



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
MARCH 2, 2016**

PRESENT:

Allen Klippel, Secretary/Treasurer
Dan Stauder
Gil Kleinknecht
Jim O'Donnell
Madt Mallinckrodt
James Diel

ABSENT:

Greg Frick, Chair
Wanda Drewel, Vice Chair
Cindy Coronado

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, March 2, 2016, 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. Secretary/Treasurer Allen Klippel called the meeting to order at 7:00 p.m. and noted Chair Greg Frick, Vice Chair Wanda Drewel, and Cindy Coronado were absent; and their absence was excused.
2. Motion was made by Mr. Kleinknecht and seconded by Mr. O'Donnell to approve the minutes of the February 17, 2016, meeting. The motion was unanimously approved by the six members present (Mr. Frick, Ms. Drewel, and Ms. Coronado were absent).
3. **PZ-06-16 SITE PLAN REVIEW – ST. JOHN VIANNEY HIGH SCHOOL, 1311 S KIRKWOOD**
Submitted: 10-14-15 Automatic Recommendation: 6-11-16
Petitioner's Agent, Don Bolinger
(Subcommittee – Mr. Mallinckrodt, Ms. Drewel, Mr. Stauder)

The petitioner was not present. A landscape plan was submitted on February 18; however, the lighting requirements still need to be satisfied.

4. **PZ-13-16 MIXED USE IN B-2 – MADISON AVENUE CONDOS, 201 SOUTH KIRKWOOD RD**
Submitted: 1-19-16
Petitioner's Agent, Tyler Stephens
(Subcommittee – Mr. Mallinckrodt, Mr. Stauder, and Mr. O'Donnell)

Acting Chairman Klippel advised the petitioner that a positive recommendation would require five of the six members present to vote in the affirmative and offered the item to be continued. Mr. Pennington stated he would like to proceed tonight. In order for this application to proceed, an amendment to the Zoning Code is required. Motion was made by Mr. O'Donnell and seconded by Mr. Mallinckrodt to amend Section A-510.5(2) of the Zoning Code to allow commercial uses on the second story of a commercial building in a mixed-use development. Mr. Stauder read Exhibit B of the Subcommittee Report:

SECTION 510.5 EXCERPT

(2) The development regulations of the B-2 General Business District shall apply to the proposed mixed-use project, in addition to the following regulations.

a. *Commercial Element Percentages.* For mixed-use developments consisting of a single building, the entire ground story shall be provided as commercial uses only and residential uses only shall be provided on the second and above stories. **Utility, service and parking (garage) uses may be provided on the ground floor, but only to the rear of an active commercial use.**

For a mixed-use development consisting of multiple buildings, a minimum of twenty (20) percent and maximum of forty (40) percent of the total gross floor area of all buildings shall be provided as commercial use. ~~If a commercial use is provided in a building.~~ **In the building(s) in which the commercial use is provided the entire ground story shall be provided as commercial uses only and residential uses only shall be provided on the second and above stories may be commercial or residential uses. Utility, service and parking (garage) uses may be provided on the ground floor, but only to the rear of an active commercial use.**

b. *Density.* The minimum gross lot area per dwelling unit shall be 1,200 square feet for mixed-use buildings.

The motion to amend the Zoning Code was unanimously approved by the six members present.

Motion was made by Mr. Stauder and seconded by Mr. O'Donnell to approve the request for a preliminary development plan for a Mixed-Use Development in the B-2 Zoning District known as Madison Avenue Condominiums at 201 South Kirkwood Road. Mr. Mallinckrodt read the subcommittee report:

**CITY OF KIRKWOOD
 PLANNING AND ZONING COMMISSION
 SUBCOMMITTEE REPORT
 March 2, 2016**

PETITION NUMBER: PZ-13-16

ACTION REQUESTED: ZONING CODE AMENDMENT/PRELIMINARY DEVELOPMENT PLAN (B-2 MIXED USE)

