



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
APRIL 6, 2016**

PRESENT:

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

ABSENT:

Greg Frick, Chair

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, April 6, 2016, at Kirkwood City Hall, 139 South Kirkwood Road. City Attorney John Hessel, City Planner Ryan Spencer, and Administrative Assistant Patti Dodel also attended the meeting.

1. Vice Chair Wanda Drewel called the meeting to order at 7:00 p.m. and noted Chair Greg Frick was absent; and his absence was excused.
2. Motion was made by Mr. Stauder and seconded by Ms. Coronado to approve the minutes of the March 16, 2016, meeting. The motion was unanimously approved by the members present (Mr. Frick was 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. City Planner Ryan Spencer stated the City is working towards a solution.

4. **PZ-20-16 SUBDIVISION WAIVER – 1126/1138 FOLGER AVENUE**
Submitted 2-29-16
Petitioner, Josh Peterman
(Subcommittee – Mr. Kleinknecht and Mr. Mallinckrodt)

Mr. Mallinckrodt stated Lot C was removed from the plan. Motion was made by Mr. O'Donnell and seconded by Mr. Mallinckrodt to approve the request for a Subdivision Waiver at 1126 Folger Avenue. Mr. Kleinknecht and Mr. Mallinckrodt read the subcommittee report:

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
STAFF REPORT
April 6, 2016**

PETITION NUMBER: PZ-20-16

ACTION REQUESTED: SUBDIVISION WAIVER – BOUNDARY ADJUSTMENT PLAT

PETITIONER: JOSH PETERMAN, ELLINGTON HOMES

PROPERTY LOCATION: 1126/1138 FOLGER AVENUE

ZONING: R-4 SINGLE-FAMILY RESIDENTIAL DISTRICT

DRAWINGS SUBMITTED: BOUNDARY ADJUSTMENT PLAT PREPARED BY STERLING ENGINEERS AND SURVEYORS, STAMPED "RECEIVED FEBRUARY 29, 2016, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is requesting a subdivision waiver in order to permit the adjustment of the boundary line between properties addressed as 1126 Folger Avenue and 1138 Folger Avenue. The waiver from the Subdivision Code as follows:

Article IV, Section 2(b) 2: Boundary Adjustments shall be authorized for lawful lots of record provided that the resulting adjustment of lot lines does not increase the degree of non-compliance of the total area adjusted.

The house addressed 1138 Folger Avenue currently encroaches approximately 3 feet onto the property addressed 1126 Folger Avenue. The petitioner requests to adjust the northern property line of 1126 Folger Avenue 11.5 feet to the south in order to eliminate this encroachment and provide a standard 8 foot side yard setback for 1138 Folger Avenue

A subdivision waiver is necessary due to the fact that the requested adjustment of the northern lot line of 1126 Folger Avenue will increase the non-compliance of the overall size of that lot. The minimum size of an R-4 Single Family Residential lot is 7,500 square feet and 1126 Folger Avenue will be 7,062 square feet after the boundary adjustment.

COMPREHENSIVE PLAN:

This site is designated for Suburban Density Residential by the Vision 2015 Comprehensive Plan. The proposed boundary adjustment 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 Comments
Fire: No Comments
Water: No Comments
Engineering: No Comments

DISCUSSION:

A Zoning Matters sign was posted on the property March 9, 2016. The petitioner presented his plan at the March 16, 2016, Planning and Zoning Commission meeting and discussion was held. A subcommittee was appointed and met on site on March 18, 2016. Please see exhibit A for a list of those in attendance. Notices of the meetings had been properly posted. Discussion concerned the nature of the request and the issue related to the encroachment of the house addressed 1138 Folger Avenue.

RECOMMENDATION:

The Subdivision Code permits for waivers as follows:

When a subdivider can show that a provision of this ordinance would cause unnecessary hardship, if strictly adhered to, and when, in the opinion of the Planning and Zoning Commission because of conditions peculiar to the site, a departure may be made without destroying the general intent and spirit of the provision, the Planning and Zoning Commission may recommend a waiver or modification to the City Council.

The subcommittee finds that the encroachment of the house onto 1126 Folger Avenue to be an unnecessary hardship and condition peculiar to the site and the adjustment of the northern boundary line of 1126 Folger Avenue does warrant a waiver from the Subdivision Code and by doing so will not destroy the general intent and spirit of the Subdivision Code.

Therefore, the subcommittee recommends this petition be **approved** with the following conditions:

1. The Boundary Adjustment Plat recorded shall be consistent with the Boundary Adjustment Plat stamped "Received February 29, 2016 City of Kirkwood Public Services", except as noted herein.

2. The Boundary Adjustment Plat shall be recorded in the St. Louis County Office of the Recorder of Deeds at the expense of the applicant and shall be provided to the Public Service Director's office prior to issuance of any building permits.

Respectfully submitted,

Gil Kleinknecht

Madt Mallinckrodt

The motion to approve the application was unanimously approved by the eight members present. Motion was made by Mr. Kleinknecht and seconded by Mr. Diel to approve the subcommittee report. The subcommittee report was unanimously approved by the eight members present (Mr. Frick was absent).

