

AGENDA

PUBLIC HEARING

1. Call to Order
2. 2012-06, Rezoning, C-2 and FP to M-3 Planned Industrial, at Northwest corner of Telegraph and Arnold Tenbrook Roads
3. 2012-08.a., Expansion of Conditional Use Permit, Apex Auto, 1403 Jeffco Blvd.
4. 2010-08, Extension of approved Conditional Use Permit, Oasis Church, 1595 Archer, for use of modular building.
5. 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. Regular Meeting April 10, 2012 (No meeting April 24, 2012)
6. Questions from the floor
7. Zoning/Rezoning
 - a. 2012-06, Rezoning, C-2 and FP to M-3 Planned Industrial, at Northwest corner of Telegraph and Arnold Tenbrook Roads
8. Conditional Use Permit
 - a. 2012-08.a., Expansion of Conditional Use Permit, Apex Auto, 1403 Jeffco Blvd.
 - b. 2010-08, Extension of approved Conditional Use Permit, Oasis Church, 1595 Archer, for use of modular building.
9. Staff Report
10. Old Business
11. Commissioners Report
12. Adjournment

MINUTES**PUBLIC HEARING**

The public hearing was called to order by Chairman Brian McArthur at 7:00 p.m. Mr. McArthur informed those in attendance as to the procedures by which the public hearing would be conducted.

2012-06: REZONING C-2 AND FP TO M-3 PLANNED INDUSTRIAL, AT NORTHWEST CORNER OF TELEGRAPH AND ARNOLD TENBROOK ROADS: Brian McArthur read the staff report.

Dan Govero, Govero Land Services, explained this plan is for zoning purposes only. He explained that they followed the M-3 Industrial regulations. This is a first in the City. Good use because the changes in the area. Industrial road went in; Telegraph Road has been redone; bridge has been updated; already truck traffic in the area. Sewer and water is already on the site, entrances are already there, parking is adequate. They will meet the storm water requirements as well as the landscaping.

Dan Houser, 3148 Arnold Tenbrook, has no objection, but questioned if the fireworks stand will still be there. Mary stated that it would because that is a separate lot.

Ferd Lang, 1163 Telegraph, concerned of the possible noise pollution. Will refrigeration units be running all night? Concerned with the amount of entrances/exits and the jake breaking the trucks do.

Ron Drake, 1157 Telegraph, questioned if there will be lights on 24/7 and questioned the type of fencing and how high it will be.

2012-08a: EXPANSION OF CONDITIONAL USE PERMIT, APEX AUTO, 1403 JEFFCO BLVD.: Brian McArthur read the staff report.

No comments from the floor.

2012-08: EXTENSION OF APPROVED CONDITIONAL USE PERMIT, OASIS CHURCH, 1595 ARCHER, FOR USE OF MODULAR BUILDING: Brian McArthur read the staff report.

Meg Mitchell, 1561 Archer, asked if they were doing one or two modular buildings; also asked that a public hearing sign be placed at the entrance to their subdivision; also asked the Pastor to remind his congregation to slow down on their dead end street.

There being no further questions or comments, the public hearing adjourned at 7:30 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Chairman Brian McArthur at 7:30 p.m. The Pledge of Allegiance was recited by those in attendance.

ROLL CALL OF COMMISSIONERS: Del Williams, Michelle Hohmeier, Cricket Whaley (excused), Brian McArthur, Roy Wilde, Ted Brandt, Frank Kutilek (excused), Jeff Campbell, Todd Teuscher, Mary Holden, Bob Sweeney, Christie Hull-Bettale (excused), Dan Bish (excused). 8 voting members present, 2 excused.

REVIEW AND APPROVAL OF AGENDA: Motion by Ted Brandt 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 April 10, 2012 meeting as amended. Second by Andrew Sutton. Voice Vote – *Unanimously Approved.*

QUESTIONS FROM THE FLOOR: Dan Kroupa, 2092 Kroupa Dr., referred to the Two Men and A Spa's application and commented that there are three sides of the property that abut residential. He feels it is important that the noise and lights not become a problem now or in the future.

