



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
JANUARY 20, 2016**

PRESENT:

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

ABSENT:

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, January 20, 2016, at Kirkwood City Hall, 139 South Kirkwood Road. Council Member Tim Griffin, City Attorney John Hessel, City Planner Ryan Spencer, and Administrative Assistant Patti Dodel also attended the meeting.

1. Chairman Frick called the meeting to order at 7:00 p.m. and noted all Commission members were present.
2. Chairman Frick recessed the meeting for the purpose of conducting a public hearing regarding an amendment to the Community Unit Plan Type C for Kirkwood House at 385 South Taylor Avenue. City Attorney Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on June 5, 2016, as Exhibit 1; a list of 82 property owners who were sent notice of the public hearing, as Exhibit 2; map showing property owners within 300 feet who were sent a copy of the public hearing notice as Exhibit 3; Application submitted on December 21, 2015, as Exhibit 4; site plan submitted on December 21, 2015, as Exhibit 5; and City of Kirkwood Code of Ordinances as Exhibit 6.

Dan Wind, of Wind Engineering Company, and Sharon Albrecht and Trish Ashley, of Kirkwood House, were present. Mr. Wind stated the Kirkwood House was constructed in the 1970's with 68 parking spaces for 100 dwelling units (which met the Zoning Code requirement at that time of a half space per unit). In 1987, Kirkwood House agreed to give Bethesda Gardens the right to use five of those spaces.

Chairman Frick asked if there were any questions or comments from the audience, and the following responded:

Sharon Albrecht, Director of Kirkwood House, stated she is concerned for the safety of the residents. A majority of the residents use walkers and canes, making it difficult for them if they have to park on the street.

Becky Himes, 385 South Taylor, stated she has lived at Kirkwood House for three years; and there are not enough spaces for residents. She stated that Concordia House recently designated parking spaces for their residents and hopes something can be done to improve the situation at Kirkwood House.

Ms. Albrecht added that family members and home health care workers also utilize the parking lot. She believes that, at times, more than five spaces are utilized by Bethesda Gardens.

Mr. Kleinknecht suggested that Kirkwood House re-negotiate the memorandum with Bethesda Gardens for the five parking spaces.

Chairman Frick closed the public hearing and stated there should be a subcommittee report at the February 3 meeting.

3. Motion was made by Mr. O'Donnell and seconded by Ms. Coronado to amend Item No. 2 of the minutes from the January 6, 2016, meeting as follows: "Mr. Stauder was expected to attend the meeting; however, he was unable to attend and his absence was excused." The amendment was unanimously approved. Motion was made by Mr. Stauder and seconded by Mr. Mallinckrodt to approve the minutes as amended. The motion was unanimously approved.
4. **PZ-06-16 SITE PLAN REVIEW – ST. JOHN 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)

On January 13, St. John Vianney High School submitted a letter to extend the Automatic Recommendation of Approval Date to March 13, 2016. It was noted that the letter referenced petition PZ-26-15; and the City Attorney stated that was considered a typographical error.

**5. PZ-09-16 SPECIAL USE PERMIT (CONVENIENCE/GAS STORE) – ONE STOP-BP,
10901 MANCHESTER ROAD**

Submitted: 12-17-15 Automatic Recommendation: 4-15-16
 Petitioner, Sudha Srinivas Anne
 (Subcommittee – Ms. Drewel and Mr. Diel)

Ms. Drewel reported the subcommittee met on site with the petitioner and several staff members. Motion was made by Ms. Drewel and seconded by Mr. Diel to approve the request for a Special Use Permit for a convenience/gas store for One Stop-BP at 10901 Manchester Road. Ms. Drewel and Mr. Diel read the subcommittee report:

**CITY OF KIRKWOOD
 PLANNING AND ZONING COMMISSION
 SUBCOMMITTEE REPORT
 JANUARY 20, 2016**

PETITION NUMBER: PZ-09-16

ACTION REQUESTED: SPECIAL USE PERMIT (CONVENIENCE/GAS STORE)

PETITIONER: SRI LAKSHMI LLC.

PROPERTY LOCATION: 10901 MANCHESTER ROAD

ZONING: B-3 HIGHWAY BUSINESS DISTRICT

DRAWINGS SUBMITTED: SITE PLAN/FLOOR PLAN STAMPED "RECEIVED DECEMBER 17, 2015, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is requesting a Special Use Permit to re-open and renovate a vacant BP gas station. The vacant building previously functioned primarily as a service station with limited floor area designated for convenience store use. The applicant intends to convert the existing service bays to allow the entire 2,268 square feet to be dedicated for use as a convenience store. The business will employ approximately 6 individuals and will be open 24 hours a day, 7 days a week.

