



**CITY OF KIRKWOOD  
PLANNING AND ZONING COMMISSION  
OCTOBER 19, 2016**

**PRESENT:**

Wanda Drewel, Vice Chair  
James Diel, Secretary/Treasurer  
Greg Frick  
Cindy Coronado  
Dan Stauder  
Jim O'Donnell  
Matd Mallinckrodt  
David Eagleton

**ABSENT:**

Allen Klippel, Chair

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, October 19, 2016, at Kirkwood City Hall, 139 South Kirkwood Road. City Council Liaison Nancy Luetzow, City Planner Jonathan Raiche, 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 Chairman Klippel was absent and his absence was excused.
2. Motion was made by Mr. O'Donnell and seconded by Ms. Coronado to approve the minutes of the October 5, 2016, meeting. The motion was unanimously approved by the eight members present.
3. **PZ-04-17 SPECIAL USE PERMIT AND SITE PLAN AMENDMENT (RESTAURANT, OUTDOOR SEATING), 10310 AND 10312 MANCHESTER ROAD**  
Submitted: 9-19-16 Automatic Recommendation: 1-17-17  
Petitioner, Jonathan Browne  
(Subcommittee - Ms. Coronado, Mr. O'Donnell, and Mr. Mallinckrodt)

Michael Koch of Novus Development was present. Motion was made by Mr. Mallinckrodt and seconded by Mr. O'Donnell to approve the request for a Special Use Permit Amendment for the restaurant and site plan review at 10310 and 10312 Manchester Road. Mr. O'Donnell, Mr. Malinckrodt, and Ms. Coronado read the subcommittee report:

**CITY OF KIRKWOOD  
PLANNING AND ZONING COMMISSION  
SUBCOMMITTEE REPORT  
October 19, 2016**

**PETITION NUMBER:** PZ-4-17

**ACTION REQUESTED:** SPECIAL USE PERMIT AMENDMENT/SITE PLAN REVIEW  
(RESTAURANT, OUTDOOR SEATING)

**PETITIONER:** JONATHAN BROWNE

**PROPERTY OWNER:** JONATHAN BROWNE, BROWN & SONS FOODLINER, INC.

**PROPERTY LOCATION:** 10310 AND 10312 MANCHESTER ROAD

**CURRENT ZONING:** B-3 HIGHWAY BUSINESS DISTRICT

**DRAWINGS SUBMITTED:** SITE PLAN (1 SHEET) PREPARED BY VANCE ENGINEERING, INC  
STAMPED "RECEIVED SEPTEMBER 19, 2016, CITY OF KIRKWOOD  
PUBLIC WORKS DEPARTMENT"

SPACE PLANS (SHEET SP1) PREPARED BY UHLIG ARCHITECTURE,  
LLC STAMPED "RECEIVED SEPTEMBER 19, 2016, CITY OF  
KIRKWOOD PUBLIC WORKS DEPARTMENT"

STRUCTURAL DETAILS (SHEET S1.0) PREPARED BY FRONTENAC  
ENGINEERING GROUP STAMPED "RECEIVED SEPTEMBER 19,  
2016, CITY OF KIRKWOOD PUBLIC WORKS DEPARTMENT"

SEATING LAYOUT PREPARED BY SAINT LOUIS DESIGN ALLIANCE  
ARCHITECTS STAMPED "RECEIVED SEPTEMBER 19, 2016, CITY  
OF KIRKWOOD PUBLIC WORKS DEPARTMENT"

**DESCRIPTION OF REQUEST:**

The petitioner is requesting a Special Use Permit Amendment and Site Plan approval for the expansion of the outdoor dining currently permitted at the site. The current Special Use Permit for this tenant space was approved on May 5, 1994 for St. Louis Bread Company and limited outdoor seating to 4 tables and 8 chairs in front of the restaurant, and 8 tables and 21 chairs in the patio to the west of the restaurant. The proposed area of expansion, as shown on the proposed site plan, is the existing courtyard located west of the tenant space.

The proposal is to build a composite deck in the courtyard space which would be at the same level as the main floor of the shopping center and the restaurant space. This deck expansion would create approximately 600 additional square feet of seating area (approximately 1,000 square feet total) which could accommodate approximately 12 tables and 40-50 seats according to the applicant's project summary.

**Recent Site History**

The City Council, on June 4<sup>th</sup>, 2015, approved a site plan for a new parking facility to be located behind the Greentree Center (1015 N. Woodlawn Ave.) as part of a larger request at this same

shopping center for the addition of a stand-alone Starbucks restaurant. A one-year extension was also granted by the City Council to extend the approval of the approved Special Use Permit amendments until June 4, 2017.

