



April 17, 2018

CITY OF ROCK HILL

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**CITY OF ROCK HILL
MINUTES FOR THE BOARD OF
ALDERMEN MEETING
TUESDAY, APRIL 17, 2018
7:00 P.M.**

- 1) Mayor Mahan called the meeting to order at 7:00 p.m. and led everyone in the Pledge of Allegiance.
- 2) The Mayor called the roll and the following members of the Aldermanic Board were in attendance: Mr. Robert Weider, Mr. James Killion, Mr. Ed Johnson, Ms. Mary Wofford, and Mr. Philip Scherry. Ms. Sabrina Westfall was absent.
- 3) **Citizens to Address the Board:** none
- 4) **Announcements, Presentations, Proclamations, Communications & Invitations:**
Mayor Mahan read a proclamation in honor of National Public Safety Telecommunicators Week.
- 5) **Public Hearing** – Rezoning of 9720 Manchester Road from “C” Commercial District to “PD-C” Planned Development – Commercial District.

Mayor Mahan opened the public hearing at 7:03 p.m.

City Administrator Jennifer Yackley entered into the record the public hearing notice, the affidavit of publication, the Planning and Zoning minutes from April 2018, the staff report, the staff file, and the City code.

Kevin Kamp of CEC, Inc. on behalf of Briteworx, has submitted a request for a change of zoning for 1.39 acres of property located at 9720 Manchester Road. The property is currently zoned “C” Commercial District. The petitioner is requesting to change the zoning to “PD-C” Planned Development-Commercial in order to build a car wash. The current use on the property is a gas station with service bays.

The subject area is adjacent to commercial property to the east, west, and across Manchester Road to the north. The property to the south is zoned residential but is vacant. The Planned Development District regulations allow the Board of Aldermen to approve a planned development if the proposal meets one of the following eight objectives, and those eight objectives are listed in the staff report that was given to the Board.

This particular petition addresses four of those eight. The first is number eight. In this instance the developer is seeking to use the land for a car wash, which is not specifically listed as a permitted use. The Planned Development District allows the Board of Aldermen to grant uses that are otherwise not listed in the code. A car wash

April 17, 2018

is consistent with several of the other automotive oriented uses allowed in the “C” Commercial District including gasoline, filling, and service stations; public garages; and tire sales and repair shops.

Second, the proposal addresses criteria number seven, which has to do with efficient and effective traffic circulation. The proposal will reduce the number of curb cuts along Manchester Road. Currently the site allows access to and from Manchester Road along the entire frontage, approximately 350 linear feet. The proposal would reduce this access to two curb cuts at each end of the site. The primary access point would be the eastern curb cut. The western curb cut is proposed to be chained off and would be used on a limited basis. The proposal also includes the construction of a 5ft wide sidewalk along Manchester Road, which is consistent with other recent development along Manchester Road within the City.

Lastly, the proposal addressed the environmental concerns in numbers one and four by reducing the amount of impervious surface on the site, incorporating the existing topography as much as possible, and leaving some of the existing foliage as a buffer between the development and the property to the south. The existing site has 52,360 square feet of impervious surface. The proposal would reduce that to 35,694 square feet. The proposal provides a landscaped, storm water management area at the rear of the property and leaves a portion of the existing foliage on the south side of the property undisturbed. The site drops approximately 17 feet in elevation from the front of the property to the rear. The storm water management area has been situated so as to take advantage of this slope.

The City’s Comprehensive Plan designates this area as Core Commercial. This area is intended to allow a broad range of retail uses. According to the Comprehensive Plan, specific commercial land uses are to be regulated by the City’s zoning code.

As to the site plan itself, this site is 1.39 acres. This is less than the minimum lot size of 2.5 acres in the Planned Development District; however the Planned Development District allows the Board of Aldermen to grant an exception to the minimum lot size if there are unique conditions on the site, including but not limited to topographical changes, wooded areas, flood plain, soil conditions, unusual shape or proportions. In this particular instance, this site drops 17 feet in elevation from the north to the south. The proposed use and layout allows the petitioner to minimize the amount of grading that will be necessary and they would re-establish a vegetated area around the building. Lastly, they are able to meet the City’s setback requirements without the need of additional land.

