



SPECIAL ANNOUNCEMENT REGARDING CITY COUNCIL MEETINGS

Under Section 610.015 of the Mo. Sunshine Law provides that members of the City Council who are not physically in the Council Chambers can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes.

The U.S., and the world, is in a state of emergency due to the Coronavirus—Covid-19. The Missouri Governor and the County Executive directed all citizens to limit meetings and gatherings to a few people to avoid the spread of the Coronavirus. Therefore, members of the City Council have elected to participate in this meeting electronically so that we are compliance with such Orders and for the public health and safety of each other and the general public.

To follow along with the City Council meeting please see instructions below. To make a comment during the public comment portion of the meeting please either click the hand icon via Zoom to “raise” your hand, or if you are dialing in from a phone you will “raise your hand” by dialing *9. Raised hands will be called on the order received. ***Any citizen comments received by e-mail by 4:00 p.m. on Thursday, September 17, 2020 will be distributed to the Mayor and City Council and entered into the record.***

You are invited to a Zoom webinar.

When: Sep 17, 2020 07:00 PM

Topic: September 17, 2020 City Council Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89462386688>

Or Join by Telephone:

Dial +1 312 626 6799

Enter Webinar ID: 894 6238 6688

If you are unable to join the webinar the meeting will be live-streamed on the following platforms:

Facebook: www.facebook.com/cityofkirkwoodmo

YouTube: www.YouTube.com/kirkwoodcitymo

Twitter: @KirkwoodCity

****SEE THE FOLLOWING PAGES FOR THE AGENDA**



**Kirkwood City Council
Agenda
Thursday, September 17, 2020, 7:00 p.m.
Via Zoom
*Revised and Posted on September 16, 2020***

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. INTRODUCTIONS AND RECOGNITIONS - NONE

IV. PRESENTATIONS

1. Urban Forestry Commission Advocate of the Year Award

V. PUBLIC HEARINGS - NONE

VI. PUBLIC COMMENTS – 3 MINUTE LIMIT PER PERSON

The Public Comments portion of the meeting is an opportunity for the City Council to listen to comments from citizens. It is not a question and answer session and the City Council will not respond to comments or answer questions during this period. The Mayor may refer any matter brought up to the City Council to the Chief Administrative Officer or City Clerk if action is needed.

VII. CONSENT AGENDA

All items within the Consent Agenda will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council. The expenditures listed in the consent agenda are items already approved in the current city budget.

- a) Approval of the September 3, 2020 Council Meeting Minutes

VIII. UNFINISHED BUSINESS

1. Bill 10844, fixing and establishing the rate of taxation to be levied upon all real estate and certain tangible personal property in the City of Kirkwood, County of St. Louis, State of Missouri, for the year 2020, for the maintenance of the Kirkwood Public Parks; for the Police and Firemen's Pension Fund; for general government services and for businesses in the Special Business District
2. Bill 10845, fixing and establishing the rate of taxation to be levied upon all real estate and certain tangible personal property in the City of Kirkwood, County of St. Louis, State of Missouri, for the year 2020, for the operation and maintenance of the Municipal Library District of Kirkwood
3. Bill 10846, appropriating funds from the Debt Service Fund to the Transfer to Other Funds Account, and then transferring funds from the Transfer to Other Funds Account to the General Fund (\$91,359.92)



IX.

NEW BUSINESS

1. Bill 10847, amending the provisions of the Municipal Code, Appendix A – Zoning, Section A-510.8 regarding the Frontage Occupation Requirement in the B-2, General Business District (Central Business District)
2. Bill 10848, granting a Special Use Permit for a Physical Fitness Facility at 10505 Big Bend Boulevard subject to certain conditions
3. Bill 10849, approving the Final Subdivision Plat of a two-lot commercial subdivision known as Kirkwood Mixed Use, in the City of Kirkwood, St. Louis County, Missouri
4. Resolution 103-2020, approving the Preliminary Subdivision Plat of a two-lot commercial subdivision known as Kirkwood Mixed Use, in the City of Kirkwood, St. Louis County, Missouri
5. Resolution 104-2020, accepting the bid of T. Hill Construction for a Public Sidewalk Releveling Program and authorizing and directing the Mayor to enter into a contract (in the not to exceed amount of \$30,000)
6. Resolution 105-2020, accepting the bid of Lamke Trenching and Excavating for Marshall Road High Pressure Reduction and authorizing and directing the Mayor to enter into a contract in the not to exceed amount of \$254,465)
7. Resolution 106-2020, amending the contract with TWM for Transportation Engineering Services for Manchester Road Improvement Project Additional Streetscape Design and authorizing and directing the Mayor to enter into an amended contract (by increasing the contract amount by \$18,913.35 for a not to exceed amount of \$360,772.35)
8. Resolution 107-2020, requesting that St. Louis County distribute \$47 million of CARES Act funds on a per capita basis to the municipalities within the County to be used for eligible expenses, authorizing the Chief Administrative Officer of the City of Kirkwood, Missouri, to accept CARES Act funding and execute a Municipality Relief Program Funding Agreement, and Confirming Agreement to indemnify and hold harmless St. Louis County from such distribution

