



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

PRESENT:

Greg Frick, Chair
Wanda Drewel, Vice Chair
Allen Klippel, Secretary/Treasurer
Gil Kleinknecht
Cindy Coronado
Jim O'Donnell
Matd Mallinckrodt
James Diel

ABSENT:

Dan Stauder

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, November 18, 2015, at Kirkwood City Hall, 139 South Kirkwood Road. Council Member Tim Griffin, City Attorney John Hessel, Director of Public Services Bill Bensing, City Planner Ryan Spencer, and Administrative Assistant Patti Dodel also attended the meeting.

1. Chair Frick called the meeting to order at 7:00 p.m. and noted Mr. Stauder was absent and his absence was excused.
2. Motion was made by Mr. Kleinknecht and seconded by Mr. Mallinckrodt to approve the minutes as written for the November 4, 2015, meeting. The motion was unanimously approved by the members present (Mr. Stauder was absent).
3. **PZ-05-16 SPECIAL USE PERMIT (CONVENIENCE STORE/BAKERY) – COMET COFFEE,
640 W WOODBINE AVENUE**
Submitted: 10-14-15 Automatic Recommendation: 2-12-16
Petitioner, Mark Attwood
(Subcommittee – Mr. O'Donnell and Mr. Diel)

The petitioner was not present. Motion was made by Mr. O'Donnell and seconded by Mr. Diel to approve the request for a Special Use Permit for a convenience store/bakery for Comet Coffee at 640 West Woodbine Avenue. Mr. Diel read the subcommittee report:

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

PETITION NUMBER: PZ-05-16

ACTION REQUESTED: SPECIAL USE PERMIT (CONVENIENCE STORE)

PETITIONER: MARK ATTWOOD – COMET COFFEE

PROPERTY LOCATION: 640 W. WOODBINE AVENUE

ZONING: B-1 NEIGHBORHOOD BUSINESS DISTRICT

DRAWINGS SUBMITTED: SITE PLAN/FLOOR PLAN STAMPED "RECEIVED OCTOBER 14, 2015, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is requesting a Special Use Permit to occupy a 907 square foot lease space for a bakery, Comet Coffee LLC, in a five tenant building at 640 West Woodbine Avenue. The lease space will be utilized primarily for the preparation of breads and pastries for sale off-site. A secondary use will be the on-site sale of pastries, ice cream and espresso beverages. The space would be occupied by approximately 3 employees during non-retail business hours (4:00AM to 5:00PM, 7 days a week) and 1 customer service employee during retail hours (7:00AM – 8:00PM, 7 days a week).

The Zoning Code states that a convenience store is food store having a gross area of five thousand square feet or less whose principal business is the sale of prepackaged food items not for consumption on the premise. A secondary use is catering and the sale of ready-to-consume foods and non-alcoholic beverages when less than ten percent of the interior space of the establishment is used for a serving area, seating/consumption area or any combination thereof. The proposed business has a dedicated retail area of eighty-four square feet or approximately nine percent of the gross floor area of the lease space.

COMPREHENSIVE PLAN:

This site is designated for Neighborhood Commercial use by the Vision 2015 Comprehensive Plan. The proposed use is consistent with the policies presented by the Plan.

LAND USE AND ZONING:

The subject property is currently zoned B-1 Neighborhood Business District and is developed with a multi-tenant building composed of various retail/office and personal service uses. Surrounding land uses and zoning include the following:

To the south: Adjacent to the site are apartment buildings zoned R-5 Multi-Family District and single-family residences zoned R-4 Single-Family District.

To the north: Across Woodbine Avenue is a convenience store zoned B-1 Neighborhood Business District, an apartment building zoned R-5 Multi-Family District and an automotive repair shop zoned B-3 Highway Business District.

To the east: Across Woodell Court is an automotive repair shop zoned B-1 Neighborhood Business District.

To the west: Across Andrews Avenue are single-family residences zoned R-4 Single-Family District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments
Engineering: No Comments
Building: Type 1 hood for double oven & range. Fire suppression above the range.
Fire: No Comments
Water: No Comments

No outside agencies applicable.

DISCUSSION:

A Zoning Matters sign was posted on the property October 28, 2015. The petitioner presented the plan at the November 4, 2015, Planning and Zoning Commission meeting; discussion was held and a subcommittee was appointed. The subcommittee met on site November 10, 2015. Please see Exhibit B for a list of those in attendance. Notice of the meetings had been properly posted.

