

## City of Arnold, Missouri

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**Public Hearing  
Council Chamber**

**October 18, 2018  
7:00 P.M.**

- A. 2018-32 C-4 Planned Development Zoning Amendment for Tenbrook Plaza 2.
- B. 2018-33, Conditional Use Permit for Pet Daycare with Option of Boarding Service at 2132 Tenbrook Road.

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**City Council**

**Immediately Following the Public Hearing**

### **Agenda**

- 1. Pledge of Allegiance:
- 2. Opening Prayer: Jason Fulbright – Ward 1 Councilman
- 3. Roll Call:
- 4. Business from the Floor:
- 5. Consent Agenda:
  - A. Regular Minutes **September 20, 2018**  
Special Meeting Minutes **October 11, 2018**
  - B. Payroll Warrant **#1300 in the Amount of \$301,507.57**  
Payroll Warrant **#1301 in the Amount of \$282,991.12**
  - C. General Warrant **#5723 in the Amount of \$383,395.68**  
General Warrant **#5724 in the Amount of \$559,947.40**
- 6. Ordinances:
  - A. **Bill No. 2711:** An Ordinance Adopting a C-4 Planned Development Zoning Amendment for Tenbrook Plaza 2 Lot 3, City of Arnold, Jefferson County, Missouri.
  - B. **Bill No. 2712:** An Ordinance Accepting Certain Streets and Other Public Infrastructure in the Maxville Gardens Subdivision for City Maintenance.
  - C. **Bill No. 2713:** An Ordinance Amending Schedule VII – Intersection Stops to Add the Stop Sign Locations in Maxville Gardens Subdivision.
  - D. **Bill No. 2714:** An Ordinance Amending Schedule III- Parking Prohibited at All Times on Certain Public Streets, to Add the No Parking Locations in the Maxville Gardens Subdivision.

7. Resolutions:

- A. **Resolution No. 18-51:** A Resolution Appointing and Re-Appointing Various Individuals to Serve on Different Boards with Different Expiration Dates.
- B. **Resolution No. 18-52:** A Resolution Authorizing the Mayor to Enter Into a Task Order with Intuition & Logic to Provide Continuing Engineering Design Services for the MS4 (Municipal Separate Sewer Systems) Storm Water Services for the City of Arnold.

8. Motion:

- A. 2018-33, Conditional Use Permit for Pet Daycare, with Option of Boarding Services at 2143 Tenbrook Road.

9. Reports from Mayor, Council, and Committees:

10. Administrative Reports:

11. Adjournment:

**Next Regular City Council Meeting November 1, 2018 @ 7:00 p.m.**  
**Next Work Session November 8, 2018 at 7:00 p.m.**

The Public Hearing was called to order by Mayor Counts at 7:00 p.m. City Clerk Tammi Casey made note of those in attendance: Mayor Counts, Hood, Cooley, Sullivan, McArthur, Fleischmann, Owens, Plunk, Fulbright (excused), Richison, Lehmann, Sweeney, Brown, Kroupa (excused) and Chief Shockey.

**A. FIXING THE ANNUAL RATE OF LEVY FOR TAXES**

Bryan Richison and Bill Lehmann spoke briefly regarding the Missouri State Statute requiring an annual public hearing before setting the levy for real estate taxes.

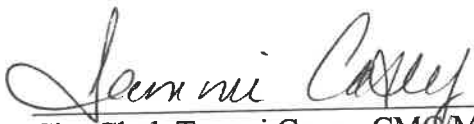
**PUBLIC COMMENTS**

NONE

**COUNCIL COMMENTS**

NONE

The Public Hearing ended at 7:01 p.m.



City Clerk Tammi Casey, CMC/MRCC-C

Mayor Ron Counts called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was recited.

Ray Fraizer from First Baptist Church of Arnold offered the opening prayer.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Hood, Cooley, Sullivan, McArthur, Fleischmann, Owens, Plunk, Fulbright (excused), Richison, Lehmann, Sweeney, Brown, Kroupa (excused) and Chief Shockey.

### **BUSINESS FROM THE FLOOR**

Bill Moritz, 3167 Theodore – Stated he was happy to hear about the round-a-bout at Old Lemay Ferry and Richardson Road but would also like the City to consider updates at the area of Richardson Road and the Vatterott property. Mr. Moritz informed council that he believes the Ambulance District suit should have been completed by now. He is glad the City hired a management company for the golf course and would also like to see the City continue to work on the internet sales tax issue by perhaps involving our state legislature.

### **CONSENT AGENDA**

- A. MINUTES FROM SEPTEMBER 6, 2018 MEETING**
- B. PAYROLL WARRANT NO. 1299 IN THE AMOUNT OF \$294,362.39**
- C. GENERAL WARRANT NO. 5722 IN THE AMOUNT OF \$671,467.24**

**Butch Cooley made a motion and so moved to approve the consent agenda.**

Seconded by Vern Sullivan. Roll call vote: Hood, yes; Cooley, yes; Sullivan, yes; McArthur, yes; Fleischmann, yes; Owens, yes; Plunk, yes; Fulbright, (excused); 7 Yeas: **Consent agenda approved.**

### **ORDINANCES**

**BILL NO. 2709 – AN ORDINANCE FIXING THE ANNUAL RATE OF LEVY FOR TAXES** was read twice by City Clerk Tammi Casey. Roll call vote: Hood, yes; Cooley, yes; Sullivan, yes; McArthur, yes; Fleischmann, yes; Owens, yes; Plunk, yes; Fulbright, (excused); 7 Yeas: **Ordinance passed.**

**BILL NO. 2710 – AN ORDINANCE DETERMINING THE FINAL COST OF COMPLETED IMPROVEMENTS KNOWN AS THE MAXVILLE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT PROJECT; APPORTIONING SUCH FINAL COST AMONG THE PROPERTIES IN THE MAXVILLE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT IN THE CITY OF ARNOLD, MISSOURI; ASSESSING SPECIAL ASSESSMENTS AGAINST THE PROPERTIES IN SAID DISTRICT; AND AUTHORIZING THE ISSUING OF TAX BILLS THEREFORE** was read twice by City Clerk Tammi Casey. Roll call vote: Hood, yes; Cooley, yes; Sullivan, yes; McArthur, yes; Fleischmann, yes; Owens, yes; Plunk, yes; Fulbright, (excused); 7 Yeas: **Ordinance passed.**

## **RESOLUTIONS**

**NONE**

## **MOTIONS**

- A. A MOTION TO HOLD A CLOSED SESSION IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING FOR THE PURPOSE OF DISCUSSING PERSONNEL PURSUANT TO RSMo SECTION 610.021 (3)**

**Mark Hood made a motion and so moved to approve a closed session immediately following the city council meeting.** Seconded by Butch Cooley. Roll call vote: Hood, yes; Cooley, yes; Sullivan, yes; McArthur, yes; Fleischmann, yes; Owens, yes; Plunk, yes; Fulbright, (excused); 7 Yeas: **Motion carried.**

## **REPORTS FROM MAYOR, COUNCIL AND COMMITTEES**

Mayor Counts – Informed council that Proposition D was a discussion topic at the MML Conference and he believes it will help the city. The cyber security session was also very informative. Mayor Counts thanked Parks and Rec along with the Police Department for all their hard work in making Arnold Days a huge success. The Mayor's Prayer Breakfast sold out with Barbara O'Connor, wife of Officer Ryan O'Connor as the keynote speaker.

Gary Plunk, Ward 4 – Stated he also attended the MML Conference and the cyber security session was very informative, along with the Missouri Department of Natural Resources booth where they informed him of the many grants available for various projects such as splash parks.

Vern Sullivan, Ward 3 – Informed everyone that the 1826 POW/MIA Museum will officially declare the City of Arnold as a POW/MIA City during a ceremony at City Hall tomorrow at 3:00. The Veterans Commission also met this week to continue their work on the Veterans Day Parade.

Butch Cooley, Ward 4 – Stated the Arnold Days Parade and Car Show went very well. Mr. Cooley informed council that the Liquor Committee met tonight and asked Mrs. Casey to provide a report.