X.

CONSENT AGENDA ITEMS FOR DISCUSSION (IF ANY)

XI.

CITY COUNCIL REPORTS

XII.

CHIEF ADMINISTRATIVE OFFICER REPORTS

XIII.

CITY ATTORNEY REPORTS

XIV.

CITY CLERK REPORTS

1. Report of the September 16, 2020 Planning and Zoning Commission meeting
2. Upcoming Public Hearings:
October 1, 2020
 - A request to amend the Zoning Code by adding a definition for “Assisted Living Facility”, adding “Assisted Living Facility” as a Special Use Permit in the B-2 Zoning District, and adding a parking rate for Assisted Living Facility.
 - A request for a Special Use Permit for an Assisted Living Facility and of a Preliminary Development Plan for a Mixed-use Development in the B-2 District at 300 North Kirkwood Road as submitted by Opus Development.



October 22, 2020 (rescheduled from August 27, 2020)

- A request for a Mixed-Use Development in the B-2 Zoning District known as The James (formerly Kirkwood Flats) at 426 N. Kirkwood Road

XV. MEETING ADJOURNMENT

PLEASE NOTE:

The next regular meeting of the Kirkwood City Council will take place at **7:00 p.m. on October 1, 2020.**

CONTINUED ITEMS

NONE

TABLED ITEMS

NONE

Kirkwood City Council: Mayor Tim Griffin, Council Members Maggie Duwe, Liz Gibbons, Bob Sears, Wallace Ward, Kara Wurtz, and Mark Zimmer

Contact Information: For full City Council contact information visit www.kirkwoodmo.org/council. To contact the City Clerk call 314-822-5802. To contact the Chief Administrative Officer call 314-822-5803.

Accommodation: The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.

THE CONSENT AGENDA IS ATTACHED

- a) Approval of the September 3, 2020 Council Meeting Minutes



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

**Kirkwood City Council
Via Zoom
Thursday, September 3, 2020, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, September 3, 2020, at 7:00 p.m. via Zoom Virtual meeting. Present were Mayor Griffin, Council Members Duwe, Gibbons, Sears, Ward, Wurtz, and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, City Clerk Laurie Asche, Director of Public Services Bill Bensing, Planning and Services Director Jonathan Raiche, Director of Finance Sandy Stephens, Public Information Officer Freddy Doss, and City Attorney John Hessel.

ANNOUNCEMENTS FROM CITY ATTORNEY

City Attorney John Hessel stated for the record that under Section 610.015 of the Mo. Sunshine Law provides that members of the City Council who are not physically in the Council Chambers can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes.

So, let the minutes reflect that the U.S., and the world, is in a state of emergency due to the Coronavirus—Covid 19. The Missouri Governor and the County Executive directed all citizens to limit meetings and gatherings to a few people to avoid the spread of the Coronavirus. Therefore, members of the City Council have elected to participate in this meeting electronically so that we are compliance with such Orders and for the public health and safety of each other and the general public.

INTRODUCTIONS AND RECOGNITIONS

NONE

PRESENTATIONS

NONE

PUBLIC HEARINGS

Public Hearing #1

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Zoning Code Text Amendment and Site Plan Review for Commerce Bank at 300 North Kirkwood Road. Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on August 18, 2020, as Exhibit 1; an Affidavit of Publication in the Legal Ledger on August 18, 2020, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; the report of the Planning and Zoning Commission Sub-Committee dated August 5, 2020, as Exhibit 5; the report of the Planning & Zoning Commission dated August 6, 2020; and the Kirkwood Code of Ordinances as Exhibit 7.



