

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.

**2017-01: CONDITIONAL USE PERMIT FOR S&J SNO-BALL CUSTARD SHOP, 776 JEFFCO BLVD.:** Mr. Sutton read the staff report.

There being no questions or comments, the public hearing adjourned at 7:04 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Andrew Sutton at 7:04 p.m. The Pledge of Allegiance was recited by those in attendance.

**ROLL CALL OF COMMISSIONERS:** Del Williams, John Tucker, Anthony Sofia, Brian McArthur, Alan Bess, Ted Brandt, Frank Kutilek, Jeff Campbell, Andrew Sutton, Mary Holden, Christie Hull-Bettale (excused), Derrick Redhead and Bob Sweeney. 9 voting members present).

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

**APPROVAL OF MINUTES:** Motion by Anthony Sofia to approve the minutes from the January 10, 2017 meeting as presented. Second by Del Williams. Voice Vote – *Unanimously Approved.*

**ELECTION OF OFFICERS:** Nomination for Secretary: Frank Kutilek nominated Jeff Campbell. Jeff Campbell did not accept and nominated Ted Brandt. Ted Brandt did not accept. Del Williams nominated John Tucker. John Tucker did not accept.

Brian McArthur asked if the secretary could be a shared position.

Bob Sweeney stated he has never heard of the secretary being a rotating position. By state statute the Planning Commission is obligated to have a designated secretary.

Frank Kutilek asked if anyone wanted to volunteer for the position. Alan Bess stated he would volunteer.

Del Williams nominated Alan Bess.

Andrew Sutton moved to close the nominations and elect Alan Bess by acclamation - *Unanimously Approved.*

**QUESTIONS FROM THE FLOOR:** None

**8. 2017-01: CONDITIONAL USE PERMIT FOR S&J SNO-BALL CUSTARD SHOP, 776 JEFFCO BLVD.:** Joe Sorg, owner of S&J Sno-Ball Custard noted that he just received approval from Walgreens for their location.

Motion by Ted Brandt to approve 2017-01, conditional use permit for S&J Sno-Ball Custard Shop at 776 Jeffco Blvd. with the findings and 11 conditions:

1. Building permits required for the placement of the stand, electric, etc.
2. Jefferson County Health Department permit required.
3. All structures, tables, trash containers, etc. must be located at least fifty feet from the front property line.
4. The tables, trash containers, etc. may not create an obstruction for vehicle traffic.
5. A written agreement is provided to the City regarding the use of restrooms for the employees of the snow cone stand.
6. The conditional use permit is good for two years and will expire on the last day of October 2018.
7. The area is kept clean of trash and debris that may result from the snow cone stand.
8. The hours of operation are from 1:00 p.m. to 10:00 p.m.
9. The trailer is removed on or before October 1, 2017 and 2018.
10. The operation may open March 1 of each year of the conditional use permit.
11. All necessary permits are issued in conjunction with opening the snow cone stand.

Second by Del Williams. Roll call vote: Del Williams, yes; John Tucker, yes; Anthony Sofia, yes; Brian McArthur, yes; Alan Bess, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes. 8 yeas, 0 nays – ***Motion Approved.***

**9. 2014-37: EXTENSION REQUEST, C-4 PLANNED COMMERCIAL FOR FIVE STAR AUTO BODY, WEST OUTER ROAD:** Eric Hummel, owner of Five Star Automotive, apologized for the delay in starting his project. He explained he had a few setbacks and noted that he needed to enlarge the building but he is on tract now.

Andrew Sutton questioned if they should table this extension if he is changing the footprint and scope of the project.

Mary Holden stated that there are no changes at this time. If there are changes before construction starts he may need to re-apply.

Motion by Del Williams to approve 2014-37, extension request to the C-4 Planned Commercial for Five Star Auto Body, West Outer Road. Second by Brian McArthur. Roll call vote: Del Williams, yes; John Tucker, yes; Anthony Sofia, yes; Brian McArthur, yes; Alan Bess, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes. 8 yeas, 0 nays – ***Motion Approved.***

## **10. STAFF REPORT**

- a. **PRD – MINIMUM SQUARE FOOTAGE:** Mary Holden cautioned the Commissioners that to impose a minimum lot size, handcuffs and disturbs the creativity and the flexibility which is the cornerstone of a PRD.
- b. **TRAFFIC STUDIES – PLANNING COMMISSION RESOLUTION:** Mary Holden explained the intent of the proposed resolution. It will be the Planning Commission that makes the decision when a traffic study should be done; the Planning Commission will pick the Traffic Engineer; the City will pay the bill but we will be reimbursed by the developer.

Alex Scharf with the HBA, offered to meet and discuss concerns and see if there might be alternative solutions to the City hiring on specific engineer. One possible solution would be to create a list of city approved traffic engineers from which developers could choose when performing a traffic study. The HBA believes this option would result in a more independent process for both the City and the developers.

The Planning Commission advised staff to work with the HBA in creating a list before they take action.

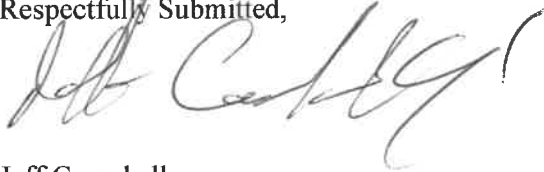
- c. **INDUSTRIAL ZONE DISTRICT CODE CHANGE REGARDING PARKING:** Mary Holden commented that besides the proposed change for parking, there is no regulation with reference to dumpsters. Commissioners should consider adding the same enclosure requirement as the Commercial district or require a dumpster enclosure only if it is placed at a location within vision of street view or adjacent to residential.
- d. **COUNCIL CONSIDERING REGULATIONS FOR BACKYARD CHICKENS:** Mary Holden gave an update on what is being proposed.

Andrew Sutton voiced his objection to the backyard chickens.

**11. OLD BUSINESS/COMMISSIONERS REPORT:** None

**12. ADJOURNMENT:** Meeting adjourned at 7:54 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeff Campbell", written over a horizontal line.

Jeff Campbell  
Acting Planning Commission Secretary

**PLANNING COMMISSION  
ROLL CALL SHEET**

<b>Date:</b>	3/14/2017						
<b>CALLED TO ORDER:</b>	7:00 P.M.						
<b>ADJOURNMENT:</b>	7:54 P.M.						
		<b>ROLL CALL</b>	<b>2017-01 - APPROVED</b>	<b>2014-37 - EXTENSION APPROVED</b>			
<b>DEL WILLIAMS</b>	P	Y	Y				
<b>JOHN TUCKER</b>	P	Y	Y				
<b>ANTHONY SOFIA</b>	P	Y	Y				
<b>BRIAN MCARTHUR</b>	P	Y	Y				
<b>ALAN BESS</b>	P	Y	Y				
<b>TED BRANDT</b>	P	Y	Y				
<b>FRANK KUTILEK</b>	P	Y	Y				
<b>JEFF CAMPBELL</b>	P	Y	Y				
<b>ANDREW SUTTON</b>	P	Y	Y				
<b>MARY HOLDEN</b>	P	<b>NO VOTE</b>					
<b>CHRISTIE HULL-BETTALE</b>	EXCUSED	<b>NO VOTE</b>					
<b>DERRICK REDHEAD</b>	P	<b>NO VOTE</b>					
<b>ATTORNEY ROBERT SWEENEY</b>	P	<b>NO VOTE</b>					