



**PLANNING COMMISSION  
CITY HALL – COUNCIL CHAMBERS – 2101 JEFFCO BOULEVARD  
TUESDAY, MARCH 12, 2019**

**MEMBERS:** Andrew Sutton (Chair), Jeff Campbell (Second), Alan Bess (Secretary), Justin Lurk, Christopher Ford, Frank Kutilek John Tucker, Del Williams. **Council Liaison:** Brian McArthur. **Staff:** Robert Sweeney (City Attorney), David Bookless (Community Development Director), Christie Hull-Bettale (Community Development Engineer), Sarah Turner (Community Development Planner).

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES:** February 12, 2019
- 6. PUBLIC COMMENT**
- 7. PUBLIC HEARING(S)**
  - **2019-04: CONDITIONAL USE PERMIT, DOG DAYCARE AT 2160 TENBROOK RD.**
  - **2019-05: CONDITIONAL USE PERMIT, DERMATOLOGY OUTPATIENT CLINIC AT 3783/3789 VOGEL RD.**
  - **2019-07: RECORD PLAT/MINOR SUBDIVISION, 12 LOTS, THE ENCLAVE AT STRAWBERRY RIDGE.**
  - **2019-06: A CITY-INITIATED REQUEST TO AMEND CHAPTER 405, ZONING, OF THE CODE OF ORDINANCES TO MODIFY DEFINITIONS AND REGULATIONS RELATED TO ARTICLE IV TREE PRESERVATION.**
- 8. OLD BUSINESS:** None
- 9. NEW BUSINESS**
  - a. **2019-04: CONDITIONAL USE PERMIT, DOG DAYCARE AT 2160 TENBROOK RD.**
  - b. **2019-05: CONDITIONAL USE PERMIT, DERMATOLOGY OUTPATIENT CLINIC AT 3783/3789 VOGEL RD.**
  - c. **2019-07: RECORD PLAT/MINOR SUBDIVISION, 12 LOTS, THE ENCLAVE AT STRAWBERRY RIDGE.**
  - d. **2019-06: A CITY-INITIATED REQUEST TO AMEND CHAPTER 405, ZONING, OF THE CODE OF ORDINANCES TO MODIFY DEFINITIONS AND REGULATIONS RELATED TO ARTICLE IV TREE PRESERVATION.**
- 10. STAFF UPDATE**
- 11. COMMISSIONERS UPDATE**
- 12. COUNCIL LIAISON REPORT**
- 13. NEXT SCHEDULED MEETING:** March 26, 2019
- 14. ADJOURNMENT**

*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 step to the podium 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.*



**PLANNING COMMISSION MEETING  
CITY HALL COUNCIL CHAMBERS  
FEBRUARY 12, 2019**

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**MINUTES**

The regular meeting of the Arnold Planning Commission was called to order by Chairman Andrew Sutton at 7:00 p.m. The Pledge of Allegiance was recited by those in attendance.

**ROLL CALL OF COMMISSIONERS:** Del Williams, John Tucker, Brian McArthur, Alan Bess, Frank Kutilek (excused), Jeff Campbell, Andrew Sutton, Chris Ford, Justin Lurk, David Bookless, Sarah Turner, Christie Hull-Bettale and Bob Sweeney. 8 voting members present, 1 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 January 22, 2019 meeting as presented. Second by Chris Ford. Voice Vote - *Unanimously Approved*.

**PUBLIC COMMENT:** None

**PUBLIC HEARINGS:**

- **2019-01: REZONING REQUEST, 2069 MISSOURI STATE ROAD; 2077, 1739, 1757 & 1777 OLD LEMAY FERRY RD, C-4 PLANNED COMMERCIAL DISTRICT.** Christie Hull-Bettale briefly went over her staff report requesting that the Commission “table” the proposal to a future meeting in order to give the applicant an opportunity to respond to the following concerns:
  - Rezoning limits and project to include the parcel 1787 Old Lemay Ferry.
  - A Traffic Study performed by a qualified firm or individual of the City’s choosing, from the MoDOT Local Public Agency Consultant List, as directed by the Planning Commission, the cost of the study paid by the developer.
  - Architectural materials as guided by the Commission.
  
