

PLANNING COMMISSION

CITY HALL

PUBLIC HEARING/REGULAR MEETING

SEPTEMBER 8, 2009 / 7:00 P.M.

MINUTES

PUBLIC HEARING

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

2009-21: CONDITIONAL USE PERMIT FOR DDI MEDIA TO INSTALL OFF SITE SIGN AT 3401 ROBINSON ROAD (I-55 STORE IT FACILITY): Brian McArthur read the staff report.

Frank Pointer, 1009 Southgate, appreciates what Mr. Drury is doing for Arnold but feels signs of this size are not appropriate.

Dale Boemler, 1750 Morgan Road, Barnhart, MO, spoke in favor of the signs. Will bring business into Arnold.

Wes Griffith, 3827 Baumner Dr., Arnold, MO, resident as well as a business owner. Spoke in favor of the signs stating they have been a customer of the Drury Display signs for years and feels these signs are vital to the City of Arnold. Strongly endorses approval of these signs.

Nick Bauman, 2881 Yaeger Rd., Oakville, MO, I-55 Store It, spoke in favor of the signs. Lighting should not affect the residents.

2009-22: CONDITIONAL USE PERMIT FOR DDI MEDIA TO INSTALL OFF SITE SIGN AT 2120 MICHIGAN AVE (BEST AUTOMOTIVE SITE): Brian McArthur read the staff report.

Dana Hockensmith, Drury Development, asked that the letters from Marie Macelli, Prudential Select Properties, Steve Reuther, Reuther Ford and David Mangelsdorf, Home Security be placed on file for the record.

Frank Pointer, 1009 Southgate, commented that no one disputes that signs are needed for advertising but keep in mind there are regulations that need to be followed as to where they can be placed.

There being no further questions or comments, the public hearing adjourned at 7:29 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Chairman Brian McArthur at 7:29 p.m. The Pledge of Allegiance was recited by those in attendance.

ROLL CALL OF COMMISSIONERS: Del Williams, Jeff Fitter, Norman Moss, Brian McArthur, Roy Wilde, Ted Brandt, Frank Kutilek, Thomas Kreyling, Jason Connell, Todd Teuscher, Mary Holden, Christie Hull-Bettale and Robert Sweeney. 10 voting members present.

REVIEW AND APPROVAL OF AGENDA: Motion by Tom Kreyling to approve the agenda as presented. Second by Ted Brandt. Voice Vote – Unanimously Approved.

APPROVAL OF MINUTES: Motion by Jeff Fitter to approve the minutes from the August 11, 2009 there being no corrections. Second by Del Williams. Voice Vote – Unanimously Approved.

QUESTIONS FROM THE FLOOR: Jerel Poor, 756 Mary Ln., owner of the proposed site for one of the Billboards (2120 Michigan). First stated that he is in favor of the fuel center at Shop n Save but feels the location is not good. He then spoke in favor of the proposed billboard stating Arnold's sales tax is going up, revenues are down and signage is needed for advertising the businesses.

7a. 2009-08: SHOP N SAVE FUEL FACILITY, 1253 WATER TOWER PLACE, CONDITIONAL USE PERMIT – CONTINUED FROM MAY 26, 2009 MEETING: Brian McArthur read the staff report.

John King, attorney representing both the applicant and owner gave a brief presentation of the new plan submitted. The new plan indicates the fuel facility in the first few rows of parking closest to Michigan Ave. and an island constructed to prevent vehicular traffic from entering or exiting the fuel facility from the eastern most entrance off Michigan Ave.

Del Williams concerned about the parking spaces; not in favor of the location.

Jason Connell questioned if there will be a dumpster. Mr. King stated there will not be a dumpster.

Ted Brandt asked for clarification on the traffic flow. Mary Holden stated traffic would come in both directions. Also concerned about radius turns.

Shawn White with Crawford, Bunte, Brammeier addressed the traffic assessment of the site.

Brian McArthur concerned with the removal of the parking stalls. Big trucks and trailers will not be able to turn.

Tom Kreyling concerned that Payless Shoes would lose a lot of parking; does not like the location; west entrance needs to be widened by at least one additional lane; concerned of what happens during the months of April thru June when the Garden Center takes out more parking spaces.