Mrs. Casey informed council that MOD Pizza has applied for a liquor license. **David Owens made a motion and so moved to approve the liquor license application for MOD Pizza.** Seconded by Vern Sullivan. Roll call vote: Hood, yes; Cooley, yes; Sullivan, yes; McArthur, yes; Fleischmann, yes; Owens, yes; Plunk, yes; Fulbright, (excused); 7 Yeas: **Motion carried.**

Mark Hood, Ward 3 – Encouraged everyone to attend the Liverpool Legends concert which will be held at Rickman Auditorium.

Brian McArthur, Ward 2 – Commended Parks and Rec for their social media presence for Arnold Days. Mr. McArthur informed council that 5 Star Auto Body is coming along very well and that the tree preservation ordinance that was passed a while back has been very useful with the new construction.

## ADMINISTRATIVE REPORTS

Bryan Richison – Echoed everyone's sentiments regarding Arnold Days. Mr. Richison addressed some of the concerns brought forward by Bill Moritz during Business From the Floor and also informed council that he has received notification from FEMA that our application for eleven homes has been approved.

Dickie Brown – Thanked everyone for their kind words regarding Arnold Days.

Bob Sweeney – Echoed Brian McArthur's comments regarding the tree preservation ordinance, stating it is working very well. Mr. Sweeney also informed council that there is a concerted effort in moving forward with the internet sales issue from the legislative level.

4  
Regular Meeting  
September 20, 2018

Mayor Counts announced a five minute recess before going into closed session.

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Closed session ended at 7:45 p.m.

A motion to adjourn the meeting was made by Vern Sullivan. Seconded by EJ Fleischmann.

Voice vote: All yeas.  
7:45 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-C

Draft

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR  
 DATE: 9/20/2018  
 PAGE: 1

BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

MAYOR

RON COUNTS

PRESENT

COUNCIL:

MARK HOOD

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

BUTCH COOLEY

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

VERN SULLIVAN

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

BRIAN MCARTHUR

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

EJ FLEISCHMANN

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

DAVID OWENS

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

GARY PLUNK

PRESENT

YES

YES

YES

YES

YES

COUNCIL:

JASON FULBRIGHT

EXCUSED

EXCUSED

EXCUSED

EXCUSED

EXCUSED

EXCUSED

CITY ADMINISTRATOR

BRYAN RICHISON

PRESENT

PARKS DIR:

DICKIE BROWN

PRESENT

CITY CLERK

TAMMI CASEY

PRESENT

PUBLIC WORKS:

-

COM DEV

TREASURER:

DAN KROUPA

EXCUSED

FINANCE DIRECTOR

BILL LEHMANN

PRESENT

POLICE DEPT.

CHIEF SHOCKEY

PRESENT

CITY ATTORNEY

BOB SWEENEY

PRESENT



Those in attendance as noted by City Clerk Tammi Casey; Mayor Counts, Hood, Cooley, Sullivan (excused), McArthur, Fleischmann, Owens (excused), Plunk, Fulbright, Richison, Lehmann, Sweeney, Brown, Kroupa and Chief Shockey.

**CEDARHURST OF ARNOLD ASSISTED LIVING AND MEMORY CARE**

Bryan Richison introduced Jordan Dorsey who spoke to council regarding a proposed assisted living and memory care center to be built at Old Lemay Ferry and Missouri State Road. They are proposing a \$15 million investment with 53 assisted living apartments and 20 memory care apartments. The project would also include exterior courtyards and patios, a salon and spa along with a full service therapy center. Mr. Dorsey stated they are seeking a 50% tax abatement over 20 years to help recover some of the additional construction costs due to the necessity of blasting large amounts of rock. There has been a meeting with all taxing entities (city, school, ambulance and fire districts). The school, ambulance and fire districts have all indicated they are not interested in approving the tax abatement.

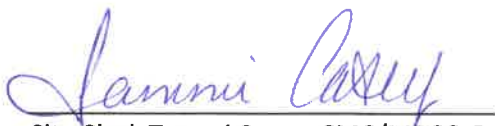
After many questions and discussion by council, they indicated they would like to see another meeting with all taxing entities before making any final decisions.

**UPDATE ON GOLF COURSE/WALTERS GOLF MANAGEMENT**

Bryan Richison informed council that Walters Golf Management has been at the golf course for roughly two weeks and are currently in the process of setting up their cloud based software. They seem very optimistic regarding their ability to increase revenue for the golf course and are getting all of their systems and evaluation processes in place. They plan to come before council with a more detailed update during either the November or December Work Session.

Mayor Counts announced a five minute recess before going into the Special Council Meeting.

Meeting adjourned at 7:48 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-C

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** WORK SESSION

**DATE:** 10/11/2018

**PAGE:** 1

**BILL NO - RESOLUTION - MOTION**

		IN ATTENDANCE					
<b>COUNCIL MEMBERS:</b>							
<b>MAYOR</b>	<u>RON COUNTS</u>	PRESENT					
<b>COUNCIL:</b>	<u>MARK HOOD</u>	PRESENT					
<b>COUNCIL:</b>	<u>BUTCH COOLEY</u>	PRESENT					
<b>COUNCIL:</b>	<u>VERN SULLIVAN</u>	EXCUSED					
<b>COUNCIL:</b>	<u>BRIAN MCARTHUR</u>	PRESENT					
<b>COUNCIL:</b>	<u>EJ FLEISCHMANN</u>	PRESENT					
<b>COUNCIL:</b>	<u>DAVID OWENS</u>	EXCUSED					
<b>COUNCIL:</b>	<u>GARY PLUNK</u>	PRESENT					
<b>COUNCIL:</b>	<u>JASON FULBRIGHT</u>	PRESENT					
<b>CITY ADMINISTRATOR</b>	BRYAN RICHISON	PRESENT	<b>PARKS DIR:</b>	DICKIE BROWN			PRESENT
<b>CITY CLERK</b>	TAMMI CASEY	PRESENT	<b>PUBLIC WORKS:</b>	-			
<b>COM DEV</b>	-		<b>TREASURER:</b>	DAN KROUPA			PRESENT
<b>FINANCE DIRECTOR</b>	BILL LEHMANN	PRESENT	<b>POLICE DEPT.</b>	CHIEF SHOCKEY			PRESENT
<b>CITY ATTORNEY</b>	BOB SWEENEY	PRESENT					

Mayor Ron Counts called the special council meeting to order at 7:55 p.m.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Ron Counts, Hood, Cooley, Sullivan (excused), McArthur, Fleischmann, Owens (excused), Plunk, Fulbright, Richison, Sweeney, Brown, Kroupa and Chief Shockey.

**MOTIONS**

**A. A MOTION TO HOLD A CLOSED SESSION FOR THE PURPOSE OF DISCUSSING REAL ESTATE PURSUANT TO RSMO Section 610.021 (2)**

**Jason Fulbright made a motion and so moved to approve a closed session immediately following the special council meeting. Seconded by Gary Plunk. Roll call vote: Hood, yes; Cooley, yes; Sullivan (excused); McArthur, yes; Fleischmann, yes; Owens (excused); Plunk, yes; Fulbright, yes; 6 Yeas: Motion carried.**

.....  
Closed Session ended at 8:35 p.m..

A motion to adjourn the meeting was made by Jason Fulbright. Seconded by Mark Hood.

