
Hamamelis vernalis,
Lindera benzoin
Quercus prinoides,
Rhamnus caroliniana var. *caroliniana*,
Rhus copallinum,
Rhus glabra,
Rubus allegheniensis,
Salix humilis
Staphylea trifolia,
Symphoricarpos orbiculatus,
Viburnum dentatum,
Viburnum lentago,
Viburnum prunifolium,

Common Name

Hazel alder
 Buttonbush
 Ozark Witch hazel
 Spicebush
 Dwarf Chestnut Oak
 Indian Cherry
 Winged/Flameleaf Sumac
 Smooth Sumac
 Blackberry
 Prairie Willow
 Bladdernut
 Coralberry
 Arrowwood Viburnum
 Nannyberry viburnum
 Black Haw Viburnum

CITY OF ARNOLD, PLANNING COMMISSION, JULY 14, 2015 MEETING

TO: THE PLANNING COMMISSION
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: 2015-14, CONDITIONAL USE PERMIT FOR TVI/SAVERS ATTENDED DONATION POD AND AFTER HOURS DROP-OFF BIN (TEMPORARY BUILDING) IN PARKING LOT OF SCHNUCKS, 3900 VOGEL RD.
DATE: JULY 8, 2015
CC:

Request

Mr. Allen Dauterman on behalf of TVI/Savers has submitted for approval for two temporary structures to serve as an attended donation pod and drop box for after hours to be located in two parking spaces at 3900 Vogel Road. Attached are the application, written responses to the criteria used to review a conditional use permit and aerials of the site.

Analysis

Donation pods and boxes are seen throughout various communities and provide a needed service. Since they are temporary structures an approved conditional use permit is required.

Staff has no concern with the proposed location of the donation pod and drop off bin since it is in an area not heavily used even during the Christmas season. In addition, there is ample parking to accommodate this use.

Our concerns with overflow bags and such being dumped by the pod and drop box are taken care of with a full time attendant during the day that will pick/clean up any overnight drop offs. Please provide the hours the attendant will be on duty.

When reviewing a conditional use permit, the following must be taken into consideration:

The use is deemed consistent with good planning practice. The use of an attended donation pod and drop box is not inconsistent with planning practice since the use provides a convenience for busy lives and will be kept in a clean, orderly manner.

The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district. The attended donation pod and drop box does not appear to be detrimental to the surrounding development since it is commercial in nature and there will be an attendant to keep the area clean.

The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area. The donation pod and drop box are not out of the

ordinary in visual appearance. While it does not match the materials or colors of the surrounding development, it will not be incompatible either.

The use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold. While temporary structures are not encourage for many uses, this use is deem desirable since it provides a convenient way to donate to charitable organization.

Staff Recommendation

Staff recommends the Planning Commission approve the requested conditional use permit with the below findings and conditions.

Findings:

1. The use of an attended donation pod and drop box is not inconsistent with planning practice since the use provides a convenience for busy lives and will be kept in a clean, orderly manner.
2. The attended donation pod and drop box does not appear to be detrimental to the surrounding development since it is commercial in nature and there will be an attendant to keep the area clean.
3. The donation pod and drop box are not out of the ordinary in visual appearance. While it does not match the materials or colors of the surrounding development, it will not be incompatible either.
4. While temporary structures are not encourage for many uses, this use is deem desirable since it provides a convenient way to donate to charitable organization.

Condition:

1. Provide the daily hours that an attendant will be at the donation pod and drop box.
2. An attendant must be present during the day. Should the attendant be eliminated, the donation pod and drop box must be removed.