A similar request was submitted to the Planning & Zoning Commission in April of 2015; however, the Commission recommended during that process that an alternative patio location be considered. The sub-committee reviewing that proposal also stated that there was serious concern related to the inadequate parking that would be available for the expansion of the restaurant use. As a result of that concern, the Planning & Zoning Commission voted 7-1 to deny the proposal in October. After that decision by the Commission, the application was withdrawn.

**LAND USE AND ZONING:**

The subject property is currently zoned B-3 Highway Business District. Surrounding land uses and zoning include the following:

To the south: Directly abutting 10300 Manchester Road is a legal, non-conforming landscape nursery zoned R-4, Single-Family District.

To the north: Across Manchester Rd. is St. Agnes Home (Senior Living) split-zoned zoned R-3, Single-Family District and B-3, Highway Business District.

To the east: Across Woodlawn Avenue at the corner of Woodlawn and Manchester is a Financial Services Company zoned B-3, Highway Business District and single-family houses zoned R-4, Single-Family District.

To the west: Directly abutting 10300 Manchester Road is an automobile dealership zoned B-3 Highway Business District and directly abutting 1015 North Woodlawn Avenue is a City of Kirkwood Electrical Substation zoned R-4, Single-Family District.

**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: No Comments

Building/Fire: All egress paths shall be proper length and width per code. Egress and emergency lighting shall be provided per code.

Water: No Comments

**DISCUSSION:**

Zoning Matters signs were placed on the property on September 29, 2016. The petitioner presented the proposed plan at the Planning & Zoning Committee meeting on October 5, 2016. Discussion was held and a subcommittee was appointed. The discussion at the October 5<sup>th</sup> meeting included concerns regarding adequate lighting provided for the courtyard under the deck and a concern that adequate parking be provided to accommodate the expansion. The availability of bicycle racks was also mentioned at the October 5, 2016 meeting. The current center provides 2 separate bicycle racks to accommodate approximately 11 bicycles and there is an additional bicycle rack that is required with the Starbucks project.

The subcommittee met on-site on October 12, 2016 and a list of individuals in attendance can be seen in "Exhibit A". The discussion focused on the effects of the proposal on the lower level access and security. Lighting will be required by building and fire code to ensure that egress and emergency lighting is provided. The subcommittee also discussed the need to provide a locking gate at the top of the stairwell (with emergency egress hardware), signage to indicate the area is under surveillance, and actual surveillance provided for the lower level. A condition regarding these security issues has been added into the recommendations section of this report.

**Parking**

The applicant was requested by Staff to provide detailed parking information with their application. The base parking requirement for the existing center that was used for these calculations was the 229 parking spaces required in the 1994 variance granted via Ordinance 8313.

The results of this information indicate that if the proposed patio was added with no change to the current parking, there would be a shortage of 11 spaces (231 provided; 242 required). If the aforementioned proposed parking lot at 1015 N. Woodlawn Ave. would be built with the proposed outdoor seating expansion, this would result in an excess of 29 spaces (271 provided; 242 required). However, because the proposed stand-alone Starbucks has already been approved, including modifications to the existing parking lot, the applicant was asked to provide the parking information if the Starbucks and proposed patio expansion were both built. If this scenario occurs, there would be a shortage of 1 parking space (254 provided; 255 required).

**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 September 19, 2016, City of Kirkwood Public Works Department", 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. A performance guarantee, in an amount to be determined by the Public Services Department, and an administrative fee shall be submitted to the City within 6 months of approval and prior to the issuance of a building permit.
3. Outdoor seating shall be in conformance with Article I, Section A 140.1(111) of the City's Zoning Code.