Norm Moss concerned of the traffic pattern – 80 spaces being removed; trash container issue; turn radius issue. Not in favor of the location.

Jeff Fitter questioned the gas delivery times. Concerned of an 18-wheeler full of fuel going through the parking lot. Suggested a condition be added as to the time fuel can be delivered. Biggest concern of this location is the taking of 70 to 80 percent of the parking spaces.

Frank Kutilek pointed out that the entrance and exit is right-in, right-out only. Questioned how this will fit on this site with the grade elevation. Also, asked that the tree that sits in the island on Michigan be preserved.

Tom Kreyling agrees these fuel stations are very successful for grocery stores but does not like the location.

Todd Teuscher feels moving the location to the center of the empty parking lot is in the best interest of everyone.

Motion by Jeff Fitter to table 2009-08, Conditional Use Permit for a fuel facility for Shop n Save at Water Tower Place. Second by Tom Kreyling. Roll call vote: Del Williams, yes; Jeff Fitter, yes; Norm Moss, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Tom Kreyling, yes; Jason Connell, yes; Todd Teuscher, yes. 10 yeas, 0 naes – ***Tabled.***

7b. 2009-21: CONDITIONAL USE PERMIT FOR DDI MEDIA TO INSTALL OFF SITE SIGN AT 3401 ROBINSON ROAD (I-55 STORE IT FACILITY): Del Williams stated he has no problem with the sign at 3401 Robinson Road but does oppose the sign at 2120 Michigan.

Dana Hockensmith introduced Charles and Shirley Drury. Mr. Hockensmith spoke of the Drury's desire to clean up the intersection. He spoke of the revenue that will be brought in as well as the number of jobs the hotel will create. The signs are needed for advertisement.

Brian McArthur asked if these signs would be used only for advertising the Drury Inn. Mr. Hockensmith stated the northbound faces of the signs will be used to advertise the hotel and the southbound faces will be for other advertisement.

Tony Mariani, DDI Media, commented that this billboard would be an off premise advertising device. They have already received the approved state permits for these billboards.

Jeff Fitter is appalled and feels that in Mr. Hockensmith's presentation with his "numbers board", he has insinuated that Drury has done a whole lot of good for the City of Arnold, therefore, the least the City can do is approve these signs. Jeff questioned that if these signs aren't approved, will Drury not live up to the requirements and commitments they have already made.

Mr. Hockensmith stated his intent was to show how it impacted them as well as the City of Arnold. Drury Development does not feel the City of Arnold owes them anything. Charles Drury and his family would never make "numbers" a condition to maintaining the highest quality hotel.

Jeff Fitter cannot imagine the Board of Adjustment approving any of the seven (7) variances that are needed for both signs. Nothing is being presented as a hardship. Having trouble understanding how these two signs are going to benefit the City.

Much discussion followed concerning the visibility of the water tower, the numerous variances that would be needed, adjacent signs, adjacent uses and general information regarding the signs.

Charles Drury commented that they could do without either of these signs but with them, Drury as well as the City of Arnold would do much better. Mr. Drury gave a brief history of their dealings with MoDot when they first bought the property and built the Drury Inn in Arnold. Mr. Drury then started questioning the regulations and requirements.

Motion by Frank Kutilek to approve 2009-21, Conditional Use Permit for off site sign at 3401 Robinson Road. Second by Del Williams. Roll call vote: Del Williams, yes; Jeff Fitter, no; Norm Moss, no; Brian McArthur, no; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, no; Tom Kreyling, no; Jason Connell, yes; Todd Teuscher, no. 4 yeas, 6 naes – ***Motion Failed.***

Motion by Tom Kreyling to deny 2009-21, Conditional Use Permit for off site sign at 3401 Robinson Road based on the following findings:

1. This use is not deemed consistent with good planning practice due to the proximity to residential homes and resulting light pollution. Further, good planning practice does not promote this degree of non-compliance.
2. This particular use will be detrimental to the permitted uses and developments in the adjacent residential district due to proximity of the use and impacts on the residences.
3. This use cannot be developed or operated in a manner that is compatible with residential uses. A billboard is not a residential use.
4. This particular use is not deemed essential or desirable to preserve or promote the public health, safety and general welfare of the City of Arnold.

