



June 19, 2018

CITY OF ROCK HILL

320 W. Thornton Ave ♦ Rock Hill, MO 63119 ♦ (314)968-1410 ♦ Fax (314)968-4843

CITY OF ROCK HILL MINUTES FOR THE BOARD OF ALDERMEN MEETING TUESDAY, JUNE 19, 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, Ms. Sabrina Westfall, and Mr. Philip Scherry.
- 3) **Citizens to Address the Board:** none.
- 4) **Announcements, Presentations, Proclamations, Communications & Invitations:**
- 5) **Public Hearing** – Special Use Permit 9720 Manchester Road

Mayor Mahan opened the Public Hearing at 7:06 p.m.

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

Ms. Yackley gave the following information: This evening's public hearing is for a special use permit at 9720 Manchester Road. The proposed use is for a single-use commercial car wash and vacuum stations. In April 17, 2018 the petitioner was before the Board of Alderman for a public hearing for a rezoning request for the same use at the same location. The Board took no action on that petition. On April 27, 2018 the petitioner withdrew their petition for rezoning and on the same day submitted a special use permit application. That special use permit application restarted the development process from the beginning – they went through staff review, were submitted to the Planning and Zoning Commission on June 6 for their review and recommendation and they are here tonight for a public hearing.

The site is 1.39 acres, is zone "C" Commercial and is currently used as a gas station with service bays. The proposed use of single-use commercial car wash and vacuum stations is not specifically listed as a specific use in the "C" district, however there is a permitted use in the "C" district that is "similar to the above in the judgment of the Zoning Administrator." The "C" district permits a variety of automotive oriented uses including: gasoline filling and service station, public garage, and tire sales and repair shops. The proposed

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use is similar in nature to these other automotive uses, and the City code requires a Special Use Permit when an applicant is seeking a use under the “similar to the above in the judgment of the Zoning Administrator” so that is why they are requesting a Special Use Permit. This is similar to Merritt’s Puppy Love, ATA Martial Arts, and No Leash Needed in that they all had the similar use category.

The site plan is a 5,130 square foot building. It meets the setbacks for the “C” Commercial District. The height of the building is 26 feet 10 inches at the tower and the tunnel itself is 21 feet. The site is providing 7 parking spaces to accommodate staff and any patrons that wish to get out of their vehicle. For this particular use, most patrons will remain in their vehicle as they go through the car wash. The site plan provides 3 lanes which are 160 linear feet, which would provide stacking for 6-7 vehicles in each lane. The site plan calls for an 8 foot tall cementitious at the end of the car wash where the blowers are. They are installing a 5 foot sidewalk along Manchester Road and eliminating the rolled curb and installing two curb cuts – one at the eastern end and one at the western end. Primary access will be at the eastern end curb cut, with the western end being primarily designed as an escape lane. The proposed hours of operation are from 7:00 a.m. to 9:00 p.m.

They have also submitted a landscape plan, which includes planting 11 trees within the site, 2 landscaped bed along Manchester Road and 2 additional beds located in front of the building and around the trash enclosure. The site will have a landscaped storm water retention are located in the rear of the building and will be landscaped per MSD standards and include species native to Missouri. There is a small area that will be undisturbed vegetation and trees along the south property line.

They have also included a lighting plan which includes 11 wall mounted fixtures and 9 pole mounted lights on 16 foot tall poles. The fixture locations have been chosen and the will be shielded to minimize the amount of light trespass onto the adjacent properties. The lighting plan will show what the light levels are on the site and on the adjacent properties.

The architectural elevations reflect that the building will be constructed of beige and off white stone, and EIFS in both blue and grey. The car wash tunnel will be constructed of storefront glass, aluminum louvers, and an acrylic roof.

This entire proposal was presented to the Planning and Zoning Commission in June and the Planning and Zoning Commission had a variety of discussion, including noise levels. As a result, the City used a sound decibel meter and took readings at two spots at the Florissant location between 2:00 p.m. and 2:30 p.m. The first reading was taken on the residential street behind the car wash. The adjoining property to the car wash is under construction and the car was affronts Lindbergh Blvd. The reading ranged anywhere between 46-52 decibels. The second reading was taken between the two cementitious walls on the property and the readings were between 48-52 decibels. The decibel ranges from a library to a conversation in your home, as comparison. These readings took place after the Planning and Zoning Commission meeting.

The Planning and Zoning Commission had a variety of conversations and have recommended three conditions. The Board of Aldermen can add conditions, they can amend the recommended conditions and they can delete conditions. The first recommended condition is that the hours of operation be limited from 7:00 a.m. to 9:00 p.m. The second condition is that the petitioner shall maintain the cementitious fencing around the vacuum stations in the southeast corner and at the end of the car wash tunnel. Third, subject to staff's approval, they've been asked to provide a more decorative blocking mechanism on the western curb cut. By a vote of 6-1 the Planning and Zoning Commission has recommended approval by the Board of Aldermen.