Community Development Department
City of Arnold
2101 Jeffco Blvd.
Arnold, MO 63010
636-282-2378
636-282-6677 Fax



CONDITIONAL USE PERMIT
APPLICATION

File Number 2015-14

\$400.00 Fee Paid ✓

APPLICANT/CONTRACT PURCHASER

TVI / Savers

Name

P.O. Box 808, Bellevue, WA 98009

Address, City, State, Zip

(425) 894-9725, Elaine Essary, Regional Manager

Telephone Number

425-451-2250

Facsimile Number

3900 Vogel RD, Arnold, MO 63010

Property Address (or nearest intersection)

OWNER: USR-DESCO RICHARDSON CROSSING, LLC

~~MCW-RD RICHARDSON CROSSING LLC~~

Name

25 N Brentwood Blvd. , ST Louis, MO 63105

Address, City, State, Zip

314-994-2344

Telephone Number

Facsimile Number

C-3

Zoning of property

Proposed Use: Attended Donation Pod and After Hours Drop-Off Bin in parking lot.

Adjacent Zoning/Uses

R-6

C-3

C-3

C-3

North

South

East

West

Date of application

Signature of Applicant

Signed on behalf of TVI/Savers by
Allen Dauterman

ADreds

425-922-5858

allend@adreds.com

Meeting date targeting

Signature of Owner

"Managing Agent for USR-DESCO
Richardson Crossing, LLC

**ATTENDED DONATION POD and AFTER HOURS DROP OFF BIN
APPLICATION FOR CONDITIONAL USE PERMIT
SUPPLEMENTARY RESPONSES**

Page 1 of 2

DATE: June 10, 2015

APPLICANT: TVI/Savers
P.O. Box 808
Bellevue, WA 98009

PROPOSED LOCATION: Richardson Crossing
3900 Vogel Road
Arnold, MO 63010

SUPPLEMENTARY RESPONSES;

- 7.a** Donation bins are way for charities that collect donated goods to offer a convenient way for individuals to donate without making a separate or long trip to donate at a charity thrift store location. The proposed Donation Pod and Bin are deliberately located in a frequently used shopping center to enable the convenience of Pass By trips. Enabling Pass By donations aids in reducing single destination trips to a charity thrift store, and it helps reduce the number of trips a charity truck would make for curb side pickups in residential zones.

Conveniently located donation bins will enable more and more individuals to donate their used goods. More convenient options individuals have to donate used goods will result in smaller volumes of reusable and recyclable goods entering the Solid Waste handling system and entering landfills. Not all donated used goods are reusable, used goods not suitable for reuse will enter the recycling stream and benefit the recycling industry.

By enabling more used goods to be donated, more reusable goods will re-enter the retail thrift market. With greater volumes and selections of reusable goods for thrift store customers, thrift store sales should increase along with tax revenues.

The proposal for an Attended Donation Pod along with a Drop-off Donation Bin will bring additional benefits to a community. TVI/Savers will partner with a local Charity to collect donated goods at the Attended Donation Pod and Bin. The local Charity partner will directly benefit from every pound of used goods collected at the Attended Donation Pod and Bin.

**ATTENDED DONATION POD and AFTER HOURS DROP OFF BIN
APPLICATION FOR CONDITIONAL USE PERMIT
SUPPLEMENTRY RESPONSES**

Page 2 of 2

7.a continued

One full time employee will be hired to operate the Attended Donation Pod and Bin. The employee's responsibilities are to;

- Open the Attended Pod and Bin at the start of each business day.
- Close down and secure the Pod at the end of each business day.
- Assist individuals with unloading their donated goods.
- Keep the immediate area of the Pod and Bin clean and inviting, allowing individuals to feel confident in their choice to donate and to feel safe while unloading.
- Facilitate prompt removal of items dumped overnight in the immediate area of the Pod and Bin.

- 7.b** The Attended Donation Pod will be open during normal business hours seven days per week. The Drop-off Donation Bin will be placed as a convenience to individuals that are not able to drop-off donated goods during normal business hours.

The Attended Donation Pod and Bin will occupy no more than 2 existing parking stalls, located in an area of the parking lot that is less parked and will allow for individuals to park in an adjacent parking space to unload their donations.