Meeting adjourned at 8:35 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-C

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** SPECIAL COUNCIL MEETING

**DATE:** 10/11/2018

**PAGE:** 1

**BILL NO - RESOLUTION - MOTION**

**COUNCIL MEMBERS:**

		ROLL CALL	MOTION TO APPROVED A CLOSED SESSION				
<b>MAYOR</b>	<u>RON COUNTS</u>	PRESENT					
<b>COUNCIL:</b>	<u>MARK HOOD</u>	PRESENT	YES				
<b>COUNCIL:</b>	<u>BUTCH COOLEY</u>	PRESENT	YES				
<b>COUNCIL:</b>	<u>VERN SULLIVAN</u>	EXCUSED	EXCUSED				
<b>COUNCIL:</b>	<u>BRIAN MCARTHUR</u>	PRESENT	YES				
<b>COUNCIL:</b>	<u>EJ FLEISCHMANN</u>	PRESENT	YES				
<b>COUNCIL:</b>	<u>DAVID OWENS</u>	EXCUSED	EXCUSED				
<b>COUNCIL:</b>	<u>GARY PLUNK</u>	PRESENT	YES				
<b>COUNCIL:</b>	<u>JASON FULBRIGHT</u>	PRESENT	YES				
<b>CITY ADMINISTRATOR</b>	BRYAN RICHISON	PRESENT	<b>PARKS DIR:</b>	DICKIE BROWN			PRESENT
<b>CITY CLERK</b>	TAMMI CASEY	PRESENT	<b>PUBLIC WORKS:</b>	-			
<b>COM DEV</b>	-		<b>TREASURER:</b>	DAN KROUPA			PRESENT
<b>FINANCE DIRECTOR</b>	BILL LEHMANN	-	<b>POLICE DEPT.</b>	CHIEF SHOCKEY			PRESENT
<b>CITY ATTORNEY</b>	BOB SWEENEY	PRESENT					

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**CITY OF ARNOLD, PLANNING COMMISSION, OCTOBER 9, 2018  
MEETING**

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**TO:** PLANNING COMMISSION  
**FROM:** CHRISTIE HULL BETTALE EIT, COM DEV ENGINEER  
**SUBJECT:** 2018-32, C-4 PLANNED DEVELOPMENT ZONING AMENDMENT FOR  
TENBROOK PLAZA 2  
**DATE:** OCTOBER 2, 2018  
**CC:**

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**Request**

Philip & Melanie Pieper - prospective tenants on behalf of Larry Jones-owner, are requesting approval of a C-4 Planned Development Zoning amendment for TENBROOK PLAZA 2 LOT 3. Attached are the application, the proposed C-4 zoning amendment and aerial of the site.

**PLANNING COMMISSION SUMMARY AND RECOMMENDATION**

The Planning Commission held a public hearing reviewed and considered this request at their October 9 meeting. For reference, see the staff analysis. There was one person who spoke, regarding dog runs and waste pick up. All questions were answered via applicant and staff. The Commission voted 9-0 in favor and forwards a recommendation of approval to Council with the findings identified.

Attached is the Adoption Ordinance and Exhibit A.

**Analysis**

This area has been zoned C-4 for many years and after research this parcel doesn't have a detailed C-4 development plan. In the past, as long as the requested use falls within the any of the commercial districts as a 'use by right', they've been allowed.

The Piepers have made a request to use part of the building space for an animal day care. Doggie Daycare and Pet Daycare are services that are becoming a popular choice for many pet owners and this is a service that is new to the city. As the applicant describes; the care facility offers "a place for animals to stay when owners do not want to leave them home alone while they are at work or on errands." That being said, animal day care is not described in the code and it is different from kennels; in that there is no selling, breeding or overnight boarding of animals.

Overall, Staff believes Pet Daycare is an appropriate service for availability in the C-4 commercial district. However, as one can understand caring for animals could have a potential for impacts that should be considered and approved *conditionally*.

As a result, the zoning amendment is drafted and presented to Commission for review to allow for Pet Daycare as a 'Conditional Use' in this specific C-4 District. You will find the other file

before you tonight, 2018-33, is the request for the Conditional Use to operate the Pet Daycare with the option of offering Boarding service.

When considering a zoning amendment, the below criteria is used to review the zoning amendment.

**The extension of an existing boundary where said change will not be detrimental and where it is shown that such change is necessary for public convenience or necessity.** Technically, this is not an extension since the parcels have been zoned C-4 Planned Commercial for some time. This is an amendment made to include a new convenient service option for the public under the conditional use process. This will not be detrimental since, a Conditional Use Application can be denied should it not fulfill the necessary criteria.

**There has been significant change in the area to warrant a change in zoning classification.** While this is not a change in the zoning classification, there is a change in need for the community. This amendment to the C-4 district is warranted to allow for review for the service of animal daycare.

**It is shown that a mistake was made in the original zoning map.** No mistake was made in the original zoning document.

**A change that would make the zoning classification reflect the proposed use in the Land Use Plan of the City of Arnold.** The City Zoning Map indicates this area as a C-4 Commercial Zoning District.

**Other changes where it is shown to be in the best interest for the health, safety, and welfare of the citizens of the City of Arnold.** Approving the C-4 amendment is in the best interest and welfare of the City of Arnold since it provides an opportunity to receive a valuable service for our residents within the city and customers outside the City limits.

### **Recommendation**

Staff recommends the Planning Commission approve the proposed C-4 amendment based on the following findings.

1. Technically, this is not an extension since the parcels have been zoned C-4 Planned Commercial for some time. This is an amendment made to include a new convenient service option for the public under the conditional use process. This will not be detrimental since, a Conditional Use Application can be denied should it not fulfill the necessary criteria.
2. While this is not a change in the zoning classification, there is a change in need for the community. This amendment to the C-4 district is warranted to allow for review for the service of animal daycare.
3. No mistake was made in the original zoning document.
4. The City Zoning Map indicates this area as a C-4 Commercial Zoning District.

5. Approving the C-4 amendment is in the best interest and welfare of the City of Arnold since provides an opportunity to receive a valuable service for our residents within the city and customers outside the City limits.

Bill NO. 2711

Ordinance NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A C-4 PLANNED DEVELOPMENT ZONING  
AMENDMENT FOR TENBROOK PLAZA 2 LOT 3,  
CITY OF ARNOLD, JEFFERSON COUNTY, MISSOURI

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**WHEREAS**, an application to adopt a C-4 Planned Development Zoning Amendment for Tenbrook Plaza 2, Lot 3, City Of Arnold, Jefferson County, Missouri has been submitted to the City of Arnold, and

**WHEREAS**, the proper public hearings have been held, pursuant to City Ordinance and the laws of the State of Missouri, and

**WHEREAS**, the Planning Commission has submitted its report and recommendation to the City Council on the proposed amendment of the C-4 Planned Development Zoning to include Pet Day Care and Boarding Services as a Conditional Use, and

**WHEREAS**, the Council finds that this C-4 development plan and zoning document meets the conditions since the parcels have been zoned C-4 Planned Commercial for some time. The amendment is made to include a new convenient service option for the public under the conditional use process. Approval will not be detrimental since, a Conditional Use Application can be denied should it not fulfill the necessary criteria. This is not a change in the zoning classification but, there is a change in need for the community. It is warranted to allow for review for the service of animal daycare. No mistake was made in the original zoning document as the City Zoning Map indicates this area as a C-4 Commercial Zoning District. The amendment is in the best interest and welfare of the City of Arnold since provides an opportunity to receive a valuable service for our residents within the city and customers outside the City limits.

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

Section 1: The property identified as Tenbrook Plaza 2, Lot 3, City Of Arnold, Jefferson County, Missouri will be developed in accordance with the provisions of this ordinance, zoning document contained in Exhibit A and other applicable laws of the City of Arnold.

Section 2: The property identified as Tenbrook Plaza 2, Lot 3, City Of Arnold, Jefferson County, Missouri is hereby subject to the rules and regulations as outlined in Exhibit A. Where rules and regulations are not specified in the Exhibit A, then the codes of the City of Arnold shall govern.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.



READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF OCTOBER 2018.

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

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

ATTEST:

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

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert Sweeney

October 11, 2018

Z:\CITYDOCS\ORDINANC\2711 Amendment for Tenbrook Plaza.docx

**EXHIBIT A**  
**C-4 PLANNED DEVELOPMENT ZONING AMENDMENT FOR**  
**TENBROOK PLAZA 2 LOT 3**

*Conditional Land Use and Development Permits Issued by the Commission under conditions and requirements specified in Conditional Use Permits in Section 405.870: Conditional Use Permits.*

1. Conditional uses identified in the C-2 and C-3 Commercial Zone Districts of the most current Zoning Code.
2. Pet Daycare.
  - a. Exercise in outdoor areas is not permitted between the hours of 9:00 pm and 7:00 am.
  - b. Site plan shall be provided and identify location of outdoor area to be used. Sight proof fencing, 6 foot high, around all outdoor areas.
  - c. Exterior areas must be monitored by a caregiver.
  - d. Conditional Use Permit, Business license and occupancy permit may be revoked if any nuisance is not mitigated to satisfaction of city.
  - e. Any approval for Conditional Use Permit does not supersede other local, state or federal requirements.
  - f. Conditional Use Permit expiration is at Planning Commission's discretion.
  - g. The care of wild animals is prohibited as defined in Section 210.010: Definitions.

