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**Public Hearing  
Council Chamber**

**September 15, 2022  
7:00 P.M.**

- A. Fixing the Annual Rate of Levy for Taxes
  - B. Appeal of Planning Commission Action
- 

**Zoom Link – Internet Audio/Video:**

<https://us02web.zoom.us/j/84503904398?pwd=bTRPVScxcHdEeFJaN2h3a1RDaXB4QT09>

**Dial-in Number: 312 626 6799**

**Meeting ID: 845 0390 4398**

**Passcode: 553245**

**AGENDA**

1. Pledge of Allegiance and Opening Prayer
2. Roll Call
3. Business from the Floor
4. Consent Agenda
  - A. Regular Council Meeting Minutes from **September 1, 2022**
  - B. Payroll Warrant # **T00295 In the Amount of \$339,943.49**
  - C. General Warrant # **5818 In the Amount of \$171,358.81**
5. Ordinances:
  - A. **Bill #2837** An Ordinance Fixing the Annual Rate of Levy for Taxes
6. Resolutions:
  - A. **Resolution #22-51** A Resolution Approving an Agreement with Midwest Pool Management.

7. Motions:
  - A. Motion to Approve Liquor License Applications.
  - B. A Motion to Authorize the Write Off of Certain Uncollectible Old/Bad Debt, A Copy of which is Attached Hereto and Made Part of This Record.
  - C. A Motion to Approve Conditional Use Permit PC-2022-19 Scrubbles Car Wash
8. Reports from Mayor and Council
9. Administrative Reports
10. Adjournment

Upon request, reasonable accommodations will be provided. Contact Tammi Casey, City Clerk, Arnold City Hall, 2101 Jeffco Boulevard, Arnold, Missouri 63010. Phone: 636-296-2100

Mayor Ron Counts called the meeting to order at 7:00 p.m.

The council meeting was also presented live via Zoom Video Conferencing.

The pledge of allegiance was recited. Councilman Gary Plunk offered the prayer.

### **ROLL CALL**

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Cooley, Hood, Mullins, Fleischmann, Plunk, Fulbright, McArthur, Seidenstricker (via Zoom), Richison, Bookless, Lehmann (via Zoom), Sweeney, Crutchley, Wagner (excused), Kroupa and Chief Carroll.

### **BUSINESS FROM THE FLOOR**

David Venable, 1069 Old Missouri State Road – Stated he lived in Arnold years ago and has moved back to Arnold and will be attending council meetings in the future.

### **CONSENT AGENDA**

- A. REGULAR COUNCIL MEETING MINUTES FROM AUGUST 25, 2022**
- B. PAYROLL WARRANT #T00289 IN THE AMOUNT OF \$331,429.92**
- C. GENERAL WARRANT #5817 IN THE AMOUNT OF \$340,890.95**

**Butch Cooley made a motion and so moved to approve the consent agenda.** Seconded by Mark Hood. Roll call vote: Cooley, yes; Hood, yes; Mullins, yes; Fleischmann, yes; Plunk, yes; Fulbright, yes; McArthur, yes; Seidenstricker, yes; 8 Yeas: **Motion carried.**

### **ORDINANCES**

None

### **RESOLUTIONS**

#### **RESOLUTION NO 22-48– A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TRUE NORTH GEOGRAPHIC TECHNOLOGIES**

**Gary Plunk made a motion and so moved to approve Resolution No 22-48.** Seconded by EJ Fleischmann. Roll call vote: Cooley, yes; Hood, yes; Mullins, yes; Fleischmann, yes; Plunk, yes; Fulbright, yes; McArthur, yes; Seidenstricker, yes; 8 Yeas: **Resolution Passed.**

**RESOLUTION NO 22-49 – A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AMENDMENT #1 TO THE CITYWORKS LICENSE AND MAINTENANCE AGREEMENT**

**Gary Plunk made a motion and so moved to approve Resolution No 22-49.** Seconded by EJ Fleischmann. Roll call vote: Cooley, yes; Hood, yes; Mullins, yes; Fleischmann, yes; Plunk, yes; Fulbright, yes; McArthur, yes; Seidenstricker, yes; 8 Yeas: **Resolution passed.**

**RESOLUTION NO 22-50 – A RESOLUTION EXPRESSING THE CITY OF ARNOLD, MISSOURI'S OPPOSITION TO PR 222045 – A REQUEST FOR A ZONE CHANGE AND DEVELOPMENT PLAN APPROVAL FOR CERTAIN PARCELS OF PROPERTY ADJACENT TO THE CITY OF ARNOLD, LOCATED WHOLLY WITHIN JEFFERSON COUNTY, MISSOURI**

**Jason Fulbright made a motion and so moved to approve Resolution No 22-50.** Seconded by Brian McArthur. Roll call vote: Cooley, yes; Hood, yes; Mullins, yes; Fleischmann, yes; Plunk, yes; Fulbright, yes; McArthur, yes; Seidenstricker, yes; 8 Yeas: **Resolution passed.**

**MOTIONS**

**A. A MOTION TO APPROVE LIQUOR LICENSE APPLICATIONS**

City Clerk Tammi Casey informed the Mayor that the Liquor Committee had nothing to bring forward this evening.

**B. A MOTION TO HOLD A CLOSED SESSION IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING FOR THE PURPOSE OF DISCUSSING LITIGATION AND REAL ESTATE PURSUANT TO RSMo SECTION 610.021 (1) AND (2)**

**Butch Cooley made a motion and so moved to hold a Closed Session immediately following the City Council meeting.** Seconded by Mark Hood. Roll call vote: Cooley, yes; Hood, yes; Mullins, yes; Fleischmann, yes; Plunk, yes; Fulbright, yes; McArthur, yes; Seidenstricker, yes; 8 Yeas: **Motion carried.**

**REPORTS FROM MAYOR, COUNCIL AND COMMITTEES**

Mayor Counts – Informed everyone that the Mayor's Prayer Breakfast will be held on September 17<sup>th</sup> at First Baptist Church. Mayor Counts also welcomed Mr. Venable back to town and recognized Roy Wilde and Bill Moritz, who were in attendance tonight.

3  
Regular Meeting  
September 1, 2022

Brian McArthur – Stated he will be out of town during the September 15th council meeting. Mr. McArthur also thanked Chief Carroll and Judy Wagner for their assistance with the stop light issue on Jeffco Blvd at Rockport School.

**ADMINISTRATIVE REPORTS**

Bryan Richison – Reminded everyone that City Hall will be closed Monday, September 5<sup>th</sup> in observance of Labor Day.

Chief Carroll – Informed council that the police department participated in two events recently, Cop on a Rooftop at Dunkin Donuts and a T-Shirt sale at Schnucks, which raised \$3676.00 for Special Olympics.

Dave Crutchley – Updated council on upcoming events for the Parks & Rec Department including the Apple Festival at the Farmers Market, the annual dog swim at the outdoor pool and a moment of silence on 9/11 at noon at the Rec Center memorial. Mr. Crutchley also reminded council to submit the name of the resident they would like to nominate for the grand marshal of the Arnold Days parade.

Robert Sweeney – Thanked council for voting to pass Resolution No 22-50.

Mayor Counts announced a ten-minute recess before going into Closed Session.

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Closed Session ended at 8:15 p.m.

A motion to adjourn the meeting was made by Jason Fulbright. Seconded by Mark Hood. Voice vote: All Yeas.

Meeting adjourned at 8:21 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-S

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

MEETING: COUNCIL MEETING

DATE: 9/1/2022

PAGE: 1

**BILL NO - RESOLUTION - MOTION**

		ROLL CALL	CONSENT AGENDA	RESOLUTION NO 22-48	RESOLUTION NO 22-49	RESOLUTION NO 22-50	MOTION TO HOLD CLOSED SESSION
<b>COUNCIL MEMBERS:</b>							
<b>MAYOR</b>	<u>RON COUNTS</u>	PRESENT					
<b>COUNCIL:</b>	<u>BUTCH COOLEY</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>MARK HOOD</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>RODNEY MULLINS</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>EJ FLEISCHMANN</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>GARY PLUNK</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>JASON FULBRIGHT</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>BRIAN MCARTHUR</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>TIM SEIDENSTRICKER</u>	VIA ZOOM	YES	YES	YES	YES	YES
<b>CITY ADMINISTRATOR</b>	BRYAN RICHISON	PRESENT	<b>PARKS DIR:</b>	DAVE CRUTCHLEY			PRESENT
<b>CITY CLERK</b>	TAMMI CASEY	PRESENT	<b>PUBLIC WORKS:</b>	JUDY WAGNER			EXCUSED
<b>COM DEV</b>	DAVID BOOKLESS	PRESENT	<b>TREASURER:</b>	DAN KROUPA			PRESENT
<b>FINANCE DIRECTOR</b>	BILL LEHMANN	VIA ZOOM	<b>POLICE DEPT.</b>	CHIEF CARROLL			PRESENT
<b>CITY ATTORNEY</b>	BOB SWEENEY	PRESENT					

The Work Session was available on Zoom for those who were not able to attend in person.

Those in attendance as noted by Deputy Clerk Sharon Ratliff; Mayor Ron Counts, Cooley, Hood, Mullins, Fleischmann (excused), Plunk, Fulbright, McArthur, Seidenstricker, Richison, Bookless, Lehmann, Sweeney, Crutchley, Kroupa (arrived 7:08) and Chief Carroll.

#### **HOME OCCUPATION REGULATIONS**

Bob Sweeney informed council of new state legislation that became effective August 28<sup>th</sup> in regards to home occupations, which has changed radically. We will no longer be able to require a business license and the business will now be allowed to have employees work in the home, provided that the number does not exceed occupancy regulations. These are only two of the many new changes to the legislation. Mr. Sweeney stated he is working with Tammi Casey and Dave Bookless on developing changes to our code and will bring it to council soon for approval.

#### **SHORT TERM RENTALS**

Bob Sweeney stated he has been working with Dave Bookless regarding short term rentals and will soon be asking council to pass legislation regarding the issue. It will propose banning all short-term rentals, with the exception of lodging establishments, i.e.; hotels. Short term rentals can lead to many issues and the City would be better served to be pro-active instead of reactive to the issue. Questions and comments followed by council.

#### **BAD/OLD DEBTS**

Tammi Casey spoke to council regarding bad/old debts for both NID's and weed violations that are deemed uncollectible due to the fact that the property was sold years ago or the previous owners that were responsible for the debt had either filed bankruptcy or the home had gone into foreclosure. A detailed list of the above-mentioned properties was provided to council. After discussion followed by council, Bryan Richison stated he will bring a motion forward at the next council meeting for their approval of writing off the uncollectible debt.

**Tim Seidenstricker made a motion and so moved to adjourn the Work Session. Seconded by Brian McArthur.**

The Work Session adjourned at 7:41 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-S

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

MEETING: WORK SESSION

DATE: 9/8/2022

PAGE: 1

BILL NO - RESOLUTION - MOTION

**COUNCIL MEMBERS:**

		IN ATTENDANCE					
MAYOR	<u>RON COUNTS</u>	PRESENT					
COUNCIL:	<u>BUTCH COOLEY</u>	PRESENT					
COUNCIL:	<u>MARK HOOD</u>	PRESENT					
COUNCIL:	<u>RODNEY MULLINS</u>	PRESENT					
COUNCIL:	<u>EJ FLEISCHMANN</u>	-					
COUNCIL:	<u>GARY PLUNK</u>	PRESENT					
COUNCIL:	<u>JASON FULBRIGHT</u>	PRESENT					
COUNCIL:	<u>BRIAN MCARTHUR</u>	PRESENT					
COUNCIL:	<u>TIM SEIDENSTRICKER</u>	PRESENT					
CITY ADMINISTRATOR	BRYAN RICHISON	PRESENT	PARKS DIR:	DAVE CRUTCHLEY			PRESENT
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:	JUDY WAGNER			VIA ZOOM
COM DEV	DAVID BOOKLESS	PRESENT	TREASURER:	DAN KROUPA			ARRIVED 7:08
FINANCE DIRECTOR	BILL LEHMANN	PRESENT	POLICE DEPT.	CHIEF CARROLL			PRESENT
CITY ATTORNEY	BOB SWEENEY	PRESENT					



BILL NO. 2837

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE FIXING THE ANNUAL RATE OF LEVY FOR TAXES

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. Rate. The tax rate hereby levied for the fiscal year beginning September 1, 2022, and ending August 31, 2023 is Thirty-Six and Thirty Hundredth Cents (\$0.3630) per One Hundred Dollars (\$100.00) assessed valuation.

Section 2. Effective Date. This ordinance shall be in full force and effect upon its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF September 2022.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

1st reading: \_\_\_\_\_

2nd reading: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**City of Arnold**  
**NOTICE OF PUBLIC HEARING**

A hearing will be held at 7:00 p.m., September 15, 2022, at Arnold City Hall at which citizens may be heard on the property tax rates proposed to be set by the City of Arnold. The tax rates shall be set to produce the revenue for the budget for the fiscal year beginning September 1, 2022, shows to be required from the property tax. This tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation.

ASSESSED VALUATION (after Board of Equalization)

Category	Current Tax Year	Prior Tax Year
Real Estate	\$ 330,807,114	\$ 326,430,978
New Construction a	1,998,178	2,723,422
Railroad & Utility b	9,890,750	9,775,916
	\$ 342,696,042	\$ 338,930,316

PROPOSED TAX RATE & REVENUE BUDGETED

	Levy per \$100 Valuation		Amount of Property Tax Revenue	
	FY 2023	FY 2022	FY 2023	FY 2022
	General Fund	36.30 cents	36.30 cents	\$ 1,243,987

Tammi Casey, City Clerk  
City of Arnold



**NICOLE GALLOWAY, CPA**  
**Missouri State Auditor**

**MEMORANDUM**

August 11, 2022

**TO:** 09-050-0001 City of Arnold  
**RE:** Setting of 2022 Property Tax Rates

The following are the tax rate computational forms that have been reviewed. Please follow the steps below to complete the process of setting your 2022 Property Tax Rate(s).