- **2019-02: PRELIMINARY PLAT/CONSOLIDATION PLAT 2069 MISSOURI STATE RD., CEDARHURST ASSISTED LIVING FACILITY.** Christie Hull-Bettale briefly went over her staff report stating that the proposed plat does not conform to the requirements of RSMo 89.410 and the Subdivision Ordinance. She requested that the Commission “table” the proposal to a future meeting in order to give the applicant an opportunity to respond to the concerns and following findings:
  - The land requested for Consolidation does not have proper provision for capital improvements of transportation facilities, and improvements.
  - The proposed public improvements do not conform to or properly related to the proposals shown in the Comprehensive Plan, and the Capital Improvements Program, and Transportation Plan of the City.

Nick Dwyer, Dover Development, 120 S. Central Ave., Clayton, MO, gave a brief background and presentation of this proposed development. Mr. Dwyer gave a description of all the services Cedarhurst of Arnold would provide as well as the amenities. They expect to employ 50 people with 60% of those positions full time with benefits. They try and do everything high-end so that it's really nice for the seniors.

Gregory Reininger, 1787 Old Lemay Ferry Rd., expressed his opposition to this development. He would be land locked.

Brian McArthur asked if the developer made an offer to buy his house.

Mr. Reininger stated they did, but not a good offer.

Larry Thomas Jobe, Jr., 1787 Old Lemay Ferry Rd., concerned regarding the possible blasting issues.

John Richards, 1726 Old Lemay Ferry Rd., questioned if they are going to widen the road. He also expressed his concern regarding possible blasting.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**a) 2019-01, Rezoning Request, 2069 Missouri State Rd. – C-4 Planned Commercial:**

Brian McArthur referred to the 5 foot easement for a 10 inch lateral and questioned how you put a building over the top of a sewer. The Sterling Co. Engineer stated that is one of the easements that will be vacated.

Andrew Sutton asked if they plan on putting the utilities that are currently up on poles, underground. The project engineer stated that according to Ameren, going underground would be quite a big deal.

Brian McArthur referred to the storm water basin that is proposed back towards the southwest corner and asked if there was already a swale there where that is emptying out. The Sterling Co. Engineer stated there is a swale there.

Justin Lurk loves this idea and thinks it will be a great amenity to the area. Justin asked if there are any plans for a fence or some sort of landscaping to go around the sidewalk which goes around the property. Nick with Dover responded that yes there will be a fence and landscape in that location. Mr. Lurk is also concerned about blasting issues.

Nick with Dover/Cedarhurst Development responded to Bryan McArthur's question of Mr. Reininger's and statement read during the public meeting. Dover has communicated with and made an offer to Mr. Reininger and will continue the negotiation conversation. Nick asked if the Commission had any suggestions on how to be able to come to terms regarding this property? Andrew Sutton responded that we are prohibited from doing that, but asked that they work in good faith on efforts with the landowner.

Del Williams has strong concerns about the utility poles around the building.

Bob Sweeney reminded the Commission, the City has no authority over poles or blasting issues.

Jeff Campbell concerned about the location of the parking on the northwest side, feels the parking lot should be pulled back. There are opportunities to enhance the property by pulling them back and having a nice front yard. Jeff also expressed his concerns of not including the Reininger parcel.

Nick with Dover/Cedarhurst Development asked that should they acquire that property, would the city be open to expanding to include other services utilizing that parcel. Andrew Sutton stated that would be something to consider via another different application request.

John Tucker thinks this would be a great addition to the community but questioned the blasting process.

Chris Ford questioned if more stone could be used on the building to break up the massing rear and side elevation.

Justin Lurk asked about an access point at Bass Lane.

Andrew Sutton would like to see a traffic study done.