**WILD ANIMAL**

Any live monkey (non-human primate), raccoon, skunk, fox, poisonous snake, python or boa constrictor longer than six (6) feet in length, leopard, panther, tiger, lion, lynx, or other animal which can normally be found in the wild state.[Ord. No. 6.31 (Bill No. 2672) § 1, 8-17-2017] or most current code.

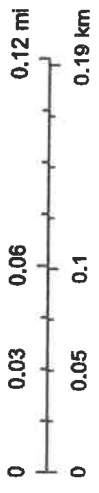
3. Pet Overnight Boarding - Option
  - a) Pet Daycare must be offered as a primary use.
  - b) Boarding adjacent to Residential zoning.
    - i. For the interior housing and play area, the building should have sound baffled air intake and discharge
    - ii. For the interior housing and play area, no operable windows allowed, and fixed windows (if provided) must be double glazed. Light from non-operable skylights is allowed.

# City of Arnold MO Online GIS Base Map Viewer



10/2/2018 3:04:24 PM

1:4,514



- Arnold\_MO\_City\_Limits
- Jefferson County Parcels
- Jefferson County Subdivision Lot Lines
- Flood Hazard Zones
- 1% Annual Chance Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard

**C-4 PLANNED DEVELOPMENT ZONING AMENDMENT FOR  
TENBROOK PLAZA 2 LOT 3**

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1. Conditional uses identified in the C-2 and C-3 Commercial Zone Districts of the most current Zoning Code.
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  - b. Site plan shall be provided and identify location of outdoor area to be used. Sight proof fencing, 6 foot high, around all outdoor areas.
  - c. Exterior areas must be monitored by a caregiver.
  - d. Conditional Use Permit, Business license and occupancy permit may be revoked if any nuisance is not mitigated to satisfaction of city.
  - e. Any approval for Conditional Use Permit does not supersede other local, state or federal requirements.
  - f. Conditional Use Permit expiration is at Planning Commission's discretion.
  - g. The care of wild animals is prohibited as defined in Section 210.010: Definitions.

**WILD ANIMAL**

Any live monkey (non-human primate), raccoon, skunk, fox, poisonous snake, python or boa constrictor longer than six (6) feet in length, leopard, panther, tiger, lion, lynx, or other animal which can normally be found in the wild state. [Ord. No. 6.31 (Bill No. 2672) § 1, 8-17-2017] or most current code.

3. Pet Overnight Boarding - Option
  - a) Pet Daycare must be offered as a primary use.
  - b) Boarding adjacent to Residential zoning.
    - i. For the interior housing and play area, the building should have sound baffled air intake and discharge
    - ii. For the interior housing and play area, no operable windows allowed, and fixed windows (if provided) must be double glazed. Light from non-operable skylights is allowed.

**AN ORDINANCE ACCEPTING CERTAIN STREETS AND OTHER PUBLIC INFRASTRUCTURE IN THE MAXVILLE GARDENS SUBDIVISION FOR CITY MAINTENANCE.**

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WHEREAS, the City of Arnold, from time to time will accept the ownership of certain real property, including streets; and

WHEREAS, pursuant to Section 410.490 of the City Code certain streets may be accepted by the City for purposes of maintenance and to secure the public health, safety, and welfare; and

WHEREAS, certain streets may be accepted by the City to ensure the proper development, growth and success of the City of Arnold;

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

Section 1. The following streets and other public infrastructure in the right-of-way are hereby accepted for ownership and maintenance by the City of Arnold:

- Karpos Street
- Agape Street
- Chara Street
- Eirene Street
- Pistis Street

Section 2. A copy of the aforementioned formal written acceptance is attached hereto, is hereby incorporated herein and made a part hereof by reference as if more fully set out.

Section 3. The formal written acceptance shall be duly recorded in the land records of the County of Jefferson, State of Missouri, by a duly appointed officer of the City of Arnold, Missouri.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

(SIGNATURES ON FOLLOWING PAGE)

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF October 2018.

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

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

ATTEST:

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

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert Sweeney

ACCEPTANCE AND DEDICATION

This is to certify that the interest in real property conveyed by all parties having an interest in Karpos Street, Agape Street, Chara Street, Eirene Street and Pistis Street in Maxville Gardens Subdivision to the City of Arnold, Missouri, was duly accepted by Bill Number \_\_\_\_\_, Ordinance Number \_\_\_\_\_ of the City of Arnold, Missouri, adopted \_\_\_\_\_, 2018, and Council of the City of Arnold has consented to the recordation of such petition by its duly authorized officer.

CITY OF ARNOLD, MISSOURI

By: \_\_\_\_\_  
Ron Counts, Mayor  
2101 Jeffco Boulevard  
Arnold, Missouri 63010

Attest: \_\_\_\_\_  
Tammi Casey, City Clerk

STATE OF MISSOURI )  
COUNTY OF JEFFERSON )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, personally appeared before me Ron Counts, who, being duly sworn, did say that he is the Mayor of the City of Arnold, Missouri, a Municipal Corporation, and that the seal affixed to the foregoing instrument is the official seal of said City, and said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City of Arnold, County of Jefferson, State of Missouri, the day and year first above written.

\_\_\_\_\_  
Notary Public

My term expires: \_\_\_\_\_

**AN ORDINANCE AMENDING SCHEDULE VII – INTERSECTION STOPS TO ADD THE STOP SIGN LOCATIONS IN MAXVILLE GARDENS SUBDIVISION.**

WHEREAS, the City of Arnold has accepted the streets in the Maxville Gardens subdivision for public maintenance; and

WHEREAS, said streets have several stop sign locations the City will enforce;

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

Section 1. Schedule VII – Intersection Stops of the City Code is amended to add the following stop locations:

<b>Traffic on Highway, Road, Street or Alley Listed Below Shall Stop</b>	<b>Intersection</b>
Karpos	at Missouri State Road
Karpos	at Eirene
Agape	at Karpos
Chara	at Agape
Eirene	at Chara
Pistis	at Chara

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF October 2018.

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

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

ATTEST:

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

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert Sweeney



**AN ORDINANCE AMENDING SCHEDULE III – PARKING PROHIBITED AT ALL TIMES ON CERTAIN PUBLIC STREETS, TO ADD THE NO PARKING LOCATIONS IN THE MAXVILLE GARDENS SUBDIVISION.**

WHEREAS, the City of Arnold has accepted the streets in the Maxville Gardens subdivision for public maintenance; and

WHEREAS, said streets have no parking locations the City will enforce;

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

Section 1. Schedule III – Parking Prohibited at All Times on Certain Public Streets of the City Code is amended to add the following no parking locations:

<b>Name of Street or District On:</b>	<b>At:</b>
Karpos	North side from Agape to Missouri State Road
Karpos	South side portion from Agape to the east
Karpos	South side from Eirene to Agape
Agape	South side from Karpos to Chara
Agape	South side from Chara to end of cul-de-sac
Agape	North side portion from end of cul-de-sac to the west
Chara	West side from Agape to Eirene
Chara	West side from Eirene to the cul-de-sac, including the entire cul-de-sac
Eirene	North side from Chara to Karpos
Eirene	North side from Karpos to the cul-de-sac, including the entire cul-de-sac
Pistis	East side from Chara to the cul-de-sac, including the entire cul-de-sac

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF October 2018.