1. **Lines G - BB on the Summary Page should be completed** to show the actual tax rate(s) to levy.
2. **Please sign and date the Summary Page.**
3. Please submit the **finalized tax rate forms ready for certification to the County Clerk of each county** that your political subdivision resides in. The County Clerk must also sign the Summary Page and indicate the proposed tax rate to be entered on the tax books before submitting rate(s) to the State Auditor's Office for final review and certification.

If the attached calculation differs from the questionnaire submitted for review, please review the following line items for the reason(s) for the difference.

- **Form A, Line 2b - New Construction & Improvements - Personal Property**

Section 137.073.4, RSMo, states that the aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property.

- **Form A, Line 5 - Prior Year Assessed Valuation**

If the 2022 questionnaire has a different amount on Form A, Line 5 than was previously submitted, we had to revise the 2021 calculation for this change. The revised 2021 tax rate ceiling is listed on the 2022 Summary Page, Line A. Your primary County Clerk should forward a copy of the revised 2021 calculation; please keep this form for your files.

- **(SCHOOL DISTRICTS ONLY) Form A, Line 14**

We revised the information the school district submitted on Line 14 to the amount computed by the Department of Elementary and Secondary Education (DESE).

If you have any questions about the enclosed forms, please contact the local government section at (573-751-4213.)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/11/2022

Summary Page

(2022)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold 09-050-0001 General Revenue

Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

- A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year) 0.3630
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18) 0.3630
C. Amount of rate increase authorized by voters for current year if same purpose. (Form B, Line 7)
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C) 0.3630
E. Maximum authorized levy the most recent voter approved rate 1.0000
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws Political subdivisions tax rate (Lower of Line D or E) 0.3630
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)
AA. Rate to be levied for debt service, if applicable (Form C, Line 10)
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set. (Form B, Line 7 if a different purpose)

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

Form with fields for Date, Signature, Print Name, and Telephone.

Proposed rate to be entered on tax books by county clerk

based on certification from the political subdivision: Lines J AA BB

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

Form with fields for Date, County Clerk's Signature, County, and Telephone.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/11/2022

Form A

(2022)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold 09-050-0001 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2022) Current year assessed valuation

Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a) 342,696,042 (Real Estate) + (b) 0 (Personal Property) = 342,696,042 (Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor

2(b) - increase in personal property, use the formula listed under Line 2(b)

(a) 1,998,178 (Real Estate) + (b) 0 (Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b)) = 1,998,178 (Total)

3. Assessed value of newly added territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

4. Adjusted current year assessed valuation

(Line 1 total - Line 2 total - Line 3 total)

340,697,864

5. (2021) Prior year assessed valuation

Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a) 338,930,316 (Real Estate) + (b) 0 (Personal Property) = 338,930,316 (Total)

6. Assessed value of newly separated territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

8. Adjusted prior year assessed valuation

(Line 5 total - Line 6 total - Line 7 total)

338,930,316



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/11/2022

Form A

(2022)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold

09-050-0001

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

Table with 2 columns: Description and Value. Rows include: 9. Percentage increase in adjusted valuation (0.5215%), 10. Increase in Consumer Price Index (CPI) (7.0000%), 11. Adjusted prior year assessed valuation (338,930,316), 12. (2021) Tax rate ceiling from prior year (0.3630), 13. Maximum prior year adjusted revenue (1,230,317), 14. Permitted reassessment revenue growth (0.5215%), 15. Additional revenue permitted (6,416), 16. Total revenue permitted in current year (1,236,733), 17. Adjusted current year assessed valuation (340,697,864), 18. Maximum tax rate permitted (0.3630).

\* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/11/2022

Informational Data

(2022)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold

09-050-0001

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

This page shows the information that would have been on the line items for the Summary Page, Form A, and/or Form B had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

- Step 1 The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.
Step 2 Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.

Based on Prior Year Tax Rate Ceiling as if No Voluntary Reductions were Taken

Informational Summary Page

Table with 2 columns: Description (A-F) and Value (0.3667, 0.3667, 0.3667, 1.0000, 0.3667)

Informational Form A

Table with 2 columns: Description (9-18) and Value (0.5215%, 7.0000%, 338,930,316, 0.3667, 1,242,857, 0.5215%, 6,481, 1,249,338, 340,697,864, 0.3667)

Informational Form B

Table with 2 columns: Description (6-7) and Value (blank, blank)

RESOLUTION NO. 22-51

A RESOLUTION APPROVING AN AGREEMENT  
WITH MIDWEST POOL MANAGEMENT.

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BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the attached agreement with Midwest Pool Management is hereby approved.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

Date: \_\_\_\_\_



## **ARNOLD RECREATION COMPLEX: SEPT. 1, 2022 – AUG. 31, 2023**

### **Operational Services for the City of Arnold**

#### **Indoor Pool Hours: Winter**

Midwest Pool Management shall provide for the operation of the Arnold Recreation Center Indoor Pool from September 1<sup>st</sup>, 2022- May 26<sup>th</sup>, 2023 and August 20<sup>th</sup>, 2023 – August 31<sup>st</sup> 2023. The pool shall normally be for all public session swimming times at the following levels. Changes to these staffing levels will be made based upon bather loads:

#### **Monday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
2 Guards	3:30 p.m. -7:00 p.m.
4 Guards	3:45 p.m. – 7:00 p.m.

#### **Tuesday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
2 Guards	3:45 p.m. -7:00 p.m.
2 Guards	6:00 p.m. -7:00 p.m.

#### **Wednesday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
2 Guards	3:30 p.m. -7:00 p.m.
4 Guards	3:45 p.m. – 7:00 p.m.

#### **Thursday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
2 Guards	3:45 p.m. -7:00 p.m.
2 Guards	6:00 p.m. -7:00 p.m.

#### **Friday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	10:00 a.m. – 3:30 p.m.

**Saturday's**

Manager	11:30 a.m.-5:30 p.m.
2 Guards	6:45 a.m.-12:00 p.m.
2 Guards	9:30 a.m.-1:30 p.m.
4 Guards	11:45 a.m.-5:00 p.m.
2 Guards	1:30 p.m.- 5:30 p.m.

**Sunday's**

Manager	11:30 a.m.-5:30 p.m.
2 Guards	8:45 a.m.-12:00 p.m.
4 Guards	11:45 a.m.- 3:30 p.m.

**Indoor Pool Hours: Summer**

Midwest Pool Management shall provide for the operation of the Arnold Recreation Center Indoor Pool from May 27<sup>th</sup>, 2023-August 20<sup>th</sup>, 2023. On inclement weather days when the outdoor pool is closed, the indoor pool will be open for recreational swim.

**Monday's**

Manager	1:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
4 Guards	1:15 p.m.-5:00 p.m.
2 Guards	4:00 p.m. -7:00 p.m.
4 Guards	5:00 p.m. – 7:00 p.m.

**Tuesday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
2 Guards	3:45 p.m. -7:00 p.m.
2 Guards	6:00 p.m. -7:00 p.m.

**Wednesday's**

Manager	1:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
4 Guards	1:15 p.m.-5:00 p.m.
2 Guards	4:00 p.m. -7:00 p.m.
4 Guards	5:00 p.m. – 7:00 p.m.

**Thursday's**

Manager	3:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-4:00 p.m.
2 Guards	3:45 p.m. -7:00 p.m.
2 Guards	6:00 p.m. -7:00 p.m.

Friday's

Manager	1:00 p.m.-8:30 p.m.
2 Guards	5:15 a.m.-12:15 p.m.
2 Guards	12:00 p.m.-3:30 p.m.

Saturday's

Manager	11:30 a.m.-5:30 p.m.
2 Guards	6:45 a.m.-12:00 p.m.
2 Guards	9:30 a.m.-1:30 p.m.
4 Guards	11:45 a.m.-5:00 p.m.
2 Guards	1:30 p.m.- 5:30 p.m.

Sunday's

Manager	11:30 a.m.-5:30 p.m.
2 Guards	8:45 a.m.-12:00 p.m.
4 Guards	11:45 a.m.-3:30 p.m.

There is an additional 175 open pool hours for the indoor aquatic center. The City of Arnold will choose 10 days that the Fox C-6 School District has days off for students in which we will open the pool additional open swim hours from 12:00 p.m.-4:00 p.m.

**Outdoor Pool Hours**

Midwest Pool Management shall provide for the operation of the Arnold Recreation Center Outdoor Pool from May 27<sup>th</sup> 2022 - August 31<sup>st</sup> 2022. The pool shall normal be staffed for all public session swimming times at the following levels. Changes to these staffing levels will be made based upon weather and bather loads:

Monday- Sunday

Manager	9:30 a.m.-7:30 p.m.
Head Guard	9:00 a.m.-7:45 p.m.
12 Guards	10:45 a.m.-7:15 p.m.

The not to exceed salary budget includes 175 additional open pool hours for the outdoor pool.

Note: The last three weeks of the season when colleges and high schools resume classes, the pool will be closed Monday – Friday and be open only on Saturdays, Sundays, and holidays at regular open swim hours. Midwest Pool Management will make every effort to follow the Fox C-6 school district calendar for school schedule purposes, but with colleges, private schools and public school sports schedules typically resuming before the Fox C-6 school district returns, in order to safely staff the pools, the amended schedule noted above will apply.

**During these hours of operation, Midwest Pool Management will provide the following services:**

- Enforce all rules and regulations stipulated by the City and suggest and advise with regard to additional rules and regulations for the operation of the pool.
- Maintain any records as reasonably required by the City.

- Furnish and supply all first-aid supplies, adequate to the size and operation of the Arnold Recreation Center. The First Aid Kit will carry supplies for a minimum of 50 persons and at a minimum include: adhesive bandages, sterile pads, gauze pads, eye pads, tape, dressings, elastic bandage, antiseptic, ammonia inhalants, scissors, tweezers, latex gloves, clean wipes, eye wash, elastic gauze, large bandage patch. First Aid Kit will include a pocket mask with a one-way valve, and a bodily fluid exposure kit. Midwest Pool Management shall provide first responder first aid kits, including rubber gloves and pocket mask with one-way valve, for all on duty personnel. Midwest Pool Management will also provide an emergency oxygen tank.
- Vacuum pools. Each pool will be vacuumed entirely a minimum of one time a week and spot vacuumed on a daily basis to maintain a clean appearance and be free of all debris. Pools will be vacuumed before the public enters the pool.
- Work with the City in handling complaints users may have, reporting all complaints to the Parks and Recreation Director or designated representative.
- Conduct in-service training as per guidelines of Starfish Aquatics or equivalent.
- Conduct in-house safety audits at least once per month.
- Midwest Pool Management will retain a record of all problems brought to their attention. This log can be reviewed by the City at any time. A daily log of communication will be kept in the manager's office for the managers and designated City personnel to review on a daily basis.
- Keep detailed records of any pullouts where a lifeguard enters the water for a rescue, describing the circumstances surrounding the incident and denoting the specific location of the pull out.
- Power wash or hose deck daily.
- Perform safety checklist daily.
- Clean the entire Arnold Recreation Center complex, including: guard and manager office areas, bathhouse, all areas within the fencing, and restrooms in a clean and orderly condition by the proper collection of waste, garbage and all other debris. Cleaning to be completed prior to operational hours.
- Maintain tests and records as required by State of Missouri and City and meet all requirements for such.
- Furnish, store and supply the necessary chemicals for operation of the pools

**Services provided for opening the outdoor facility:**

Midwest Pool Management will provide the following services in preparing the pool for opening day.

Upon notice to proceed from the City, Midwest Pool Management will begin interviewing and hiring staff.

Midwest Pool Management has 20 lifeguard training instructors on staff. Lifeguard training classes begin in January and are offered on a continuing

basis throughout the spring and early summer.

In May, Managers and assistant managers must also attend a manager's training class that focuses on customer service, ADA compliance, hazardous material training, chemical balance and testing, scheduling, accident report documentation requirements, and leadership skills.

In May, all staff including managers will have on-site training that includes site specific lifeguard zone coverage, rules and rule enforcement and site specific Emergency Action Plans.

Managers, Assistant Managers and Head Guards receive information on daily and weekly opening and closing procedures.

In early May, MPM staff will perform the following tasks:

- Power wash all decks
- Clean and stock bathrooms
- Vacuum the pools as often as necessary to have clean
- Clean pool area within 25 feet of pool enclosure
- Bring furniture out of storage, clean and arrange
- Get rescue tubes, fanny packs, first aid kit and other safety equipment prepared
- Establish staff schedule
- Schedule all staff on-site orientation
- Setup and prepare for usage all movable equipment, including tables, chairs, lounges, lifeguard chairs, diving boards, etc.
- Clean, inspect and prepare vacuuming equipment.
- Inspect and prepare all hoses.
- Check and clean all drains, including drain covers.
- Drain and clean pools.
- Fill pools.
- Install ladders and handrails, place and clean furniture.
- Check and test equipment, i.e. chemical feeders, etc. and report status to Owner.
- Test all pumps and motors to the attractions: lazy river, slide, raindrop, bubblers, etc.
- Circulate water through filtration system.
- Furnish, store, and inject necessary chemicals for operation of the pools.
- Backwash filters and inspect for any defects.
- Prepare bathhouse for opening.

### **Swim Lessons**

City of Arnold will manage and staff swim lessons. Midwest Pool Management will provide lifeguards during lesson times as listed on Pages 1 – 3 of this agreement.

**Management Fee**

The management fee includes the furnishing of preseason opening of the outdoor pools, insurance, administrative fees, chemicals, overhead, profit and other incidental costs not covered in the not to exceed salary budget portion. Management fee is a total for indoor and outdoor pool operations.

Sept. 1, 2021-August 31, 2022

\$77,995

**Not To Exceed Salary Budget**

The not to exceed salary budget includes the salaries for managers, assistant managers, head guards and lifeguards required to operate the indoor and outdoor pools as per the hours of operation per the request for proposal from the City of Arnold. With the current state of the aquatics industry, Midwest Pool Management is making every effort to provide a cost-effective operation to our customers. Surrounding communities continue to raise their rates for comparable positions. Should these salaries effect our ability to retain staff at our current salary rates, Midwest Pool Management will present new pricing to the City in order to stay competitive in the market. The City will have 30 days to accept the new pricing or contract will be terminated. City will owe Midwest Pool Management the amount to cover any services rendered at the time of termination.