4. The hours of operation of the outdoor seating area shall not be greater than the hours of the indoor restaurant. However, the use of outdoor speakers and live music shall be prohibited after 11:30 PM on Friday and Saturday and 10:00 PM on Monday through Thursday.
5. A security gate shall be provided at the top of the existing stairway that will be locked when the lower-level tenants are not open for business. Said gate shall be installed to meet all local building and fire codes prior to issuance of an occupancy permit for the outdoor dining area.
6. A surveillance system shall be installed for the lower level and signage provided to indicate that such surveillance is in place prior to issuance of an occupancy permit for the outdoor dining area.
7. Improvements shown on the Site Plan directly related to the construction of the stand-alone coffee shop, Starbucks, as approved per Ordinance 10275 shall not be required unless otherwise stated herein.
8. Adequate parking for the additional proposed seating area shall be provided in accordance with Section A-1000 of the City's Zoning Code. The proposed parking lot located at 1015 North Woodlawn Avenue must be completed and one additional space must be located on-site for a total minimum number of 255 parking spaces provided.
9. Required landscaping shall be provided as previously approved for the parking lot on 1015 North Woodlawn Avenue as part of the PZ-24-15 approval.
10. A shared parking agreement between the property owners of 1011 North Woodlawn Avenue and 10300 Manchester Road for parking on 1015 North Woodlawn Avenue shall be approved by the City and recorded in the St. Louis County Recorder of Deed's office and a copy filed in the Public Services Department office prior to issuance of any permits.
11. Copies of letters from the property owner (10300 Manchester Road) to each tenant acknowledging that employees may be directed at the discretion of the property owner to park in a specific location, per signed lease agreement, shall be filed in the Public Services Department prior to the issuance of any permits.
12. Pick-up and drop-off for the Dance Studio shall be via the new Woodlawn Ave. entrance at 1015 N. Woodlawn Ave. with vehicles progressing in a clock-wise manner and exiting via the existing Woodlawn entrance as acknowledged during the approval process of PZ-24-15.
13. In order to provide access to the Kirkwood Electric substation an access easement agreement between the owner of Greentree Center and the City of Kirkwood shall be approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds and a copy filed in the Public Services Department office prior to issuance of any permits.
14. The existing dumpster, southeast corner of Greentree Center, and any new dumpsters shall be enclosed with a new six foot high, sight-proof fence constructed of materials

similar to the materials of the primary structure. The latching gate will consist of matching or complementary materials.

15. Any new dumpster area and dumpster pad shall be constructed of 7" thick concrete pavement on a 6" thick rock base and sized to fit dumpster.
16. All planned site lighting (patio and new parking lot) shall be designed in accordance with Zoning Code Section A-1040. New site lighting shall be installed at the rear of the existing Greentree Center to provide sufficient lighting, as determined by the Public Services Director, for employees utilizing the rear parking lot.
17. The parking and driveway area at the southwest corner of the Greentree Center shall be repaired and overlaid for proper drainage to the existing storm inlet.
18. A consolidation plat for 10300 Manchester and 1015 North Woodlawn Avenue shall be approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds and filed in the Public Services Department office prior to issuance of a building permit. All required city easements shall be shown on the plat.
19. The Sugar Creek Gardens property (1011 N. Woodlawn) shall maintain a minimum of 20 off-street parking spaces. Parking spaces located on the proposed parking lot (1015 N. Woodlawn) shall not be included in the required total.
20. An occupancy permit for the outdoor dining area shall not be issued until such time as the proposed parking lot and new lighting, to be located at 1011/1015 North Woodlawn Avenue, is completed as approved with PZ-24-15.
21. The petitioner shall comply with all standard conditions as listed in Exhibit B.

Respectfully submitted,

Cindy Coronado

Jim O'Donnell

Madt Mallinckrodt

The motion to approve the application passed seven to one (Mr. Stauder was opposed and Mr. Klippel was absent). Motion was made by Mr. O'Donnell and seconded by Ms. Coronado to approve the subcommittee report. After discussion, motion was made by Mr. Mallinckrodt and seconded by Ms. Drewel to amend Condition No. 4 of the Subcommittee Report as follows: "...and 10:00 P.M. on ~~Monday~~ Sunday through Thursday." The amendment was unanimously approved. The amended subcommittee report was unanimously approved by the eight members present (Mr. Klippel was absent).

#### **4. COMPREHENSIVE PLAN – ENVISION 2035**

City Planner Jonathan Raiche reported the Steering Committee will meet in November.

5. City Planner Jonathan Raiche reminded the Commission members there will be a training session at 6 p.m. on November 2. In addition, there is a webinar available on October 27<sup>th</sup> through the Municipal League of Metro St. Louis given by Cunningham, Vogel, and Rost regarding Planning & Zoning. The City Council will be discussing amendments to Section 220 of the Zoning Code regarding the Site Plan Review process at their October 20 work session.

There being no further business, the meeting adjourned at 7:35 p.m.; and the next meeting will be held November 2, 2016, at 7:00 p.m.

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Wanda Drewel, Vice Chair

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James Diel, 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.