The proposed building is 5,130 square feet and maintains a 50 foot front yard setback, 25 foot rear yard setback and 5 foot side yard setbacks. The setbacks are consistent with the setbacks for commercial property in the code. The building’s height varies due to shape of the building. The tower is 26’ 10” in height. The car wash tunnel is 21’ in height. 7 parking spaces will be provided. This is less than the ratio, 1 parking space for every 500 square feet of building space, normally required for commercial buildings. However, given that the use is a car wash where patrons will remain in their vehicle, 7 parking spaces will be enough to accommodate the staff and any patrons who wish to park. The proposal includes 3 lanes each of which are 160 linear feet. This provides enough stacking distance for 6-7 vehicles in each lane to wait to use the car wash. There are 14 vacuum stations located in the southeast corner of the site.

Since the Planning and Zoning meeting, the developer has made some changes to the site plan relative to some of the concerns that came out of the Planning and Zoning Commission meeting. The first thing that came out of the Planning and Zoning meeting is that the vacuum motors will actually be outside at each of the stations. Information originally provided to the City was that they would be inside, but that was incorrect. To mitigate the noise, the petitioner has changed from a 6 foot tall masonry type fence to be located around the vacuum area near the south property line to an 8 foot tall masonry type fence. They have also changed the 42 inch tall railing atop the retaining wall on the east side to a 6 foot tall masonry type fence.

They have included an additional site plan in your packet that shows the perspective of the closest residents on County Hills Drive. It shows what a 6 foot tall person would see from the driveways at 625 and 629 County Hills Drive as they look back onto the site. It also depicts the view from a second story window at 625, 627, 629, and 630 County Hills.

One other change relative to the noise is that they've changed the masonry fence proposed at the end of the car wash to mitigate the noise from the dryer. The original plan called for a 6 foot tall masonry fence approximately 30 feet in length. This has been changed to a 10 foot tall masonry fence, approximately 64 feet in length.

They have proposed a landscape plan. There will be 11 trees planted within the site and 2 landscaped planting beds along Manchester Road and 2 additional beds located in the front of the building and around the trash enclosure. A landscaped storm water retention area is located in the rear of the building.

They have also included a lighting plan. There are 11 wall mounted fixtures around the building and 9 pole mounted fixtures mounted on 16" tall poles throughout the site. The light fixtures have been located and shielded to minimize the amount of light trespass onto the adjacent properties.

The building will be constructed of a beige/off white stone and EIFS in both blue and grey. The car wash tunnel will be constructed of storefront glass. Aluminum louvers are located above the glass panels and below the acrylic roof.

The Planning and Zoning Commission reviewed this entire proposal at its April meeting and took three votes. Their first vote was to recommend approval of the rezoning, and that was a vote of 5-2. Then they recommended approval of the site plan, and again, that vote was 5-2. And then they voted on recommending the elevations, which was, again, a vote of 5-2.

Ms. Yackley asked if there were any questions.

Alderman Scherry asked if Leach Services owned or leased the property. Ms. Yackley advised that they lease the property. The current owner of the property is Felice Properties and, as we require on all applications, the property owner is required to sign off. Felice Properties has signed off and are aware of this petition.

Alderman Wofford asked if there was another car wash like this in town that they could look at. Ms. Yackley responded that there was one in Florissant.

Ms. Yackley requested that the petitioner come up and answer questions.

Alderman Johnson asked if there would be three lines of cars.

Ms. Yackley advised that there is one tunnel for one car to go through to wash and three lines for customers to stack.

Kevin Kamp of CEC, Inc., spoke on behalf of Briteworx. He explained the project as a tunnel wash where you pull onto a conveyor that moves your car through fairly quickly and efficiently. The hours are 7:00 a.m. to 9:00 p.m. It is a single bay that can have as many as 7 cars in it at a time. There are three pay stations, one of which is manned by an attendant.