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

Planning and Development Services Director Jonathan Raiche presented information pertaining to the request:

- The applicant is requesting two separate actions which include the following: 1) for a text amendment in the B-2, General Business District regulations regarding street frontage occupation in Section A-510.8 (2) and 2) a Site Plan Review for an approximately 3,800 sf, 1-story retail bank building located along Kirkwood Road.
- The Subcommittee recommends that the request to amend Section A-510.8 (2) of the Zoning Code to remove the existing provision and replace with the following language be approved:

"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided.

However, with respect to corner lots only, said minimum frontage occupation requirement shall not apply to Downtown Phase 2 B-Streets provided the required frontage occupation is met on a A-Street frontage of said corner lot, but in the event said corner lot fronts on two Phase 2 B-Streets, then said frontage occupancy requirement shall apply only to one such street frontage.

- The Subcommittee recommends that the Site Plan Review application be approved with the following conditions:
 1. The project shall be constructed and maintained in accordance with the plans referenced in the Drawing Submitted portion of this report, except as noted herein.
 2. A 6' high sight-proof fence shall be installed along the eastern property line and shall be constructed of material comparable to simtek composite fencing.
 3. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and shall be replaced with a 6' wide exposed aggregate sidewalk.
 4. The species of street frontage trees along Washington Avenue may need to be revised to avoid conflict with the existing overhead utility lines as advised by the City Forester.
 5. Prior to City Council approval, a revised landscape plan shall be submitted which includes one additional canopy tree and one additional evergreen tree near the proposed trash enclosure.
 6. Prior to City Council approval, a revised site plan, lighting plan, and landscape plan shall be submitted which includes a pedestrian sidewalk along the eastern property line. Said area shall include low-lying vegetation and trees as possible; however, it is recognized that the width



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

of the buffer area may not accommodate trees alongside the desired sidewalk. Because of this, a modification to the parking lot landscaping requirements along the eastern property line is recommended to accommodate the sidewalk. Said revised lighting plan shall ensure that the proposed pedestrian sidewalk meets the regulations in Section A-1040.

7. A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area to provide access across the site and toward Adams Avenue.
8. A demolition permit for the existing building on Lot 1 shall be submitted prior to occupancy of the proposed building on Lot 2 and said existing building shall be demolished within 180 days of the date of the occupancy permit of the proposed building on Lot 2. Alternatively, the applicant shall provide documentation that the parking requirements for the proposed bank structure and the existing bank structure are fulfilled.
9. The applicant shall comply with all standard conditions as listed in Exhibit A.
 - The revised Site Plan to address condition from P&Z – still under review
 - 3,800 sf retail bank building; 1 story (22')
 - Building frontage along Washington – approx. 20% (text amend)
 - 3 advanced ATM lanes – meet minimum required queuing length
 - 2 full access points on Washington w/ Cross access to south
 - Parking exceeds minimum required (15 required, 26 provided)
 - The revised Landscape Plan includes a combination of existing and proposed trees to meet the various requirements:
 - 9 street trees required on Washington
 - 3 street trees required on Kirkwood Rd
 - Evergreen trees (not shrubs) required around dumpster enclosure

Petitioner Chris Mrozewski of V3 Studios for Commerce Bank addressed the council. A discussion took place. Some of the items discussed are as follows:

- There is concern that the flagpole and the fence that is currently in place on the property remains in its location because of their historical significance.
- Question was raised about an oak tree being saved on the property.
- Mention was made regarding water run-off on the property and using porous asphalt on the parking lot.
- The cross access design is standard practice for the safety of pedestrians.
- It was stated that Commerce Bank has demonstrated their sensitivity to the concerns of the community and maintained historical values on the property.

The bill will be placed on the September 17, 2020 agenda for first reading consideration. The Resolution will be placed on the October 1, 2020 agenda for council consideration.



WHERE COMMUNITY AND SPIRIT MEET[®]

DRAFT

Public Hearing #2

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard. Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on August 18, 2020, as Exhibit 1; an Affidavit of Publication in the Legal Ledger on August 18, 2020, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; a memo from Planning & Development Services Director Jonathan Raiche dated July 29, 2020, as Exhibit 5; the report of the Planning & Zoning Commission dated August 6, 2020, as exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7.

