

MINUTES

**PUBLIC HEARING**

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

Motion by Andrew Sutton to amend the agenda by moving item 7a. to the public hearing. Second by Frank Kutilek. Voice Vote: *Unanimously Approved.*

**2012-23: RICHARDSON RIDGE VILLAS, REZONNING FROM R-4 TO PRD PLANNED RESIDENTIAL DEVELOPMENT, 3905 ST. JOHN'S CHURCH ROAD AND 3505 JEFFCO BLVD. FOR 48 AFFORDABLE SENIOR HOUSING UNITS:** Jeff Campbell read the staff report.

Bernie Wilde, 3533 Swan Circle South, has talked to the officials at St. John's Lutheran Church and explained to them a possible new name for the villas might be St. John's Villas which will identify the location. She also stressed the need for a traffic light to get out of Linderhof.

Eric Sadl 1526 Laverne Dr. asked for a possible easement. Currently his driveway is on the development's property. An easement agreement was signed by the previous property owner.

Bob Sweeney stated this is a private matter that cannot be a condition of this rezoning.

Ronald Schoenlau, 1505 Laverne asked if this ground will be level with the street (Laverne); who will maintain from Laverne all the way through to their property line.

Robert Cole, 3517 St. John's Church Rd., stated that he has contacted MoDot in the past and was told there was not enough traffic to warrant a light. He feels with the added traffic from this development a light is needed for safety.

Rhonda Ford, 3513 St. John's Church Rd., asked how many buildings; 8 stand alone buildings.

Ronald Schoenlau, 1505 Laverne, asked why this needs to be rezoned since it is already residential. Brian McArthur explained that this development is not an allowed use in an R-4 District.

Shawn Baty, 3532 St. Francis Dr., asked where the entrance will be.

David Butler, 1525 Laverne, asked if the back of the units will face Laverne. Would like some kind of buffer to block the view.

**2012-26: ZONING CODE AMENDMENT, DEFINITION OF "TRANSIENT":** Jeff Campbell read the staff report.

There being no further questions or comments, the public hearing adjourned at 7:25 p.m.

## **REGULAR MEETING**

The regular meeting of the Arnold Planning Commission was called to order by Chairman Brian McArthur at 7:25 p.m. Brian asked for a moment of silence to remember those who lost their lives on 911. The Pledge of Allegiance was recited by those in attendance.

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

**REVIEW AND APPROVAL OF AGENDA:** Already Approved.

**APPROVAL OF MINUTES:** Andrew Sutton

Motion by Andrew Sutton to approve the minutes from the August 28, 2012 meeting with the correction of the file number (2012-19) on page three under the motion to deny. Second by Frank Kutilek. Voice Vote – *Unanimously Approved.*

**QUESTIONS FROM THE FLOOR:** Bill Moritz, 3167 Theodore, spoke about signs that are prohibited by ordinance. He referred to signs placed on parked vehicles and would like the Commissioners to consider creating a temporary sign permit for banners on trucks. Bill also encouraged the residents to go look at Watercolor Villas and see how nice they are.

**7a. 2012-23: RICHARDSON RIDGE VILLAS, REZONING FROM R-4 TO PRD PLANNED RESIDENTIAL DEVELOPMENT, 3905 ST. JOHN'S CHURCH ROAD AND 3505 JEFFCO BLVD. FOR 48 AFFORDABLE SENIOR HOUSING UNITS:** Jeff Campbell has concerns of adding new traffic to an already congested area.

Frank Kutilek concerned of possible steep grade and questioned if there would be a retaining wall. Also agrees the entrance off of St. John's Church Road is congested. Asked about sidewalks along St. John's Church Road.

Michelle Hohmeier questioned the levels along Laverne by building #2 asking if it will sit higher.

Patrick Werner, Arapaho Development, addressed the retaining wall and the grades explaining that some of the grades may change a little. They designed the site to make it handicap accessible for the seniors.

Michelle Hohmeier questioned if the entrance could be moved north to come off of Jeffco instead of St. John's Church Road.

Much discussion on grading issues and the potential impacts on Laverne Drive. Also discussed were traffic issues and the findings of the traffic memorandum provided by EFK Moen.

Todd Teuscher likes the project and can't wait to see the landscape plan; gave some planting suggestions. Also suggested they add an irrigation system that could possibly connect to the underground storm water drainage. Todd requested making a sidewalk connection on the west side of the entrance a condition of approval.

Andrew Sutton would like to add a deceleration lane as a condition.

Bob Sweeney expressed his concern that it appears the principal concern of the Commissioners is the traffic. The applicant has presented a traffic study sealed by a traffic engineer. If there is evidence that the study is corrupt or the engineer is corrupt, we need to put it in the record. If we don't like it we better have something that refutes it. We are exceeding our levels of expertise when we make judgments based on science that we don't have the evidence for. The presumptions we are making are not scientifically correct.

Frank Kutilek stated he questions the veracity of the traffic study.

Christie Hull-Bettale addressed some of the findings in the traffic study.