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

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

ATTEST:

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

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert Sweeney

RESOLUTION NO: 18-51

A RESOLUTION APPOINTING AND RE-APPOINTING VARIOUS INDIVIDUALS TO  
SERVE ON DIFFERENT BOARDS WITH DIFFERENT EXPIRATION DATES.

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BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the following individuals are hereby appointed and re-appointed to serve on various Boards until their term expires or a successor has been duly appointed and qualified.

**SECTION 1. BOARD OF APPEALS**

1. Raymond Frazier is re-appointed to serve a term of one-year that will expire on 07-30-2019.

**SECTION 2. COMMISSION ON AGING AND DISABILITIES**

1. Bill Knittig is re-appointed to serve a term of three-years as An-at-Large Citizen that will expire on May 31, 2021 .
2. James Henson is re-appointed to serve a term of three-years as a Representative from Organization serving Disabled Population that will expire on May 31, 2021.

**SECTION 3. ARNOLD COMMUNITY FOUNDATION**

1. Mark Loyd is re-appointed to serve a term of three-years that will expire on September 15, 2021.
2. Lloyd Seifert is re-appointed to serve a term of three-years that will expire on September 15, 2021.
3. Kevin Lashley is re-appointed to serve a term of three-years that will expire on September 15, 2021.

**SECTION 4. TOURISM COMMISSION**

1. Jeff G. Joergensen is appointed to serve the remainder of a three-year term that will Expire on December 31, 2020.
2. Wally Lionberger is appointed to serve the remainder of a three-year term that will Expire on December 31, 2018.

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

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

ATTEST:

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

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

## Jeff Joergensen Bio

Married for 37 years, 4 children, 2 grandchildren, reside in Imperial MO.

1979 thru 1991 Naugle's Restaurant (Unit Mgmt to Regional Market Manager-overseeing St. Louis operations -12 units running the highest volume and most profitable region in the system)

1983 established & directed the Midwest Training Center for Naugles Company & Franchise Training (Territory of Chicago, St Louis, Florida, Texas, Kansas)

1991 thru 2004 Metro Media Restaurants (Ponderosa) Market Manager-18 units St. Louis, Kansas City, Peoria & Milwaukee- Corporate training- Traveling Nation wide training & certifying training steakhouses, developed and presented seminars on various field colleges & developed state of the art, interactive computer based training...while receiving profession training on videography & digital/audio editing

Through out these years, developed & tested several programs and procedures which now are nation wide mandatory business systems.

1992-93 named to the Ponderosa's President's PEP council (Putting Excellence into Practice)

1993 named Ponderosa General Manager of the Year

1995 named to the Ponderosa's inaugural Circle of Excellence

2004 joined as a partner Wesken & Walrob a franchise of Ponderosa (w/Wes Griffith)

2004-10 served on leadership committees for Metro Media Restaurants/Ponderosa (Operations & Purchasing committees)

2005-present Franchisee of Homestyle Dining LLC (Ponderosa)

2006-Served asMarketing Co-Op President for the St Louis Company & Franchise Ponderosa/Bonanza Brands

2014-Present Ponderosa Franchise Association Board of Directors

2006-09 Vice President St Vincent De Paul (St Joseph's Imperial MO)

2010 President St Vincent De Paul (St Joseph's Imperial MO)

2010 Served on a Civic committee in Arnold MO. (Traveling Tribute Wall to honor all Veterans) Recognized by Governor Jay Nixon.

2008-12 Vice President (Deputy Grand Knight) Knight's of Columbus Arnold MO.

2011-14 Board of Directors Rotary Club of Arnold MO.

2015 President Rotary Club of Arnold MO

2017 Salvation Army Advisory Board

This November (2018) Ponderosa will be celebrating 30 years of business in Arnold MO.

We think we are the oldest restaurant (still operating) in Arnold MO



**WALLY LIONBERGER AGENCY**

1331 JEFFCO BLVD SUITE 1  
ARNOLD, MO 63010-2165  
OFF: (636) 287-5000  
FAX: (636) 287-5094  
klionbe1@amfam.com  
www.wallylionberger.com



Kenneth (Wally) Lionberger is a third generation insurance agent who opened an American Family Insurance Agency in Arnold MO in October 2004. Coming from a background of Social Services, starting scratch agency presented unique opportunities. A strong networking program and sense of community helped Wally build his agency to where it is today.

Wally has a strong presence in the community and a heart for service. Fostering community development through tourism will help make the city of Arnold more attractive to homeowners, business owners, and visitors, expanding potential markets and making life better for everyone. Being an active member of the community will allow Wally to bring experience and insight to any project. Wally has the ability to relate well with others and has a genuine interest in furthering community inclusion.

Wally is an Eagle Scout  
Member and Past President of the Arnold Chamber of Commerce  
Member and Past President of the Arnold Rotary Club  
Founding member, Executive Director & past president of Professionals Referring Professionals  
Director of the Imperial Business Group  
Charter member and Past President of the Arnold Kiwanis Club  
Chairman of Friends of Scouting Community Campaign  
Wally volunteers for Meals on Wheels  
Junior Achievement  
Old Newsboys Day  
Mayors Breakfast  
Hammers of Hope  
Brenden's Backpack  
With his church  
And many other organizations

Wally's office is staffed by his wife Nina his Daughter Jodi Ennis, Christina Garcia and Kylee Wheeler.

Wally and Nina live in Barnhart and love to go camping and spend time with their 3 grown children and 6 grandchildren.

RESOLUTION NO: 18-52

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A TASK  
ORDER WITH INTUITION & LOGIC TO PROVIDE CONTINUING  
ENGINEERING DESIGN SERVICES FOR THE MS4 (MUNICIPAL  
SEPARATE SEWER SYSTEMS) STORM WATER SERVICES FOR THE  
CITY OF ARNOLD.

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BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the Mayor be, and is hereby authorized to enter into a Task Order with Intuition & Logic to provide Engineering Design Services for the MS4 Services Project for the City of Arnold during the 2019 budget year.

A copy of said contract is attached hereto and made a part hereof reference.

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

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

ATTEST:

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

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

**TASK ORDER REQUEST #9  
TO GENERAL SERVICE AGREEMENT  
BETWEEN THE CITY OF ARNOLD, MISSOURI AND INTUITION & LOGIC  
FOR PROFESSIONAL SERVICES FOR MS4 STORMWATER SERVICES**

This is a Task Order Request (TASK ORDER) to provide professional services under the General Service Agreement (AGREEMENT) entered into between THE CITY OF ARNOLD, MISSOURI (CITY) AND INTUITION & LOGIC (I&L) for professional services for stormwater projects. The AGREEMENT is hereby referenced and made part of this TASK ORDER. This TASK ORDER is governed by the AGREEMENT.

In consideration of the promises contained in the AGREEMENT, CITY and I&L agree as follows:

**EFFECTIVE DATE**

The effective date of this TASK ORDER shall be the AGREEMENT effective date or the signature date for Mayor Ron Counts, whichever is later.

**SCOPE OF SERVICES**

I&L shall provide the Services described in Attachment A, Task Order #9 Scope of Services.

**SCHEDULE**

I&L shall provide the Services pursuant to the Schedule set forth in Attachment B, Task Order #9 Schedule.

**ARTICLE 5 - COMPENSATION**

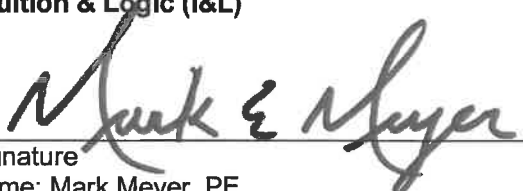
CITY shall pay I&L in accordance with Attachment C, Task Order #9 Compensation and per the AGREEMENT.

IN WITNESS WHEREOF, CITY and I&L have executed this TASK ORDER. The individuals signing this TASK ORDER represent and warrant that they have the power and authority to enter into this TASK ORDER and bind the parties for whom they sign.

**City of Arnold, Missouri (CITY)**

**Intuition & Logic (I&L)**

\_\_\_\_\_  
Signature  
Name: Ron Counts  
Title: Mayor

\_\_\_\_\_  
Signature   
Name: Mark Meyer, PE  
Title: President

September 27, 2018

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

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

\_\_\_\_\_  
431873553  
Fed. Tax I.D. No.