General discussion concerned the nature of the business, interior improvements and exterior sidewalk ramps. The subcommittee and staff discussed the current sidewalk ramps and agreed that it is the responsibility of the property owner and not the petitioner to make improvements to the ramps.

RECOMMENDATION:

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

1. This Special Use Permit for a convenience store use is limited to the 907 square foot lease space known as 640 West Woodbine Road.

2. The sale of ready-to-consume foods and non-alcoholic beverages are permitted as a secondary use to a convenience store when less than ten percent of the interior space of the establishment is used for serving area, seating/consumption area or any combination thereof. No outdoor seating is permitted.
3. Any vehicles associated with the subject business shall not be parked or stored overnight in the existing parking lot.
4. The Architectural Review Board shall approve all signs prior to the issuance of a Sign Permit.
5. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Jim O'Donnell

James Diel

The motion to approve the application was unanimously approved by the members present (Mr. Stauder was absent). Ms. Drewel commented that the landscaping that was required of the previous petitioner was not planted. City Planner Spencer stated that it was his responsibility to ensure that conditions of approval are met and maintained. City Attorney Hessel stated that a condition would be included in the ordinance obligating the landlord to comply with this condition. Motion was made by Mr. Kleinknecht and seconded by Ms. Coronado to approve the subcommittee report with additional language to be included in the ordinance regarding the landscaping. The subcommittee report was unanimously approved by the members present (Mr. Stauder was absent).

4. PZ-06-16 SITE PLAN REVIEW – VIANNEY HIGH SCHOOL, 1311 S KIRKWOOD

Submitted: 10-14-15 Automatic Recommendation: 2-12-16

Petitioner's Agent, Don Bolinger

(Subcommittee – Mr. Mallinckrodt, Ms. Drewel, Mr. Stauder)

A landscaping plan has not been submitted.

5. PZ-07-16 SITE PLAN REVIEW – SECOND STORY ADDITION, 915 NORTH KIRKWOOD RD

Submitted: 10-22-15 Automatic Recommendation: 2-19-16

Petitioner, Charlene Rooney

(Subcommittee – Mr. Kleinknecht and Mr. Stauder)

Charlene Rooney and Shannon Mette were present. Motion was made by Ms. Drewel and seconded by Mr. Mallinckrodt to approve the request for a Site Plan to construct a second story at 915 North Kirkwood Road. Mr. Kleinknecht read the subcommittee report:

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

PETITION NUMBER: PZ-07-15

ACTION REQUESTED: SITE PLAN REVIEW (2nd STORY ADDITION)

PETITIONER: CHARLENE ROONEY, LIAISON HOMES INC.

PROPERTY LOCATION: 915 NORTH KIRKWOOD ROAD

ZONING: B-3 HIGHWAY BUSINESS DISTRICT

DRAWINGS SUBMITTED: SITE/BUILDING DEVELOPMENT PLAN PREPARED BY MARC BACCHETTI, P.E. STAMPED "RECEIVED OCTOBER 22, 2015, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is requesting site plan approval to construct a 2,500 square foot second story addition. The existing building is currently one-story 2,500 square feet in size and is utilized by Liaison Home, an interior design firm. The second story addition will provide additional office space, while the first floor will remain a showroom and reception area.

COMPREHENSIVE PLAN:

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

LAND USE AND ZONING:

The subject property is zoned B-3 Highway Business District and contains a vacant single story building. Surrounding land uses and zoning include the following:

To the south: Across Wilson Avenue are Single-Family Residences zoned R-4, Single-Family Residential District.

To the north: Across Sarah Avenue is a vacant car lot zoned B-3, Highway Business District.

To the east: Across North Kirkwood Road is a rental car facility zoned B-3, Highway Business District and a Single-Family Residence zoned R-4, Single-Family Residential District.

To the west: Directly abutting the site are Single-Family Residences zoned R-4, Single-Family Residential District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments

Engineering: A sidewalk is required along Wilson Avenue per the adopted Pedestrian & Bicycle Master Plan.

Fire: No Comments

MoDOT: No Comments

Water: No Comments

LANDSCAPING:

TRAFFIC & PARKING ANALYSIS:

The proposed structure is located adjacent to three streets. Sarah Avenue to the north serves as a local street as does Wilson Avenue to the south. Kirkwood Road on the eastern boundary serves as a 4-lane principal arterial maintained by MoDOT.