Motion by Jeff Campbell to table 2019-01, Rezoning Request and 2019-02, Preliminary/Consolidation Plat, Motion to table the proposal to a future meeting in order to give the applicant an opportunity to respond to the concerns of; Rezoning limits and project to include the parcel 1787 Old Lemay Ferry, Traffic Study performed as directed by the Planning Commission,(the cost of the study paid by the developer), Architectural materials to be updated as guided by the Commission and staff. Second by Chris Ford. Roll call vote: Chris Ford, yes; Justin Lurk, yes; Brian McArthur, yes; Alan Bess, yes; John Tucker, yes; Jeff Campbell, yes; Del Williams, yes; Andrew Sutton, yes. 8 yeas, 0 nays – ***Motion to table Approved.***

**b) 2019-02, Preliminary Plat/Consolidation Plat, 2069 Missouri State Rd. (Cedarhurst Assisted Living Facility):** Included with motion to table.

**c) 2019-03, Variance Request, Non-Conforming Fence, St. John's Lutheran School, 3511 Jeffco Blvd.:** Sarah Turner presented this variance request to the setback and height requirements for a fence on a multiple frontage lot. The purpose of this request is to construct a new fence in the same location as the current one with additional new fencing around an outdoor seating area. Staff finds that the proposed variance meets the review criteria and recommends favorable consideration of this application.

Chris Ford commented that the fence upgrade is needed.

Alan Bess asked if the fire hydrant will be inside the fenced area or outside. David Necker with Edwin Remodeling stated the fire hydrant will be outside the fenced area.

Motion by Jeff Campbell to approve 2019-03, Variance Request, Non-Conforming Fence at St. John's Lutheran School, 3511 Jeffco Blvd. Second by John Tucker. Roll call vote: Chris Ford, yes; Justin Lurk, yes; Brian McArthur, yes; Alan Bess, yes; John Tucker, yes; Jeff Campbell, yes; Del Williams, yes; Andrew Sutton, yes. 8 yeas, 0 nays – ***Motion Approved.***

**STAFF UPDATE:**

- David Bookless – No Report
- Sarah Turner stated she is working on updating the way permitting Conditional Uses are explained in the Zoning Code.
- Christie Hull-Bettale stated that the Record Plat for The Enclave at Strawberry Ridge will be on the next agenda.
- Bob Sweeney – No Report

**COMMISSIONERS UPDATE:**

- Del Williams – no report
- John Tucker – no report
- Justin Lurk – no report
- Alan Bess – no report
- Jeff Campbell – no report
- Chris Ford – no report

- Andrew Sutton – commented that the spray painted signs on the new furniture store need to be painted over. Sarah Turner commented that they have applied for a new sign and as part of the scope of work, she has requested that they clean the overspray on the directional signs.

**COUNCIL LIAISON REPORT**

- Brian McArthur – no report

**NEXT SCHEDULED MEETING:** There are no scheduled applications for the February 26, 2019 meeting so the next meeting will be March 12 2019.

**ADJOURNMENT:** Meeting adjourned at 8:04 p.m.

Respectfully Submitted,

Alan Bess  
Planning Commission Secretary

**PLANNING COMMISSION  
ROLL CALL SHEET**

<b>DATE:</b> 2/12/2019							
<b>CALLED TO ORDER:</b> 7:00 P.M.							
<b>ADJOURNMENT:</b> 8:04 P.M.							
	<b>ROLL CALL</b>	<b>2019-01 &amp; 2019-02 - TABLED</b>	<b>2019-03 - APPROVED</b>				
<b>CHRIS FORD</b>	P	Y	Y				
<b>JUSTIN LURK</b>	P	Y	Y				
<b>BRIAN MCARTHUR</b>	P	Y	Y				
<b>ALAN BESS</b>	P	Y	Y				
<b>JOHN TUCKER</b>	P	Y	Y				
<b>FRANK KUTILEK</b>	EXCUSED						
<b>JEFF CAMPBELL</b>	P	Y	Y				
<b>DEL WILLIAMS</b>	P	Y	Y				
<b>ANDREW SUTTON</b>	P	Y	Y				
<b>DAVID BOOKLESS</b>	P	<b>NO VOTE</b>					
<b>SARAH TURNER</b>	P	<b>NO VOTE</b>					
<b>CHRISTIE HULL-BETTALE</b>	P	<b>NO VOTE</b>					
<b>CITY ATTORNEY ROBERT SWEENEY</b>	P	<b>NO VOTE</b>					