Planning and Development Services Director Jonathan Raiche presented information pertaining to the request:

- The subject property was rezoned to B-1, Neighborhood Business District in 2017 and was also approved for a site plan to develop the property with the approximately 3,800 sf multi-tenant building that exists today.
- The owner is now requesting a Special Use Permit for a Physical Fitness Facility on behalf of a potential tenant, River North Strength.
- The proposal requires 4 parking spaces. The building provides 19 parking spaces.
- There is no exterior work proposed.
- The Commission recommends this petition to be approved with the following conditions:
 - A Special Use Permit shall be granted to allow for the operation of a physical fitness facility in approximately 1,127sf of space in the building located at 10505 Big Bend Boulevard.
 - The physical fitness facility shall be required to comply with the City's parking requirements.

Petitioner Ron Hampp, manager, addressed the council. A discussion took place. Some of the items discussed are as follows:

- Mention was made that a bike rack will be available on the property.
- All activities will be done indoors.
- It is anticipated that no more than 3-4 parking spaces will be used at peak times.

The bill will be placed on the September 17, 2020 agenda for first reading consideration.



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

PUBLIC COMMENTS NONE

CONSENT AGENDA

Motion was made by Council Member Ward and seconded by Council Member Zimmer to approve the Consent Agenda.

- a) Approval of the August 20, 2020 Council Meeting Minutes
- b) Resolution 100-2020, accepting the bid of Network Technology Partners for Sophos Software License Renewal for the MIS Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$21,286.95)
- c) Resolution 101-2020, approving a contract amendment with Middendorf & Ruess Construction, Inc. for Firehouse #2 Concrete Drive Replacement and authorizing and directing the Mayor to enter into an amended contract (amount not to exceed of \$41,000)
- d) Resolution 102-2020, approving a contract amendment with Murphy Company for Police Department Dispatch HVAC RTU Replacement and authorizing and directing the Mayor to enter into an amended contract (amount not to exceed of \$24,000)

UNFINISHED BUSINESS

Bill 10843, an ordinance amending and readopting the provisions of Appendix E, "Personnel Rules and Regulations" of the Kirkwood Code of Ordinances, was brought before the council.

Roll Call:

| | |
|------------------------|-------|
| Mayor Griffin | "Yes |
| Council Member Gibbons | "Yes" |
| Council Member Sears | "Yes" |
| Council Member Duwe | "Yes" |
| Council Member Zimmer | "Yes" |
| Council Member Ward | "Yes" |
| Council Member Wurtz | "Yes" |

The bill, having received majority approval of the Council, was adopted and became Ordinance 10681.



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

NEW BUSINESS

Bill 10844, an ordinance fixing and establishing the rate of taxation to be levied upon all real estate and certain tangible personal property in the City of Kirkwood, County of St. Louis, State of Missouri, for the year 2020, for the maintenance of the Kirkwood Public Parks; for the Police and Firemen's Pension Fund; for general government services and for businesses in the Special Business District, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Duwe to accept the Bill as read.

The bill received first reading approval and was held over.

Bill 10845, an ordinance fixing and establishing the rate of taxation to be levied upon all real estate and certain tangible personal property in the City of Kirkwood, County of St. Louis, State of Missouri, for the year 2020, for the operation and maintenance of the Municipal Library District of Kirkwood, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Ward to accept the Bill as read,

The bill received first reading approval and was held over,

Bill 10846, an ordinance appropriating funds in the amount of \$91,359.92 from the Debt Service Fund to the Transfer to Other Funds Account, and then transferring funds in the amount of \$91,359.92 from the Transfer to Other Funds Account to the General Fund, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Duwe to accept the Bill as read,

The bill received first reading approval and was held over,

Resolution 99-2020, a resolution authorizing the reversal of voluntary reduction in general government services property tax rates, was brought before the council. Motion was made by Council Member Gibbons and seconded by Council Member Ward to accept the Resolution as read.

Roll Call:

| | |
|------------------------|-------|
| Mayor Griffin | "Yes" |
| Council Member Gibbons | "Yes" |
| Council Member Sears | "Yes" |
| Council Member Duwe | "Yes" |
| Council Member Zimmer | "Yes" |
| Council Member Ward | "Yes" |
| Council Member Wurtz | "Yes" |



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

CONSENT AGENDA ITEMS FOR DISCUSSION NONE

CITY COUNCIL REPORTS

Council Member Ward encourages everyone to reply to the census questionnaire to have an accurate count of the community for proper representation.