Ms. Yackley advised that the Board of Aldermen is not voting on the issuance of the permit during this meeting. They will not be voting until the second reading.

Ms. Yackley asked if there were any questions.

Alderman Scherry asked about the more decorative blocking mechanism. Ms. Yackley advised that the recommendation was to require the petitioner to come to staff with a more decorative option rather than having to go to the Board of Aldermen.

Mayor Mahan opened the Public Hearing for public comment.

Kevin Camp from Civil Environmental Consultants, on behalf of Briteworx, explained that the site plan has changed very little from the last public hearing. He introduced Jim Holtrop from Acoustic Control to discuss some of the sound findings.

Mr. Holtrop discussed decibels and the St. Louis County noise ordinance.

Alderman Weider asked if the dryers would be the same ones used at Mobile on the Run. Mr. Holtrop advised that they would not be the same.

Alderman Weider asked if Mr. Holtrop works for Briteworx or if he was contracted. Mr. Holtrop responded that he was contracted to do the study, he is not an employee of Briteworx.

Alderman Wofford asked what the difference is between the driers at Mobile on the Run and the proposed dryers at Briteworx. Mr. Holtrop answered that the dryers for Briteworx are Aero dry, which are custom-made dryers with a silencer on the inlet side of the dryer and a silencer on the out-vent of the dryer, which then reduces the noise off the fan. There is currently no one in St. Louis using this system.

Alderman Killion asked if there were any quieter vacuums. Mr. Holtrop said that the vacuums are fairly quiet and only generate 42 decibels at the property line.

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Alderman Johnson asked what the ordinance is on maximum decibel for noise in the County is. Mr. Holtrop said that it is Ordinance 625.

Alderman Weider asked if the cementitious wall is by the building or by the property line. Mr. Holtrop advised that there is a 10 foot wall by the building and an 8 foot wall at the perimeter.

Alderman Scherry asked why, to eliminate noise, wouldn't they install a centralized vacuum system at the building and then run lines to the vacuum stations. Mr. Kamp answered that due to the topography of the site, it was physically not practical. Mr. Kamp handed out an alternate layout for the vacuums for the Board's consideration.

Alderman Weider asked Mr. Kamp if was an employee of Briteworx or a consultant. Mr. Kamp responded that he was hired by Briteworx as a consultant.

Alderman Scherry asked about the mature trees on the back of the property line. Mr. Holtrop advised that they don't consider topography as a noise barrier until there is at least 100 feet of vegetation.

Mr. Holtrop said that the alternate layout Mr. Kamp handed out would move the vacuums closer to the wall, making them slightly quieter.

Alderman Weider asked what pitch they were. Mr. Holtrop stated that it was a broadband pitch, going from 50 hertz all the way to 10 hertz.

Alderman Scherry asked if there was a wall between the east side of the property and the dog facility next door. Mr. Kamp said there was a wall between the two.

Mr. Kamp stated that they would like to collect input this evening and make adjustments based on the direction from the Board.

Alderman Johnson asked what ordinance the noise meets. Mr. Kamp stated that it meets the County noise ordinance. Mr. Holtrop advised that during the day you cannot exceed a 55 dpm average, using equivalent sound levels as an average measured at the property line.

Alderman Weider asked about the lighting at the line near the dryers. Mr. Kamp advised that they will still drop the lighting down to zero trespass at the property line.

Alderman Scherry asked about the light coming from the building itself. Mr. Kamp said that the building sheds minimum light and that most of the light generated is coming from the parking lot.

Mr. Kamp asked for feedback from the Board as to which layout they preferred. Alderman Scherry asked if the change in layouts would need to go back to Planning and Zoning. City Administrator Jennifer Yackley advised

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that if they want to go with the changed layout, they would need to resubmit the changes to staff for review and staff would report back to the Board.

Mayor Mahan opened the Public Hearing for comments from the public.

Julie Morgan, 9722 Graystone Terrace. Opposed to the car wash development, as it does not conform to the City's long term comprehensive plan, and will create traffic issues and excessive noise.

Mark Madras, 9715 Greenwood Terrace. Asked if there had been any market research done to determine if another car wash was needed.

Joseph Bruns, 1103 Gilbert. Opposed to the car wash development. Discussed the history of Leach's and development in the City.

Jeanne Steinkamp, 619 County Hills Drive. Opposed to the car wash development. Discussed the noise from No Leash Needed and the construction of the new municipal facilities, and the amount of traffic on Manchester Road.