Alderman Scherry asked if there would be an attendant there during all business hours. Mr. Kamp advised that there would be an attendant, a person making sure the vehicles were getting on the conveyor belts properly and one or two additional other employees tending to chemicals in the wash and cleaning up the area.

Alderman Johnson asked what the differences are between this car wash versus the other two car washes in Rock Hill. Mr. Kamp answered that it is not a full service, yet it is a tunnel, so the quality of the wash is better, as are the chemicals, brushes, and technology being used at more attainable price points.

Alderman Wofford asked about the prices. Mr. Kamp answered that there are four different price points: \$10, \$12, \$16, \$18, or there are monthly memberships.

Alderman Wofford asked if having two other car washes within a quarter mile bothered Mr. Kamp. Mr. Kamp responded that his client had done a lot of market research and wouldn't be doing the project if they didn't think it would be successful.

Alderman Johnson asked if, while doing the market research, they found a point where there would be a saturation of the market with car washes that would cause other car washes in the City to go out of business. Mr. Kamp said the analysis does take into consideration that there are other car washes in the area, but he does not know about the market saturation. He feels that their plan meets the requirements of the City's Comprehensive Plan, so they are asking for zoning approval to construct a use that fits with that plan. He said the services are similar in use, both being car washes, but they fill different needs.

Alderman Weider asked what days it would be open. Mr. Kamp said that it would be open 7 days a week.

Alderman Scherry asked if the site plan had been reviewed by MODot. Mr. Kamp said that their plan mimics MODot's plan for that strip.

Mayor Mahan asked if there were any other questions from the Board.

Alderman Weider asked if any of the water was recycled. Mr. Kamp said that reclaiming water is not typical in this market.

April 17, 2018

City Attorney Paul Martin asked if there were any environmental aspects to the drainage. Mr. Kamp said that the current leaseholder has to remove the tanks and fueling lines and get appropriate action from DNR that this site requires no further action. The chemicals from the car wash are degradable into the sanitary sewer.

Alderman Scherry asked if there was any special component needed for the storm water runoff if chemicals were to get spilled outside that would capture them. Mr. Kamp said that all the chemicals are inside the building and there is a central trench drain, so the risk of any kind of spill is very minimal.

Alderman Johnson asked who would get the old gas tanks out so that there are no environmental issues. Mark Jordan from Wallis Corporation said that the landlord they will be leasing from is responsible for removing those tanks and their lease is contingent upon those tanks coming out of the ground. If there is anything there, the landlord would be responsible for it.

Alderman Wofford asked how long it would take to get the tanks out of the ground. Mr. Jordan answered that some of the cleanups could take a long time. Once the existing tanks come out of the ground, as long as they don't find anything else that needs remediation, they'll get a closure letter on those underground storage tanks. If they find something, it continues to be remediated until DNR is satisfied. Alderman Wofford asked if they were willing to wait that long. Mr. Jordan answered that they would still be building the car wash, because the remediation takes place underground.

Mayor Mahan asked if there were any other questions from the Board. Hearing none, he opened the floor to residents wishing to comment.

Linda Elkin, 804 Webster Court. Just recently became aware of the plans and wanted to express concerns over another carwash in the neighborhood and the removal of a gas station and car repair shop. Wants the Board to consider the wishes of the citizens and keep the gas station.

Linda Roswit, 802 Webster Court. Concerned with another carwash and traffic around rush hour. Says many people depend on Leach's for service. Concerned if the carwash fails, Rock Hill will be left with a vacant car wash.

Linda Lemen, 514 County Hills. Concerned with all of the carwashes and the saturation of the area.

Christine Lazarus, 9717 Mueck Terrace. Concerned with the noise and the obstruction of the view from her house, the additional traffic, making it difficult to get onto Manchester from Mueck Terrace, and that there are too many car washes. Upset that people on her block weren't aware of what was going on. Thinks it will be an eyesore.

