



**CITY OF KIRKWOOD  
PLANNING AND ZONING COMMISSION  
February 18, 2015**

**PRESENT:**

Gil Kleinknecht, Chairman  
Wanda Drewel, Secretary/Treasurer  
Cindy Coronado  
Dan Stauder  
Jim O'Donnell  
Madt Mallinckrodt  
Allen Klippel

**ABSENT:**

Greg Frick, Vice Chairman  
Tad Skelton

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, February 18, 2015, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road. Council Member Tim Griffin, City Planner Ryan Spencer, and Administrative Assistant Patti Dodel also attended the meeting.

1. Chairman Gil Kleinknecht called the meeting to order at 7:00 p.m. Mr. Frick and Mr. Skelton were absent and their absence was excused.
2. Motion was made by Mr. O'Donnell and seconded by Mr. Klippel to approve the minutes as written for the February 4, 2015, meeting. The motion was unanimously approved by the members present (Mr. Frick and Mr. Skelton were absent).
3. **PZ-25-15 AMEND ZONING CODE AND SPECIAL USE PERMIT (PHYSICAL FITNESS FACILITY) – CROSSFIT, 12309 OLD BIG BEND**  
Submitted: 1-2-15 Automatic Recommendation: 4-2-15  
Petitioner, Ed Lampitt  
(Subcommittee - Ms. Coronado (chair) and Mr. Frick)

Mr. Lampitt was present. Motion was made by Ms. Drewel and seconded by Ms. Coronado to amend the Zoning Code by adding "physical fitness facilities" as a Special Use Permit category in the B-1 Zoning District. Ms. Coronado read the Subcommittee Report:

**CITY OF KIRKWOOD  
PLANNING AND ZONING COMMISSION  
SUBCOMMITTEE REPORT  
FEBRUARY 18, 2015**

**PETITION NUMBER:** PZ-25-15

**ACTION REQUESTED:** ZONING CODE AMENDMENT/SPECIAL USE PERMIT (PHYSICAL FITNESS FACILITY))

**PETITIONER:** ED LAMPITT

**PROPERTY LOCATION:** 12309 BIG BEND ROAD

**DRAWINGS SUBMITTED:** SITE PLAN STAMPED "RECEIVED JANUARY 2, 2015, CITY OF KIRKWOOD PUBLIC WORKS DEPARTMENT"

**ZONING:** B-1, NEIGHBORHOOD BUSINESS

**DESCRIPTION OF REQUEST:**

The petitioner is requesting a Zoning Code Amendment and Special Use Permit to finish out an 8,617 square foot lease space for a physical fitness facility at 12309 Old Big Bend Road. The facility would be geared toward CrossFit training which is a constantly varied, high intensity and communal workout. Morning classes would be from 5:30 AM to 7:30 AM with a few classes throughout the day and evening classes that would end by 9:00 PM. The facility would employ approximately 10 to 12 individuals in part-time positions with anywhere from 1 to 12 individuals in a class. The subject property was formerly a food store, Local Harvest (PZ-15-12), but has been vacant since August, 2013.

Physical Fitness Facilities are not a listed use in the B-1 Neighborhood District. An amendment will need to be approved to add the Physical Fitness Facility use as a special use in this district.

The approval of the Special Use Permit for Local Harvest included a number of conditions prior to that business receiving an occupancy permit, a few of those conditions were the following;

1. The parking lot was milled and overlaid with 2 inches of asphalt and re-stripped
2. A 6-foot high, sight-proof fence was installed along the western property line.
3. Future, planned site lighting was required to be designed to reflect full-cutoff features in order to prevent light trespass.
4. An ADA-approved placard was installed in the reserved, handicapped space.
5. A dumpster enclosure was installed to screen all dumpsters and recycling containers.
6. All rooftop equipment, air-conditioning units and mechanical equipment were to be screened from view of adjoining right-of-way and properties.
7. A consolidation plat was recorded.