- 7.c** The proposed appearance of the Attended Donation Pod and Bin can be seen on the attached Examples Exhibit. The appearance is intended to be inviting with crisp and clean contemporary graphics and the identity of the Charity operating the Pod and Bin.

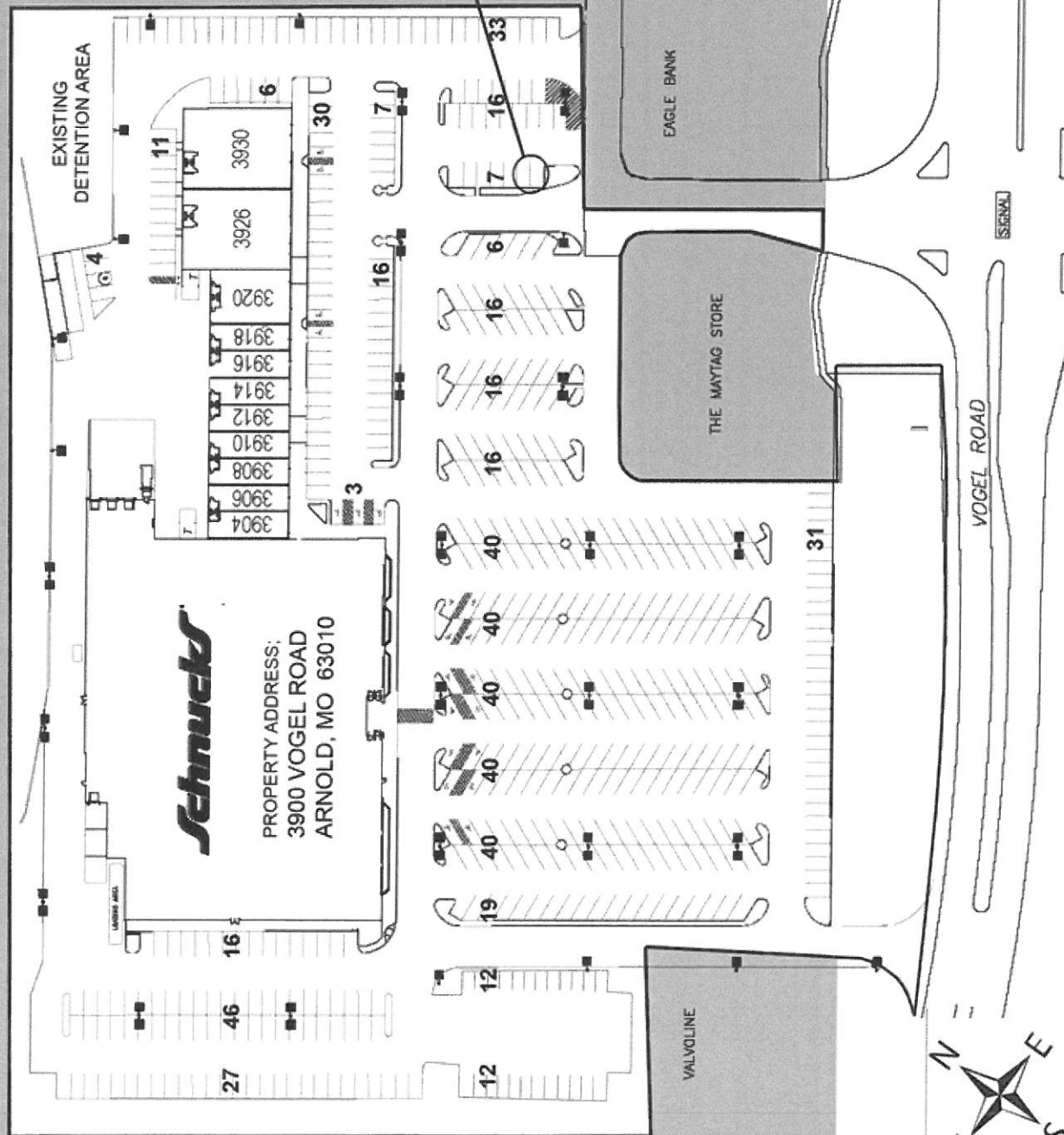
- 7.d** The proposed opportunity to enable convenient pass by donations of used goods in greater volumes will have many small incremental impacts that will benefit the City of Arnold. These impacts may be small, however, every little bit will help with the greater essential efforts to;