Council Member Zimmer wanted to remind everyone to lock vehicles and all valuables each night.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported that the City received an Application for Liquor License to sell intoxicating liquor by the drink, plus Sunday, from The Pioneer Café, 210 N. Kirkwood Road. Motion was made by Council Member Zimmer and seconded by Council Member Wurtz to approve the application. The motion was unanimously approved.

Mr. Hawes reported that the City has received \$2.6 million in STPS Grant Funds for projects from East-West Gateway. Director of Public Services Bill Bensing summarized the two grants received as:

- 1) Kirkwood Road for mill and overlay with ADA improvements from Swan to Adams Avenue.
- 2) Lindeman Avenue for mill and overlay with ADA improvements with possible enhanced pedestrian crossings from Dougherty Ferry to the City's northern limits.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.

CITY CLERK REPORT

Ms. Asche read the report of the September 2, 2020 meeting of the Planning & Zoning Commission. The following action took place.

1. By a vote of 8 to 1, the Commission recommended approval of a request to amend the Zoning Code by adding a definition for "Assisted Living Facility", adding "Assisted Living Facility" as a Special Use Permit in the B-2 Zoning District, and adding a parking rate for Assisted Living Facility.
2. By a vote of 7 to 2, the Commission recommended approval of granting a Special Use Permit for an Assisted Living Facility and of a Preliminary Development Plan for a Mixed-use Development in the B-2 District at 300 North Kirkwood Road as submitted by Opus Development.



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

Ms. Asche reported on upcoming public hearings:

Based on the report of the September 2nd Planning & Zoning Commission report, the two items will be scheduled for public hearings on October 1, 2020.

October 22, 2020 (rescheduled from August 27, 2020)

1. A request for a Mixed-Use Development in the B-2 Zoning District known as The James (formerly Kirkwood Flats) at 426 N. Kirkwood Road

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:18 p.m. The next regular council meeting is scheduled for September 17, 2020 at 7:00 p.m.

Laurie Asche, CMC/MRCC
City Clerk

Approved:

ORDINANCE

AN ORDINANCE FIXING AND ESTABLISHING THE RATE OF TAXATION TO BE LEVIED UPON ALL REAL ESTATE AND CERTAIN TANGIBLE PERSONAL PROPERTY IN THE CITY OF KIRKWOOD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, FOR THE YEAR 2020, FOR THE MAINTENANCE OF THE KIRKWOOD PUBLIC PARKS; FOR THE POLICE AND FIREMEN'S PENSION FUND; FOR GENERAL GOVERNMENT SERVICES AND FOR BUSINESSES IN THE SPECIAL BUSINESS DISTRICT.

WHEREAS, pursuant to State law and the City's ordinances, a public hearing was duly advertised and held on August 20, 2020, setting forth the assessed valuation of real and personal property in the City and the estimated tax rate for 2020, and

WHEREAS, failure to meet this certification could put at risk significant tax revenues that are needed to support the Park System, Police and Firemen's Pension Fund, General Government Services, and Special Business District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That there be and is hereby levied on all real estate and certain tangible personal property, subject to taxation in the City of Kirkwood, County of St. Louis, State of Missouri, for the year 2020:

A tax for the Kirkwood Public Parks of 10.7 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate for the maintenance and operation of the Kirkwood Public Parks.

A tax for the Kirkwood Public Parks of 11.5cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate for the maintenance and operation of the Kirkwood Public Parks.

A tax for the Kirkwood Public Parks of 11.9 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Personal Property for the maintenance and operation of the Kirkwood Public Parks.

A tax for Police and Firemen Pension Fund of 11.7 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate

A tax for Police and Firemen Pension Fund of 14.2cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate

A tax for Police and Firemen Pension Fund of 18.0 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Personal Property.

A tax for General Government Services including Police and Fire of 27.1 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate.

A tax for General Government Services including Police and Fire of 29.3 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate.

A tax for General Government Services including Police and Fire of 34.0 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Personal property.

A tax for businesses in the Special Business District of 38.1 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate.