Sept. 1, 2021-August 31, 2022

\$509,300

**\*This not-to-exceed salary amount is based on the hours and staffing levels from the City of Arnold. Weather and bather loads will be monitored and when conditions warrant, staffing levels may be reduced when safely feasible.**

**At the City's request, MPM can provide staff for additional services outside the scope of this agreement at swimming facilities only. The City will be invoiced at the rates detailed below:**

Manager	\$28.19/hour
Assistant Manager	\$21.13/hour
Head Guard	\$17.57/hour
Lifeguard	\$15.75/hour
Janitorial	\$15.75/hour

IN WITNESS WHEREOF, the parties have made and executed this addendum to the contract dated \_\_\_\_\_ in multiple copies, each of which shall be an original.

CITY OF ARNOLD

MIDWEST POOL MANAGEMENT

\_\_\_\_\_  
By:

\_\_\_\_\_  
By: Crissy Withrow, President

ATTEST:

ATTEST:

\_\_\_\_\_  
By:  
Name, Title

\_\_\_\_\_  
By:  
Name, Title

**UNCOLLECTIBLE DEBTS**

**NIDS**

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>REASON FOR WRITE OFF</u>
STEPHEN & MICHELLE GROPPE NID-1-104	3338 BISCAYNE	\$ 876.49	PROPERTY SOLD IN 2006-NID NOT NEVER COLLECTED
KEVIN & LINDA ROTH NID-1-120	3248 BISCAYNE	\$ 401.02	PROPERTY SOLD IN 2009-NID WAS NOT COLLECTED
MATTHEW & MARION MOSLANDER NID-1-145	3247 BAYSHORE PKWY	\$ 876.49	PROPERTY SOLD PRIOR TO 2002-NID WAS NOT COLLECTED
JAMES & YVONNE FEARS NID-1-162	1257 LOS OLAS	\$ 167.93	PROPERTY SOLD PRIOR TO 2002-NID WAS NOT COLLECTED
MICHAEL & LINDA MILLER NID-1-241	3312 BAYSHORE PKWY	\$ 648.84	PROPERTY SOLD PRIOR TO 2002-NID WAS NOT COLLECTED
CHARLES ODE NID-1-320	1206 TELEGRAPH	\$ 219.12	PROPERTY SOLD PRIOR TO 2002-NID WAS NOT COLLECTED

**WEED VIOLATIONS**

NEW OWNERS	2021 DOHACK	\$ 225.00	BILLED IN 2020-BANKRUPTCY AND FORECLOSURE-HOUSE SOLD ON COURTHOUSE STEPS
NEW OWNERS	695 PEAR TREE LANE	\$ 40.00	BILLED IN 2012-HOUSE SOLD AT SAME TIME WEED INV. WAS SENT
NEW OWNERS	622 IDAHO	\$ 50.00	BILLED IN 2015-BANKRUPTCY AND FORECLOSURE-HOUSE SOLD ON COURTHOUSE STEPS
NEW OWNERS (OLD KATIE'S CUSTARD)	3891 JEFFCO BLVD	\$ 40.00	BILLED IN 2011-PROPERTY SOLD WITHOUT CITY'S KNOWLEDGE
NEW OWNERS	562 MADISON	\$ 40.00	BILLED IN 2014-PROPERTY OWNER DIED-WENT INTO FORECLOSURE
NEW OWNERS	3 PETERSBURG CT	\$ 75.00	BILLED IN 2017-FORECLOSURE-3 DIFFERENT MNGMT CO'S, SOLD ON COURTHOUSE STEPS
NEW OWNERS	2220 RIVER BLUFF DR	\$ 65.00	BILLED IN 2015-FORECLOSURE-TITLE CO. WOULD ONLY PAY FOR 1 INVOICE (2 INVOICES TOTAL)
NEW OWNERS (NEW CONSTRUCTION)	2129 SEVEN TRAILS	\$ 105.00	BILLED IN 2013-VACANT LOT AT THE TIME, PROPERTY SOLD IN 2017 WITHOUT CITY'S KNOWLEDGE
NEW OWNERS	2 VACANT LOTS ON SEVEN TRAILS	\$ 385.00	BILLED IN 2012-CONSORT HOMES WOULD NOT PAY AT TIME OF CLOSING-CLAIMED THEY CUT GRASS
NEW OWNER OF VACANT LOT	VACANT LOT ON TENBROOK	\$ 45.00	BILLED IN 2010-LOT STILL VACANT, BUT SOLD IN 2010 AROUND TIME OF INVOICE
NEW OWNER	VACANT LOT ON PEACH DRIVE	\$ 55.00	BILLED IN 2009-PROPERTY SOLD AROUND TIME OF INVOICE

**TOTAL AMOUNT** \$ 4,314.89





## CITY COUNCIL AGENDA ITEM STAFF REPORT

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<b>MEETING DATE:</b>	September 15, 2022
<b>TITLE:</b>	PC-2022-19 Scrubbles Car Wash (CUP)
<b>DEPARTMENT:</b>	Community Development
<b>PROJECT MANAGER:</b>	Christie Hull-Bettale, Community Development Engineer
<b>ACTION OPTIONS:</b>	Vote to uphold the Planning Commission's denial Vote to overturn the Planning Commission's denial
<b>ATTACHMENTS:</b>	(1) Conditional Use Permit Document (CUP 2022-19); (2) Notice of Appeal of Denial of Conditional Use Permit (SmithAmundsen LLC, August 16, 2022) (3) Draft Planning Commission Minutes (August 9, 2022).

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### **EXECUTIVE SUMMARY:**

Elizabeth H. Lum of Smith Amundsen LLC on behalf of Todd Buckner, owner of Scrubbles Express Wash, requested approval of a Conditional Use Permit (CUP) for a Motor Vehicle-Oriented Establishment in order to operate a drive-through automated car wash located at 839 Jeffco Blvd. The Planning Commission recommended denial of the application; however the applicant filed an *Appeal of Planning Commission Action* pursuant to the Arnold Code of Ordinances.

### **REVIEW & ANALYSIS:**

At its August 9, 2022 meeting, the Planning Commission held a public hearing for the CUP application. Staff presented its report finding the request substantially consistent with Zoning Ordinance requirements for Motor Vehicle Oriented Establishments, more specifically car washes, and the general CUP review criteria also contained in the Zoning Ordinance subject to conditions of approval. No members of the public were present at the advertised public hearing.

The Planning commission expressed concerns about internal circulation and impacts on Jeffco Blvd. Mark Doering of Doering Engineering answered questions about the peak use times of the car wash versus that of the nearby Fox C-6 School District campus, concerns about left turns out of the site, vehicle bypass routes after the point-of-sale kiosks, vehicle height clearances, and turning radii for large vehicles such as fire trucks.

The motion to approve the CUP included two new conditions in addition to those recommended by staff addressing the issues raised by the Commission.

### **RECOMMENDATION:**

On August 9, 2022, the Planning Commission, by a vote 3 to 4 failed to approve a motion with conditions to approve the application; ipso facto recommending its denial. After review, the City Council may by simple majority act to uphold or overturn the denial by the Planning Commission.



## CONDITIONAL USE PERMIT 2022-19

**WHEREAS**, Mark Doering of Doering Engineering, on behalf of Todd Buckner, owner of Scrubbles Express Wash, requested approval of a Conditional Use Permit (CUP) for a Motor Vehicle-Oriented Establishment in order to operate a drive-through automated car wash located at 839 Jeffco Blvd, within the “C-3” Commercial District, as provided in the Arnold Zoning Ordinance; and

**WHEREAS**, on August 9, 2022, the Planning Commission has held a Public Hearing, reviewed the application for CUP and associated site plan, and recommended its denial pursuant to the laws of the City of Arnold; and

**WHEREAS**, on August 16, 2022, Elizabeth H. Lum of Smith Amundsen LLC, on behalf of Todd Buckner, owner of Scrubbles Express, filed an *Appeal of Planning Commission Action* with the City Council pursuant to Section 405.080.A.6.b. of the Arnold Code of Ordinances; and

**WHEREAS**, on September 15, 2022, the City Council held a public hearing, reviewed the Appeal pursuant to criteria contained in Section 405.080.A.6.b. of the Arnold Code of Ordinances, and voted to [uphold] [overturn] the Planning Commission’s denial.

**NOW THEREFORE**, the City Council hereby issues a Conditional Use Permit for a Motor Vehicle Oriented Establishment in order to operate a drive-through automated car wash at 839 Jeffco Blvd. This Conditional Use Permit shall be identified as CUP 2022-19 and shall be developed in general conformance with City of Arnold Ordinances and with the findings and following nine (9) conditions:

1. The hours of operation of the facility shall not exceed 8AM-8PM, 7 days a week.
2. A Tree Buffer Easement and Maintenance Agreement shall be reviewed and approved by staff, and filed by applicant with the Recorder of Deeds.
3. A Sidewalk Easement for public sidewalk shall be reviewed and approved by staff, and filed by applicant with the Recorder of Deeds. If any existing sidewalk is damaged, its replacement by the applicant, as directed by staff, shall be required.
4. The site plan shall be substantially consistent with that presented to the Planning Commission and City Council except as conditioned herein.
5. The building exterior materials and colors shall be consistent with the architectural elevations presented to the Planning Commission and City Council.
6. The ingress/egress curb-cut shall be limited to right-in/right-out geometry channelized with a vertically raised island, subject to review and approval by City Staff and MoDOT.

7. Interior turning radii shall be designed for large vehicles, such as fire trucks and waste haulers, subject to review and approval by City Staff and the Rock Community Fire District.
8. This Conditional Use Permit may be revoked by the City Council if the terms of the permit have been found to have been violated. The procedure for revocation shall require a hearing before the City Council.
9. Revocation of this Conditional Use Permit shall constitute grounds for the revocation of all other City licenses and/or permits associated with this business establishment.
10. Approval for Conditional Use Permit does not supersede other local, state, or federal requirements.

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Presiding Officer of the City Council

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Mayor Ron Counts

**ATTEST:**

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City Clerk: Tammi Casey

Date: \_\_\_\_\_



Elizabeth H. Lum  
(314) 719-3784 Phone  
(314) 719-3785 Fax  
[elum@smithamundsen.com](mailto:elum@smithamundsen.com)

August 16, 2022

RECEIVED

AUG 16 2022

City of Arnold

1:00 pm

**Via Courier**

Tammi Casey, City Clerk  
City of Arnold, Missouri  
2101 Jeffco Boulevard  
Arnold, Missouri 63010

Re: **Notice of Appeal of Denial of Conditional Use Permit**  
Property: 839 Jeffco Boulevard, Arnold, Missouri 63010  
Applicant: Todd T. Buckner  
File No. PZ-2022-19

Dear Ms. Casey:

We represent Todd Buckner, which is the applicant named on the Application for Conditional Use Permit (the "CUP") which is attached hereto as Exhibit A and incorporated herein. This letter shall serve as our formal notice of appeal of the Planning Commission's denial of the requested CUP. Please find below a short summary of the applicable facts, the appropriate standard of review, the relevant portions of the City's code, and the basis for the appeal.

**Summary.**

The applicant seeks to open and operate an automated drive through car wash on the property located at 839 Jeffco Boulevard (the "Property") in the City of Arnold, Missouri (the "City"). The Property is located in a C-3 Commercial Zoning District.

The Property is bounded on the North and East by the campus of Fox Senior High School. The Fox C-6 School District's Transportation Center borders the Property on the West, and the Fox Valley shopping center is East of the Property. The Property has direct access onto Jeffco Boulevard, which is exclusively under the jurisdiction of the Missouri Department of Transportation ("MoDot").

The Applicant's applications for approval of its site plan and issuance of a CUP were submitted to the City of Arnold on or about July 12, 2022. The City's Staff reviewed the application and determined that the proposed use was consistent with the City's comprehensive plan. Staff further determined that the Applicant's proposed use satisfied the criteria set forth in Section 405.080 for the issuance of a CUP, and that the proposed site plan meets or exceeds the performance requirements set forth in Sections 405.120.C and 405.150, including, without limitation the stacking and drive-through lane requirements contained in Section 405.150. A copy of the City's staff report (the "Report") is attached hereto as Exhibit B and incorporated herein.

The Report contains a statement that the Property has the necessary MoDot curb cut (allowing access to Jeffco Boulevard) and utilities to accommodate the project. The City's Public Works

Director did not object to the Applicant's proposed stacking spaces and drive-through lane, or the Applicant's use of the existing curb cut.

Following the public hearing held in front of the Planning Commission on August 9, 2022, several commissioners expressed concern that the proposed business may increase traffic in the area. Following the discussion focusing on traffic on Jeffco Boulevard, the Planning Commission denied the requested CUP.

### **Standard of Review.**

A determination by the Planning Commission to grant or withhold a special use permit is administrative in nature and the conditional use permit process is an administrative action, not a legislative action allowing discretion on the part of the approving body. *Ford Leasing Development Co. v. City of Ellisville*, 718 S.W.2d 228 (Mo.App. E.D. 1986); *State ex rel. St. Louis County v. Jones*, 498 S.W.2d 294, 299 (Mo. App. 1973). The grant or denial of conditional use permit must be made reasonably and not arbitrarily and must apply the criterion set out in the conditional use ordinance to the facts presented with the Application and public hearing. *State ex rel. St. Louis County id.*; *Curry Investment Co. v. Board of Zoning Adjustment of Kansas City, Missouri*, 399 S.W.3d 106, 109 (Mo.App. W.D. 2013).

A city's denial of a conditional use permit unsupported by competent and substantial evidence upon the whole record is an abuse of discretion. *Ford Leasing, supra* at 233; *State ex rel. Presbyterian Church of Washington, Missouri v. City of Washington, Missouri*, 911 S.W.2d 697, 702 (Mo.App. E.D. 1995). Substantial evidence is defined as competent evidence which, if believed, would have probative force upon the issues. *Ford Leasing, supra*, citing *Citizens For Rural Preservation, Inc. v. Robinett*, 648 S.W.2d 117, 124 (Mo.App.1982).