PROPERTY OWNER: JOHN PENNINGTON

PETITIONER’S AGENT: TYLER STEPHENS – CORE10 ARCHITECTURE

PROPERTY LOCATION: 201 S. KIRKWOOD RD

ZONING: B-2 GENERAL BUSINESS DISTRICT

DRAWINGS SUBMITTED: PRELIMINARY DEVELOPMENT PLAN PACKAGE, PREPARED BY CORE10 ARCHITECTURE. STAMPED "RECEIVED FEBRUARY 26, 2016, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is requesting a preliminary development plan approval (B-2 mixed use) to construct a three and a half story 37,914 square foot condominium building that will share property with an existing 2 story office building at 201 South Kirkwood Road. The proposed building will have 12 residential units. A 24 space parking garage dedicated to the building will be located on the basement level along with storage and sanitation functions. The building area is as follows:

Floor Level	Gross Square Feet
Lower Level:	
Parking/Storage/Trash	9,690sf
Residential Levels:	
First Floor	8,006sf
Second Floor	8,006sf
Third Floor	8,006sf
Upper Third Floor	4,206sf
<i>Total</i>	28,224sf
<i>Total Building Area</i>	37,914sf

The existing, two-story office building will remain in place. This office building has a total of 9,242 gross square feet and five total office suites. SSM Health, a medical office use, occupies the entire first floor and the second floor contains four general office suites.

ZONING CODE AMENDMENT:

The proposed mixed use development consists of an existing 2 story office building and a proposed 3.5 story condominium building. This proposed development was submitted with the understanding that it complied with the Zoning Code section excerpted below.

Excerpt from Section 510.5(2)a

For mixed-use development consisting of multiple buildings, a minimum of twenty (20) percent and maximum of forty (40) percent of the total gross floor area of all buildings shall be provided as commercial use. If a commercial use is provided in a building, the entire ground story shall be provided as commercial uses only and residential uses only shall be provided on the second and above stories.

Staff has proposed a zoning amendment, Exhibit B, to address the excerpted section, specifically the underlined sentence. The current adopted language would prevent the existing office building from having commercial uses on the second story. The amended language would allow a fully commercial building to be permitted as part of multi-building mixed use development. Clarifying language is also being proposed to allow mechanical, service and parking uses, secondary to a commercial use, on the ground floor of a mixed use building.

PARKING & TRAFFIC ANALYSIS:

The subject property will have a two-way point of access from Madison Avenue. This point of access will serve the private garage level of the condominium building and the rear surface parking lot for the office building.

The current surface parking lot has 57 parking spaces with 10 non-exclusive spaces provided for the medical office use at 209 South Kirkwood Road. Public parking, 25 spaces, had previously been provided on the lot, but this lease agreement was not renewed. The proposed development will provide 24 private residential spaces located on the basement level of condominium building and another 24 spaces in the rear surface parking lot for use by the office building for a total of 48 spaces including 4 ADA accessible spaces. The ten space non-exclusive parking agreement with 209 South Kirkwood Road will not be renewed.

Provided Parking	
Residential Building	24
Office Building	24
Total	48
Required Parking	
Residential Building	27
<i>2.25 per unit</i>	
<i>1 visitor per/3 units</i>	
Office Building	51
<i>General Office</i>	
<i>5 spaces per/1,000sf</i>	
<i>Medical Office</i>	
<i>7 spaces per/1,000sf</i>	
Total	78

There is public parking in the vicinity of this development in addition to the on-site parking provided (See Exhibit E). Station Plaza, at the corner of Madison Avenue and Kirkwood Road provides 332 public garage/on-street parking spaces. There is also a 30 space public parking lot located just west of the subject property on the south side of Madison Avenue as well as on-street parking on Madison Avenue.

SITE ELEMENTS ANALYSIS:

HEIGHT

The proposed three and a half-story building will be approximately 56 feet, five inches in height at its highest point from grade (top of ridge). The official building height by Zoning Code is forty-eight feet, seven inches and the floor area ratio is 1.01.