The proposed use is a combination of retail and office. The Zoning Code mandates that 5.5 spaces per 1,000 square feet of useable area be provided. This standard generates a parking requirement of 28 spaces. The most recent site plan shows a total of 49 spaces which includes 2 accessible spaces.

RETAINING WALL ANALYSIS:

There is an existing retaining wall that runs the length of the western property line and approximately twenty-six (26) feet along the northern property line. This existing retaining wall is composed of two separate types; a concrete tie crib-style retaining wall on the southern half of the western property line and a twelve-inch thick cast-in-place concrete retaining wall that extends along the northern half of the western property line and then turns east for approximately twenty-six (26) feet. An inspection by the Berthold Engineering Company found the existing retaining wall to be structurally sound.

DISCUSSION:

The petitioner presented the plan at the November 4, 2015, Planning and Zoning Commission meeting; discussion was held and a subcommittee was appointed. The subcommittee met on the site November 11, 2015 (See attached Exhibit B for an attendance list). Discussion focused on the exterior construction material, condition of the retaining wall and site lighting and its impact on adjacent residential properties.

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/building plan stamped "Received October 22, 2014 City of Kirkwood Public Services", except as noted herein. **Prior to the issuance of any permits**, revised plans that incorporate all conditions of approval herein shall be submitted to the Public Works Department.
2. A performance guarantee in the amount of **\$9,250** shall be submitted to the City of Kirkwood within six months of approval and prior to the issuance of any permits.
3. An administrative fee in the amount of **\$925** shall be submitted before acceptance of the performance guarantee by the City. The fee supports site inspection and project administration costs.
4. A consolidation plat approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds shall be filed in the Public Works Director's office prior to issuance of a building permit for the project. All required City easements shall be shown on the consolidation plat.
5. One of the accessible parking spaces provided on site shall be designated with an additional placard that states "*Lift Van Accessible*". Additionally, the reserved parking signs shall include the phrase "*\$50 to \$300 Fine*".
6. A four (4) foot sidewalk shall be constructed along the northern right-of-way of Wilson Avenue per the adopted Pedestrian and Bicycle Master Plan for an approximate length of 140 feet. If private property is utilized for the location of the sidewalk a permanent sidewalk easement shall be recorded.
7. Any new lighting shall be in conformance with Section A-1040, Lighting Regulations. All site lighting, not related to building security, shall terminate at 9:00PM.

8. Vines and other vegetation along existing retaining wall shall be trimmed and mitigated.
9. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Dan Stauder

Gil Kleinknecht

The motion to approve the application was unanimously approved by the members present (Mr. Stauder was absent). Motion was made by Mr. O'Donnell and seconded by Mr. Diel to approve the subcommittee report. Motion was made by Mr. Kleinknecht to amend the Subcommittee Report by adding the following to Exhibit A, Standard Conditions: "17. Dumpster enclosures are required to screen all dumpsters 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 motion to amend the Subcommittee Report was seconded by Mr. Frick and unanimously approved by the members present. The subcommittee report as amended was unanimously approved by the members present.

6. **PZ-08-16 SPECIAL USE PERMIT (RESTAURANT) – SQUEAKERS BBQ, 113 N KIRKWOOD**
Submitted: 10-30-15 Automatic Recommendation: 2-27-16
Petitioner, Barb and Mike Miller

Mr. Miller stated they are proposing to relocate from the area of Dougherty Ferry Road and Big Bend Road to the space formerly occupied by McArthur's Bakery. They offer a full-service, sit down restaurant featuring smoked meats (smoked on site with a gas fired wood burning smoker). A request to encroach into the alley with the smoker will be submitted to the City Council. Chair Frick appointed himself and Mr. Diel to the subcommittee. A subcommittee meeting was scheduled for Tuesday, November 24, at 9 a.m.

7. **COMPREHENSIVE PLAN – ENVISION 2035**

Mr. Klippel reported that the third and final open house was held on November 12 in the City Hall Council Chambers with approximately 60 attendees. So far, a total of 296 have responded to the on-line survey.

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

Discussed the remaining pages of the draft for Section 220. City Attorney John Hessel will make the revisions and provide the members with a blackline draft.

There being no further business, the meeting adjourned at 8:35 p.m.; and the next meeting will be held December 2, 2015, at 7 p.m.

Greg Frick, Chair

Allen Klippel, 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, then click on City Clerk, Boards and Commissions, Planning & Zoning Commission.