

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

MARCH 10, 2015 / 7:00 P.M.

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## 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.

**2014-37: C-4 PLANNED COMMERCIAL FOR THE PROPERTY KNOWN AS HUMMEL PROPERTIES (FORMERLY KNOWN AS EVERGREEN MOBILE HOME PARK):** Mr. Sutton read the staff report.

Albert Yeager, 2025 Bender Ln., concerned if there will be some separation (trees or fence) between their street and this development for privacy and to discourage trespassing. Also concerned about lighting.

**2015-03: CONDITIONAL USE PERMIT FOR A SNOW CONE STAND AT TENBROOK PLAZA, 754 JEFFCO BLVD. (TENBROOK & JEFFCO BLVD.):** Mr. Sutton read the staff report.

No public comment.

**2015-05: C-4 ZONING AMENDMENT FOR 2151, 2157, 2163, 2171 AND 2185 RIDGE DRIVE:** Mr. Sutton read the staff report.

No public comment.

There being no further questions or comments, the public hearing adjourned at 7:20 p.m.

### REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Chairman Andrew Sutton at 7:20 p.m. The Pledge of Allegiance was recited by those in attendance.

**ROLL CALL OF COMMISSIONERS:** Del Williams, John Tucker, Randy Hoselton (excused), Brian McArthur, Ralph Sippel, Ted Brandt, Frank Kutilek, Jeff Campbell, Andrew Sutton, Todd Teuscher, Mary Holden, Christie Hull-Bettale, Derrick Redhead and Bob Sweeney. 9 voting members present, 1 excused.

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

**APPROVAL OF MINUTES:** Motion by Jeff Campbell to approve the minutes from the February 24, 2015 meeting as amended. Second by Frank Kutilek. Voice Vote – *Unanimously Approved.*

**QUESTIONS FROM THE FLOOR:** Universal Design Presentation by Bill Knittig with the Aging and Disabilities Board.

**7a. 2014-37: C-4 PLANNED COMMERCIAL FOR THE PROPERTY KNOWN AS HUMMEL PROPERTIES (FORMERLY KNOWN AS EVERGREEN MOBILE HOME PARK:** Floyd Norrick, Thurman Law Firm representing Eric Hummel and Five Star Auto Body. Mr. Norrick gave a brief presentation and background on the site. Mr. Norrick explained that this parcel is already surrounded by commercial. He continued with comments refuting staff findings for denial. Parcels nearby have changed to C-4 or have rezoned in the last eight years. Mr. Norrick believes this site is an island left by “broad brush zoning”.

Dan Govero, Govero Land Services, presented the site development plans addressing staff’s issues and concerns.

Greg Garner addressed the architecture and design of this project.

Jeff Campbell asked if there had been any discussion of masonry wainscoting in repair bays. Mr. Garner stated they will be using an insulated protective liner.

Eric Hummel, 1320 West Watson, Sunset Hills, introduced his development explaining why this state of the art facility will be good for the community.

Brian McArthur appreciates the tree survey and the information it provides. Very thorough.

Jeff Campbell feels that because of the way this site is laid out, the sight screening will be more effective because the building is elevated. He also appreciates bringing this type of services to this area; believes that C-4 is the best use.

Todd Teuscher likes the look of the building; big improvement to the area; landscape plan meets all the requirements but recommended using something that is native like a Red Cedar for the buffer. Suggested getting a professional design for the landscape.

Frank Kutilek feels this is a major improvement from the trailer park.

Motion by Frank Kutilek to approve 2014-37, C-4 Planned Commercial for the property known as Hummel Properties (formerly known as Evergreen Mobile Home Park) with the findings and five (5) conditions:

1. Michael Garrett, ISA Certified Arborist, recommendation of minor grading, root pruning and nutrition plan to the cluster of trees identified as 188, 189, 190, 191, 192, 193 and 195 must be followed.
2. Any trees indicated to be saved that die within two years from completion must be replaced with caliper for caliper.

3. No bare bulbs, exposed wall packs, etc. are allowed. All lighting must be shielded and down cast to prevent light trespass.
4. A contribution to the sidewalk fund will be required at the time of any permits being applied for.
5. We will need proof of all easement vacations prior to the issuance of any permits.