SECTION 2. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

Mayor, City of Kirkwood

ATTEST:

City Clerk
Public Hearing: August 20, 2020
1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 9/3/2020

Step #1:

Strategic Plan Select... Goal # & Title

Background To Issue:

City Council certifies the City of Kirkwood property tax rates. These rates are reviewed by the State Auditors office and sent to St Louis County who collects the property taxes. Kirkwood collects property taxes for police & fire Pension, parks, and general government. A public hearing was held on August 20, 2020.

Recommendations and Action Requested:

I recommend Council approve the rates listed in the ordinance.

Alternatives Available:

Council can approve, deny and/or reduce the property tax rates.

Si

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: N/A Project #: Budgeted: YES

If YES, Budgeted Amount: If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

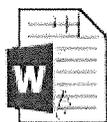
The City of Kirkwood depends on this revenue source to fund pension contributions, maintain our parks, provide a varied source for general government operations.

BY: Sandra Stephens

Date: 8/11/2020

Authenticated: stephesf

You can attach up to 3 files along with this request.



DRAFT PPTY Ordinance .docx
Microsoft Word Document
13.7 KB



KWD-SBD SAO Review 2020-08-03.pdf
Adobe Acrobat Document
572 KB



Revenue Comparison 2020.xlsm
Microsoft Excel Macro-Enabled Worksheet
31.0 KB

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

I recommend certifying the attached property tax rates.

BY: Sandra Stephens

Date: 8/11/2020

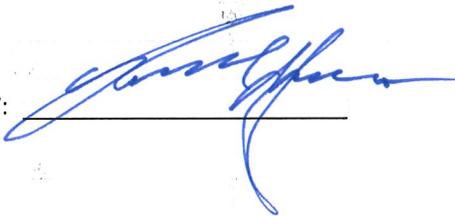
Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

8-13-20



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Parks & Recreation
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate. Rows include: A. Prior year tax rate ceiling, B. Current year rate computed, C. Amount of rate increase authorized by voters for current year, D. Rate to compare to maximum authorized levy to determine tax rate ceiling, E. Maximum authorized levy, F. Current year tax rate ceiling, G. 1. Less required sales tax reduction, G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies), H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F), I. Plus allowable recoupment rate added to tax rate ceiling (Line F), J. Tax rate to be levied, AA. Rate to be levied for debt service, if applicable, BB. Additional special purposed rate authorized by voters.

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J, AA, BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Pension
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if prior year data changed or a voluntary reduction was taken in a non-reassessment year. (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)
0.1170 0.0000 0.1410 0.1800 0.1260

B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 37 & Line 23 prior method)
0.1170 0.0000 0.1420 0.1800 0.1262

C. Amount of rate increase authorized by voters for current year if same purpose adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 17 & Line 20 prior method)
0.0000 0.0000 0.0000 0.0000 0.0000

D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C)
0.1170 0.0000 0.1420 0.1800 0.1262

E. Maximum authorized levy the most recent voter approved rate
0.1800 0.1800 0.1800 0.1800 0.1800

F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws Political subdivision's tax rate (Lower of Line D or Line E)
0.1170 0.0000 0.1420 0.1800 0.1262

G. 1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable
G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)

H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)
B. WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.

I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.

J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)

AA. Rate to be levied for debt service, if applicable (Form C, Line 10)

BB. Additional special purposed rate authorized by voters after the prior year tax rates were set (Form B, Line 17 if a different purpose) Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

Certification

I, the undersigned, (Office) of (Political Subdivision)
levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

Date Signature Print Name Telephone

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

Date County Clerk's Signature County Telephone



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2020

Informational Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

| | | |
|-------------------------------|----------------------------|-----------------|
| City of Kirkwood | 09-096-0045 | General Revenue |
| Name of Political Subdivision | Political Subdivision Code | Purpose of Levy |

This page shows the information that would have been on the line items for the Summary Page had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

Step 1: The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.