Two variances were also granted by the Board of Adjustment (Case No. 09-2012, to allow parking spaces to be closer to the property line than 10 feet and to allow a landscape buffer between parking spaces and public right-of-way less than 10 feet.

**PARKING:**

The parking requirement for a physical fitness facility is one space per five customers computed on basis of maximum servicing capacity and one space per two employees regularly employed on the premises. There currently are 53 parking spaces located on site. The "maximum servicing

capacity” of the facility is determined by the Fire Marshal and Building Commissioner. A typical class of 12 individuals and 3 employees would generate a parking requirement of 4 spaces under the adopted code. The occupant load for the building is 130 individuals which would generate a parking demand of approximately 26 spaces.

**LANDSCAPING:**

City Council required the creation of three parking islands with a tree in each island as a condition of approval for Local Harvest (PZ-15-12). These islands are the only green space located on the subject property, the green space adjacent to Edna Avenue, Repetto Drive and Old Big Bend Road is located in public right-of-way.

**LAND USE AND ZONING:**

The subject property is currently zoned B-1 Neighborhood Business District and the building has been vacant since August, 2013. Surrounding land uses and zoning include the following:

To the north: Directly abutting the site are single-family homes zoned R-3, Single-Family Residential.

To the south: Across Edna Avenue and Big Bend Road is a park zoned R-1, Single-Family Residential.

To the east: Across Repetto Drive is a single-family home zoned R-3, Single-Family Residential.

To the west: Abutting the site is a single-family home zoned R-3, Single-Family Residential.

**COMPREHENSIVE PLAN:**

This site is designated for General Commercial Use by the Vision 2015 Comprehensive Plan. The proposed use is considered General Commercial and is consistent with the development policies presented by the Plan.

**DEPARTMENTAL/AGENCY COMMENTS:**

Electric: Not located in the Kirkwood Electric Service Area.

Fire: Must meet fire flow requirements and Fire Dept. Access requirements for the 2009 I.F.C.

Water: No Comments

MoDOT: N/A

***DISCUSSION:***

Zoning Matters signs were placed on the property on January 30, 2015. The petitioner presented the plan at the meeting on February 4, 2015, before the Planning and Zoning Commission; discussion was held and a subcommittee was appointed. The subcommittee met on-site on February 12, 2015 with Petitioner Ed Lampitt, Doug Howard, Assistant City Engineer Chris Pflasterer and City Planner Ryan Spencer. The discussion focused on the proposed renovation of the interior space, the need for better screening around the rooftop mechanical equipment and the potential for outdoor site lighting.

**RECOMMENDATION:**

The Subcommittee recommends that this petition be **approved** with the following conditions;

1. The project shall be constructed and maintained in accordance with the site plan stamped "Received January 2, 2015, City of Kirkwood Public Works", except as noted herein. Prior to proceeding to City Council, revised plans that incorporate all conditions of approval herein shall be submitted to the Public Services Department.
2. Prior to the issuance of an occupancy permit, all missing or damaged fencing materials located adjacent to the building and along the western and northern property lines shall be repaired or replaced.
3. There shall be no outdoor storage of exercise equipment.
4. Prior to the issuance of an occupancy permit, all rooftop mechanical equipment shall be fully screened from view. The exact dimensions and materials of the screening shall be approved by the Building Commissioner.
5. The applicant shall comply with all standard conditions as listed on Exhibit A

Respectfully submitted,

Cindy Coronado

Greg Frick

The motion to amend the Zoning Code was unanimously approved by the members present (Mr. Frick and Mr. Skelton were absent). Motion was made by Mr. Stauder and seconded by Mr. O'Donnell to grant a Special Use Permit to Crossfit. The motion was unanimously approved by the members present. Motion was made by Mr. Mallinckrodt and seconded by Ms. Drewel to approve the Subcommittee Report as read. The report was unanimously approved by the members present.