### **City Code.**

Section 405.120.C of the City's Zoning Code (the "Code"), describes the C-3 Commercial Zoning District of the City as areas in which stores and service facilities which will provide "a wide range of those goods and services usually used, consumed or needed in the home by individuals." It is the purpose of the Code to "facilitate the establishment of conditions suitable for the operating of businesses catering to the general public." Section 405.120.C, Subsection b of the Code contains a list of conditional uses within a C-3 Commercial Zoning District, which list includes the operation of a motor vehicle-oriented establishment ("MVOE").

An MVOE, as defined in Section 405.030 of the Code, is "any establishment which, by design or operation, or nature of business has as one (1) of its functions, the provisions or services to a number of motor vehicles or its occupants in a short time span...Businesses included in the [MVOE] category shall include one (1) or more of the following...an automated car wash facility."

As required by Section 405.150, automated car wash facilities are required to include: (i) stacking spaces equivalent to ten (10) times the capacity of the car wash with a minimum of one (1) stacking space near the exit, and (ii) a drive-through lane which shall be used exclusively for drive-through vehicles for a distance equivalent to fifty percent (50%) of the required storage length of the car

wash. Stacking space, as defined by Section 405.030 is a space consisting of twenty-two (22) feet of pavement specifically designated as a waiting area for vehicles patronizing an MVOE.

An applicant requesting a CUP is required, as provided in Section 405.080, to show that the proposed conditional use meets the following criteria:

- a. The proposed use is consistent with good planning practice;
- b. The proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the district;
- c. The proposed use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and
- d. The proposed use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.

**Basis for Appeal.**

The proposed site plan and request for a CUP comply with the City's Code. Substantial evidence supports the issuance of the requested CUP.

a. *The proposed use is consistent with good planning practice.*

The proposed use is consistent with good planning practice in that it is compatible with nearby development. The operation of a business on property which would otherwise be vacant creates greater vitality for the City of Arnold and provides additional revenue. The Applicant will provide appropriate plantings to screen the property from the nearby high school and otherwise mitigate adverse impacts on residential neighborhoods. The proposed use is generally compliant with the City's Code and consistent with the goals, objectives and policies contained in the City's Comprehensive Plan.

b. *The proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.*

The proposed use will not be detrimental to the permitted developments and uses in the district. The Property is located in a C-3 Commercial Zoning District. The surrounding areas are occupied either for educational or commercial uses. The proposed car wash can accommodate four (4) cars in the tunnel at one time. Under the City's Code, the Applicant is required to provide stacking spaces for forty (40) cars and a drive through path. The Site Plan submitted by the Applicant clearly shows adequate stacking space and a drive through lane. The Site Plan shows that the Applicant will exceed the City's requirements for open space and landscaping.

Staff did not raise any concerns that cars entering and existing the Property will interfere with traffic on Jeffco Boulevard, which is within MoDot's jurisdiction. To date, MoDot

has not objected to the use of the existing curb cut onto Jeffco Boulevard, nor has MoDot expressed any concern that the proposed use will significantly increase traffic in the area.

c. The proposed use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

The plans submitted by the Applicant indicate that the proposed building will be visually compatible with the surrounding businesses. The Applicant will work with the City to develop a landscape plan that complies with the City's requirements. The existing tree mass between the Property and the neighboring school will remain in place.

d. The proposed use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.

The proposed use is desirable and will promote the public health, safety, and general welfare. The proposed use provides a means to develop the Property, which would otherwise remain vacant and unkempt. Following the grant of the CUP, the Applicant will be able to improve the Property by erecting buildings, planting landscaping, and replacing broken pavement. Following construction, the Property will be maintained by the Applicant. The proposed use will provide additional services to the citizens of Arnold. The Applicant noted that the automated car wash will reduce the flow of water, detergents and silicones into local waterways because it will recapture and reuse the water used in the car wash.

Neither MoDot nor Staff raised concerns regarding traffic on Jeffco Boulevard, and the Applicant has complied with the newly enacted MVOE ordinances which are intended by the City to alleviate traffic obstructions which may be caused by similar businesses.

Please present our Notice of Appeal of the Planning Commission's denial of the CUP to the City Counsel for its consideration. The grant of the Conditional Use Permit is administrative in nature. Neither the Planning Commission nor the City Council have discretion to deny the CUP if the Applicant substantially complies with the requirements of the City's Code. As set forth herein, the Application for the Conditional Use Permit meets the criteria contained in Section 405.080 and the performance standards for MVOEs set forth in Section 405.150. In the absence of substantial evidence to the contrary, the CUP must be granted.

Please contact me at 314-719-3784 if you wish to discuss this matter further.

Sincerely,  
SmithAmundsen LLC

By:   
Elizabeth H. Lum



<b>TO: City of Arnold</b>	<b>DATE: 7-12-2022</b>	<b>JOB NO. 22009</b>
<b>2101 Jeffco Boulevard</b>	<b>ATTENTION: Ms. Christie Hull Battale</b>	
<b>Arnold, MO 63010</b>	<b>RE: Site Plan &amp; C.U.P. Application</b>	
	<b>Scrubbles Carwash</b>	

WE ARE SENDING YOU VIA COURIER: \_\_\_\_\_ MAIL: \_\_\_\_\_ OTHER: \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
2	7-12-2022	6	Site Plan Application and Check Sheet
1	7-12-2022	1	Initial Application Fee (\$250, City of Arnold)
2	7-12-2022	1	Conditional Use Permit Application
1	7-12-2022	1	C.U.P. Application Fee ( \$400, City of Arnold)
1	7-12-2022	1	Written Response for C.U.P.

THESE ARE TRANSMITTED as checked below:

- APPROVAL
- FOR REVIEW AND COMMENT
- FOR YOUR USE
- OTHER


**COPY TO: Todd Buckner**

**SIGNED: Mark A. Doering**

Community Development Department  
 City of Arnold  
 2101 Jeffco Blvd.  
 Arnold, MO 63010  
 636-282-2378  
 636-282-6677 Fax



## CONDITIONAL USE PERMIT APPLICATION

File Number \_\_\_\_\_

\$400.00 Fee - Paid \_\_\_\_\_

**APPLICANT/CONTRACT PURCHASER**

**OWNER**

Todd Buckner  
 Name \_\_\_\_\_

James & Wanda Drury, Trustees  
 Name \_\_\_\_\_

Address, City, State, Zip \_\_\_\_\_

105 S Mount Auburn Rd  
 Cape Girardeau, MO 63703-4915  
 Address, City, State, Zip \_\_\_\_\_

(904) 379-3900  
 Telephone Number \_\_\_\_\_

Telephone Number \_\_\_\_\_

Facsimile Number \_\_\_\_\_  
 839 Jeffco Boulevard  
 Property Address (or nearest intersection) \_\_\_\_\_

Facsimile Number \_\_\_\_\_  
 C-3 Commercial District  
 Zoning of Property \_\_\_\_\_

Proposed Use: Full-service, enclosed automatic car wash

Adjacent Zoning/Uses:	R-3 North _____	C-2 South _____	R-5 East _____	C-3 West _____
-----------------------	--------------------	--------------------	-------------------	-------------------

Date of Application \_\_\_\_\_ August 9, 2022  
 Meeting Date Targeting \_\_\_\_\_

Signature of Applicant \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Contact Person (please print) \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## **CONDITIONAL USE PERMIT MINIMUM SUBMITTAL REQUIREMENTS**

The process for a conditional use permit review and approval involves public hearings before the Planning Commission and City Council. To be placed on the Planning Commission meeting agenda, the following must be submitted no later than twenty-seven (27) calendar days before the meeting date you wish to be on.

1. Completed application and fee.
2. Name and address, on mailing labels, of current property owners within 185 feet of all boundaries of the proposed site.
3. Ten (10) sets of a preliminary commercial/development site plan, prepared by a Registered Land Surveyor or Professional Engineer, indicating location of proposed/existing improvements, including, but not limited to the following information:
  - The name proposed for the project, date of submission
  - The following names, addresses, and telephone numbers of the record owner or owners of the tract, the party who prepared the plat, the party for whom the plat was prepared and the Professional Engineer and/or the Registered Land Surveyor who designed the improvements and surveyed the tract and their seal and signature.
  - North arrow and scale – not more than one inch equals 60 feet
  - Building setbacks including buffer strips if applicable;
  - All existing and proposed easements;
  - Existing and proposed contours at two foot intervals;
  - Size of lot, indicating the amount covered by building, the amount covered by parking and impervious material, the amount used for detention (if any), and the amount in landscaped area.
  - Building (s);
  - Parking lot layout including the total number of spaces provided, the number of spaces assigned to each use, and the number of spaces for the proposed use.
  - Indicate if there is a deficiency in the number of spaces available.
  - Parking space dimensions;
  - Loading space location and dimension;
  - Dumpster location and method of screening;
  - Landscape plant material location, type and size;
  - Light standard location and height;
  - Fire lanes;
  - Sign location and height;
  - Access lanes and dimensions of lanes;
  - Ingress and egress points and widths;
  - Ingress and egress points across the right-of-way from proposed project; and
  - Adjacent properties, their zoning, and any improvements located within 200 feet of the property,
5. Method and details of storm water control and sanitation.

6. If the tract is over three (3) acres, a Tree Preservation Plan is required per our Tree Preservation code.
  
7. Scaled elevations of all building facades must be submitted indicating
  - Materials used and location;
  - Color of material;
  - Window location;
  - Door location;
  - Location of signage proposed on building;
  - Mechanical equipment location and method of screening; and
  - Exterior light location on buildings.
  
8. Written responses to the following criteria for review of a conditional use:
  - a. Such development or use is deemed consistent with good planning practice.
  - b. The development or use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.
  - c. The development or use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.
  - d. The development or use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City or Arnold.
  
9. A Public Hearing is required (see page 48). The applicant must post a sign informing the general public of a public hearing regarding the applicant's request. The sign shall be four feet by four feet (4' X 4') in size, and shall be placed on the property on which the request is subject to. The sign shall be erected at least fifteen (15) days prior to the scheduled hearing date. The copy on the sign shall be legible with lettering no less than four (4) inches in height and not less than one (1) inch in width. **THE APPLICANT IS REQUIRED TO SUBMIT A DATE STAMPED PHOTO OF THE SIGN, SHOWING A TAPE MEASURE INDICATING THE LETTERS ARE NOT LESS THAN FOUR INCHES (4") IN HEIGHT AND NOT LESS THAN ONE INCH (1") IN WIDTH PRIOR TO THE MEETING. THE SIGN MUST BE REMOVED WITHIN TWO DAYS FOLLOWING THE FINAL PUBLIC HEARING.**



**Site Plan Review Application**  
 City of Arnold, Missouri

Chapter 405, Zoning, of the Code of Ordinances states "Non-residential buildings, structures and/or land (not addressed elsewhere in these regulations) must receive site plan approval from the Planning Commission before they are constructed, reconstructed, moved, erected, enlarged or land altered." The process of receiving that approval is contained in Section 405.190, Site Plan Review.

The site plan review process is to ensure consistency with applicable development standards, design guidelines, and building code requirements, as well as that each development proposal is designed to be compatible with any existing structures and uses on-site and/or the neighboring properties. In this way, the quality and economic health of the City's residential, commercial, and industrial districts are maintained.

<b>For Staff Use Only</b>	
Date Received:	_____
Fee Paid:	Y / N
Target Meeting Date:	_____
Project No.:	_____

<b>APPLICANT INFORMATION</b>	
APPLICANT NAME Todd Buckner	PHONE NUMBER (904) 379-3900
MAILING ADDRESS	
EMAIL ADDRESS tbuckdesigns@gmail.com	FAX NUMBER

<b>PROJECT INFORMATION</b>	
SITE ADDRESS (OR NEAREST INTERSECTION) 839 Jeffco Boulevard	JEFFERSON COUNTY PARCEL NUMBER(S) 01-4.0-20.0-4-002-072
CURRENT ZONING DISTRICT C-3 Commercial District	CURRENT USE OF SITE Vacant
BRIEFLY DESCRIBE THE PROJECT The project consists of removal of remaining improvements from the site and constructing a full-service, enclosed automatic car wash with ample queing and vaccuming areas.	
SPECIFY ZONING WAIVERS BEING REQUESTED, IF ANY none	

<b>PROPERTY OWNER INFORMATION</b>	
PROPERTY OWNER NAME/COMPANY James & Wanda Drury, Trustees	SIGNATURE OF PROPERTY OWNER OR AUTHORIZED AGENT (REQUIRED)
MAILING ADDRESS 105 S Mount Auburn Rd, Cape Girardeau, MO 63703-4915	
EMAIL ADDRESS	PHONE NUMBER



**Site Plan Review Application**  
*City of Arnold, Missouri*

<b>PARTY OF INTEREST INFORMATION</b>	
COMPANY/FIRM PROVIDING PROFESSIONAL SERVICES (CONTRACTOR, ENGINEER, SURVEYOR, ARCHITECT, ETC.) Doering Engineering, Inc.	
NAME / POSITION Aaron R. Terry, PE, Principal	PHONE NUMBER (314) 487-6913 x118
MAILING ADDRESS 4850 Lemay Ferry Rd Ste 100	
EMAIL ADDRESS aterry@doeringeng.com	FAX NUMBER (314) 843-1718

<b>CONTACT PERSON INFORMATION</b>	
CONTACT PERSON NAME Todd Buckner	PHONE NUMBER (904) 379-3900
MAILING ADDRESS	
EMAIL ADDRESS tbuckdesigns@gmail.com	FAX NUMBER

**AUTHORIZATION TO APPLY FOR SITE PLAN REVIEW**

I, \_\_\_\_\_ certify that I am authorized to make this application, that the statements or information made in any documents submitted herewith are complete, true, and correct to the best of my knowledge. I understand that any knowingly false, inaccurate, or incomplete information provided by me may result in the denial, revocation, or administrative withdrawal of this application for site plan review.