\_\_\_\_\_  
Attest by:  
Name: Tammi Casey  
Title: City Clerk

\_\_\_\_\_  
Approved as to form:  
Name: Robert Sweeney  
Title: City Attorney

## Attachment A Task Order #9 Scope of Services

Permit Services														
Personnel Type/Title	PM	PE	CAD / GIS Designer	EIT					Subtotal Hours	Subtotal Personnel Cost	Direct Expenses	Sub Consultant Expenses	Subtotal	Personnel Billing Rate
														165.00
Data Collection and Analysis									0	\$ -				\$ -
Information, Data Collection and Analysis		34		16					40	\$ 4,600.00				\$ 4,600.00
Meetings with the City as needed in support of compliance efforts.									0	\$ -				\$ -
									0	\$ -				\$ -
<b>Subtotal =</b>	<b>0</b>	<b>24</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40</b>	<b>\$ 4,600.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,600.00</b>
									0	\$ -				\$ -
									0	\$ -				\$ -
Meet with the City to review progress and the 2018 MS4 planned compliance and tracking requirements.									0	\$ -				\$ -
Fall Meeting									0	\$ -				\$ -
Meet with the City to discuss permit compliance efforts to date and coordinate upcoming efforts.									0	\$ -				\$ -
F.1.1 Coordinate Meeting and Agenda		0.25		1					1.25	\$ 118.75				\$ 118.75
F.1.2 Attend Meeting		4							4	\$ 540.00				\$ 540.00
F.1.3 Meeting Summary		0.25		1					1.25	\$ 118.75				\$ 118.75
									0	\$ -				\$ -
Spring Meeting									0	\$ -				\$ -
Meet with the City to discuss permit compliance efforts to date and coordinate upcoming efforts.									0	\$ -				\$ -
F.2.1 Coordinate Meeting and Agenda		0.25		1					1.25	\$ 118.75				\$ 118.75
F.2.2 Attend Meeting		4							4	\$ 540.00				\$ 540.00
F.2.3 Meeting Summary		0.25		1					1.25	\$ 118.75				\$ 118.75
									0	\$ -				\$ -
City Council Meeting									0	\$ -				\$ -
Meet with the City Council to discuss SWMP revision updates and Citizen Advisory Board development.									0	\$ -				\$ -
F.3.1 Coordinate Meeting and Agenda		0.25		1					1.25	\$ 118.75				\$ 118.75
F.3.2 Attend Meeting		4							4	\$ 540.00				\$ 540.00
F.3.3 Meeting Summary		0.25		1					1.25	\$ 118.75				\$ 118.75
									0	\$ -				\$ -
Citizen Advisory Board Meeting									0	\$ -				\$ -
Meet with the City Council and Citizen Advisory Board to discuss the boards' goals for the permit term.									0	\$ -				\$ -
F.4.1 Coordinate Meeting and Agenda		0.25		1					1.25	\$ 118.75				\$ 118.75
F.4.2 Attend Meeting		4							4	\$ 540.00				\$ 540.00
F.4.3 Meeting Summary		0.25		1					1.25	\$ 118.75				\$ 118.75
									0	\$ -				\$ -
									0	\$ -				\$ -
									0	\$ -				\$ -
									0	\$ -				\$ -



nit Services

Personnel Billing Rate	PM	PE	CAD / GIS Designer	IT					Subtotal Hours	Subtotal Personnel Cost	Direct Expenses	Sub-Consultant Expenses	Subtotal
165.00	135.00	95.00	85.00	0.00	0.00	0.00	0.00	0.00	26	\$ 3,110.00	\$ -	\$ -	\$ 3,110.00
Subtotal =	0	18	0	8	0	0	0	0	26	\$ 3,110.00	\$ -	\$ -	\$ 3,110.00
Report									0	\$ -			\$ -
Rate with City for tracking collected data and determine price for each MCM item with previous year's stated goal and price within the City's 2017-									0	\$ -			\$ -
Rate with City for tracking collected data and determine price for each MCM report item in biennial report.		4		8					12	\$ 1,220.00			\$ 1,220.00
Rate with City for tracking collected data and determine price for each MCM report item in biennial report.		4		8					12	\$ 1,220.00			\$ 1,220.00
Rate with City for tracking collected data and determine price for each MCM report item in biennial report.		4		8					12	\$ 1,220.00			\$ 1,220.00
Control Check	2								2	\$ 330.00			\$ 330.00
Report Submittal		0.25		0.5					0.75	\$ 76.25			\$ 76.25
Files - I&L will email the final documents to the City in PDF									0	\$ -			\$ -
Report Review Meeting									0	\$ -			\$ -
Draft report and discuss or goals the City will pursue next reporting cycle.									0	\$ -			\$ -
Prepare Meeting Agenda		1							1	\$ 135.00			\$ 135.00
Attend Meeting		2							2	\$ 270.00			\$ 270.00
Meeting Summary		1							1	\$ 135.00			\$ 135.00
City Comments and revise accordingly		0.5		2					2.5	\$ 237.50			\$ 237.50
Final Document Submittal		0.5		1					1.5	\$ 157.50			\$ 157.50
Print - One (1) bound sets of documents on 8 1/2"x11" bond									0	\$ -			\$ -
Files - I&L will email the final documents to the City in PDF									0	\$ -			\$ -
Printer sheet (double sided)									0	\$ -	\$ 50.00		\$ 50.00
									0	\$ -	\$ 10.00		\$ 10.00
									0	\$ -			\$ -
									0	\$ -			\$ -
Subtotal =	2	17.25	0	27.5	0	0	0	0	46.75	\$ 4,996.25	\$ 60.00	\$ -	\$ 5,056.25
Principal Employees									0	\$ -			\$ -
Construction and Green Training (even year training)									0	\$ -			\$ -
Rate with City to schedule topic list and seminar		1							1	\$ 135.00			\$ 135.00
Prepare presentation material for the		12		12					24	\$ 2,640.00			\$ 2,640.00

Unit Services

Personnel Type/Title	PM	PE	CAD / GIS Designer	EIT					Subtotal Hours	Subtotal Personnel Cost	Direct Expenses	Sub Consultant Expenses	Subtotal
	165.00	135.00	95.00	85.00	0.00	0.00	0.00	0.00					
Seminar archive of presentation and of individuals present for MS4 Report.		3		3					6	\$ 660.00			\$ 660.00
Outdoors for presentation 1		0.5		2					2.5	\$ 237.50			\$ 237.50
Operations Training date with City to schedule topic list and seminar									0	\$ -	\$ 112.50		\$ 112.50
presentation material for the		1							1	\$ 135.00			\$ 135.00
Seminar archive of presentation and of individuals present for MS4 Report.		3		3					6	\$ 660.00			\$ 660.00
Outdoors for presentation 2		0.5		2					2.5	\$ 237.50			\$ 237.50
									0	\$ -	\$ 112.50		\$ 112.50
									0	\$ -			\$ -
									0	\$ -			\$ -
									0	\$ -			\$ -
<b>Subtotal =</b>	<b>0</b>	<b>33</b>	<b>0</b>	<b>34</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>67</b>	<b>\$ 7,345.00</b>	<b>\$ 225.00</b>	<b>\$ -</b>	<b>\$ 7,570.00</b>
Screening date with City to discuss name, site access and more for 20% of outfall		3		3					6	\$ 660.00			\$ 660.00
Field gear and screening		2		2					4	\$ 440.00			\$ 440.00
in dry weather field screening		24		24					48	\$ 5,280.00			\$ 5,280.00
Location will be visually inspected for color, odor and distressed condition. Photo documentation of the location and surrounding area taken. Visual observations recorded using a handheld GPS with GIS for direct incorporation into City's GIS database for reporting during future report cycles. Locations identified with									0	\$ -			\$ -
Prepare findings for inclusion in				8					10	\$ 950.00			\$ 950.00
Prepare findings with City via Go to	1	2		8					11	\$ 1,115.00			\$ 1,115.00
Prepare findings into the MS4 report.		1		1					2	\$ 220.00			\$ 220.00
Prepare findings into the MS4 report.		1		2					3	\$ 305.00			\$ 305.00
Prepare findings into the MS4 report.									0	\$ -			\$ -
Prepare findings into the MS4 report.									0	\$ -	\$ 3,600.00		\$ 3,600.00