Bill Heger, 1533 N. Berry Rd. Opposed to the car wash development. Does not feel that it will cause the traffic issues being discussed, but does not like the idea of losing Leach's or why the City needs another car wash.

Robert Stewart, 1015 Leonard. Opposed to the car wash development. Likes the progress he has seen in Rock Hill, but thinks adding a car wash to Manchester is a detriment to the character of the city.

Pat Daly, 625 County Hills Drive. Opposed to the car wash development. Discussed the current noise from No Leash Needed, is skeptical about the noise from the car wash and thinks it will ruin the ambiance of the neighborhood. Is concerned about the environmental impact with the runoff of soap, water, grease, oil and gasoline.

Christine Lazerus, 9717 Mueck Terrace. Opposed to the car wash development. Discussed the noise from No Leash Needed and the noise that will be coming from the car wash. Asked that if the car wash must go in that hours be limited to earlier closure and later opening. Discussed the lights on the property. Asked why this location was chosen.

Denise Thomas, 627 County Hills. Opposed to the car wash development. Concerned about this car wash putting the current car washes out of business and the light pollution.

Michael Wise, 1208 Gilbert. Opposed to the car wash development. Encouraged Board to consider what is best for community.

Maryann Musial, 801 Leonard. Opposed to the car wash development. Asked the Board to consider the Comprehensive Plan and the detriment to the neighborhood.

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Betty Norton, 626 County Hills. Opposed to the car wash development.

Mayor Mahan asked if there were any more comments from the public.

Hearing none, Mayor Mahan asked if there were any more comments from the Board.

Alderman Wofford stated that she spoke with many residents via phone and email, all of who were opposed to the car wash including Jean Abby on O'Day, Suzy Walkup, Meg Korte, Betty Norton, Gwen Piper via phone. Emails from Clayton and Katie Sanders, Betty Norton, Carrie Ferguson, the Steinkamps, Jan Patrick, Meg Korte, Linda Elkin, Christie Prudence, Bill and Linda Wasswood from Webster Court, Beverly Thomas and Kate Thomas from Tavalon, Joseph Sandbrink--a new resident on McKinley, and Veronica Buchanan from Des Peres Ave, not to mention people she ran into. There has been a very negative response from the public.

Mayor Mahan asked if there were any further comments from the Board.

Hearing none, the public hearing was closed at 8:24 p.m.

- 6) Minutes of Previous Meeting** – June 5, 2018. Alderman Scherry moved and Alderman Weider seconded a motion to approve the minutes for the June 5, 2018 meeting. The minutes were approved unanimously by voice vote.

- 7) Treasurer's Report:** Treasurer Sandra Stephens reported:

Mrs. Stephens asked if there were any questions regarding the warrant.

Hearing no questions, Mrs. Stephens requested that the Board approve the warrant and the monthly bills on the memo.

Alderman Scherry moved and Alderman Weider seconded a motion to approve the warrant and the monthly bills.

The warrant and the payment of bills were approved unanimously by voice vote.

- 8) Parks and Recreation Commission Report:** Parks and Recreation Director Al Hayden reported:

- Commission met May 17th at Oakhaven Park and discussed the cracks on the cracks on the tennis courts. McConnell and Associates will be addressing it. The Commission also discussed the next grant project and the upcoming recycling event. The next meeting is Thursday evening at Oakhaven Park.

- 9) Planning and Zoning Commission Report:** City Administer Jennifer Yackley reported:

- Had two items on their agenda—the car wash and a new house

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on Crawford. The new house on Crawford was approved. Their next meeting is July 11th.

- 10) 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:

- a) **Bill No. 1954:** AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE CITY OF ROCK HILL FOR THE PERIOD OF APRIL 1, 2018 THROUGH MARCH 31, 2018.

City Attorney Paul Martin read **Bill No. 1954** for a first time by “title” only.

City Attorney Paul Martin read **Bill No. 1954** a second time by “title” only.

Alderman Scherry moved and Alderman Killion seconded a motion to approve **Bill No. 1954**.

Members of the Aldermanic Board voting in favor of the motion were: Scherry, Westfall, Wofford, Killion, Johnson, and Weider. Motion passes with a vote of 6-0.

Bill No. 1954 becomes **Ord. No. 1971**.

ITEMS TO BE CONSIDERED FOR SECOND READING AND/OR ADOPTION:

- b) **Bill No. 1953:** AN ORDINANCE OF THE CITY OF ROCK HILL, MISSOURI, APPROVING AN AGREEMENT WITH WASTE CONNECTIONS TO COLLECT SOLID WASTE MATERIALS, RECYCLABLES AND YARD WASTE, FROM THE RESIDENTS OF THE CITY OF ROCK HILL, MISSOURI.

City Attorney Paul Martin read **Bill No. 1953** a second time by “title” only.