The Zoning Code states that no building other than a church or similar place of worship shall exceed in height that height which for that particular building will create a maximum floor area ratio in excess of two and one half (2 ½) or 40 feet whichever is the lesser except when the building is part of a mixed-use development, the height shall not exceed 60 feet when approved by the Planning and Zoning Commission or City Council as part of a site plan review.

LANDSCAPING

The proposed landscaping plan shows a landscape buffer of varying width (5-12 feet) along the west side of the property that will preserve 10 existing evergreen trees (15 feet in height). The frontage along Madison Avenue will be landscaped with 7 canopy trees and the rear parking lot will be landscaped with 4 canopy trees. The submitted site plan shows a total of 780 square feet of green space provided which exceeds the minimum requirement of 600 square feet.

SANITATION

The submitted preliminary development plan shows a dedicated trash room located on the garage level of the condominium building. This room will have access from interior and exterior doors and will serve the condominium building and office building.

LIGHTING

A full photometric plan will be submitted with the final development plan. The site will need to comply with regulations established in Section A-1040 of the Zoning Code. The illumination levels of the site lighting shall adhere to the standard of 0.1 footcandles (fc) at the west property line adjacent to a residential use and 0.5 footcandles (fc) at all other property lines.

COMPREHENSIVE PLAN:

This site is designated for General Commercial use by the Vision 2015 Comprehensive Plan. The proposed development, while not commercial in nature a mixed use development is a preferred use in the immediate downtown area.

LAND USE AND ZONING:

The subject property is zoned B-2 General Business District and is currently occupied by a two story office building and a surface parking lot. Surrounding land uses and zoning include the following:

To the north: Across Madison Avenue is City Hall and Police Station zoned B-2, General Business District.

To the south: Adjacent to the site are residential structures converted to office use that are zoned B-2, General Business District.

To the east: Across Kirkwood Road is a mixed use development (Station Plaza) zoned B-2 General Business District.

To the west: Abutting the site is a single-family home zoned B-2, General Business District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: Three-phase electric is present and will need to be re-worked for new construction.

Fire: See meeting memo, Exhibit D

Water: A flow test will be required to determine adequate water supply.

DISCUSSION:

Zoning Matters signs were placed on the property on January 28, 2016. The petitioner's representatives presented the plan at the meeting on February 3, 2016, before the Planning and Zoning Commission; discussion was held. The subcommittee met on site February 8, 2016; (see Exhibit B for an attendance list). The discussion focused on several topics. The current use of the parking lot, how to address accessible route for the ADA parking spaces, fire code concerns, the height of the proposed building and turning movements out of the private garage.

At the petitioners second presentation at the February 17, 2016 P&Z meeting, further discussion was held on the following topics; the availability of parking in the surrounding area, utilization of the current parking lot and height of the proposed new building.

A final subcommittee meeting was held on site February 22, 2016. Discussion focused on follow-up from previous subcommittee meeting related to current use of the parking lot as well as sanitation access.

RECOMMENDATION:

The subcommittee acknowledges that the proposed development plan represents a reduction of 30 spaces from the Zoning Code parking requirement for both the existing office building and proposed condominium building. However, the subcommittee believes that sufficient evidence has been presented by the petitioner that the on-site provision of 48 spaces and large supply of available public parking in the vicinity provides a degree of confirmation that the proposed site will be adequately parked.

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

1. The final development plans shall be consistent with the preliminary development plans stamped "Received February 25, 2016, City of Kirkwood Public Services", except as noted herein.
2. A cross-access agreement shall be established between 201 S Kirkwood Rd and 209 S. Kirkwood Rd for the purpose of an ADA-accessible sidewalk. The cross-access easement shall be approximately 5 feet in width and 60 feet in length adjacent to the proposed driveway aisle. 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 issuance of any permits.
3. A convex traffic mirror shall be installed opposite the parking garage entrance.

