

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

NOVEMBER 11, 2014 / 7:00 P.M.

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.

2014-28: CONDITIONAL USE PERMIT, USED CAR LOT AT JEFFCO AND CHURCH RD: Mr. Sutton read the staff report.

Paul Freese, Ward 3 Councilman, does not feel this is a proper use of this land next to the proposed future Veterans Memorial.

John Cook with Auto Plex, commented that they have a million dollar inventory; they are a good community supporter and partner. They invest in the community where they locate.

2014-29: CONDITIONAL USE PERMIT FOR TEMPORARY BUILDING AT 2869 HAAG ROAD: Mr. Sutton read the staff report.

Mark Holter, 2855 Haag Road, questioned how much traffic this will create.

Mary Holden commented that there will be no change. This is a temporary building on the truck lot to house computer equipment.

2014-31: CONDITIONAL USE PERMIT FOR A CAR WASH AT 1384 JEFFCO BLVD. (NE CORNER OF JEFFCO AND ARNOLD TENBROOK RD.): Mr. Sutton read the staff report.

Paul Wamser, 2444 Arnold Tenbrook, house is right behind this proposed car wash. Voiced his concern about the noise, the additional traffic and stated that there is already a water runoff problem. Against this proposal.

There being no further questions or comments, the public hearing adjourned at 7:15 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Chairman Andrew Sutton at 7:15 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, 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 Jeff Campbell to approve the agenda as presented. Second by Randy Hoselton. Voice Vote – *Unanimously Approved.*

APPROVAL OF MINUTES: Motion by Del Williams to approve the minutes from the October 28, 2014 meeting as presented. Second by Jeff Campbell. Voice Vote – *Unanimously Approved.*

QUESTIONS FROM THE FLOOR: None

7a. 2014-32: COMMERCIAL SITE PLAN, BROWNING ARMS COMPANY, 1 BROWING PLACE (OFF ARNOLD TENBROOK RD.) 20,000 S.F. ADDITION: Motion by Jeff Campbell to approve 2014-32, Commercial Site Plan, Browning Arms Company with the revised conditions:

1. The variance to the Tree Preservation ordinance is granted based on the below findings:
 - a) Granting the variance will not be detrimental to the public safety, health, and welfare or injurious to other property or improvements since this location is at the rear of the property and abuts the rear portion of metal Container Corporation.
 - b) The location of the tree replacement is at the rear along the top of the drainage swale. As indicated by Mr. Kincaid, 2.5” caliper will establish more quickly and we believe smaller trees in close proximity to the drainage swale is better suited.
 - c) The smaller caliper replacement trees are near the drainage swale in the area the existing trees were taken out. By locating the replacement trees in this area (near drainage way) they are mitigating the removal. The physical surroundings (drainage swale) and the embankment (topography) are of a particular hardship to use a 6” caliper replacement tree.
2. Replace invasive burning bushes with non-invasive native shrubs.

Second by Ralph Sippel. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, 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. 2014-28: CONDITIONAL USE PERMIT, USED CAR LOT AT JEFFCO AND CHURCH ROAD: Jeff Campbell referred to the past conditional use permit for this car lot and asked that the following conditions be added:

- No on-site storage of tires and/or hazardous materials are permitted.
- No on-site repairs performed on any vehicles.
- No on-site storage of any damaged and/or derelict vehicles.

Del Williams does not think a used car lot is appropriate for that corner lot.

Frank Kutilek agrees that the use does not fit well at that prominent location especially with the Veteran’s Memorial being constructed next to it.

Todd Teuscher commented that this is kind of the new “hub” of Arnold and feels it would be a detriment to any other new development coming in.

Motion by Del Williams to deny 2014-28, conditional use permit for used car sales at 1607 Jeffco Blvd. based on:

- The business as proposed (used car lot) is inconsistent with the planned and established patterns of the area and is inconsistent with the City’s newly revised Comprehensive Plan.
- The business as proposed (used car lot) is detrimental to the area because it is not a favored use and is inconsistent with the Comprehensive Plan.
- The business as proposed (used car lot) will be detrimental to the current and future development in the surrounding area.
- The business as proposed (used car lot) is not deemed essential or desirable to preserve and promote the public health, safety or general welfare of the City of Arnold. There are numerous such uses throughout the City of Arnold.

