

AGENDA

PUBLIC HEARING

No public hearing

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. October 8, 2013
6. Questions from the floor
7. Zoning Regulation
 - a. 2012-40, Tree Preservation Ordinance
8. Staff Report
9. Old Business
10. Commissioners Report
11. Adjournment

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

OCTOBER 22, 2013 / 7:00 P.M.

MINUTES

PUBLIC HEARING

No Public Hearing

REGULAR MEETING

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

ROLL CALL OF COMMISSIONERS: Del Williams, Jason Fulbright, Brian McArthur, Ralph Sippel (excused), Ted Brandt, Frank Kutilek, Jeff Campbell, Andrew Sutton, Todd Teuscher, Mary Holden, Christie Hull-Bettale (excused), Dan Bish 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 Andrew Sutton. Voice Vote – *Unanimously Approved.*

APPROVAL OF MINUTES: Motion by Jeff Campbell to approve the minutes from the October 8, 2013 meeting as presented. Second by Andrew Sutton. Voice Vote – *Unanimously Approved.*

QUESTIONS FROM THE FLOOR: None

7a. 2012-40, TREE PRESERVATION: Jason Fulbright commented that there should be a motion to remove this from the table for discussion.

Motion by Andrew Sutton to remove 2012-40 from the table in order to be discussed. Second by Jason Fulbright. Roll call vote: Del Williams, yes; Jason Fulbright, yes; Brian McArthur, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 8 yeas, 0 nays – *Motion Approved.*

Mary Holden provided everyone with the revised copy of the Tree Preservation Ordinance. She explained that the overall intent is to prevent developers from clear cutting the site and not restricting individual property owners that want to cut down some trees. Mary feels something needs to be built into this ordinance to make it easier for a property owner to trim and remove trees for gardens, pools, etc.

Bob Sweeney stated bumping up the acreage may be an option or add to the variances.

Brian McArthur brought this up in past meetings. Intent is to prevent new development from clear cutting sites and to protect storm water system; would like to keep that as the focus of the ordinance.

Andrew Sutton thanked Mary and Bob for further thoughts on the ordinance; recommends exempting 3 acres or less.

Frank Kutilek thought this would only apply to new developments. HBA concerns have been met; would like to vote on it, approve it and revise it later as needed. We have already spent a lot of time refining this ordinance.

Jason Fulbright asked if this ordinance can be tied into a development process.

Mary Holden – no; developers will buy property, clear it and then come in for subdivision approval.

Bob Sweeney commented that clear cutting historically has been a nuisance in Arnold and that should be our focus.

Jeff Campbell would like to re-visit the nuisance tree definition so Native Hickory, Pecan, etc. are not considered undesirable trees.

Frank Kutilek agrees with Mary about extending to 3 acres and agrees with Bob about adding whereas findings where possible to the ordinance.

Motion by Andrew Sutton to approve 2012-40, Tree Preservation Ordinance with the following modifications:

- 3 acres or less is exempt
- Re-work the undesirable definitions to add - except for Black Walnut, Pecan, Black Walnut Certified, extra large Pecan, Persimmon, Mixed Hickory, Wild Plum, Missouri Natives Non Invasive and Sycamore.
- Added "Whereas" - tying **clear cutting** to development and tying **no clear cutting** to individual property owners.

Second by Frank Kutilek.

Jason Fulbright commented that he is not comfortable voting on this until it these revisions are made.

Roll call vote: Del Williams, no; Jason Fulbright, no; Brian McArthur, no; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, no. 4 yeas, 4 nays – ***Motion Defeated.***

Mary to revise and bring back to Commission; prevailing side will need to bring this up at the next meeting.

STAFF REPORT: Mary Holden reported that they are doing some grading on what used to be Mr. Sorrel's property. They have demolished the house and he's bringing in fill to prepare it to sell. They are complying with our codes.

OLD BUSINESS: None

COMMISSIONERS REPORT: Jason Fulbright shared that he went to the APA Conference in Branson. Planning & Zoning codes are changing to form-based codes. Form-based is more general, non specific like our comprehensive plan. City Planners need to focus on the public right-of-way and whole development instead of site specific.

Frank Kutilek asked the status of St. Elizabeth's Adult Day Care on Plaza Way. Mary stated they picked up their grading and building permits this week. Frank also asked the status of Dunkin Doughnuts and Baskin Robbins. Dan Bish stated that we are waiting on contractor signatures.

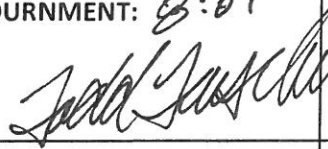
Andrew Sutton intends to hold off sign code revisions until the tree preservation is complete.

ADJOURNMENT: Motion by Andrew Sutton to adjourn the meeting; second by Jeff Campbell.
Meeting adjourned at 8:01 p.m.

Respectfully Submitted,

Todd Teuscher
Planning Commission Secretary

**PLANNING COMMISSION
ROLL CALL SHEET**

DATE: 10-22-13 CALLED TO ORDER: 7:02 ADJOURNMENT: 8:01 	ROLL CALL	REMOVE FROM TABLE 2012-40	2012-40					
DEL WILLIAMS	P	Y	N					
JASON FULBRIGHT	P	Y	N					
BRIAN MCARTHUR	P	Y	N					
RALPH SIPPEL	E							
TED BRANDT	P	Y	Y					
FRANK KUTILEK	P	Y	Y					
JEFF CAMPBELL	P	Y	Y					
ANDREW SUTTON	P	Y	N					
TODD TEUSCHER	P	Y	Y					
MARY HOLDEN	P	8-0 4-4			NO VOTE			
CHRISTIE HULL-BETTALE	E	NO VOTE						
DAN BISH	P	NO VOTE						
CITY ATTORNEY ROBERT SWEENEY	P	NO VOTE						