4. A white centerline stripe shall be painted on the driveway aisle beginning at the edge of the driveway apron extending approximately 100 feet.
5. Canopy trees shall be a minimum of 3" (inches) caliper in size at time of planting.
6. 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.
7. No additional dumpsters shall be located on the site.
8. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.
9. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Dan Stauder

Madt Mallinckrodt

Jim O'Donnell

In response to questions by Commission members, Mr. Stephens responded that the rear stairway connects the first through third floors and does not provide access to the garage level and that the 12 air conditioning units will probably be located on the ground on the west side of the building due to their potential to vibrate on the roof. The following corrections were made to the Subcommittee Report: (1) the parking table on page 3 was amended to add 4 visitor spaces, which increased the total number of parking spaces required to 82; (2) the first paragraph of the Recommendation increased the reduction of parking spaces to 34; (3) the first paragraph of Discussion references the list of attendees at the subcommittee meeting should be Exhibit C and not B, and (4) the plans being approved in the first recommendation of approval were received on February 26, not the 25th.

The motion to approve the preliminary plan for the mixed-use development was unanimously approved by the six members present. Motion was made by Mr. Diel and seconded by Mr. Stauder to approve the Subcommittee Report as corrected. The report was unanimously approved by the six members present (Greg Frick, Wanda Drewel, and Cindy Coronado were absent).

**5. PZ-15-16 SPECIAL USE PERMIT AMENDMENT AND SITE PLAN REVIEW – MAGIC HOUSE
516 SOUTH KIRKWOOD ROAD AND 206 EAST WOODBINE AVENUE**

Submitted: 1-25-16 Automatic Recommendation: 5-24-16

Petitioner's Agent, Arthur Floyd

Beth Fitzgerald, President of the Magic House, provided the history of the building. In the 1940's, the Victorian house which was constructed in 1901 was used by the school district for offices. The property was purchased in 1979 for a children's museum.

Additions to the house and parking lot expansions were made in 1985, 1993, and 2007. In 2000, an unsuccessful attempt was made to purchase two rental homes on the northwest corner of Woodbine and Taylor and construct a parking lot. The letter dated March 16, 2000, which stated they would not expand easterly, was intended to mean that the Magic House would not purchase properties on Angenette.

Arthur Floyd distributed revised plans to the members. He stated that the three additions (2,300 s.f. and two 100 s.f.) total approximately 2,500 square feet. The heads on the parking lot lights would face to the west.

John Drexler, on the Board of Directors for the Magic House, spoke on behalf of the Magic House.

Acting Chairman Klippel asked if there were two members from the audience who would like to speak, and the following responded:

Julie Allman, 522 Angenette, and Jim Hauschultz, 519 Angenette, spoke in opposition to the parking lot expansion. Ms. Allman stated she was not opposed to the additions to the building.

6. PZ-16-16 SUBDIVISION, 2 LOTS – 911 EVANS AVENUE

Submitted: 2-8-16
 Petitioner, Mike Lewis

Mike Lewis stated he is proposing to subdivide the 120’x148’ parcel into two lots. Each lot meets all the requirements of the Zoning and Subdivision Codes. Since the preliminary plat was in compliance with the Codes, a staff report was prepared to approve the preliminary plat. Acting Chairman Klippel advised Mr. Lewis that a positive recommendation would require five of the six members present to vote in the affirmative and offered the item to be continued. Mr. Lewis stated he would like to proceed tonight. Motion was made by Mr. Kleinknecht and seconded by Mr. Mallinckrodt to approve the request for a preliminary plat for a two-lot subdivision at 911 Evans Avenue. City Planner Spencer read the staff report:

**CITY OF KIRKWOOD
 STAFF REPORT
 MARCH 2, 2016**

- PETITION NUMBER:** PZ-16-16
- ACTION REQUESTED:** PRELIMINARY PLAT – 2-LOT SUBDIVISION
- PETITIONER:** MIKE LEWIS, LEWIS HOMES
- PROPERTY LOCATION:** 911 EVANS AVENUE

ZONING:

R-4 SINGLE-FAMILY RESIDENTIAL DISTRICT

DRAWINGS SUBMITTED:

PRELIMINARY PLAT PREPARED BY GLASPER PROFESSIONAL SERVICES, INC., STAMPED "RECEIVED FEBRUARY 8, 2016, CITY OF KIRKWOOD PUBLIC SERVICES"

TREE STUDY PREPARED BY GARRETT JENSEN STAMPED "RECEIVED FEBRUARY 8, 2016, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is proposing to subdivide a 17,759 square foot lot into two 60-foot wide lots, containing 8,880 square feet each. Each lot is proposed to be developed with a single-family residence. Both lots meet the requirements of the Zoning and Subdivision Codes.

COMPREHENSIVE PLAN:

This site is designated for Suburban Density Residential by the Vision 2015 Comprehensive Plan. The two-lot subdivision is considered a Suburban Density Residential Use and is consistent with the development policies presented by the Plan.

LAND USE AND ZONING:

The subject property is currently zoned R-4 Single-Family Dwelling District. The properties surrounding the subject property are all zoned R-4 Single-Family and are developed with single-family houses.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comment
Fire: No Comment
Water: No Comment
Engineering: No Comment

DISCUSSION:

A Zoning Matters sign was posted on the property February 24, 2016. The petitioner presented his plan at the March 2, 2016, Planning and Zoning Commission meeting and discussion was held.

RECOMMENDATION:

The Planning and Zoning Commission recommends this petition be **approved** with the following conditions:

1. The final plat and development plans shall be consistent with the preliminary subdivision plat stamped "Received February 8, 2016 City of Kirkwood Public Services", except as noted herein.
2. If the Preliminary Subdivision Plat is approved by City Council, a filing fee of \$200 (2 lots at \$100 each) shall be submitted with the final plat.
3. If the existing curb cut is not to be utilized for the new house, it shall be removed; and the curbing shall be restored to City Standards. New entrances shall be constructed in concrete in accordance with City Standards.
4. Any existing curbs or sidewalks that are damaged shall be reconstructed to City standards.
5. The applicant shall comply with all standard conditions as listed on Exhibit B.

Respectfully submitted,

Ryan Spencer
City Planner

Mr. Kleinknecht believes that the staff report should be a report and recommendation from the Commission and not the City Planner. The Staff Report will be amended to a report from the Commission with a signature block for the Acting Chairman. The motion to approve the application was unanimously approved by the six members present (Mr. Frick, Ms. Drewel and Ms. Coronado were absent). Motion was made by Mr. Kleinknecht and seconded by Mr. Stauder to approve the report as corrected. The subcommittee report was unanimously approved by the six members present.

- 7. PZ-17-16 SPECIAL USE PERMIT (CAR WASH) – LOU FUSZ TOYOTA, 10831 MANCHESTER**
Submitted: 2-16-16 Automatic Recommendation: 6-15-16
Petitioner's Agent, Jeff Venetis

Jeff Venetis, Collision Center Manager, and Michael Hecht, Service Manager, were present. They are proposing to use the existing building to hand wash, clean, and photograph vehicles to prepare them for sale at another location.

Acting Chairman Klippel appointed Mr. Stauder and Mr. O'Donnell to the Subcommittee. A subcommittee meeting was scheduled for March 8 at 9 a.m.

8. PZ-18-16 MIXED USE IN B-2 – SUGAR SHACK, 151 WEST ARGONNE DRIVE

Submitted: 2-17-16 Automatic Recommendation: 6-30-16
 Petitioner, Barbara Francis

The petitioner was not present. Motion was made by Mr. Kleinknecht and seconded by Mr. Stauder to continue the item to the March 16 meeting. The motion was unanimously approved by the six members present.