SIGNATURE OF APPLICANT (REQUIRED)	PRINTED NAME	DATE
-----------------------------------	--------------	------



## Site Plan Review Application City of Arnold, Missouri

### SUBMITTAL REQUIREMENTS CHECKLIST

- Completed Site Plan Review Application
- Application fee paid in full (See "Fee Schedule")
- Three (3) copies of full size (24" x 36") sets of site plans (See "Site Plan Requirements")
- Digital version of site plan that is compatible with City software
- Grading permit application, if applicable
- Zoning applications (Conditional Use Permit, Rezoning, Planned Residential Development Procedure, etc.), if applicable



(This timeline shows over 10-12 weeks between submittal and approval. Typical site plan review is 6 weeks.)

### FEE SCHEDULE

#### Site Plan Review (New)

Total Site Area	Initial Application Fee (Includes 2 plan reviews)	Additional Plan Review Fee (if more than 2 reviews are needed)
Less than 2 acres	\$250	\$125 per review
2 acres to 10 acres	\$500	\$250 per review
Over 10 acres	\$750	\$375 per review

#### Site Plan Review (Amendment to an Approved Plan)

Minor changes <sup>[1]</sup>	50% of "new" review cost
Substantial changes <sup>[2]</sup>	100% of "new" review cost

When additional costs are incurred by the City for any consultation with the City's engineers, attorneys, or other professional related to plan review, reimbursement by the applicant shall be required. When such costs are anticipated, the City may require a retainer of no less than \$500.

[1]: A minor change includes changes that are not otherwise defined as substantial in the Code or by determination of the Community Development Director. The City of Arnold's Code of Ordinances can be found at [ecode360.com/AR3228](http://ecode360.com/AR3228).

[2]: A substantial change means any of the changes listed in Section 405.190(L), Site Plan Review – Definition of Substantial Changes.







## SITE PLAN REQUIREMENTS

Site plans shall be designed and prepared by registered design professionals licensed in the State of Missouri, such as architects, landscape architects, or engineers, with the appropriate seal affixed, unless permitted otherwise by the Community Development Director.

Site plans shall include the following data, details, and supporting plans which are relevant to the proposal:

1. The site plan shall be of a scale not to be greater than one (1) inch equals fifty (50) feet nor less than one (1) inch equals two hundred (200) feet. The plan must be able to be readily interpreted by the Planning Commission and must include more than one drawing if required for clarity.
2. A scale, north arrow, boundary dimensions, natural features such as woodlots, streams, rivers, lakes, drains, existing manmade features such as buildings, structures, easements, high tension towers, pipe lines, existing utilities such as water and sewer lines, etc., excavations, bridges, culverts, and drains, and shall identify adjacent properties within one hundred (100) feet and their existing uses.
3. Name and address of the owner of record, developer, and seal of the engineer, architect, land surveyor or landscape architect.
4. Abutting property owners, names, addresses, zip codes, Jefferson County parcel numbers, and where different, zoning district.
5. Lot lines and location, including dimensions, angles, and size, correlated with the legal description of the identified property. All existing lot lines, easements, and rights-of-way shall be shown.
6. Locations and dimensions of all setbacks, including distances between all buildings, between buildings and property lines and between all parking areas and property lines.
7. The location and use of all existing and proposed structures within the development. Include all dimensions of height, ground floor area, gross floor area, and show all exterior entrances and all anticipated future additions and alterations.
8. Depict locations, heights, and intensity of all exterior lighting, including a graphic and catalog reference describing the proposed standards.
9. Delineate and dimension all areas utilized for storage and/or parking equipment, materials and vehicles.
10. For phased developments, depict the various limits and timing of each proposed phase.
11. Location, dimension and area of any parcel or property thereof proposed to be set aside for open space, park, playground use or other public/private recreational purposes.
12. Provide the location of all retaining walls, fences, screening, earth berms, and trash enclosure as well as a typical architectural elevation reflecting the proposed finished construction.
13. The location of all present and proposed public and private ways, parking areas, loading areas, driveways, sidewalks, ramps, and curbs. Include calculations for required and proposed parking and loading. Location, type, and screening details for all waste disposal containers shall also be shown.
14. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within one hundred (100) feet of the site.
15. The location, height, size, materials, and design of all proposed signage.
16. The location of all present and proposed utility systems, including, but not limited to:
  - a. Sewage system;



Site Plan Review Application  
City of Arnold, Missouri

**SITE PLAN REQUIREMENTS – CONT.**

- b. Water supply system;
  - c. Telephone, cable and electrical systems;
  - d. Storm drainage system including existing and proposed drain lines.
17. Plans to prevent the pollution of surface water or groundwater, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
  18. Existing topography and finished grade line elevations at two (2) foot contour intervals as well as the proposed finished floor elevation for all structures. All elevations shall refer to the United States Geodetic Survey (USGS) datum. If any portion of the parcel is within the 100-year floodplain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (FEMA) requirements.
  19. Architectural Elevations. Architectural elevations of all proposed buildings and structures, identifying all materials proposed including color schemes for each. For infill developments the architect shall provide a statement of design intent indicating any design decisions made to make new construction compatible with existing structures.
  20. Landscape Plan. A landscape plan depicting all existing open space, trees, forest cover and water sources, and all proposed changes to these features including size and type of plant material, and percentage open space with related calculations. Water sources will include ponds, lakes, brooks, streams, wetlands, floodplains, and drainage retention areas.
  21. Tree Preservation Program, Article IV of the City of Arnold Zoning Ordinance, requires a tree preservation plan satisfying all requirements of the Article, such as new development (subdivision, grading, and/or construction) for parcels 3 acres or larger.
  22. Site Sections. Schematic or illustrative sections shall be drawn to a scale of one (1) foot equals eight (8) inches or larger, indicating both edge conditions and internal grade changes in relation to principal variations of internal building levels and sight line relations to adjacent residences.
  23. Traffic Control. The Community Development Director may require a detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas.
  24. Additional information may be requested to be placed on the site plan beyond the requirements listed above based on a review of the site plan by City staff. Proper approval shall be required, where applicable and appropriate, from all relevant review agencies, including, but not limited to, the following: AmerenUE; Missouri-American Water Company; Public Water Supply District 1 of Jefferson County; Laclede Gas Company; Jefferson County Health Department; Missouri Department of Transportation; Missouri Department of Natural Resources; U.S. Army Corps of Engineers; and/or any other agency where applicable and appropriate.

*Required plan elements may be waived at the discretion of the Community Development Director.*

*The applicant shall make notations explaining the reasons for the omission of any required element so authorized by the Community Development Director.*

Table with 2 columns and 2 rows containing metadata.

Engineering By
DOERING CIVIL ENGINEERING PLANNING & SURVEYING
3300 Old Bridge Road
Annapolis, MD 21410
Tel: 410-221-8810

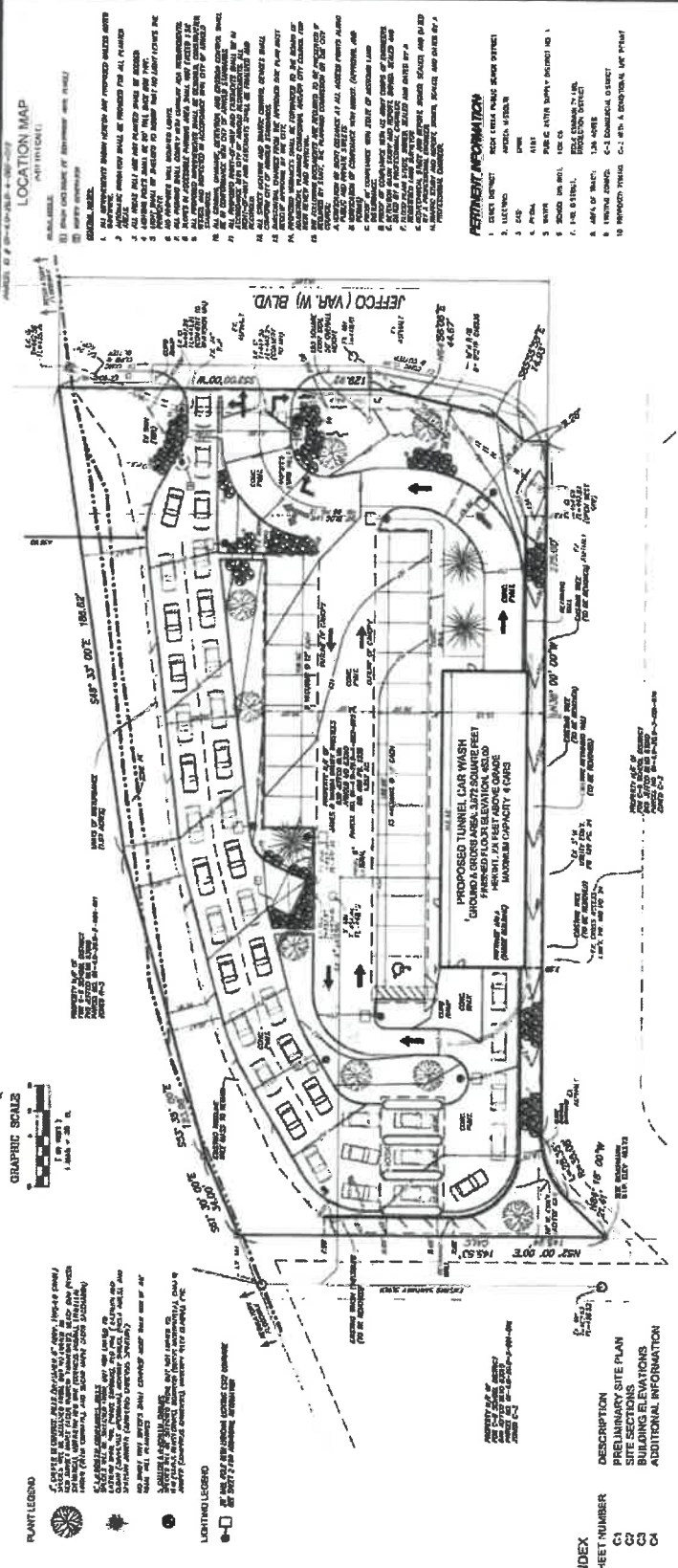


PRELIMINARY SITE PLAN
SCRUBBLES CAR WASH
839 JEFFCO BOULEVARD
ANNOLD, MD 63010

Table with 2 columns and 2 rows containing sheet information (C1).



SCRUBBLES CAR WASH
839 JEFFCO BOULEVARD, ANNOLD, MD 63010
ZONED C-3
PART OF LOT 1 OF GRAMEX SUBDIVISION NO. 1, AS PER PLAT RECORDED IN PLAT BOOK 88 PAGE 12 OF THE JEFFERSON COUNTY RECORDERS OFFICE, BEING PART OF LOT 28, OF U.S. SURVEY 2891, TOWNSHIP 43 NORTH, RANGE 6 EAST, CITY OF ANNOLD, MISSOURI



INDEX
SHEET NUMBER
C1
C2
C3
C
DESCRIPTION
PRELIMINARY SITE PLAN
SITE SECTIONS
EXISTING ELEVATIONS
ADDITIONAL INFORMATION

PLANT LEGEND
LANTING LEGEND

GRAPHIC SCALES
1 inch = 50 feet

LOCATION MAP
ANNOLD, MISSOURI

PERFORMANCE INFORMATION
1. DRIVEWAY: EACH DRIVEWAY SHALL BE 10 FEET WIDE...
2. SIDEWALK: SIDEWALKS SHALL BE 5 FEET WIDE...
3. CURB: CURBS SHALL BE 4 INCHES HIGH...
4. DRIVEWAY: DRIVEWAYS SHALL BE 10 FEET WIDE...
5. SIDEWALK: SIDEWALKS SHALL BE 5 FEET WIDE...
6. DRIVEWAY: DRIVEWAYS SHALL BE 10 FEET WIDE...
7. SIDEWALK: SIDEWALKS SHALL BE 5 FEET WIDE...
8. DRIVEWAY: DRIVEWAYS SHALL BE 10 FEET WIDE...
9. SIDEWALK: SIDEWALKS SHALL BE 5 FEET WIDE...
10. DRIVEWAY: DRIVEWAYS SHALL BE 10 FEET WIDE...