- Reduce vehicular trips on your roads.
- Divert waste from the solid waste handling system and the local landfill.
- Recycle more materials not suitable for reuse.
- Increase the supply of reusable goods to re-enter the retail market.
- Create employment opportunities in your city.

ATTACHED TO THIS APPLICATION;

1. Site Plan Exhibit dated 6/10/15 at 1"=100' scale.
2. Aerial Plan Exhibit dated 6/10/15 at 1"=100' scale
3. Examples Exhibit – photographs of typical Donation Pods and a typical Drop-off Bin.

RICHARDSON CROSSING



CENTER SIZE 82,994 SF

AVAILABLE SPACE

3918 1,200 sf 3920 2,400 sf

CURRENT RETAILERS

3900	Schnucks	61,494 sf
3904	AAA Auto Club	1,200 sf
3906	GNC	1,200 sf
3908	Vogel Cleaners	1,200 sf
3910	Crickit Wireless	1,200 sf
3912	Topline Nails	1,200 sf
3914	Look After Hair Co.	1,200 sf
3916	New China	1,200 sf
3926	CATO Fashions	4,700 sf
3930	Webers Front Row	4,800 sf

**PROPOSED LOCATION FOR
PLACEMENT OF ATTENDED
DONATION POD AND BIN
WITHIN 2 PARKING STALLS**

PROPERTY AREA 10.99 ACRES
CURRENT PARKING STALLS 550
PROPOSED PARKING STALLS 448
PARKING DENSITY 6.6 STALLS/1,000SF

ParcelID: 0190310300200601

APPROXIMATE SCALE: 1" = 100'