Mayor Mahan asked if there were any other residents wishing to address the Board. Hearing none, Mayor Mahan closed the public hearing at 7:44 p.m.

City Administrator Jennifer Yackley advised that the Board of Aldermen would not be voting on this issue tonight. There would be a first reading of the bill at the May

April 17, 2018

1, 2018 meeting and then they would be voting on the issue at the May 15, 2018.

6) Minutes of Previous Meeting – April 3, 2018. Alderman Scherry moved and Alderman Wofford seconded a motion to approve the minutes for the April 3, 2018 meeting. The minutes were approved unanimously by voice vote.

7) Parks and Recreation Commission Report: Parks and Recreation Director Al Hayden reported:

- Commission meets Thursday evening at Oakhaven Park.

8) Planning and Zoning Commission Report: City Administer Jennifer Yackley reported:

- Met in April and discussed tonight's public hearing and approved a new house at 9833 Berry.

9) Bills and Resolutions: Pursuant to RSMo. 79.130, all bills and resolutions will be read by "title" only. Copies will be available to the General Public at City Hall during regular office hours.

ITEMS TO BE CONSIDERED FOR FIRST READING: none

ITEMS TO BE CONSIDERED FOR SECOND READING AND/OR ADOPTION: none

10) Parks and Recreation Department – Parks and Recreation Director Al Hayden reported:

- Easter program had 24 children attending.
- Thanked Joey Richards for all her volunteer work.
- Arbor Day program is on Saturday.
- Registration is underway for summer day camp.

11) Public Works Department – Parks and Recreation Director Al Hayden reported:

- Working on getting the park bathrooms open, putting wood chips in the Oakhaven playground, getting equipment ready for street work, and doing hot patch repairs.

12) New and Old Business – Mayor and Board of Alderman: Alderman Scherry moved and Alderman Weider seconded a motion to approve a special event permit for Global Brew. The motion was approved unanimously by voice vote. The Board discussed sidewalks and a turn signal at Manchester and Kortwright.

13) City Attorney's Report: no report. Requested a closed session.

14) City Administrator's Report: Acknowledged a compliment received from Chief Curtis of Webster Groves for Officer Aviles' assistance in Webster Groves apprehending some suspects. Thanked everyone for assisting with the My LOGO event. Will be hosting the students from Bristol on May 9th. The City has an STP grant to do work on Kortwright. The City issued an RFQ and selected Weiss Design as the engineer. Staff should have a contract before the Board in the near future. MO American Water is replacing water

April 17, 2018

mains in part of Ward 1. The trash company has asked to be able to get into the work area at 6:15 a.m. so they can pick up trash before the workers get in to work on the water mains due to too much congestion. First coat of paint is down in the new building, drywall and taping is going on in the fire department, ceiling grids are going in, the water line is going in, and the permanent electric should go live this month and the City starts paying that electric bill in four months. The design portion of this project took longer than expected, and Paric's contract is coming up. They need a three month extension to finish the project, at a cost of \$36, 674.00. There is more than enough in the contingency fund to cover this. Staff is asking for approval to extend the contract. Alderman Wofford moved and Alderman Weider seconded a motion to accept the contract extension proposal. The motion was approved unanimously by voice vote.

15) Mayor's Report: Nothing to report.

16) Citizens to Address the Board: none

17) Closed Session: Alderman Scherry moved and Alderman Killion seconded a motion to hold a closed meeting with closed record and closed voting, pursuant to Subsection (1) and (13) of Section 610.021, RSMo, 2004, in order to discuss confidential or privileged communications between a public governmental body and its attorneys and individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment.

The members of the Aldermanic Board voting in favor of the motion were: Scherry, Wofford, Johnson, Killion, and Weider. Motion passes with a vote of 5-0.

18) Adjournment: The mayor adjourned the meeting at 8:01 p.m.

Attested to:

Edward Mahan, Mayor

Amy Perrin, City Clerk