ait Services

Personnel Type/Title	PM	PE	CAD / GIS Designer	JEIT					Subtotal Hours	Subtotal Personnel Cost	Direct Expenses	Sub Consultant Expenses	Subtotal
Personnel Billing Rate	165.00	135.00	95.00	85.00	0.00	0.00	0.00	0.00					
<b>Subtotal =</b>	<b>1</b>	<b>35</b>	<b>0</b>	<b>48</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>84</b>	<b>\$ 8,970.00</b>	<b>\$ 3,600.00</b>	<b>\$ -</b>	<b>\$ 12,570.00</b>
Outreach									0	\$ -			\$ -
Outreach									0	\$ -			\$ -
Print new Stormwater Brochures									0	\$ -			\$ -
Print two press releases on cases for the general public.		12		8					20	\$ 2,300.00			\$ 2,300.00
Print Infrastructure Awards		24		8					32	\$ 3,920.00			\$ 3,920.00
Investigate and identify award recipients. If recipients identified, I&L will report that no qualifying developments and award will be issued to the recipient.		12							12	\$ 1,620.00			\$ 1,620.00
Control Check	2								2	\$ 330.00			\$ 330.00
Print draft documents to the City		0.5							0.5	\$ 67.50			\$ 67.50
Print City Comments and revise accordingly		2		4					6	\$ 610.00			\$ 610.00
Print Document Submittal		0.5							0.5	\$ 67.50			\$ 67.50
Print draft documents to the City in word format, suitable for the City's allocation.									0	\$ -			\$ -
									0	\$ -			\$ -
									0	\$ -			\$ -
<b>Subtotal =</b>	<b>2</b>	<b>51</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>73</b>	<b>\$ 8,915.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 8,915.00</b>
Inspections									0	\$ -			\$ -
ES Inspections									0	\$ -			\$ -
Coordinate with City to follow up with violation sites to verify compliance IPDES permits.		3		3					6	\$ 660.00			\$ 660.00
									0	\$ -			\$ -
									0	\$ -			\$ -
<b>Subtotal =</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>\$ 660.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 660.00</b>
	5.00	181.25	-	156.50	-	-	-	-	342.75	\$ 38,596.25	\$ 3,885.00	\$ -	\$ 42,481.25
Subtotal	8325	\$24,468	\$0	\$13,300	\$0	\$0	\$0	\$0	CHEV \$	38,880.25			
<b>TOTAL = \$ 42,481.25</b>													

**Attachment B**  
**Task Order #9 Schedule**

I&L shall begin work upon receipt of written notice to proceed. I&L shall perform work in a timely manner and shall complete the project within 365 calendar days from notice to proceed.

## **Attachment C**

### **Task Order #9 Compensation**

The compensation to be paid for the Services identified in Attachment A - Scope of Services shall be paid on a Time and Materials, Not to Exceed method of payment. A man-hour breakdown per project task is included in Attachment A – Task Order #9 Scope of Services.

The total compensation, including sub-consultant costs, if any, shall not exceed FORTY TWO THOUSAND FOUR HUNDRED EIGHTY ONE DOLLARS AND 25 CENTS (\$42,481.25) without prior written authorization by the CITY.

The forgoing total compensation amount includes all expenses, which include, but are not limited to, sub-consultant services, transportation, subsistence, reproduction of reports, drawings, specifications, and other documents, courier services, materials, supplies, equipment rental and other costs specific to the Project.

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**CITY OF ARNOLD, PLANNING COMMISSION, OCTOBER 9, 2018  
MEETING**

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**TO:** PLANNING COMMISSION  
**FROM:** CHRISTIE HULL BETTALE EIT, COM DEV ENGINEER  
**SUBJECT:** 2018-33, CONDITIONAL USE PERMIT FOR PET DAYCARE, WITH  
OPTION OF BOARDING SERVICES AT 2132 TENBROOK RD  
**DATE:** OCTOBER 2, 2018  
**CC:**

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**Request**

Philip & Melanie Pieper, prospective tenants on behalf of Larry Jones, owner, are requesting approval of Conditional Use Permit for a Pet daycare, with option of Boarding services at 2132 Tenbrook Rd. Attached are the application, a rough site plan, their request letter, aerial of the site and for reference the C-4 Conditional Uses for this parcel.

**PLANNING COMMISSION SUMMARY AND RECOMMENDATION**

The Planning Commission held a public hearing reviewed and considered this request at their October 9 meeting. For reference, see the staff analysis. No one from the public spoke for this request. During the regular meeting the Commissioners discussed dog run and outside area, waste pick up, fire department emergency access to the building, number of pets and ADA accessibility. All questions were answered via applicant and staff. The Commission voted 8-1 in favor and forwards approval with the findings and eight conditions identified.

**Analysis**

This area has been zoned C-4 for many years and after research this parcel doesn't have a detailed C-4 development plan including options for Conditional Uses in the district. Tonight, Planning Commission reviewed and considered the C-4 Planned Development Zoning amendment for TENBROOK PLAZA 2 LOT 3, to include Conditional Uses for this parcel.

The Piepers have made a request to use part of the building space for a pet daycare. Doggie Daycare and Pet Daycare are services that are becoming a popular choice for many pet owners and this is a service that is new to the city. That being said, pet daycare is not described in the code and it is different from kennels; in that typically, there is no selling, breeding or overnight boarding of animals.

This request is 2-fold; 1<sup>st</sup> to operate a pet daycare and 2<sup>nd</sup> to operate a secondary service of overnight boarding for pets. Overall, staff believes these are appropriate services as a Conditional Use at this location.

The Planning Commission, after public hearing, may permit those developments and uses where such developments and uses have met the below criteria:

**The use is consistent with good planning practice;** The approval of the Pet Care use is consistent with good planning practice, as it provides a desirable service to the community.

**The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district;** The Pet Care will be located inside the building and monitored outside yard with a sight proofed fence.

**The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area;** The Pet Care will be located inside the building and the exterior will have a sight proof fence, as allowed in all commercial districts making it visually compatible with the surrounding area.

**The use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.** The use is not essential but it is a desirable service for the city and surrounding community.

### **Recommendation**

Staff recommends the Planning Commission approve the Conditional Use Permit for Pet Daycare AND optional Pet Boarding based on the following findings and conditions:

#### **Findings:**

1. The approval of the Pet Care use is consistent with good planning practice, as it provides a desirable service to the community.
2. The Pet Care will be located inside the building and monitored outside yard with a sight proofed fence.
3. The Pet Care will be located inside the building and the exterior will have a sight proof fence, as allowed in all commercial districts making it visually compatible with the surrounding area.
4. The use is not essential but is a desirable service for the city and surrounding community.

#### **Conditions:**

1. Pet Daycare must be offered as a primary service.
2. Boarding adjacent to Residential zoning.
  - a. For the interior housing and play area, the building should have sound baffled air intake and discharge.
  - b. For the interior housing and play area, no operable windows allowed, and fixed windows (if provided) must be double glazed. Light from non-operable skylights is allowed.
  - c. Conditional Use Permit -Boarding Option - expiration is one year from approval with possibility for renewal.

3. Exercise in outdoor areas is not permitted between the hours of 9:00 pm and 7:00 am.
4. Site plan shall be provided and identify location of outdoor area to be used. Sight proof fencing, 6 foot high, around all outdoor areas.
5. Exterior areas must be monitored by a caregiver.
6. Conditional Use Permit, Business license and occupancy permit may be revoked if any nuisance is not mitigated to satisfaction of city.
7. Approval for Conditional Use Permit does not supersede other local, state or federal requirements.
8. ADDED: Pet waste shall be picked up daily.