Second by Frank Kutilek. Roll call vote: Del Williams, no; Jeff Fitter, yes; Norm Moss, yes; Brian McArthur, yes; Roy Wilde, no; Ted Brandt, no; Frank Kutilek, yes; Tom Kreyling, yes; Jason Connell, no; Todd Teuscher, yes. 6 yeas, 4 naes – ***Motion to Deny Approved.***

7c. 2009-22: CONDITIONAL USE PERMIT FOR DDI MEDIA TO INSTALL OFF SITE SIGN AT 2120 MICHIGAN AVE. (BEST AUTOMOTIVE SITE): Motion by Tom Kreyling to deny 2009-22, Conditional Use Permit for DDI Media to install off site sign at 2120 Michigan Ave. (Best Automotive Site) based on the following findings:

1. The proposed off premise sign is deemed inconsistent with good planning practice since there is one approved across I-55 from this site, there are existing commercial center signs in the near vicinity, the application is non-compliant with our codes and good planning practice does not promote visual clutter.

2. The proposed off premise sign will be operated in a manner that is detrimental to the permitted developments and uses in the district and surrounding districts because of an over abundance of signs could pose a distraction for travelers and creating visual clutter.
3. This use will not promote visual compatibility wit the surrounding area.
4. This particular off premise sign is not deemed essential or desirable to preserve or promote the public health, safety and general welfare of the City of Arnold since other similar uses exist or will exist in the near vicinity that serve the same function.

Second by Todd Teuscher. Roll call vote: Del Williams, yes; Jeff Fitter, yes; Norm Moss, yes; Brian McArthur, yes; Roy Wilde, no; Ted Brandt, yes; Frank Kutilek, yes; Tom Kreyling, yes; Jason Connell, no; Todd Teuscher, yes. 8 yeas, 2 naes – *Motion to Deny Approved*.

STAFF REPORT: FENCE VARIANCE REQUEST FOR HILL TOP DRIVE: Motion by Tom Kreyling to approve the fence variance request for Hill Top Drive. Second by Jeff Fitter. Roll call vote: Del Williams, yes; Jeff Fitter, yes; Norm Moss, yes; Brian McArthur, yes; Roy Wilde, yes; Ted Brandt, yes; Frank Kutilek, yes; Tom Kreyling, yes; Jason Connell, yes; Todd Teuscher, yes. 10 yeas, 0 naes – *Approved*.

OLD BUSINESS: Norm Moss commented that there still is no emergency exit light in the Council Chambers.

COMMISSIONERS REPORT: None

ADJOURNMENT: Meeting adjourned at 9:40 p.m.

Respectfully Submitted,



Roy Wilde
Planning Commission Secretary

**PLANNING COMMISSION
ROLL CALL SHEET**

DATE: 09/08/2009

CALLED TO ORDER:

PH: 7:00 RM: 7:29

ADJOURNED:

PH: 7:29 RM: 9:40

	ROLL CALL	2009-08 - TABLE	2009-21 - APPROVE	2009-21 - DENY	2009-22 - DENY	FENCE VARIANCE - HILL TOP DR. - APPROVED	
DEL WILLIAMS	P	Y	Y	N	Y	Y	
JEFF FITTER	P	Y	N	Y	Y	Y	
NORMAN MOSS	P	Y	N	Y	Y	Y	
BRIAN MCARTHUR	P	Y	N	Y	Y	Y	
ROY WILDE	P	Y	Y	N	N	Y	
TED BRANDT	P	Y	Y	N	Y	Y	
FRANK KUTILEK	P	Y	N	Y	Y	Y	
THOMAS KREYLING	P	Y	N	Y	Y	Y	
JASON CONNELL	P	Y	Y	N	N	Y	
TODD TEUSCHER	P	Y	N	Y	Y	Y	
MARY HOLDEN	P	NO VOTE					
CHRISTIE HULL-BETTALE	P	NO VOTE					
CITY ATTORNEY ROBERT SWEENEY	P						