Second by Ted Brandt. Roll call vote: Del Williams, yes; John Tucker, 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.**

**7b. 2015-05: C-4 ZONING AMENDMENT FOR 2151, 2157, 2163, 2171 AND 2185 RIDGE DR:** Motion by Jeff Campbell to approve 2015-05, C-4 Zoning Amendment for 2151, 2157, 2163, 2171 and 2185 Ridge Dr. with the findings. Second by Del Williams. Roll call vote: Del Williams, yes; John Tucker, 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.**

**8a. 2015-03: CONDITIONAL USE PERMIT FOR A SNOW CONE STAND AT TENBROOK PLAZA, TENBROOK AND JEFFCO BLVD.:** Frank Kutilek questioned what they do for restrooms. Mary stated by agreement, they will use Walgreens.

Motion by Frank Kutilek to approve 2015-03, Conditional Use Permit for a Snow Cone Stand at Tenbrook Plaza, Tenbrook and Jeffco Blvd. with the findings and six (6) conditions:

1. The conditional use permit is good for two years and will expire on October 3, 2016.
2. The area is kept clean of trash and debris that may result from the snow cone stand.
3. The hours of operation are from 12:00 p.m. to 10:00 p.m.
4. The trailer is removed on or before October 3, 2015 and 2016.
5. The operation may open March 1 of each year of the conditional use permit.
6. All necessary permits are issued in conjunction with opening the snow cone stand.

**Second by Jeff Campbell.** Roll call vote: Del Williams, yes; John Tucker, 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.**

**9a. 2015-04: COMMERCIAL SITE PLAN, REGIONS BANK, 180 RICHARDSON CROSSING (OFF RICHARDSON ROAD):** Jack Marshall, BDG Architects, 2100 1<sup>st</sup> Avenue North, Birmingham, AL, presented the architecture façade and materials.

Todd Teuscher believes there was an easement for a sidewalk on this parcel and feels one should be installed from the Richardson Road right-of-way into the property. Todd feels the landscape plan is very thorough but recommends their landscape architect revisit some of the plant material and their zones since they seem to be southern plants such as the Crepe Myrtle.

Motion by Jeff Campbell to approve 2015-04, Commercial Site Plan, Regions Bank, 180 Richardson Crossing (of Richardson Road), with the four (4) conditions:

1. Provide detail on the exterior light fixtures.
2. Address the light trespass.
3. Please clarify how refuse will be addressed.
4. If it is determined a sidewalk is required along the property one must be installed.

**Second by Brian McArthur.** Roll call vote: Del Williams, yes; John Tucker, 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:** Bob Sweeney commented that some revisions to the landscape ordinance are needed especially related to native plants and buffer planting.

Mary Holden agrees with Mr. Sweeney and will bring suggestions forward for review.

Christie Hull-Bettale reported that she contacted the owner of Chic fil a regarding the stakes and guys around their trees and he will take care of them.

**OLD BUSINESS:** None

**COMMISSIONERS REPORT:** John Tucker asked if we will change the codes.

Mary Holden stated not at this time. We use the International Building Codes; we could adopt the Universal Design Code but not make them mandatory.

Frank Kutilek commented that they need to adjust the light at Church Rd. and Jeffco while they are working on Michigan Ave.

**ADJOURNMENT:** Meeting adjourned at 8:34 p.m.

Respectfully Submitted,



Todd Teuscher  
Planning Commission Secretary



**PLANNING COMMISSION  
ROLL CALL SHEET**

DATE: 3/10/2015								
CALLED TO ORDER: 7:00 P.M.								
ADJOURNMENT: 8:34 P.M.								
	<b>ROLL CALL</b>	<b>2014-37 - APPROVED</b>	<b>2015-05 - APPROVED</b>	<b>2015-03 - APPROVED</b>	<b>2015-04 - APPROVED</b>			
DEL WILLIAMS	P	Y	Y	Y	Y			
JOHN TUCKER	P	Y	Y	Y	Y			
RANDY HOSELTON	EXCUSED							
BRIAN MCARTHUR	P	Y	Y	Y	Y			
RALPH SIPPEL	P	Y	Y	Y	Y			
TED BRANDT	P	Y	Y	Y	Y			
FRANK KUTILEK	P	Y	Y	Y	Y			
JEFF CAMPBELL	P	Y	Y	Y	Y			
ANDREW SUTTON	P	Y	Y	Y	Y			
TODD TEUSCHER	P	Y	Y	Y	Y			
MARY HOLDEN	P	NO VOTE						
CHRISTIE HULL-BETTALE	P	NO VOTE						
DERRICK REDHEAD	P	NO VOTE						
CITY ATTORNEY ROBERT SWEENEY	P	NO VOTE						