0 25 50 100 200

**TV/SAVERS
CONDITIONAL USE PERMIT
APPLICATION
SITE PLAN EXHIBIT
JUNE 10, 2015**

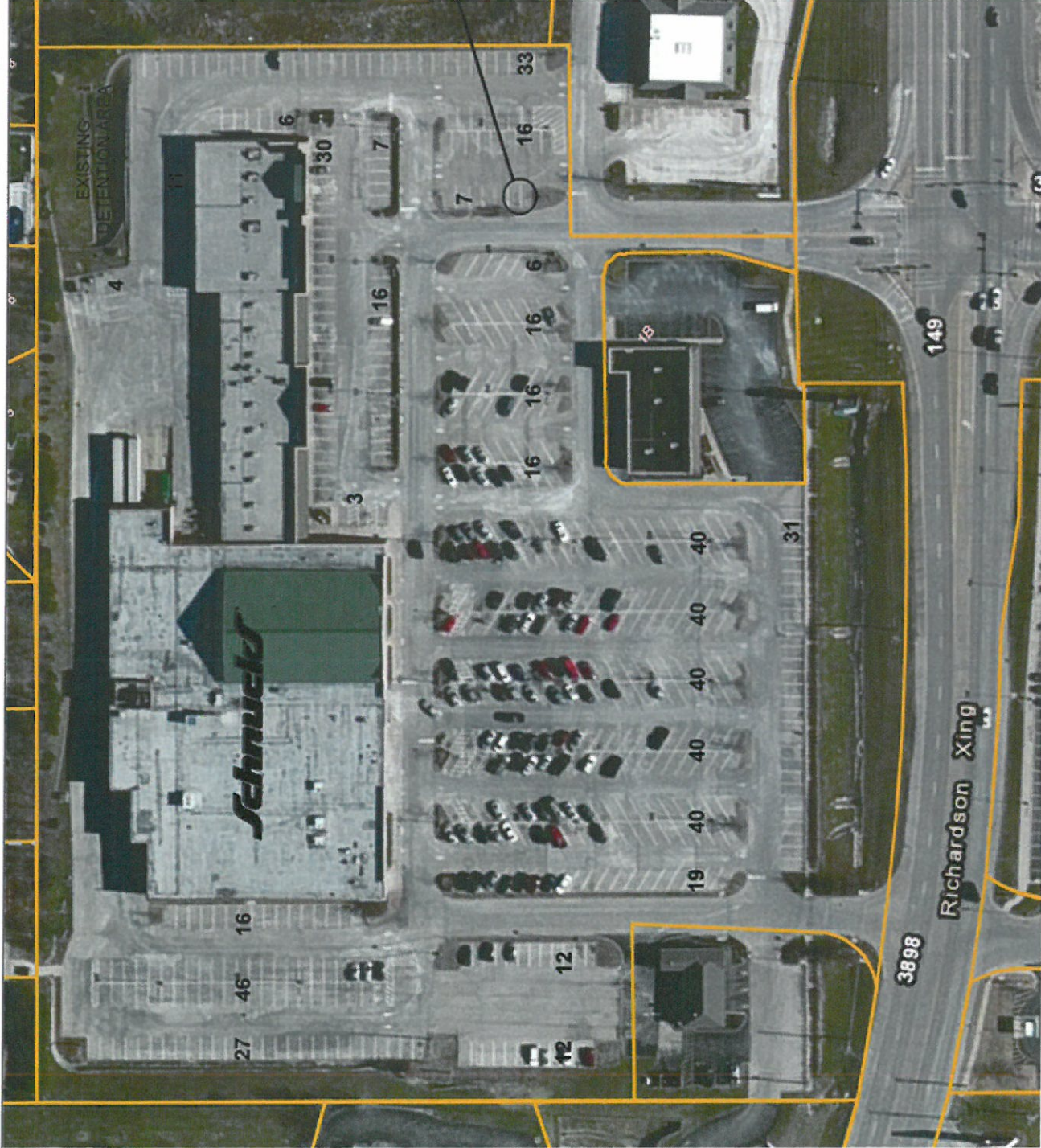
PROPERTY OWNER REPRESENTATIVE:

Will Kline 314.994.2344 wkline@descogroup.com

25 N Brentwood Blvd
St. Louis, MO 63105
314.994.4444
descogroup.com

The
DESCO
Group

RICHARDSON CROSSING



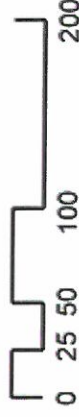
CENTER SIZE 82,994 SF			
AVAILABLE SPACE			
3918	1,200 sf	3920	2,400 sf
CURRENT RETAILERS			
3900	Schnucks	61,484 sf	
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3906	GNC	1,200 sf	
3908	Vogel Cleaners	1,200 sf	
3910	Cricket Wireless	1,200 sf	
3912	Topline Nails	1,200 sf	
3914	Lock After Hair Co.	1,200 sf	
3916	New China	1,200 sf	
3926	CATO Fashions	4,700 sf	
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PLACEMENT OF ATTENDED
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ParcelID: 0190310300200601

APPROXIMATE SCALE: 1" = 100'