PARKING:

The parking requirements for a convenience/gas store are 5.5 spaces per 1,000 square feet of gross building area. Each 2 fuel pumps shall count as 1 space. Based on the size of the building, the minimum number of required parking spaces is 12.

COMPREHENSIVE PLAN:

This site is designated for General 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-3 Highway Business District and is developed with a vacant service/gas station. Surrounding land uses and zoning include the following:

To the south: Across Manchester Rd. is First Bank zoned B-3 Highway Business District.

To the north: Directly abutting the site are multiple residences zoned R-4 Single-Family District.

To the east: Across Clay Avenue is a National Tire & Battery Store zoned B-3 Highway Business District.

To the west: Directly abutting the site is Painted Zebra, a retail store, zoned B-3 Highway Business District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments

Engineering: They will need to repair hazardous sidewalk conditions and their approach apron on Clay making it accessible. Also adjust a non-conforming parking space at the Clay entrance.

Fire: No Comments

Water: No Comments

MODOT: See Exhibit B

DISCUSSION:

The subcommittee met on site January 12, 2016, with the petitioner, City Planner Ryan Spencer, City Engineer Ted Dunkmann, Fire Marshal Leo Meyer and Building Commissioner Jack Schenck. Notice of the meetings had been properly posted. A Zoning Matters sign was posted on the property December 30, 2015. General discussion concerned the condition of the asphalt drive areas, the need for additional landscaping, the removal of guardrails, the north side utility easement and retaining wall and initial

MoDOT comments. The Petitioner indicated his intention to open the site and initially only offer fuel for sale, as the remodeling of the convenience store space would not be completed prior to the opening. The convenience store remodeling would be completed as soon as possible after opening.

RECOMMENDATION:

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

1. A Special Use Permit shall be granted for a convenience/gas store at 10901 Manchester Rd.
2. The project shall be consistent with the floor plan/site plan stamped "Received December 17, 2015, City of Kirkwood Public Services Department", **Prior to proceeding to City Council, revised plans that incorporate all conditions of approval herein shall be submitted to the Public Services Department.**
3. All work indicated on the revised plans, included in #2 above, shall be completed within six (6) months of the issuance of the building permit.
4. Any new rooftop equipment, air-conditioning units and mechanical equipment related to the project shall be completely screened from view of adjoining properties and right-of-way.
5. A performance guarantee in an amount approved by the Public Services Director shall be submitted to the City of Kirkwood prior to the issuance of any building permits.
6. 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.
7. The deteriorated (alligatored or missing pavement) asphalt portions of the existing parking lot shall be repaired and the remaining portion resealed and re-striped.
8. Construction on Manchester Road (State Route 100) shall require the approval of the Missouri Department of Transportation prior to the issuance of a building permit.
9. The landscape buffer surrounding the ground sign shall be planted with an adequate number of Type A (18 inches in height) shrubs.

10. The southeast corner shall be converted to a landscape buffer and shall be planted with an adequate number of Type A (18 inches in height) shrubs.
11. Ten (10) Emerald Arborvitae shall be planted in the landscaping on the north side of the existing asphalt area between the dumpster enclosure and the stormwater inlet.
12. The existing guardrail on the western and eastern property line shall be removed. The existing guardrail on the northern property line shall be replaced with a guardrail of steel-backed, timber construction.
13. The existing retaining wall on the north side of the parking lot shall be repaired or replaced per the direction of the Building Commissioner.
14. The twenty foot easement on the north side of the property shall be remediated at the direction of the Building Commissioner to satisfy property maintenance standards.
15. The accessible parking space shall be lift van accessible. The space shall be designated with a sign stating "\$50 to \$300 Fine", including an additional placard that states "Lift Van Accessible".
16. A landscape island, minimum 5 feet in width shall be extended along the south side of the parking row facing N. Clay Ave.
17. The southern-most parking space of the parking row facing west shall be removed
18. The entrance on Clay Avenue will need to be constructed to comply with ADA standards and City of Kirkwood Code of Ordinances.
19. Hazardous sidewalk conditions along Clay Ave and Manchester Road will need to be repaired to comply with City of Kirkwood Code of Ordinances.
20. A letter verifying the condition of the existing gas tanks shall be submitted and approved by the Fire Marshal prior to issuance of a building permit.
21. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,
Wanda Drewel

James Diel

After discussion, the motion to approve the application was unanimously approved. Motion was made by Mr. O'Donnell and seconded by Ms. Coronado to approve the subcommittee report as read. The subcommittee report was unanimously approved.