5. 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

(Subcommittee – Mr. Klippel and Mr. Diel)

Ms. Francis stated she is proposing a 3,000 square foot addition to the 3,000 square foot building. The first floor will remain retail space in the front of the building and garage and storage space is proposed in the addition on the rear of the building. The entire second floor will be living space. City Planner Spencer stated this is a preliminary and final plan. The Subcommittee scheduled a meeting at the site on April 13 at 8:30 a.m.

6. PZ-21-16 SPECIAL USE PERMIT (CAR WASH) – LOU FUSZ TOYOTA, 10725 MANCHESTER

Submitted: 3-21-16 Automatic Recommendation: 7-19-16

Petitioner's Agent, Stephen Hollander

(Subcommittee – Mr. Stauder and Mr. O'Donnell)

Mr. Hollander stated they are proposing to construct a 21'x35' automated car wash bay on the east side of the show room. It will be used to wash vehicles after being serviced and will operate during the same business hours as the existing operations. The façade of the addition will match the existing building.

Motion was made by Mr. Stauder and seconded by Ms. Coronado to approve the request for a Special Use Permit for a car wash at 10725 Manchester Road. Mr. Stauder and Mr. O'Donnell read the subcommittee report:

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
April 6, 2016**

PETITION NUMBER: PZ-21-16

ACTION REQUESTED: SPECIAL USE PERMIT AMDEMENT (CAR WASH)

PETITIONER: PHILIP FUSZ, LOU FUSZ TOYOTA

PETITIONER'S AGENT: STEPHEN HOLLANDER – ARCHITECT

PROPERTY LOCATION: 10725 MANCHESTER ROAD

ZONING: B-3 HIGHWAY BUSINESS DISTRICT

DRAWINGS SUBMITTED: SITE/LANDSCAPE PLAN STAMPED "RECEIVED MARCH 21, 2016, CITY OF KIRKWOOD PUBLIC SERVICES"

DESCRIPTION OF PROJECT:

The petitioner is requesting a Special Use Permit Amendment to permit the installation of an automatic car wash bay. The car wash bay (752 square feet) will be constructed adjacent to the east side of the existing show room. It will not be for public use and will operate during the same business hours as the existing operations.

A Special Permit Amendment was previously granted on November 4, 2010 to allow for the expansion of the existing automobile dealership (vehicle delivery).

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 Lou Fusz Toyota Dealership. Surrounding land uses and zoning include the following:

To the south: Across Manchester Rd. is vacant commercial building and a funeral home, zoned B-3 Highway Business District.

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

To the east: Adjacent to the site is a furniture store zoned B-3 Highway Business District.

To the west: Adjacent to the site is a major motor vehicle repair use zoned B-3 Highway Business District.

DEPARTMENTAL/AGENCY COMMENTS:

- Electric: Kirkwood Electric requests a load sheet on the projected load changes. – Per petitioner this will be provided by the applicant upon final selection of equipment.
- Engineering: No Comments
- Building: No Comments
- Fire: No Comments
- Water: No Comments per email sent 3/24/16
- MoDOT: No Comments per email sent 3/29/16

DISCUSSION:

A Zoning Matters sign was posted on the property March 30, 2016. A subcommittee was appointed prior to the initial presentation and met on site on March 30, 2016. Please see Exhibit B for a list of those in attendance. General discussion concerned the nature of the addition as it relates to the existing building, whether or not chemicals are utilized during the car wash process and if outdoor equipment is necessary.

The petitioner presented the plan at the April 6, 2016, Planning and Zoning Commission meeting. Notice of the meetings had been properly posted.

RECOMMENDATION:

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

1. This Special Use Permit Amendment (Car Wash) is limited to the car wash bay addition on property known as 10725 Manchester Road.
2. The project shall be consistent with the landscaping plan/site plan stamped "Received March 21, 2016, 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. 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.
4. 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.

5. Construction along Manchester Road (Highway 100) shall be approved by the Missouri Department of Transportation prior to the issuance of any permits.
6. Any new lighting used to illuminate the site or building shall be designed in accordance with Zoning Code Section A-1040 and fixture cut sheets shall be submitted.
7. All rooftop equipment, air-conditioning units, and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way. Equipment associated with the operation of the car wash shall be enclosed and not permitted outdoors.
8. The Architectural Review Board shall approve all exterior architecture and signage prior to the issuance of a building permit.
9. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Dan Stauder

Jim O'Donnell

The motion to approve the application was unanimously approved by the eight members present. Motion was made by Mr. Diel and seconded by Mr. Kleinknecht to approve the subcommittee report. The subcommittee report was unanimously approved by the eight members present (Mr. Frick was absent).

7. COMPREHENSIVE PLAN – ENVISION 2035

City Planner Spencer stated that the plan is complete. The Planning and Zoning Commission will conduct a public hearing after the plan is reviewed by the Policy Group and City Council.

8. In response to questions from Commission members, City Planner Spencer responded that the Council will have a work session to discuss amendments to Section A-220 and that he was contacted by an architect who was preparing plans for new houses on North Taylor Glen.

There being no further business, the meeting adjourned at 7:40 p.m.; and the next meeting will be held April 20, 2016, at 7 p.m.

Wanda Drewel, Vice Chair
Acting 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.