## Description of Business

My name is Melanie Pieper and I am a current resident of the City of Arnold. I am requesting assistance to open my own business of a pet daycare and boarding service. I am currently interested in a property located at 2136 Tenbrook Rd here in Arnold. I am offering daycare for pets of people who do not have anyone to watch them or do not want to leave them home alone while they are at work or running errands. I will also be offering a boarding service for those who want to take vacations and have no one to stay at home to watch their pets. Inside I will have 4 areas fenced in to allow dogs to play and interact with one another. There will be places for them to lie and toys for them to play with. Even the dogs that are boarding will be able to enjoy playing and will not be kenneled until we close and go home for the night which will be 8pm. I am planning to have a closed fenced in area in the back where they can go out regularly for some fresh air. Dogs will be taken out in small groups of 6 to 8 at a time. The business will have set hours of operation from 6:30 am to 8pm, but will be checked on by me after those hours. I want to place this business here in Arnold so that I can be close to it if I should need to be there quickly for anytime of situation that may occur. This is my business and I plan to be there working along with any other staff.

# City of Arnold MO Online GIS Base Map Viewer



10/2/2018 3:04:24 PM

1:4,514

Arnold\_MO\_City\_Limits

Jefferson County Parcels

Jefferson County Subdivision Lot Lines

Flood Hazard Zones

1% Annual Chance Flood Hazard

Regulatory Floodway

Special Floodway

Area of Undetermined Flood Hazard

0.2% Annual Chance Flood Hazard

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.19 km

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City of Arnold MO, Website User

City of Arnold Missouri

**KEN BURNS**  
 ARCHITECT  
 1701 BURNING

3000 West Ave, Suite 110  
 Chicago, IL 60608  
 312.548.4400

Client: **Customer Direct, Inc**  
 277 N. Milwaukee Ave.  
 Chicago, IL 60640

Contractor: **CULAN & CREEL, LLC**  
 PRESIDENT: ANDREW CR.  
 CONTACT: **ROBERT W. ANGLAK, JR.**  
 PHONE: 312-318-6000

Architect: **Ken Burns Architects**  
 1701 N. Milwaukee Ave., Suite 110  
 Chicago, IL 60640

CONTACT: **Ken Burns**  
 1701 N. MILWAUKEE AVE.  
 CHICAGO, IL 60640  
 CONTACT: **JOHN FRANK**  
 PHONE: 312-578-1100

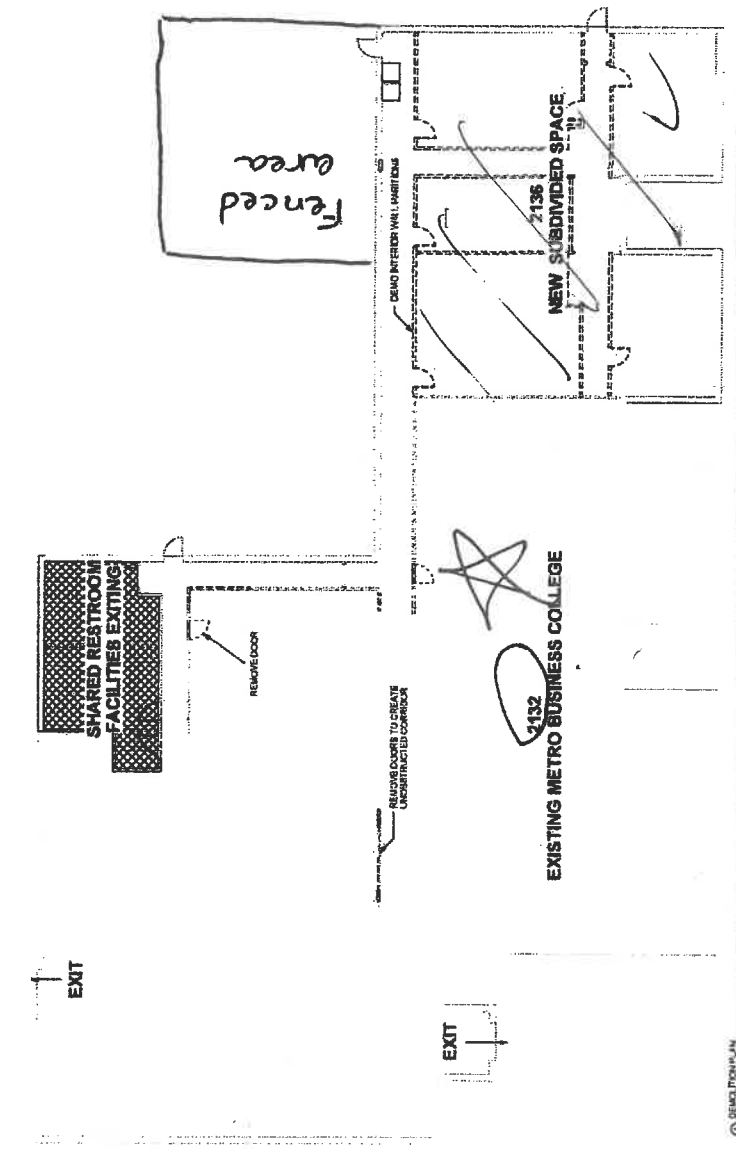
**PROJECT LOCATION**  
 2132 METRO BUSINESS COLLEGE  
 CHICAGO, IL 60640

**CUSTOMER DIRECT**  
**TENBROOK PLAZA**  
**DEMOLITION PLAN**

DATE	2/11/2013
BY	AB
REVISION	

**A2**

- NOTES:**
1. REMOVE EXISTING PARTITIONS IN ROOM 2133 (S.D.) & 2134 (S.D.)
  2. REMOVE EXISTING PARTITIONS IN ROOM 2132 (S.D.)
  3. PROTECT EXISTING ELEMENTS TO REMAIN REFER TO NEW FLOOR PLAN FOR ADDITIONAL INFORMATION.
  4. REMOVE EXISTING PARTITION WALLS WITH DEMOLITION PLANS.
- LEGEND:**
- DEMOLISHED NEW UNPERFORATED WALL, 2001, 2 IN XET ASH/MA
  - EXISTING WALL TO REMAIN
  - EXISTING WALL TO REMAIN
  - WALL TO REMAIN TO REMAIN
  - WALL TO REMAIN TO REMAIN



**EXHIBIT A**  
**C-4 PLANNED DEVELOPMENT ZONING AMENDMENT FOR**  
**TENBROOK PLAZA 2 LOT 3**

*Conditional Land Use and Development Permits Issued by the Commission under conditions and requirements specified in Conditional Use Permits in Section 405.870: Conditional Use Permits.*

1. Conditional uses identified in the C-2 and C-3 Commercial Zone Districts of the most current Zoning Code.
2. Pet Daycare.
  - a. Exercise in outdoor areas is not permitted between the hours of 9:00 pm and 7:00 am.
  - b. Site plan shall be provided and identify location of outdoor area to be used. Sight proof fencing, 6 foot high, around all outdoor areas.
  - c. Exterior areas must be monitored by a caregiver.
  - d. Conditional Use Permit, Business license and occupancy permit may be revoked if any nuisance is not mitigated to satisfaction of city.
  - e. Any approval for Conditional Use Permit does not supersede other local, state or federal requirements.
  - f. Conditional Use Permit expiration is at Planning Commission's discretion.
  - g. The care of wild animals is prohibited as defined in Section 210.010: Definitions.

**WILD ANIMAL**

Any live monkey (non-human primate), raccoon, skunk, fox, poisonous snake, python or boa constrictor longer than six (6) feet in length, leopard, panther, tiger, lion, lynx, or other animal which can normally be found in the wild state.[Ord. No. 6.31 (Bill No. 2672) § 1, 8-17-2017] or most current code.

3. Pet Overnight Boarding - Option
  - a) Pet Daycare must be offered as a primary use.
  - b) Boarding adjacent to Residential zoning.
    - i. For the interior housing and play area, the building should have sound baffled air intake and discharge
    - ii. For the interior housing and play area, no operable windows allowed, and fixed windows (if provided) must be double glazed. Light from non-operable skylights is allowed.