**4. PZ-17-15 FINAL B-5 DEVELOPMENT PLAN – RAISING CANE'S, 1034 SOUTH KIRKWOOD**

Submitted: 2-6-15

Petitioner, Matt Fogarty

(Subcommittee – Mr. Stauder, Mr. Klippel, and Ms. Drewel)

Mr. Moree with CSRS was present to represent the petitioner. Motion was made by Ms. Coronado and seconded by Mr. Klippel to approve the Final B-5 Development Plan for Raising Cane's. City Planner Ryan Spencer read the Subcommittee Report:

**CITY OF KIRKWOOD  
PLANNING AND ZONING COMMISSION  
SUBCOMMITTEE REPORT  
FEBRUARY 18, 2015**

**PETITION NUMBER:** PZ-17-15

**ACTION REQUESTED:** APPROVE FINAL B-5 DEVELOPMENT PLAN

**PETITIONER:** RAISING CANE'S LLC

**PETITIONER'S AGENT:** MATT FOGARTY – PREMIER CIVIL ENGINEERING

**PROPERTY LOCATION:** 1034 S. KIRKWOOD RD

**ZONING:** B-5 PLANNED COMMERCIAL DEVELOPMENT DISTRICT

**DRAWINGS SUBMITTED:** FINAL DEVELOPMENT PLAN SET PREPARED BY PREMIER CIVIL ENGINEERING. STAMPED "RECEIVED FEBRUARY 6, 2015, CITY OF KIRKWOOD PUBLIC WORKS"

**DESCRIPTION OF PROJECT:**

On October 3, 2014 Raising Cane's LLC made application to the City for a Preliminary B-5 Development Plan for the demolition of one vacant building and the construction of a new drive-thru restaurant (Raising Cane's) on this site.

On November 19, 2014, the Planning and Zoning Commission recommended approval of the rezoning and Preliminary B-5 Development Plan for the food store by adopting the subcommittee report.

On December 1, 2014, the Architectural Review Board approved the building elevations and signage proposed for this project.

On December 18, 2014, the City Council approved the Preliminary B-5 Development Plan for the drive-thru restaurant through Resolution 141-2014.

**DISCUSSION:**

The final development plans, including the final landscape plan, along with other documents and approvals have been received and reviewed by the Public Services Department. The plans appear to be in compliance with the approved Preliminary B-5 Development and the Zoning Code.

**RECOMMENDATION:**

The Subcommittee recommends this petition be **approved** with the following conditions:

1. The project shall be constructed in accordance with the site development plans stamped "Received February 6, 2015, City of Kirkwood Public Services", except as noted herein.

2. A performance guarantee in an amount approved by the Public Services Director shall be submitted to the City of Kirkwood within six months of approval of the Final B-5 Development Plan and prior to the issuance of any building permits.
3. An administrative fee in the amount of 10% of the first \$10,000 of performance guarantee plus 2% exceeding \$10,000 shall be submitted before acceptance of the performance guarantee by the City. The fee supports site inspection and project administration costs.
4. A cross-access drive shall be established between the Raising Cane's property and the Target property adjacent to the eastern property line of the subject site and the property to the north located at 1028 S. Kirkwood Rd. A cross-access agreement shall be approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds and shall be filed in the Public Service Director's office prior to the issuance of any building permits.
5. Cart corrals, bike racks or other structures shall not occupy any dedicated parking stalls or driveways.
6. Enclosures are required to screen all dumpsters and compactors on the site and shall be constructed of sight-proof materials (e.g. masonry, split-faced concrete masonry units, etc.) not less than six feet in height. Latching gates of similar or complementary materials shall be required to completely enclose the dumpster. The exact dimensions of the enclosure shall be approved by the Sanitation Department prior to the issuance of any building permits.
7. The driveway pavement to the dumpster area and the dumpster pad shall be constructed of seven-inch (7") thick concrete pavement on a six-inch (6") thick rock base.
8. All utilities in conflict with the proposed development shall be re-located. All existing utility easements in conflict with the proposed development shall be vacated after the utilities have been re-located.
9. Construction on Kirkwood Rd. (US 67) shall require the approval of the Missouri Department of Transportation.
10. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.
11. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Dan Stauder

Wanda Drewel

Allen Klippel

The motion to approve the Final B-5 Development Plan was unanimously approved by the members present (Mr. Frick and Mr. Skelton were absent). Motion was made by Mr. Stauder and seconded by Mr. O'Donnell to approve the Subcommittee Report as read. The Report was unanimously approved by the members present.