FLOODPLAIN INFORMATION
FLOOD ZONE: UNDESIGNATED
FLOOD PROTECTION: NONE

PARKING REQUIREMENTS
MINIMUM: 4 PER 1,000 SF OF GROSS FLOOR AREA

OPEN SPACE CALCULATIONS
TOTAL GROSS AREA: 100,000 SF
TOTAL OPEN SPACE: 20,000 SF

LANDSCAPING CALCULATIONS
TOTAL GROSS AREA: 100,000 SF
TOTAL LANDSCAPING AREA: 20,000 SF

RUNOFF CALCULATIONS
TOTAL GROSS AREA: 100,000 SF
TOTAL RUNOFF AREA: 20,000 SF

BUILDING COVERAGE
TOTAL GROSS AREA: 100,000 SF
TOTAL BUILDING COVERAGE: 20,000 SF

AREA OF DISTURBANCE
TOTAL GROSS AREA: 100,000 SF
TOTAL AREA OF DISTURBANCE: 20,000 SF

PREPARED FOR:
SCRUBBLES CAR WASH
MR. TODD BUCKNER
JACKSONVILLE, FLORIDA
(904) 379-3800

Project No.	27000
Client	City of Arnold
Scale	1" = 40' (Plan)
Date	11/11/2011
Sheet	02

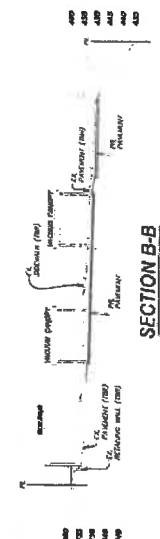
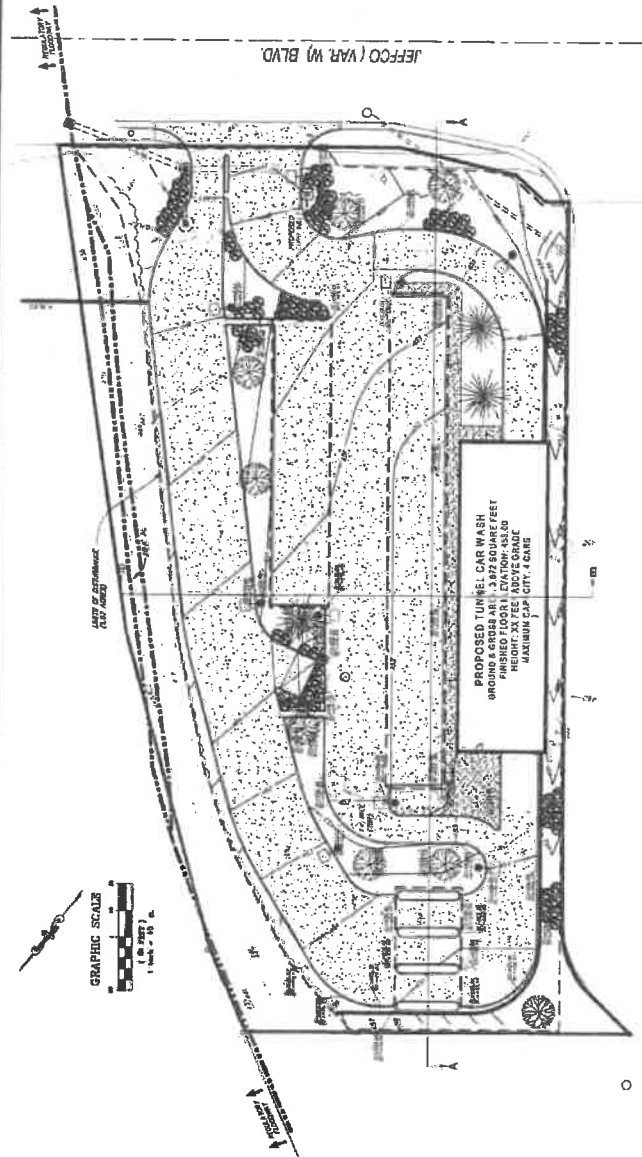
**Engineered By**  
**DOERING**  
 CIVIL ENGINEERING PLANNING  
 AND SURVEYING  
 1400 WINDYBROOK DRIVE  
 SUITE 100  
 ARNOLD, MO 63010  
 PH: 636.305.1100  
 FAX: 636.305.1101  
 WWW.DORINGENR.COM



**SCRUBBLES CAR WASH**  
**839 JEFFCO BOULEVARD**  
**ARNOLD, MO 63010**  
**SITE SECTIONS**

Scale	1" = 40' (Plan)
Scale	1" = 4' (Section)
Sheet	02

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**





**SCRUBBLES CAR WASH**  
839 JEFFCO BOULEVARD  
ARNOLD, MD 63010  
BUILDING ELEVATIONS



Engineered by:  
**DOERING ENGINEERING INC.**  
CIVIL ENGINEERING PLANNING SURVEYING  
11011 JEFFCO BOULEVARD  
SUITE 400  
ARNOLD, MD 63010  
P: (410) 239-1242  
F: (410) 239-1243  
WWW.DOERING-ENGINEERING.COM


**PRELIMINARY**  
NOT FOR CONSTRUCTION





## Written Response to items corresponding to the Conditional Use Permit Request Scrubbles Carwash

The Proposed Scrubbles Carwash is consistent with good planning practices in the area as it continues the commercial nature of Jeffco Boulevard in this area. The carwash use is a very desirable service to individuals using the other Commercial uses close by.

The proposed Scrubbles Carwash is a stand alone use. It does not require or take any resources necessary for the operation of the surrounding businesses or of the adjacent school use.

The existing site is that of the abandoned and removed Burger King Restaurant. Although the building has been removed several years ago, the pavement is still in place and the plantings have begun to overrun the site. We will remove all of the existing pavement and plantings and replace it with new pavement, plantings and buildings. We put extra emphasis on the exterior look of our building and believe it is a very attractive structure.

There has been a steady decline in the number of individuals who wash their own vehicles in their driveways. We are providing a needed service for this. When someone does wash their car in their driveway, the detergents, silicones and other items flow directly into the near by storm sewer system and directly into our creeks and streams. Our site will capture the water from the wash clean it and reuse it. Very little water is lost with our system and water that is will be cleaned before it enters our waterways.



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## REPORT TO PLANNING COMMISSION CITY OF ARNOLD

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**APPLICATION NUMBER:** PC-2022-19

**APPLICATION NAME:** SCRUBBLE'S CAR WASH (SITE PLAN & CUP FOR MVOE)

**APPLICANT NAME:** Mark Doering  
Doering Engineering  
4850 Lemay Ferry Rd  
St. Louis, MO 63129

Todd Buckner  
Scrubbles Car Wash  
Jacksonville FL

**PROPERTY OWNER NAME:** James and Wanda Drury, Trustees  
105 Mount Auburn Rd  
Cape Girardeau, MO 63703-4915

**APPLICANT'S REQUEST:** A request to obtain a Conditional Use Permit to operate a Motor Vehicle-Oriented Establishment for Scrubbles, a drive-thru automated car wash and facilities located at 839 Jeffco Blvd, within the "C-3" Commercial District, as provided in the Arnold Zoning Ordinance.

**LOCATION:** 839 Jeffco Blvd

**SITE LOCATION:** The south of Fox campus, approximately 450-ft feet from Jeffco & Tenbrook Intersection.

**ZONING DISTRICT:** "C-3" Commercial

**PARCEL ID:** 01-4.0-20.0-4-002-072

**TOTAL SITE AREA:** 1.26 acres

**MEETING DATE:** August 9, 2022

**REPORT DATE:** August 2, 2022

**CASE MANAGER:** Christie Hull Bettale

**RECOMMENDATION:** **APPROVAL WITH CONDITIONS**



## REPORT TO PLANNING COMMISSION CITY OF ARNOLD



### DESCRIPTION OF EXISTING SITE CONDITIONS

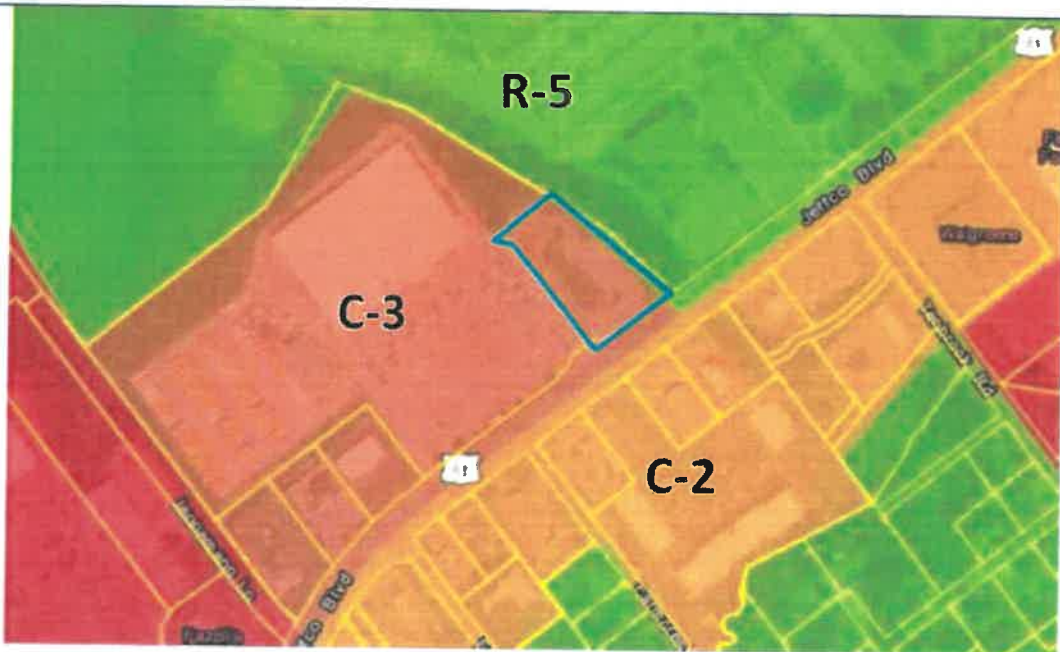
The 1.26 acre tract is located at the south corner of the intersection of Jeffco and Tenbrook. It is zoned "C-3" Commercial. The property currently is a vacant parcel.

### SITE HISTORY

The lot once contained a Burger King restaurant, which was demolished in 2013. Since then, the lot has been for the most part vacant except for temporary uses. There is an existing MoDOT curb cut that will be used for the car wash.

LAND USE AND ZONING CONTEXT MATRIX			
DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	Commercial	R-5	Fox (Campus)
East	Commercial	R-5	Fox (Campus)
South	Commercial	C-2	East of Jeffco—Fox Valley Center and out lots
West	Commercial	C-3	Fox (Transportation center, Bus lot)

### ZONING MAP





# REPORT TO PLANNING COMMISSION CITY OF ARNOLD

## ZONING REQUEST

A request to obtain a Conditional Use Permit for a new Motor Vehicle-Oriented Establishment in conformance with the requirements of the Zoning Ordinance. The applicant, Scrubbles, is proposing a drive-thru automated car wash and facilities. The hours of operation will be 8 AM- 8 PM - 7 days a week.

## COMPREHENSIVE PLAN CONSISTENCY REVIEW

*A consistency review of the goals, objectives, and policies of the Comprehensive Plan, as they relate to the current request, follows:*

### GOALS, OBJECTIVES, AND POLICIES:

**LAND USE POLICY 9.1 APPLY COMPATIBLE USES:** COMMERCIAL DEVELOPMENTS SHOULD BE COMPATIBLE WITH NEARBY DEVELOPMENT AND ADEQUATELY BUFFERED TO MITIGATE ADVERSE IMPACTS ON RESIDENTIAL NEIGHBORHOODS.

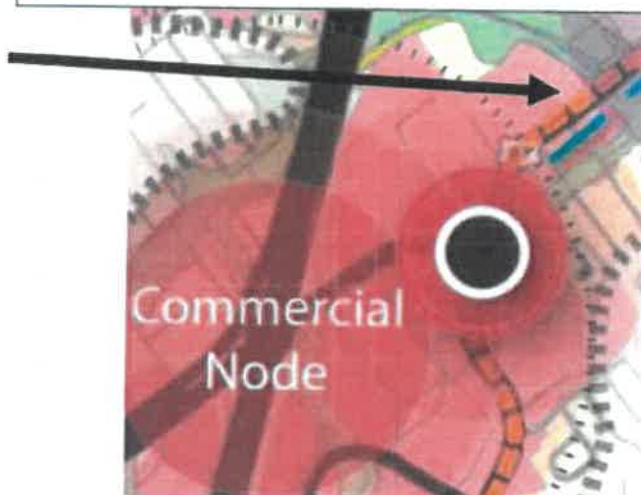
**ECONOMIC DEVELOPMENT POLICY 3:** STRENGTHEN AND REINVEST IN EXISTING COMMERCIAL AND INDUSTRIAL AREAS IN ORDER TO CREATE GREATER VITALITY.

### CITY PLANNER'S COMMENTS

*Policies LU-9.1 and ED-3 are substantially satisfied as follows:*

**Substantially Satisfied:** The proposed Conditional Use Permit for MVOE is consistent with the city regulations. The project is within the commercial corridor and buffered from the neighboring Fox school Campus, a Residential Zoned District. The use is compatible with other services/retail in the area. Additionally, commercial lot has the necessary MoDOT curb cut and utilities to accommodate the project.

### FUTURE LAND USE MAP:



**Satisfied:** The proposed conditional use aligns with the FLUM designation for the property Commercial/Retail Use.

---

## REPORT TO PLANNING COMMISSION

### CITY OF ARNOLD

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#### SUMMARY OF PLANNING AND ZONING ANALYSIS

This proposed use is categorized as a "Motor Vehicle-Oriented Establishment" or "MVOE" in the Zoning Ordinance. A "MVOE" requires a Conditional Use Permit at the proposed location.

#### Car Wash - Business Operations:

*"Hours of operation are 8AM-8PM, 7 days a week. The washing of the exterior of the car will be done in the Tunnel Carwash Building. The customer will remain in the car. Upon entry to the building, the car will be prepped (pre-washed as required) prior to moving into the tunnel for the completion of the exterior wash. The vehicle will be blown dry as it leaves the building. Upon the completion of the "tunnel wash", the customer will have the option to exit the site or remain on site and utilize one of the 27 self-serve vacuum stations. There is no charge for our customers to use the vacuums. Trash collectors are located at each station for the customer's use. There will be no interior convenience store, however one or two vending machines may be available for the customer's use." Doering Engineering*

The City notified, city staff and other reviewing agencies of this application and comments have been addressed as indicated in the plans attached, Exhibit B. Specifically, the Public Works Director reviewed and had no exception with the site circulation and Jeffco curb cut. Based on the Planning and Zoning Analysis, Site Plan Review and finding contained in this report; staff finds that the application is substantially consistent with review criteria subject to the eight (8) recommended conditions of approval that can be found in Exhibit A of the Attachments.

**FIGURE 1: SATELLITE IMAGE OF SUBJECT SITE (2021)**





## REPORT TO PLANNING COMMISSION CITY OF ARNOLD

### PLANNING AND ZONING ANALYSIS

When reviewing applications for Conditional Use Permits, or amendments thereto, the Planning Commission is required to hold a hearing, review, and make recommendations and report to the City Council.

#### **CONSISTENT WITH GOOD PLANNING PRACTICE**

**Applicant:** *"The Proposed Scrubbles Carwash is consistent with good planning practices in the area as it continues the commercial nature of Jeffco Boulevard in this area. The carwash use is a very desirable service to individuals using the other Commercial uses close by."*

**Staff:** Consistency with good planning practice is dependent on adherence to current codes and keeping in mind the goals, objectives, and policies of current and future plans. The application at hand would bring a new service facility that is generally compliant with the Zoning Ordinance.