7a. 2012-06: REZONING C-2 AND FP TO M-3 PLANNED INDUSTRIAL AT NORTHWEST CORNER OF TELEGRAPH AND ARNOLD TENBROOK ROADS: Mary Holden responded to some of the concerns. Not trying to be obstructionists, we think this is a great idea. If our concerns are addressed, this will be done right. As far as the noise, we would like something added to that zoning code (this is an M-3 planned industrial); we can put in restrictions such as tractor trailers can only come in and out during a certain time; refrigerated units can only be run during a certain time, etc. We do see grading along Lakeland Court where there is existing vegetation – it's deciduous and we need conifers. The concept is great; there are just a lot of clarification issues.

Brian McArthur asked Bob Sweeney if this business leaves what happens to the zoning. Mr. Sweeney stated that the zoning stays with the property that is why it is very important to put in this M-3 Planned Industrial Ordinance every stipulation you want.

Dan Govero stated that most of the concerns with regard to the repairs will be illuminated.

Andrew Sutton asked if we approve the application as is removing the truck wash and mini storage, what would stop them from doing them in the future. Bob Sweeney stated it would require another rezoning. Mr. Sutton feels this application is very unfocused.

Jeff Campbell would like to see the hours of operation restricted; refrigeration units not allowed; repairs restricted to Two Men and a Spa only; storm water to follow EPA regulations; better screening; enhance existing tree line back by Lakeland Court.

Ted Brandt questioned how they will control leaks and spills over the years from soaking through the pavement into the ground.

Todd Teuscher commented that this is the backdoor entrance to our city, surrounded by residential; must be respectful of the residents; do not want to bring their property values down; need to improve the view with additional landscaping.

Dennis Wooldridge, owner of Two Men and A Spa stated that the truck parking is already in Arnold we are just giving them a new location.

Brian McArthur commented that he was not aware that they would be parking trucks on this site. He thought the area was for Two Men and A Spa parking. He is in favor of Two Men and A Spa locating on this site but is opposed to moving the current truck storage which is currently tucked away unseen and moving it up to the front of our city.

Dave Wooldridge explained how they got into the truck storage business. He also addressed a few of the concerns.

More discussion on filling in the pond; repair facility; noise; site lines; landscape.

Motion by Ted Brandt to "table" 2012-06, rezoning the Northwest corner of Telegraph and Arnold Tenbrook Roads from C-2 and FP to M-3 Planned Industrial. Second by Andrew Sutton.

Del Williams commented that before we table this, these people have gone through a considerable amount of money and effort to get to this point. He would like to pole the Commissioners to see if they are even in favor of this project moving forward before they spend more money.

Ted Brandt withdrew his motion. Andrew Sutton withdrew his second.

Poll to see if Commissioners are in favor of this project moving forward: Del Williams, yes; Michelle Hohmeier, yes; Brian McArthur, no; Roy Wilde, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, no; Todd Teuscher, no. 5 yeas, 3 nays

Motion by Ted Brandt to "table" 2012-06, rezoning the Northwest corner of Telegraph and Arnold Tenbrook Roads from C-2 and FP to M-3 Planned Industrial. Second by Andrew Sutton. Roll call vote: Del Williams, yes; Michelle Hohmeier, yes; Brian McArthur, no; Roy Wilde, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 7 yeas, 1 nay – **Tabled.**

8a. 2012-08a: EXPANSION OF CONDITIONAL USE PERMIT, APEX AUTO, 1403 JEFFCO BLVD.: Todd Teuscher asked if there were any plans for the other building and the metal building. Tom Yarbrough stated they hope to eventually purchase the building. They will update the building they are proposing to move into. They want to match all three building exteriors. Todd asked if they will be expanding to the back of the lot. Mr. Yarbrough stated they would not. There is no intent or capability to do any repairs. The most they would do in back would be to wash the cars out of view. Todd asked about the parking area. Mr. Yarbrough stated they will be doing some resurfacing and some landscaping.

Motion by Ted Brandt to approve 2012-08a, expansion of conditional use permit, Apex Auto at 1403 Jeffco Blvd. with the three (3) conditions:

1. Provide a landscape plan for review and approval by Planning Commission.
2. Additional spaces must be provided per out code if needed.
3. Gravel areas designated for parking must be paved.