**TV/SAVERS
CONDITIONAL USE PERMIT
APPLICATION
AERIAL PLAN EXHIBIT
JUNE 10, 2015**

PROPERTY OWNER REPRESENTATIVE:
Will Kline 314.994.2344 wkline@descogroup.com



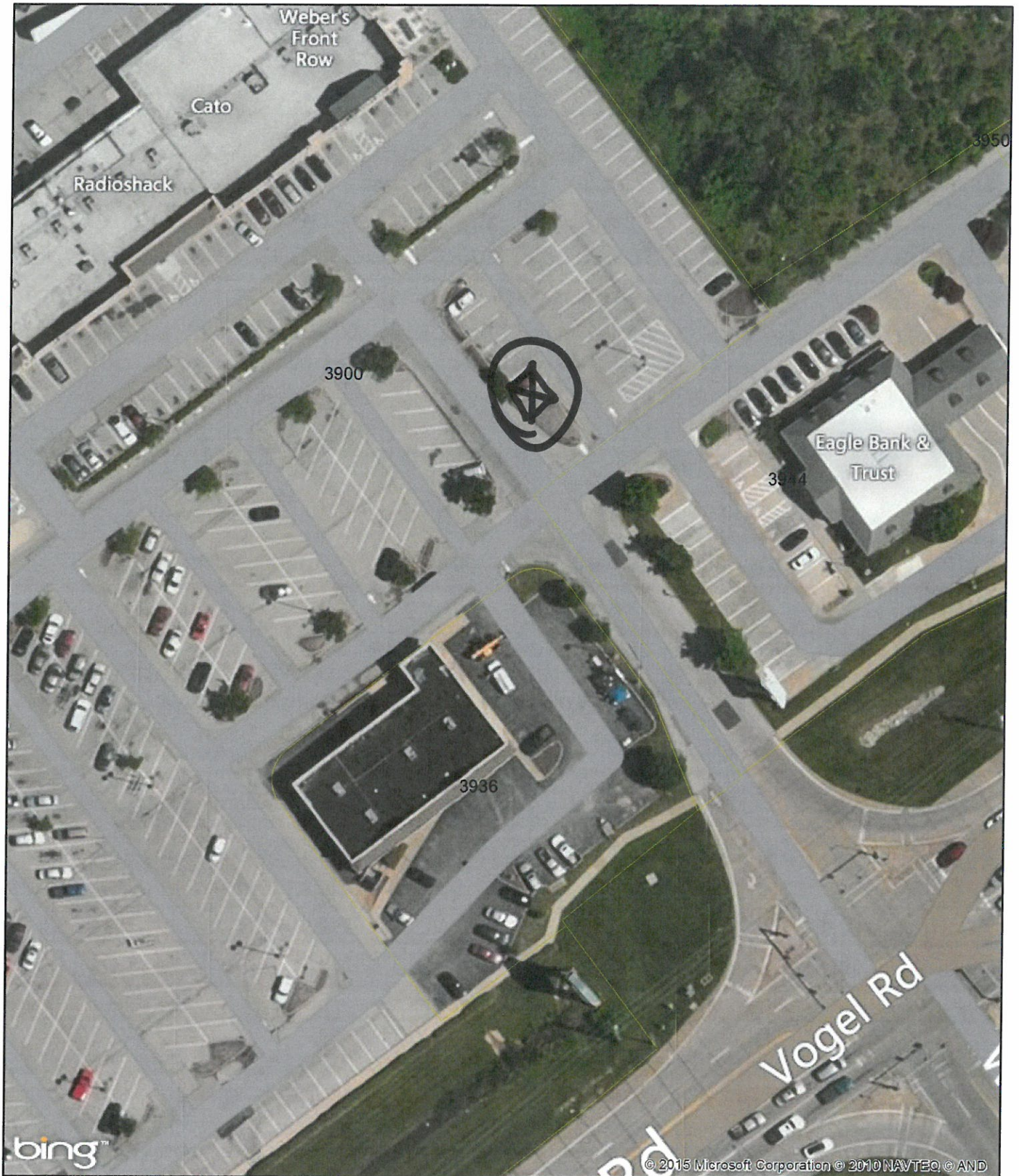
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descogroup.com

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EXAMPLES OF ATTENDED DONATION PODS and an AFTER HOURS DONATION DROP-OFF BIN



TVI/SAVERS
CONDITIONAL USE PERMIT
APPLICATION
EXAMPLES EXHIBIT
JUNE 10, 2015



90 45 0 90 Feet

Legend

 Arnold_Parcels