Second by Randy Hoselton. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Ralph Sippel, yes; Ted Brandt, no; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 1 nay – *Motion to Deny Approved.*

8b. 2014-29: CONDITIONAL USE PERMIT FOR A TEMPORARY BUILDING AT 2869 HAAG ROAD:

Frank Kutilek questioned that this is called a temporary building but it will probably be there longer if not permanently. Mary Holden stated that anytime a temporary building is utilized more than 31 days in 12 consecutive months it requires a conditional use permit. It is considered a permanent/temporary building.

Motion by Jeff Campbell to *approve* 2014-29, conditional use permit for a temporary building at 2869 Haag Road with the findings and one (1) condition:

1. Building permits be applied for if needed.

Second by Frank Kutilek. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, 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.*

8c. 2014-31: CONDITIONAL USE PERMIT FOR A CAR WASH AT 1384 JEFFCO BLVD. (NE

CORNER OF JEFFCO AND ARNOLD TENBROOK RD.): John Tucker questioned if the cars will back up onto Arnold Tenbrook. Mary Holden stated there are ample parking stalls on site and a drive thru lane.

Ted Brandt feels this is a prime location and not good for a car wash.

Ralph Sippel agrees this is not a good location for a car wash.

Todd Teuscher feels the use will have an effect on that intersection and the existing restaurant across the street. He feels if the car wash goes in the restaurant will close down.

Del Williams agrees this is not a good location for a car wash. Traffic at that intersection is already bad and the light is long and causes issues. The Planning Commission's job is to support good planning.

Motion by Ted Brandt to deny 2014-31, conditional use permit for a car wash at 1384 Jeffco Blvd. based on:

- As located, the proposed use (car wash) is inconsistent with good planning practices because it will create a dangerous and detrimental traffic/congestion problem at an already burdened intersection. As such this proposal is inconsistent with the City's Comprehensive Plan.
- As located, the proposed use (car wash) will be detrimental to permitted development in the district due to its negative impact on parking and traffic and quiet enjoyment of residential uses.
- The proposed car wash will have a negative impact on current and future development in the area. It is not compatible with current uses in the area, primarily the residential uses and is inconsistent with the City's Comprehensive Plan.
- The proposed car wash is not deemed essential or desirable to preserve and promote the public health, safety or general welfare of the City of Arnold. There are numerous such uses throughout the City of Arnold.

Second by Ralph Sippel. Roll call vote: Del Williams, yes; John Tucker, yes; Randy Hoselton, yes; Ralph Sippel, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 9 yeas, 0 nays – *Motion to Deny Approved.*

STAFF REPORT: Mary Holden handed out information pertaining to the Ridgecrest and Jeffco site retaining wall sight proof fence. Midcoast Associates states in their letter that based upon the request to provide a sight proof fence by the adjacent residents in lieu of the standard pedestrian picket or open face fence, they recommend the use of black vinyl coated chain link fabric with plastic slats. A solid fence located as close as proposed to the back of the wall adds considerably more wind load to the top of the wall than the recommended chain link with plastic slats.

Frank Kutilek feels the chain link with vinyl slats will still have a wind load and will look bad.

Ralph Sippel stated a solid vinyl fence would be better.

Del Williams agrees that the slats will slide out and will look terrible.

Mary Holden also passed out a copy of two color schemes for the walls of the entire building.

Jeff Campbell and Todd Teuscher think this will be a nice change.

Mary wished everyone a Happy Thanksgiving.

OLD BUSINESS: Randy Hoselton stated that the APA Convention downtown was a blast, informative and looks forward to the next one.

COMMISSIONERS REPORT: Commissioners all welcomed John Tucker to the Board and wished all a Happy Thanksgiving.

Andrew Sutton commented that he feels the Commissioners performed their duty to the city very well this evening.

ADJOURNMENT: Meeting adjourned at 7:58 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Todd Teuscher". The signature is written in a cursive, flowing style.

Todd Teuscher
Planning Commission Secretary