In the Future Land Use Map from Arnold's Comprehensive Plan, this area is designated as a Commercial / Retail Use area. It is consistent with the intent of the Comprehensive Plan's policies to allow for car wash services and motor-vehicle oriented establishments along Jeffco corridor. As such, the goals, objectives, and policies of the Zoning Code Ordinance and Comprehensive Plan are substantially met with this proposal, subject to the above conditions.

#### **DETRIMENT TO PERMITTED DEVELOPMENT AND USES WITHIN THE DISTRICT**

**Applicant:** *"The existing site is that of the abandoned and removed Burger King Restaurant. Although the building has been removed several years ago, the pavement is still in place and the plantings have begun to overrun the site. We will remove all of the existing pavement and plantings and replace it with new pavement, plantings and buildings. We put extra emphasis on the exterior look of our building and believe it is a very attractive structure."*

Motor vehicle-oriented establishments are a conditional use in all "C" Commercial Districts, unless specifically called out in a planned district. The reason for which is that there are a number of site design and operational standards that can impact how the site is used as well as the surrounding properties.

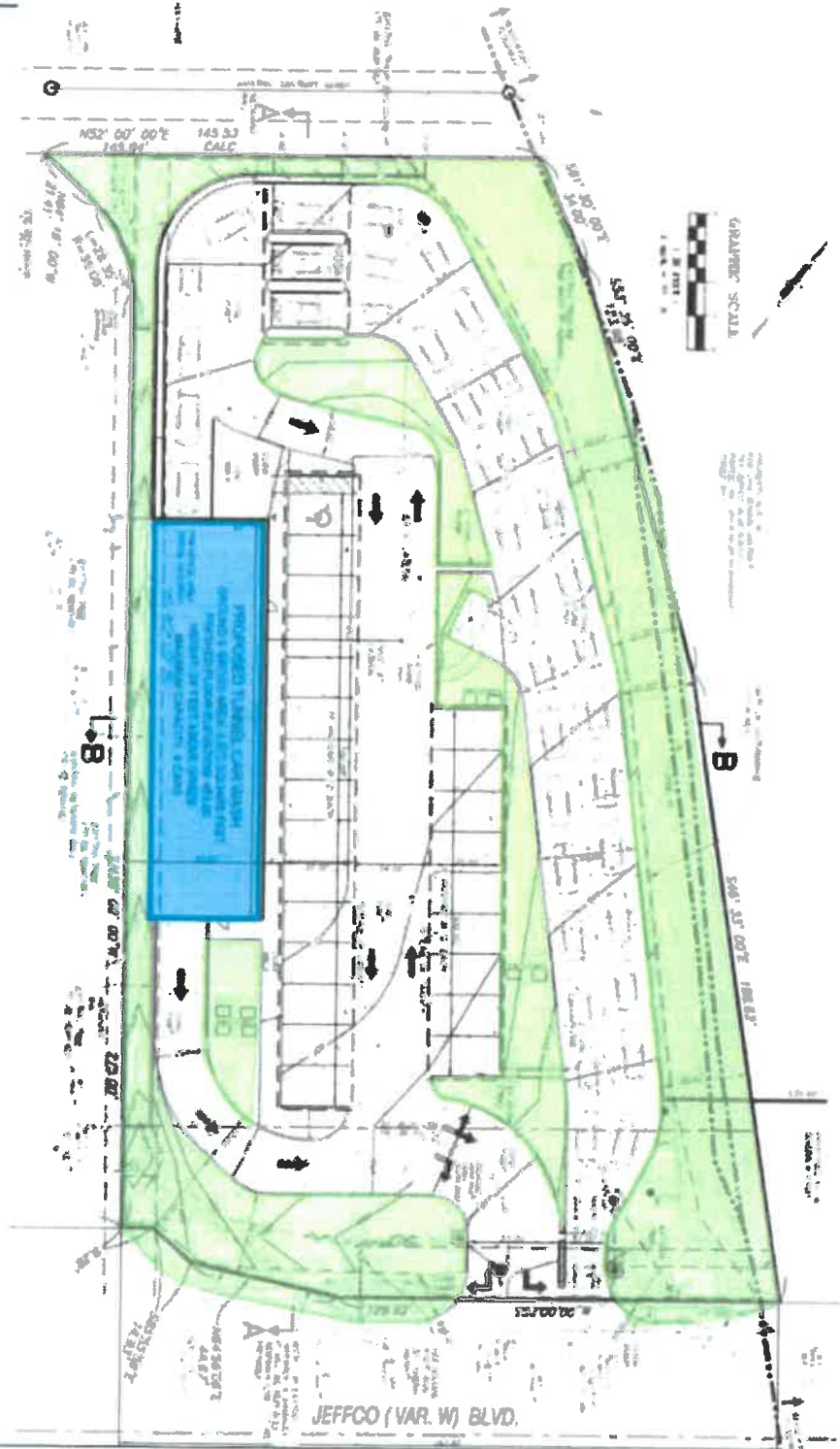
Contained within the Zoning Ordinance are Use Standards for MVOE's :

#### **Section 405.150(A)(1)(d) Motor Vehicle-Oriented Establishments.**

MVOEs are subject to a varied list of conditions and restrictions, detailed standards are defined within the regulation for Ingress and Egress, Drive Through Lane Standards (Including specific standards for Automated Car Washes) and Site Design.

**Site Plan:** A staff review was completed in conjunction with the CUP/MVOE and the site as proposed, Figure 2, is in compliance with drive-through stacking requirements. The automated

# REPORT TO PLANNING COMMISSION CITY OF ARNOLD



**FIGURE 2 : PROPOSED SITE PLAN**



## REPORT TO PLANNING COMMISSION CITY OF ARNOLD

### PLANNING AND ZONING ANALYSIS - CONTINUED

facilities accommodate 4-cars with a required 10 car stacking per each, totaling 40 cars stacking is provided. There are 27 spaces with hoses to a centralized vacuum to support the car wash customers' needs. Also required is a by-pass lane, which is shown on the plan. The maximum lot coverage of the structure is 20% and the Scrubbles building of 3,872 square feet is 7% of the site.

The required open space is 15%, however, 36.5% is provided. There is not a detailed landscape plan; however, a general legend with landscaping requirements are specified; 9 deciduous trees, 3 evergreen and 91 shrubs which meet the planting regulation for quantity, size and general species. A detailed landscape plan will be submitted to staff for approval along with the building plans for permitting. There is a landscape buffer necessary for the commercial district adjacent to the residence district, Fox Campus. The existing tree mass between the proposed site and campus will remain. However, an easement with maintenance script will be filed at Recorder of Deeds, to ensure the buffer be maintained.

Stormwater best management practices for water quality are required and proposed.

The lighting locations and specification that are shown in the plan submittal, sufficiently meet the requirements for height and style. Cut sheets are included in plans, Exhibit B.

The signage is mentioned on the plan cover sheet. Any signage must satisfy the Sign Ordinance and obtain building permits at the appropriate time.

The full plan submittal is included in the attachments to this report, Exhibit B.

**Staff** finds that the MVOE satisfies the requirement that it can be operated in a manner that is not detrimental to permitted developments and uses in the district, subject to the conditions contained in Exhibit A.

### **VISUAL COMPATIBILITY WITH PERMITTED DEVELOPMENT AND USES IN SURROUNDING AREA**

The applicant has provided colored architectural renderings of the proposed Scrubbles Car Wash, as shown below in Figure 3. Staff finds that the proposed use is visually compatible with other buildings and permitted developments in the surrounding area.

### **ESSENTIALNESS OR DESIRABILITY TO THE CITY**

Approval of the Conditional Use Permit and Site Plan will provide an avenue to redevelop an existing vacated parcel of land into a viable and compliant project and site for a desirable service offered to the city.

**Applicant:** *There has been a steady decline in the number of individuals who wash their own vehicles in their driveways. We are providing a needed service for this. When someone does wash their car in their driveway, the detergents, silicones and other items flow directly into the near by storm sewer system and directly into our creeks and streams. Our site will capture the water from the wash clean it and reuse it. Very little water is lost with our system and water that is will be cleaned before it enters our waterways.*

SCRUBBLES CAR WASH

**REPORT TO PLANNING COMMISSION  
CITY OF ARNOLD**



**FIGURE 3: ARCHITECTURAL RENDERING—PERSPECTIVES OF THE EXTERIOR**



**FIGURE 4: VIEW OF THE PARCEL - EXPLORER PICTOMETRY**



## REPORT TO PLANNING COMMISSION CITY OF ARNOLD

### PLANNING AND ZONING ANALYSIS - CONTINUED

#### SUMMARY

Staff's findings for how the four review criteria may be met can be summarized as follows:

- A car wash with a drive-thru automated car wash and facilities is consistent with surrounding commercial uses and the Comprehensive Plan's goals and policies.
- The applicant has worked with Staff on bringing forth a site and building layout plan with the proposed a drive through automated car wash and facilities that are in general conformance with the Zoning Ordinance. Staff found that the applicant has made a good effort to work with staff on critical aspects of the project.
- The use will be visually compatible with other commercial services in the development and surrounding district.
- New addition of automated car wash facilities are an essential and desired addition to the City.

### FINDINGS AND RECOMMENDATION

#### CONSISTENT WITH GOOD PLANNING PRACTICE

Staff finds that the proposed use as a motor vehicle-oriented establishment (MVOE) is deemed consistent with good planning practice, subject to conditions contained in Exhibit A.

#### DETRIMENT TO PERMITTED DEVELOPMENT AND USES WITHIN THE DISTRICT

Staff finds that the proposed use can be developed or operated in a manner that is not detrimental to the permitted developments or uses within the district, subject to conditions contained in Exhibit A.

#### COMPATIBLE WITH PERMITTED DEVELOPMENT AND USES IN SURROUNDING AREA

Staff finds that the proposed use can be developed or operated in a manner that is visually compatible with the permitted development and uses in the surrounding area, subject to conditions contained in Exhibit A.

#### ESSENTIALNESS OR DESIRABILITY TO THE CITY

Staff finds that the proposed use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare to the City of Arnold.

#### RECOMMENDATION

Staff finds that the proposed Conditional Use Permit meets the review criteria and is in compliance with the Zoning Ordinance and Comprehensive Plan. Based on this finding, Staff requests favorable consideration of the application.

A handwritten signature in cursive script, reading "Christie Hull Bettale".

Christie Hull Bettale, EIT  
Community Development Engineer





# ATTACHMENTS

**EXHIBIT A: CONDITIONS OF APPROVAL**

**EXHIBIT B: PLAN SUBMITTAL**

**EXHIBIT C: APPLICANT NARRATIVE**

**EXHIBIT D: AGENCY COMMENTS**

**EXHIBIT D: APPLICANT RESPONSE TO COMMENT**



## REPORT TO PLANNING COMMISSION CITY OF ARNOLD

### CONDITIONS

1. This Conditional Use Permit is for a motor vehicle-oriented establishment (MVOE) drive through automated car wash and facilities located at 839 Jeffco Blvd.
2. The hours of operation will be 8AM-8PM, 7 days a week.
3. A Tree Buffer Easement and Maintenance Agreement shall be reviewed by staff and filed by applicant with the Recorder of Deeds.
4. A Sidewalk Easement for public sidewalk shall be reviewed by staff and filed by applicant with the Recorder of Deeds. If existing sidewalk is damaged, replacement is required.
5. The Building exterior materials and colors shall be consistent with those approved by Planning Commission.
6. This Conditional Use Permit may be revoked by the City Council if the terms of the permit have been found to have been violated. The procedure for revocation shall require a hearing before the City Council.
7. Revocation of this Conditional Use Permit shall constitute grounds for the revocation of all other City licenses and/or permits associated with this business establishment.
8. Approval for Conditional Use Permit does not supersede other local, state, or federal requirements.

### EXHIBIT A: STAFF RECOMMENDED CONDITIONS OF USE

SCRUBBLES CAR WASH



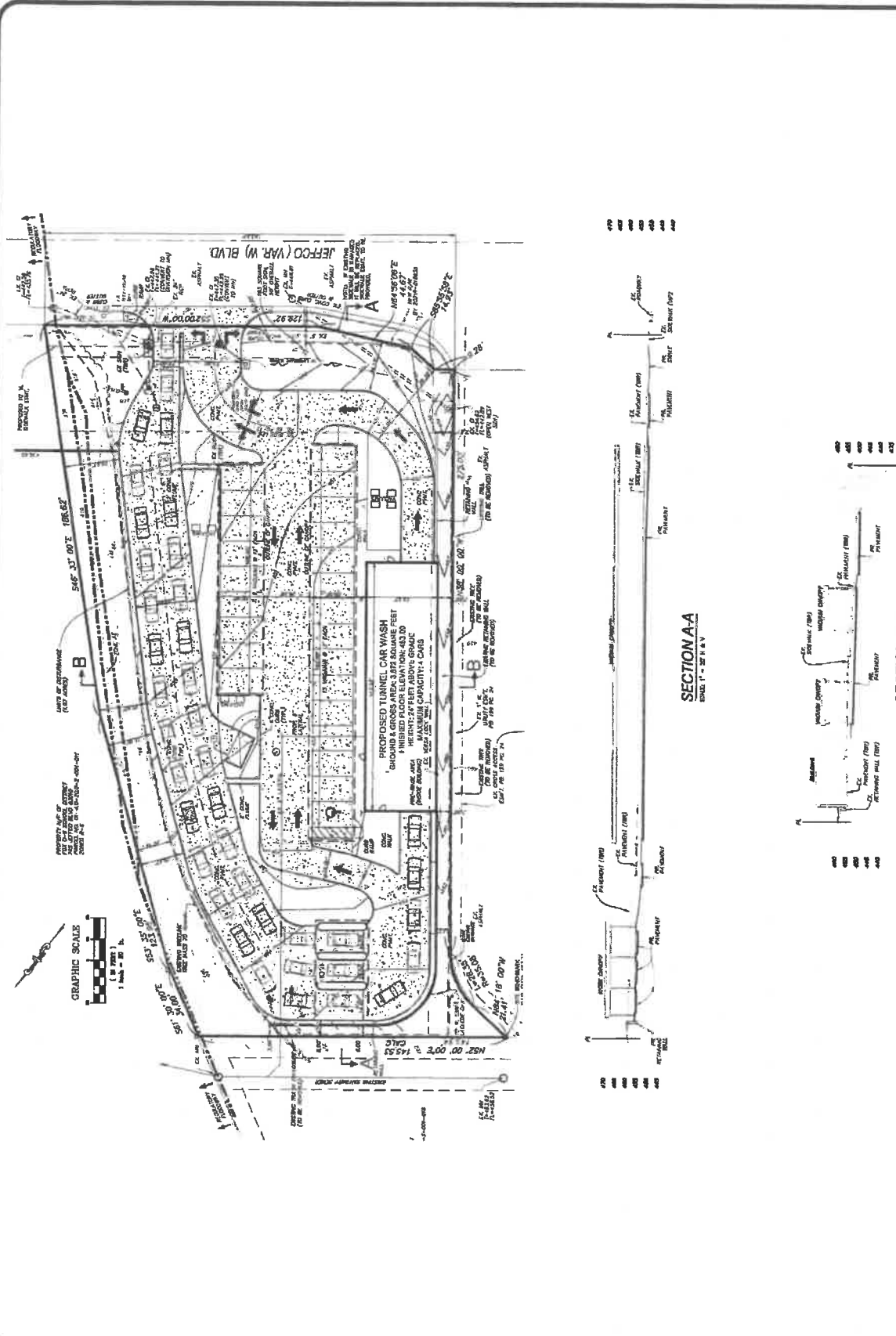
DATE	DESCRIPTION

**DOERING ENGINEERING**  
 CIVIL ENGINEERING PLANNING SURVEYING  
 4801 LINDEN ROAD  
 FORT BELLEVILLE, ILLINOIS 62239  
 PHONE: (618) 437-8800  
 FAX: (618) 437-8801  
 WWW.DOERINGENGINEERING.COM