**5. PZ-24-15 REZONE R4 TO B3 – 1015 N. WOODLAWN AND SPECIAL USE PERMIT  
(RESTAURANT) AND SITE PLAN – STARBUCKS, 10300 MANCHESTER ROAD**

Submitted: 12-8-14 Automatic Recommendation: 3-9-15

Petitioner, Jonathan Browne

{Subcommittee - Mr. Stauder (chair), Mr. O'Donnell, and Mr. Kleinknecht}

AND

**6. PZ-24a-15 AMEND SPECIAL USE PERMIT- SUGAR CREEK GARDENS, 1011 N. WOODLAWN**

Submitted: 1-16-15 Automatic Recommendation 5-16-15

Petitioner, Ann Lapidés

{Subcommittee - Mr. Stauder (chair), Mr. O'Donnell, and Mr. Kleinknecht}

Jonathan Browne, president of Novus Development; Ann Lapidés, owner of Sugar Creek Gardens; Mark McLean, Ms. Lapidés attorney; Carl Uhlig, of Uhlig Architecture; Doug Copeland, Mr. Browne's attorney; and David Lueker, P.E., of Vance Engineering were present.

Mr. Browne stated he is proposing to reconfigure the front parking lot by reducing the 30-foot wide aisle width to 22 feet to add an eighth row of parking, (2) construct a Starbucks restaurant with a drive-thru and outdoor seating in the northeast corner of the lot, and (3) rezone the property at 1015 North Woodlawn behind the shopping center, demolish the single-family residence, and construct a 38-space parking lot partially on his property at 1015 North Woodlawn and partially on the property of Sugar Creek Gardens at 1011 North Woodlawn. The access easement to the electric substation that is currently on the property at 1011 North Woodlawn will be relocated to the new drive aisle at 1015 North Woodlawn. The demolition of the single-family residence, construction of the new parking lot, paving and striping the existing parking lot, construction of the new building for Starbucks, and landscaping are expected to take five months to complete. Mr. Browne added that the existing landscaping is irrigated and the proposed landscaping will also be irrigated.

Mr. McLean stated they are requesting an amendment to the Special Use Permit for Sugar Creek Gardens for a portion of the parking spaces to be located on their property.

The subcommittee scheduled a meeting for February 23 at 8:30 a.m. at 1011 North Woodlawn Avenue.

**7. PZ-18-15 AMEND ZONING CODE - INNOVATIVE DEVELOPMENT**

and

**8. PZ-22-15 AMEND ZONING CODE, SECTION 220 - SITE PLAN REVIEW**

At the 6 p.m. meeting tonight, the City Planner provided a PowerPoint to present information on the draft prepared by the City Attorney. Some of the items to consider and discuss at the March 4 meeting include: which zoning districts it should apply to, how flexible should the site plan tool be (setbacks, lot size, floor area ratio, landscaping, parking, lighting, height, uses), and whether all site plans should be reviewed by City Council.

**9. COMPREHENSIVE PLAN – ENVISION 2035**

Mr. Klippel had volunteered to be the chairman of the committee. The committee will meet February 26 at 6:30 p.m.

There being no further business, the meeting adjourned at 8:10 p.m. The next meeting is scheduled for March 4, 2015, at 7 p.m.

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Gil Kleinknecht, Chairman

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Wanda Drewel, Secretary/Treasurer

Upon request, these minutes can be made available within three working days in an alternate format, such as CD, by calling 314-822-5822. Minutes can also be downloaded from the City's website at [www.kirkwoodmo.org](http://www.kirkwoodmo.org), then click on City Clerk, Boards and Commissions, Planning & Zoning Commission.