Motion by Ted Brandt to approve 2012-23, Richardson Ridge Villas, Planned Residential Development, 3905 St. John's Church Road and 3505 Jeffco Blvd. with the findings and 11 conditions:

1. The streets will be private in the development and we would like that indicated on the plans.
2. A landscape plan is brought to Planning Commission for their review and approval before building permits are issued.
3. Indicate that the minimum landscape size as 3" diameter for deciduous trees and five-gallon minimum for bushes in the zoning document.
4. Pull new grades at least 15 feet off the property lines or provide detailed plans on addressing those areas that are within 15 feet of adjacent properties and how those grades will be finished.
5. Relocate the two dumpsters away from the front of the units in buildings 2, 5 and 6.
6. A minor subdivision of the two lots into one is required to complete the rezoning.
7. The access easement for 3513 St. John's Church Road remains intact and unobstructed during and after the construction of the units.
8. Provide limits of clearing.
9. The responses provided in an email from Mr. Patrick Werner, dated September 4, 2012 are added as conditions to this approval.
10. A sidewalk is provided along the west side of the driveway.
11. A storm water plan is brought back for Planning Commission review.

Second by Andrew Sutton. Roll call vote: Michelle Hohmeier, yes; Cricket Whaley, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 8 yeas, 0 nays – *Motion Approved.*

**7b. 2012-26: ZONING CODE AMENDMENT, DEFINITION OF “TRANSIENT”:** Ted Brandt questioned if “operator” is the correct terminology. Bob Sweeney suggested using the words “operator/owner/agent”.

Motion by Andrew Sutton to approve 2012-26, recommendation to define “transient” in our zoning codes as amended. Second by Ted Brandt. Roll call vote: Michelle Hohmeier, yes; Cricket Whaley, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 8 yeas, 0 nays – *Motion Approved.*

**STAFF REPORT: 2012-20, PLANNING COMMISSIONERS HANDBOOK:** Motion by Ted Brandt to approve 2012-20, Planning Commissioner’s Handbook. Second by Ted Brandt. Roll call vote: Michelle Hohmeier, yes; Cricket Whaley, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Jeff Campbell, yes; Andrew Sutton, yes; Todd Teuscher, yes. 8 yeas, 0 nays – *Motion Approved.*

Mary Holden commented that Jefferson County 911 Tower will be discussed at the City Council Worksession on Thursday night and since the applicants have appealed the denial it automatically is set for public hearing on October 18.

Mary stated that there are no applications for the next Planning Commission meeting. Poll taken to cancel meeting - all agreed to cancel the meeting on Sept. 25.

Mary reported that the City of Arnold won the award for the Best Comprehensive Plan for the State of Missouri.

Roy Wilde announced that he is resigning from the Planning Commission after 37 plus years. This will be his last meeting. Roy stated it has been an honor and a pleasure to be on the Commission.

**OLD BUSINESS:** Ted Brandt asked the status of the lift at Blackwell Motors. Mary stated they are not using the lift anymore and they have been sited into court. Ted also asked the status of the lot at Church Road and Jeffco. Mary stated the City Council granted them an extension.

Ted Kutilek asked about Spruce Up Landscape – Mary stated he has until Friday at noon. Frank asked once the site is vacated who will inspect to make sure there are no hazardous materials left behind. Bob Sweeney suspects that unless the city gets a complaint, it will not be inspected until another occupant goes in.

**COMMISSIONERS REPORT:** Ted Brandt thanked Roy for all of his years of service.

Todd Teuscher referred to Panda Express stating that they have a one way triangle shaped parking lot and the parking stalls were suppose to be striped angled. The access drive does not seem wide enough to actually turn into a 90 degree parking stall. Mary stated she would have it checked out.

Jeff Campbell also thanked Roy for all his years of service.

**ADJOURNMENT:** Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Roy Wilde". The signature is written in black ink and is positioned above the typed name.

Roy Wilde  
Planning Commission Secretary

**PLANNING COMMISSION  
ROLL CALL SHEET**

DATE: 9/11/2012  CALLED TO ORDER: PH: 7:00 RM: 7:25 ADJOURNMENT:   PH: 7:35 RM: 8:50	<b>ROLL CALL</b>	2012-23 - APPROVED	2012-26 - APPROVED	2012-20 - APPROVED				
DEL WILLIAMS	EXCUSED							
MICHELLE HOHMEIER	P	Y	Y	Y				
CRICKET WHALEY	P	Y	Y	Y				
BRIAN MCARTHUR	EXCUSED							
ROY WILDE	P	Y	Y	Y				
TED BRANDT	P	Y	Y	Y				
FRANK KUTILEK	P	Y	Y	Y				
JEFF CAMPBELL	P	Y	Y	Y				
ANDREW SUTTON	P	Y	Y	Y				
TODD TEUSCHER	P	Y	Y	Y				
MARY HOLDEN	P	NO VOTE						
CHRISTIE HULL-BETTALE	P	NO VOTE						
DAN BISH	P	NO VOTE						
CITY ATTORNEY ROBERT SWEENEY	P							