**6. PZ-11-16 SPECIAL USE PERMIT AMENDMENT (MOTOR VEHICLE REPAIR, MAJOR) –
LOU FUSZ TOYOTA, 10749 MANCHESTER ROAD**

Submitted: 12-21-15 Automatic Recommendation: 4-19-16

Petitioner’s Agent, Jeff Venetis

(Subcommittee - Mr. Stauder and Mr. O’Donnell)

Motion was made by Mr. Stauder and seconded by Mr. Diel to approve the request for a Special Use Permit for major motor vehicle repair at Lou Fusz Toyota at 10749 Manchester Road. Mr. Stauder read the subcommittee report:

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 20, 2016**

- PETITION NUMBER:** PZ-11-16
- ACTION REQUESTED:** SPECIAL USE PERMIT AMENDMENT (MOTOR VEHICLE REPAIR, MAJOR)
- PETITIONER:** LOU FUSZ TOYOTA
- PETITIONER’S AGENT:** JEFF VENETIS
- PROPERTY LOCATION:** 10749 MANCHESTER ROAD
- ZONING:** B-3 HIGHWAY BUSINESS DISTRICT
- DRAWINGS SUBMITTED:** FLOOR PLAN PREPARED BY DIVERSIFIED BUILDING MANAGEMENT, INC. STAMPED RECEIVED DECEMBER 21, 2015 AND A SITE DEVELOPMENT PLAN SHEET C1.0 PREPARED BY SJH ARCHITECTS, STAMPED “RECEIVED November 25, 2014, CITY OF KIRKWOOD PUBLIC SERVICES”

DESCRIPTION OF PROJECT:

The petitioner is requesting an amendment to the existing Special Use Permit (minor motor vehicle repair) to operate a major motor vehicle repair use within the existing auto-detailing/collision estimation facility. A full-size paint booth and additional maintenance racks will be installed. Hours of operation are Monday thru Wednesday 7:00 AM to 5:00 PM, and Thursday and Friday 7:00 AM to 6:00 PM. The existing Special

use Permit and Site Plan was approved December 3, 2014 (Ordinance 10246) to allow for the addition of a collision estimation office to the existing auto-detailing facility.

COMPREHENSIVE PLAN:

This site is designated for General Commercial use by the Vision 2015 Comprehensive Plan. The proposed development is commercial in nature and is an appropriate 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 is currently occupied by an existing building dedicated to auto-detail work (minor motor vehicle repair) and a collision estimates office. Surrounding land uses and zoning include the following:

To the south: Across Manchester Rd. is vacant automobile dealership and future grocery store, zoned B-4 Planned Commercial District.

To the north: Directly abutting the site are single-family residences zoned R-4 Single-Family District.

To the east: Directly abutting the site is an automobile dealership zoned B-3 Highway Business District.

To the west: Across Kirkwood Rd. is an automobile dealership zoned B-3, Highway Business District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments

Engineering: No Comments

Fire: No Comments

Water: No Comments

DISCUSSION:

A Zoning Matters sign was posted on the property on December 29, 2015. The petitioner presented the plan at the January 6, 2016, Planning and Zoning Commission meeting; discussion was held and a subcommittee was appointed. The subcommittee met on site January 12, 2016 with the petitioner, City Planner Ryan Spencer, Building Commissioner Jack Schenck and Fire Marshal Leo Meyer. Notice of the meetings had been properly posted. The discussion focused on a few topics including the nature of the use of the current facility, how the paint booth will be constructed.

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 November 25, 2014, City of Kirkwood Public Services" and floor plan stamped "Received December 21, 2015, City of Kirkwood Public Services".
2. Damaged vehicles requiring major motor vehicle repair shall not be stored outdoors on the premises for longer than two (2) business days.
3. The paint booth shall be fully-enclosed, contain fire suppression capability and otherwise meet all applicable regulations of approved City of Kirkwood building and fire codes.
4. Any exhaust or air intake penetrations necessary for the paint booth should be routed through the roof and not the exterior walls of the building.
5. The Architectural Review Board shall approve all exterior modifications, including signs and canopies, prior to issuance of a permit.

Respectfully submitted,

Jim O'Donnell

Dan Stauder

After discussion, the motion to approve the application passed eight to one (Mr. Kleinknecht was opposed). Motion was made by Mr. Stauder and seconded by Mr. O'Donnell to approve the subcommittee report as read. The subcommittee report was unanimously approved.

- 7. PZ-12-16 SPECIAL USE PERMIT (RESTAURANT) – PURE PLATES, 447 S KIRKWOOD RD**
Submitted: 12-21-15 Automatic Recommendation: 4-19-16
Petitioner, Sean Sortor
(Subcommittee - Mr. Mallinckrodt and Mr. Klippel)

Motion was made by Mr. Mallinckrodt and seconded by Mr. Diel to approve the request for a Special Use Permit for a restaurant known as Pure Plates at 447 South Kirkwood Road. Mr. Mallinckrodt read the subcommittee report:

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 20, 2016**

PETITION NUMBER:

PZ-12-16

ACTION REQUESTED: SPECIAL USE PERMIT (RESTAURANT)

PETITIONER: SEAN SORTOR – PURE PLATES STL

PROPERTY LOCATION: 447 S. KIRKWOOD RD.