9. PZ-19-16 AMEND ZONING CODE--ADD "LEARNING CENTER" TO PERMITTED USES IN B-4 ZONING DISTRICT

Submitted: 2-22-16 Automatic Recommendation: 5-22-16
 Petitioner's Agent, James Gamel

The Kumon Math and Learning Center of Kirkwood is proposing to relocate from their current location at 134 West Madison Avenue to a new lease space in the multi-tenant Woodbine Center in the 400 block of South Kirkwood Road. Learning Centers require a Special Use Permit in the B-1 Zoning District and are permitted uses in the B-2, B-3, and I-1 Districts. In order to relocate to the Woodbine Center, which is zoned B-4, an amendment to the Zoning Code is required.

Motion was made by Mr. Kleinknecht and seconded by Mr. O'Donnell to amend Section A-530 of the Zoning Code to add "Learning Centers" to the list of permitted uses in the B-4 Zoning District.

Chairman Klippel read the report:

**CITY OF KIRKWOOD
 STAFF REPORT
 MARCH 2, 2016**

- PETITION NUMBER:** PZ-19-16
- ACTION REQUESTED:** AMENDMENT TO CITY OF KIRKWOOD CODE OF ORDINANCES APPENDIX A: THE CITY OF KIRKWOOD ZONING CODE, SPECIFICALLY PERMITTED USES IN THE B-4 PLANNED COMMERCIAL DISTRICT
- PETITIONER:** RJC PARTNERSHIP, LLC
 (WOODBINE CENTER PROPERTY OWNER)
- PETITIONER'S AGENT:** JAMES GAMEL

BACKGROUND/DESCRIPTION:

The Kumon Math and Reading Center of Kirkwood would like to re-locate from their current location at 134 W. Madison Avenue to a new lease space in the Woodbine Center. Kumon is a private tutoring organization that has facilities across the world. A private tutoring use is defined as a learning center in the Kirkwood Zoning Code.

A learning center is defined as; a business that provides one on one or small group instruction in a non-traditional school setting which may be supplementary to public or private schooling. This shall include tutoring establishments, music instruction, dance instruction, art instruction, martial arts instruction, or similar uses.

Learning Centers are considered special uses in the B-1 Neighborhood Business District and permitted uses in the B-2 General Business, B-3 Highway Business and I-1 Light Industrial Districts. Kumon is currently located in a B-2 General Business District and would like to re-locate to a space within the Woodbine Center which is zoned B-4 Planned Commercial District.

COMPREHENSIVE PLAN:

The adopted Vision 2015 Comprehensive Plan groups the B-2, B-3, B-4 and B-5 zoning districts under the General Commercial Land Use category and accommodates a wide range of commercial land uses serving citywide and regional markets.

RECOMMENDATION:

The Planning and Zoning Commission recommends that the amendment, as detailed in Exhibit A, to Section A-530.2 of the Zoning Code be ***approved***.

The Planning and Zoning Commission believes that the addition of *learning centers* to the list of permitted uses in the B-4 Planned Commercial District is consistent with its treatment as a permitted use in the B-2 and B-3 Districts.

Respectfully submitted,

Ryan Spencer
City Planner

The motion to amend the Zoning Code was unanimously approved by the six members present (Mr. Frick, Ms. Drewel and Ms. Coronado were absent). Motion was made by Mr. Kleinknecht and seconded by Mr. Stauder to approve the report. The report was unanimously approved by the six members present.

10. COMPREHENSIVE PLAN – ENVISION 2035

Mr. Klippel encouraged the Commission members view the information that is available for the Comprehensive Plan at www.kirkwood2035.org.

There being no further business, the meeting adjourned at 8:40 p.m.; and the next meeting will be held March 16, 2016, at 7 p.m.

Allen Klippel, Secretary/Treasurer
Acting Chairman

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.