Alderman Scherry moved and Alderman Weider seconded a motion to approve **Bill No. 1953**.

The Board discussed bulky item pickup and cost.

Members of the Aldermanic Board voting in favor of the motion were: Weider, Killion, Johnson, Wofford, Westfall, and Scherry. Motion passes with a vote of 6-0.

Bill No. 1953 becomes **Ord. No. 1970**.

- c) **Resolution No. 18-13:** A RESOLUTION OF THE ROCK HILL BOARD OF ALDERMEN FULLY SUPPORTING THE CITY’S APPLICATION FOR A GRANT TO BE SUBMITTED TO THE MUNICIPAL PARK GRANT COMMISSION SO AS TO BE REIMBURSED FOR IMPROVEMENTS MADE TO OAKHAVEN PARK.

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City Attorney Paul Martin read **Resolution 18-13** by “title” only.

Alderman Scherry moved and Alderman Weider seconded a motion to approve **Resolution 18-13**.

The motion to approve **Resolution 18-13** was approved unanimously by voice vote.

- d) **Resolution 18-14:** A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ROCK HILL, MISSOURI AND INFRASTRUCTURE MANAGEMENT FOR THE PUBLIC WORKS FACILITY/SALT STORAGE STRUCTURE PROJECT.

City Attorney Paul Martin read **Resolution 18-14** by “title” only.

Alderman Scherry moved and Alderman Weider seconded a motion to approve **Resolution 18-14**.

The motion to approve **Resolution 18-14** was approved unanimously by voice vote.

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

- Preparing to order the new signs for Turner Park.
- Continuing to work on the CDBG application.
- An eagle scout is working on a project near the Oakhaven Park nature trail.
- Attending a Wellness meeting .

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

- Working on the Hudson/Martha Lane street project.
- Continue to patch and mow.

Alderman Wofford received a call from Mr. Hollins on Martha thanking Public Works for their work on the Martha Lane street project.

- 13) New and Old Business – Mayor and Board of Alderman:** Approval of the 2018-2019 Liquor License Renewals: Charcoal House-Full Liquor; The Wine & Cheese Place-Package/Tasting Permit; Trainwreck Saloon-Full Liquor/Sunday; Hacienda-Full Liquor/Sunday; Nachomama’s-Full Liquor; Karmaiya Corporation d/b/a Himilayan Hut-Full Liquor/Sunday; Bandana’s BBQ-Malt Liquor and Light Wine by the Drink/Sunday; Walgreen’s-Package/Sunday; Ami’s-Full Liquor/Sunday; CVS/Pharmacy-Package/Sunday/Tasting; Lucky’s Farmer’s Market-Full Liquor/Sunday; Farotto’s Pizzeria-Full Liquor/Sunday; Katie’s Pizza and Pasta-Full Liquor/Sunday; Global Brew-Full Liquor/Sunday; Wallis Petroleum 552-Package/Sunday/Tasting Permit; 7-Eleven-Package/Sunday; JX Restaurants, Inc. d/b/a Lulu Chinese & Dim Sum- Full Liquor/Sunday; St. Louis Wing Company-Malt Liquor and Light Wine; conditional approval of Slider House – Full Liquor/Sunday, pending receipt of manager’s background

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check; conditional approval of El Indio – Full Liquor/Sunday, pending payment of all fees.

Alderman Scherry moved and Alderman Weider seconded a motion to approve all liquor licenses for the 2018-2019 year, with conditional approval for Slider House and El Indio, pending receipt of all paperwork and fees.

The motion was approved unanimously by voice vote.

14) City Attorney's Report: no report. Requested a closed session for attorney/client communication.

15) City Administrator's Report: July 3rd meeting is cancelled. The move into the new facilities will happen on August 3rd. City Hall will remain closed on August 6th. The Open House will be August 21st in lieu of the Board Meeting. The Employee BBQ is Friday. The City is a sponsor of the Kirkwood fireworks. There is a special area for elected officials. Everyone is welcome to attend.

16) Mayor's Report: Attended the press release for the Pulse Point app on June 9th at Richmond Heights with Chief Halloran.

17) Citizens to Address the Board: none

18) Closed Session: Alderman Scherry moved and Alderman Weider seconded a motion to hold a closed meeting with closed record and closed voting, pursuant to Subsection (1) of Section 610.021, RSMo, 2004, in order to discuss confidential or privileged communications between a public governmental body and its attorneys.

The members of the Aldermanic Board voting in favor of the motion were: Weider, Killion, Johnson, Wofford, Westfall, and Scherry. Motion passes with a vote of 6-0.

19) Adjournment: The mayor adjourned the meeting at 8:37 p.m.

Attested to:

Edward Mahan, Mayor

Amy Perrin, City Clerk