ZONING: B-4 PLANNED COMMERCIAL DISTRICT

DRAWINGS SUBMITTED: SITE PLAN/FLOOR PLAN STAMPED "RECEIVED DECEMBER 21, 2015, CITY OF KIRKWOOD PUBLIC SERVICES" (Exhibit B)

DESCRIPTION OF PROJECT:

The petitioner is requesting a Special Use Permit to finish out a 1,240 square foot lease space for a healthy pre-cooked, pre-packaged meal company in the Woodbine Shopping Center. Preparation of the meals will not take place at the Kirkwood location. Normal business hours will be from 7:30 A.M. to 8:00 P.M. Monday through Thursday, 7:30 A.M. to 7:00 P.M. Friday and 11:00 A.M. to 7:00 P.M. Saturday and Sunday. The business will employ approximately 1-2 individuals during a normal business day.

COMPREHENSIVE PLAN:

This site is designated for General 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-4 Planned Commercial District and is developed with two multi-tenant buildings. Surrounding land uses and zoning include the following:

To the south: Across Woodbine Ave. is Concordia Lutheran Church zoned R-5 Multi-Family District.

To the north: Across West Clinton Place are multiple commercial uses zoned B-2 General Business District.

To the east: Across Kirkwood Road are multiple commercial uses zoned B-2 General Business District and senior housing uses zoned R-5 and R-6 Multi-Family District.

To the west: Directly abutting the site are residences converted to office zoned B-1 Neighborhood Business and B-4 Planned Commercial District. Also located adjacent are two condominium complexes zoned R-5 Multi-Family District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments
Engineering: No Comments
Fire: No Comments
Water: No Comments

No outside agencies applicable.

DISCUSSION:

A Zoning Matters sign was posted on the property December 30, 2015. The subcommittee met on site January 11, 2016, with the petitioner Sean Sortor, property manager Tim Lawlor, and City Planner Ryan Spencer. Notice of the meetings had been properly posted. General discussion concerned the nature and layout of the proposed business and building code requirements.

RECOMMENDATION:

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

1. A Special Use Permit be granted for a restaurant and be limited to the 1,240 square foot lease space at 447 S. Kirkwood Road.
2. The project shall be consistent with the floor plan stamped "Received December 21, 2015, City of Kirkwood Public Services Department", except as noted herein.
3. Indoor seating shall be limited to 14 chairs to allow for one, unisex bathroom per the adopted Building Code.
4. Any new rooftop equipment, air-conditioning units and mechanical equipment related to the project shall be completely screened from view of adjoining properties and right-of-way.
5. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Allen Klippel

Madt Mallinckrodt

There being no discussion, the motion to approve the application was unanimously approved. Motion was made by Mr. Klippel and seconded by Mr. O'Donnell to approve the subcommittee report as read. The subcommittee report was unanimously approved.

8. COMPREHENSIVE PLAN – ENVISION 2035

Mr. Klippel stated he had nothing to report.

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

Chairman Frick commented that the public hearing was held at the last meeting and revised pages of Section A-220 had been distributed. The most-recent version of the draft included the R-5 Zoning District and some members expressed concern that only the commercial districts had been discussed. City Attorney Hessel stated that either the R-5 Zoning District needs to be amended to include a provision for a site plan review process by the Planning and Zoning Commission and City Council or it needs to be included in the proposed Section A-220. After Ms. Drewel pointed out that all single-family residential districts stated that construction is in accordance with Section A-220, City Attorney Hessel stated those sections would also require an amendment. Motion was made by Mr. Diel and seconded by Mr. Klippel to keep R-5 in Section A-220.1. The motion was unanimously approved. Mr. Diel made a motion to accept all of the remaining changes to Section A-220 as shown in bold/underline and as follows:

Section 220.2(3) "~~Consider~~ **Consideration of** the impact on ..."

Section 220.7(2)a.ii delete "except"

Section 220.13(5): "... shall result in the ~~letter of credit~~ **performance guarantee** being ..."

The motion was seconded by Mr. Stauder and unanimously approved.

Motion was made by Mr. Stauder and seconded by Mr. Klippel to approve the proposed Site Plan Review Ordinance as amended on January 20, 2016. The motion was unanimously approved.

There being no further business, the meeting adjourned at 8:35 p.m.; and the next meeting will be held February 3, 2016, at 7 p.m.

Greg Frick, Chairman

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.