**SCRUBBLES CAR WASH**  
 839 JEFFCO BOULEVARD  
 ARNOLD, MO 63010  
 SITE SECTIONS

DATE	DESCRIPTION



PRELIMINARY  
 NOT FOR CONSTRUCTION


  
 2025 ELEVATION
   
 PRELIMINARY
   
 NOT FOR CONSTRUCTION

**SCRUBBLES CAR WASH**  
 839 JEFFCO BOULEVARD  
 ARNOLD, MD 63010  
 BUILDING ELEVATIONS


  
 ANYTHING IS POSSIBLE  
 WITH THE RIGHT TEAM  
 & SUPPORTIVE PARTNERS  
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2-12-2024 818 PLUM & CLAY, BALTIMORE	2-14-2024 FOR CIVIL ENGINEERING
Prepared Checked	Drawn Approved

**PRELIMINARY**  
 NOT FOR CONSTRUCTION





# SCRUBBLES CAR WASH

839 JEFFCO BOULEVARD, ARNOLD, MO 63010  
ZONED C-3

PART OF LOT 1 OF GRAMEX SUBDIVISION NO. 1, AS PER PLAT RECORDED IN PLAT BOOK 88 PAGE 12 OF THE JEFFERSON COUNTY RECORDERS OFFICE, BEING PART OF LOT 28, OF U.S. SURVEY 2891, TOWNSHIP 43 NORTH, RANGE 6 EAST, CITY OF ARNOLD, MISSOURI

## PRELIMINARY SITE PLAN ADDITIONAL INFORMATION



FIGURE 28 - LOCATION MAP  
PART TO SCALE

**CSX2 LED New Luminaires**

**Specifications:**

- Model: CSX2
- Height: 12 ft
- Width: 18 in
- Weight: 150 lbs
- Material: Aluminum

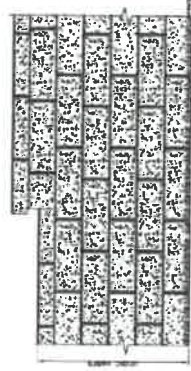
**Channel LED Size, Type and Qty Proposed**

Channel	Size	Type	Qty
1	4x8	High Bay	1
2	4x8	High Bay	1
3	4x8	High Bay	1
4	4x8	High Bay	1

**Light Standard Information**

Lighting layout showing fixture locations and beam spread.

### LIGHT STANDARD INFORMATION



SEGMENTAL BLOCK  
RETAINING WALL ELEVATION  
SCALE 1" = 2'

PRELIMINARY  
NOT FOR CONSTRUCTION

Sheet No.	1-2-2022
Project No.	22-001
Client	839 JEFFCO BOULEVARD, ARNOLD, MO 63010
Scale	AS SHOWN
Author	DOERING ENGINEERING
Check	DOERING ENGINEERING
Drawn	DOERING ENGINEERING
Reviewed	DOERING ENGINEERING

**DOERING ENGINEERING**  
Engineered By:  
Civil Engineering Planning Surveying  
1125 S. Main Street  
St. Louis, MO 63103  
Phone: 314-433-1122  
Fax: 314-433-1122  
www.doering-engineering.com

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St. Louis, MO 63103  
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**SCRUBBLES CAR WASH**  
839 JEFFCO BOULEVARD  
ARNOLD, MO 63010  
ADD. INFORMATION

Scale	AS SHOWN
Sheet No.	1-2-2022
Project No.	22-001
Client	839 JEFFCO BOULEVARD, ARNOLD, MO 63010
Scale	AS SHOWN
Author	DOERING ENGINEERING
Check	DOERING ENGINEERING
Drawn	DOERING ENGINEERING
Reviewed	DOERING ENGINEERING





## REPORT TO PLANNING COMMISSION CITY OF ARNOLD

**DOERING  
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### Written Response to items corresponding to the Conditional Use Permit Request Scrubbles Carwash Revised July 29, 2022

The Proposed Scrubbles Carwash is consistent with good planning practices in the area as it continues the commercial nature of Jeffco Boulevard in this area. The carwash use is a very desirable service to individuals using the other Commercial uses close by.

The proposed Scrubbles Carwash is a stand alone use. It does not require or take any resources necessary for the operation of the surrounding businesses or of the adjacent school use.

The existing site is that of the abandoned and removed Burger King Restaurant. Although the building has been removed several years ago, the pavement is still in place and the plantings have begun to overrun the site. We will remove all of the existing pavement and plantings and replace it with new pavement, plantings and buildings. We put extra emphasis on the exterior look of our building and believe it is a very attractive structure.

There has been a steady decline in the number of individuals who wash their own vehicles in their driveways. We are providing a needed service for this. When someone does wash their car in their driveway, the detergents, silicones and other items flow directly into the near by storm sewer system and directly into our creeks and streams. Our site will capture the water from the wash clean it and reuse it. Very little water is lost with our system and water that is will be cleaned before it enters our waterways.

The washing of the exterior of the car will be done in the Tunnel Carwash Building. The customer will remain in the car. Upon entry to the building, the car will be prepped (pre-washed as required) prior to moving into the tunnel for the completion of the exterior wash. The vehicle will be blown dry as it leaves the building.

Upon the completion of the "tunnel wash", the customer will have the option to exit the site or remain on site and utilize one of the 27 self-serve vacuum stations. There is no charge for our customers to use the vacuums. Trash collectors are located at each station for the customer's use.

There will be no interior convenience store, however one or two vending machines may be available for the customer's use.

#### EXHIBIT C: APPLICANT NARRATIVE

SCRUBBLES CAR WASH





**PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS, CITY HALL, 2101 JEFFCO BLVD.  
AUGUST 9, 2022**

**MINUTES**

**REGULAR SESSION**

1. **CALL TO ORDER:** The regular meeting of the Arnold Planning Commission was called to order by Chair Andrew Sutton at 7:00 p.m.
2. **ROLL CALL OF COMMISSIONERS:** Andrew Sutton, Alan Bess, Brian McArthur, Del Williams (Excused), Frank Kutilek, Steve Buss, Justin Lurk, Phil Hogan, Bill Moritz (Absent). **STAFF PRESENT:** David Bookless (Community Development Director), Robert Sweeney (City Attorney), Christie Hull-Bettale (Engineer/Planner), Sarah Turner (Senior Planner).
3. **PLEDGE OF ALLEGIANCE:** The Commission and Staff stood and spoke the Pledge of Allegiance.
4. **APPROVAL OF MINUTES:** Motion by Hogan to approve the minutes from the July 26, 2022 meeting. Second by Buss. Voice vote: Approved 7-0.
5. **PUBLIC COMMENT:** No members of the public present in-person or on Zoom.
6. **PUBLIC HEARINGS:**
  - a. **PC-2022-18 Chase Bank MVOE (Conditional Use Permit):** Mr. Sutton introduced the project. Ms. Turner presented the Staff Report, recommending favorable consideration of the requested conditional use permit with four (4) conditions of approval. Representatives of the applicant were present but did not have information to add. There were no public comments on the request. Mr. Sutton stated the Commission will discuss in executive session.
  - b. **PC-2022-19 Scrubbles Car Wash MVOE (Conditional Use Permit):** Mr. Sutton introduced the project. Ms. Hull Bettale presented the Staff Report, recommending favorable consideration of the requested conditional use permit with eight (8) conditions of approval. Mark Doering, the applicant's representative, introduced himself and the project. There were no public comments on the request. Mr. Sutton stated the Commission will discuss in executive session.
7. **OTHER BUSINESS:** None.
  - a. **Comprehensive Plan Update:** Mr. Bookless updated the Commission on the survey and the number of online responses as of the meeting date. A draft of the first chapter of the plan detailing existing conditions will be provided to the Commission at a future date.
8. **ADJOURNMENT OF REGULAR SESSION:** Motion by Kutilek to close both public hearings and move into executive session. Second by Buss. Voice vote: Approved 7-0. Session adjourned at 7:19 p.m.

**EXCECUTIVE SESSION**

9. **OLD BUSINESS:** *None*
10. **NEW BUSINESS:**
  - a. **PC-2022-18 Chase Bank:** Kutilek asked for clarification on retaining wall features of the site plan. Several Commissioners discussed the Jeffco Blvd driveway opening and stated concern for drivers making a left out of the site. Mr. Sutton requested a motion. Motion by Lurk to recommend approval to the City Council of the proposed Conditional Use Permit with the conditions of approval as presented by Staff, with the additional condition that the Jeffco Blvd driveway opening be changed to be right-out-only and right-in-only with a raised middle curb area (instead of a blue hatched area) subject to MoDOT approval. Second by Hogan. *Roll call vote.*

Andrew Sutton, yes; Alan Bess, yes; Brian McArthur, yes; Frank Kutilek, yes; Steve Buss, yes; Justin Lurk, yes; Phil Hogan, yes. Approved 7-0.

- b. **PC-2022-19 Scrubbles Car Wash:** Hogan and Kutilek expressed concern for traffic during peak hours due to the proximity of the Fox campus. Mark Doering stated the owner expected peak hours to be 11AM to 3PM. Lurk asked about the turning radius of several areas of the site plan. Doering provided clarification. Several Commissioners asked about the amount of stacking provided. Mr. Bookless explained that the “Motor Vehicle-Oriented Establishment” regulations were created with the intent of having a higher standard than similar establishments that were approved in the past, and that the applicant meets or exceeds those new standards. The Commission discussed making a left out of the site on Jeffco Blvd and whether the site needs a traffic study. Doering responded. Mr. Sutton requested a motion. Motion by McArthur to recommend approval to the City Council of the proposed Conditional Use Permit with the conditions of approval as presented by Staff, with the additional condition that the exit area is changed to be right-out-only and that turning radii drawings must be submitted and approved by the City Engineer. Second by Buss. *Roll call vote.* Andrew Sutton, no; Alan Bess, no; Brian McArthur, yes; Frank Kutilek, no; Steve Buss, yes; Justin Lurk, yes; Phil Hogan, no. Failed 3-4.
11. **DIRECTOR’S REPORT:** Mr. Bookless announced the August 23<sup>rd</sup> meeting of the Commission was cancelled due to a lack of agenda items. Clarification provided on meeting procedures. The September 13<sup>th</sup> meeting agenda has a conditional use permit request for a clinic. Mr. Bookless announced a second printing of the 50<sup>th</sup> Anniversary books.
12. **COUNCIL LIAISON’S REPORT:** Councilman McArthur provided an update for ongoing road projects.
13. **ANNOUNCEMENTS:** Mr. Sweeney announced difficulties with state legislation for home occupations. Lurk asked for an update on Discount Tire. Mr. Bookless stated that permits have been issued but they have not begun work.
14. **ADJOURNMENT:** Motion by Hogan to adjourn. Second by Buss. *Voice vote:* Approved 7-0. Meeting adjourned at 7:52 p.m.

Respectfully Submitted,

Alan Bess  
Planning Commission Secretary

## VOTE RECORD

	Roll Call	Minutes	Close Hearings Close Reg. Open Exec.	Vote PC-2022-18	Vote PC-2022-19	Adjourn
<b>Andrew Sutton</b>	P	Y	Y	Y	N	Y
<b>Alan Bess</b>	P	Y	Y	Y	N	Y
<b>Brian McArthur</b>	P	Y	Y	Y	1 <sup>st</sup> – Y	Y
<b>Del Williams</b>	E	-	-	-	-	-
<b>Frank Kutilek</b>	P	Y	1 <sup>st</sup> – Y	Y	N	Y
<b>Steve Buss</b>	P	2 <sup>nd</sup> – Y	2 <sup>nd</sup> – Y	Y	2 <sup>nd</sup> – Y	2 <sup>nd</sup> – Y
<b>Justin Lurk</b>	P	Y	Y	1 <sup>st</sup> – Y	Y	Y
<b>Phil Hogan</b>	P	1 <sup>st</sup> – Y	Y	2 <sup>nd</sup> – Y	N	1 <sup>st</sup> – Y
<b>Bill Moritz</b>	A	-	-	-	-	-
<i>David Bookless</i>	P					
<i>Robert Sweeney</i>	P					
<i>Christie Hull-Bettale</i>	P					
<i>Sarah Turner</i>	P					

CALL TO ORDER	7:00 pm
ADJOURN REGULAR	7:19 pm
ADJOURN EXECUTIVE	7:52 pm