Second by Jeff Campbell. Roll call vote: Del Williams, yes; Michelle Hohmeier, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 8 yeas, 0 nays – *Approved.*

8b. 2010-08: EXTENSION OF APPROVED CONDITIONAL USE PERMIT, OASIS CHURCH, 1595 ARCHER, FOR USE OF MODULAR BUILDING.: Jeff Campbell added a condition: One additional deciduous large canopy tree will be planted to replace the other tree that died in the original planting in a location that would provide a more park-like setting; on the front east side so as to not obstruct the movement of the trailers and will also not impede the ability to add on in the future.

Motion by Jeff Campbell to approve 2010-08, extension of approved conditional use permit, Oasis Church, 1595 for the use of modular buildings with the four (4) conditions:

1. The approval for the two modular buildings will expire on May 31, 2014 at which time they must be removed from the property and the ground restored with vegetation.
2. The classroom modular is not allowed for primary/secondary education class offered Monday thru Friday.
3. In addition to the four, ten-foot white pines, add five large canopy deciduous trees and eight shrubs to be grouped together with a minimum of two groupings.
4. One additional deciduous large canopy tree will be planted to replace the other tree that died in the original planting in a location that would provide a more park-like setting; on the front east side so as to not obstruct the movement of the trailers and will also not impede the ability to add on in the future.

Second by Ted Brandt. Roll call vote: Del Williams, yes; Michelle Hohmeier, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 8 yeas, 0 nays – *Approved.*

STAFF REPORT: Mary Holden reported that CVS executed the contract on Friday and they are in the process of performing due diligence. We should see plans in June. They have received final approval from MoDot for the brake and access and the purchase of the right-of-way.

Foxwood Estates: submitted to City Council for an extension of their existing approved preliminary plat that expires on May 21, 2012. Mary let them know if the Council exercises the option to send it back to Planning Commission then it is expired and they will have to re-submit.

Mary also reported that Hot Shots will be going in the old Tilted Kilt space. They will be taking 3 parking spaces out front in order to make an outdoor patio. Staff has done an analysis and they do meet the parking requirements.

OLD BUSINESS: Roy Wilde commented that Checkered Motors site is a mess.

Ted Brandt asked about Hale Motors. Mary stated Blackwell Motors will be leasing that lot.

COMMISSIONERS REPORT: Andrew Sutton thanked Mary on the Water Color fence and the Check n' Go signs.

Jeff Campbell commented that some of the property owners within 185' of Oasis Church did not get hearing notices. Would like to see the requirement expanded a little.

Roy Wilde reported an incident regarding a black extended cab truck trying to sell black top.

ADJOURNMENT: Meeting adjourned at 8:55 p.m.

Respectfully Submitted,



Roy Wilde
Planning Commission Secretary

**PLANNING COMMISSION
ROLL CALL SHEET**

DATE: 5/8/2012								
CALLED TO ORDER: 7:00 PM								
ADJOURNMENT: 8:55 PM								
	ROLL CALL	2012-06 - POLL	2012-06 - APPROVED	2012-08a - APPROVED	2010-08 - APPROVED			
DEL WILLIAMS	P	Y	Y	Y	Y			
MICHELLE HOHMEIER	P	Y	Y	Y	Y			
CRICKET WHALEY	EXCUSED							
BRIAN MCARTHUR	P	N	N	Y	Y			
ROY WILDE	P	Y	Y	Y	Y			
TED BRANDT	P	Y	Y	Y	Y			
FRANK KUTILEK	EXCUSED							
JEFF CAMPBELL	P	Y	Y	Y	Y			
ANDREW SUTTON	P	N	Y	Y	Y			
TODD TEUSCHER	P	N	Y	Y	Y			
MARY HOLDEN	P	NO VOTE						
CHRISTIE HULL-BETTALE	EXCUSED	NO VOTE						
DAN BISH	EXCUSED	NO VOTE						
CITY ATTORNEY BOB SWEENEY	P							