Step 2: Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.

| Date | Real Estate | | | Personal Property | Prior Method Single Rate |
|---|-------------|-------------|------------|-------------------|--------------------------|
| | Residential | Agriculture | Commercial | | |
| A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Informational Summary Page, Line F) | | | | | |
| | 0.2710 | 0.0000 | 0.2910 | 0.3400 | 0.2796 |
| B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Informational Form A, Line 37 & Line 23 prior method) | | | | | |
| | 0.2710 | 0.0000 | 0.2930 | 0.3400 | 0.2801 |
| C. Amount of rate increase authorized by voters for current year if same purpose, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Informational Form B, Line 17 & Line 20 prior method) | | | | | |
| | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C) | | | | | |
| | 0.2710 | 0.0000 | 0.2930 | 0.3400 | 0.2801 |
| E. Maximum authorized levy the most recent voter approved rate | | | | | |
| | 0.3400 | 0.3400 | 0.3400 | 0.3400 | 0.3400 |
| F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws based on prior year tax rate ceiling (Lower of Line D or Line E) | | | | | |
| | 0.2710 | 0.0000 | 0.2930 | 0.3400 | 0.2801 |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

Kirkwood SBD

15-096-0008

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if prior year data changed or a voluntary reduction was taken in a non-reassessment year. (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year) 0.0000 0.0000 0.3810 0.0000 0.3805

B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 37 & Line 23 prior method) 0.0000 0.0000 0.3810 0.0000 0.3152

C. Amount of rate increase authorized by voters for current year if same purpose adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 17 & Line 20 prior method) 0.0000 0.0000 0.0000 0.0000 0.0000

D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C) 0.0000 0.0000 0.3810 0.0000 0.3152

The information on this line is the most recent voter approved rate. Maximum authorized levy 0.8500 0.8500 0.8500 0.8500 0.8500

The information on this line is the Political subdivision's tax rate (Lower of Line D or Line E). Current year tax rate ceiling maximum legal rate to comply with Missouri laws 0.0000 0.0000 0.3810 0.0000 0.3152

G. 1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable

G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)

H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)

B WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.

I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.

J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)

KA. Rate to be levied for debt service, if applicable (Form C, Line 10)

KB. Additional special purposed rate authorized by voters after the prior year tax rates were set (Form B, Line 17 if a different purpose)

Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)

Calendar Year 2019 Property Tax Rates

| Taxing Authority | Residential | | Commercial | | Personal Property | |
|-------------------------------------|---------------|---------------|---------------|---------------|-------------------|---------------|
| | | % | | % | | % |
| Kirkwood School District | 3.8361 | 0.57 | 5.5388 | 0.65 | 5.4961 | 0.63 |
| Special School District | 1.1077 | 0.16 | 1.1077 | 0.13 | 1.1077 | 0.13 |
| City of Kirkwood | 0.4630 | 0.07 | 0.5100 | 0.06 | 0.5570 | 0.06 |
| Kirkwood Library | 0.2450 | 0.04 | 0.2840 | 0.03 | 0.3550 | 0.04 |
| Metro Zoo Museum District | 0.2549 | 0.04 | 0.2549 | 0.03 | 0.2549 | 0.03 |
| St Louis Community College | 0.1986 | 0.03 | 0.1986 | 0.02 | 0.1986 | 0.02 |
| County General | 0.1760 | 0.03 | 0.1860 | 0.02 | 0.2090 | 0.02 |
| County Health Fund | 0.1180 | 0.02 | 0.1250 | 0.01 | 0.1400 | 0.02 |
| Roads and Bridges | 0.0880 | 0.01 | 0.0930 | 0.01 | 0.1050 | 0.01 |
| Dev. Disability - Productive Living | 0.0750 | 0.01 | 0.0840 | 0.01 | 0.0900 | 0.01 |
| Metropolitan Sewer District | 0.1077 | 0.02 | 0.1077 | 0.01 | 0.1077 | 0.01 |
| County Park Maintenance | 0.0420 | 0.01 | 0.0440 | 0.01 | 0.0500 | 0.01 |
| State of Missouri | 0.0300 | 0.00 | 0.0300 | 0.00 | 0.0300 | 0.00 |
| County Bond Retirement | 0.0190 | 0.00 | 0.0190 | 0.00 | 0.0190 | 0.00 |
| Total Tax Rate | 6.7610 | 1.0000 | 8.5827 | 1.0000 | 8.7200 | 1.0000 |

PROCEDURE FOR PUBLIC HEARING

Mayor: At this time the council will recess to conduct a public hearing regarding:

Establishing the Property Tax Rates for the City of Kirkwood

Mayor: Mr. Hessel, do you wish to enter any exhibits into the record?

Mayor: Mr. Hawes, who will present this issue to the City Council?

Director of Finance Sandy Stephens

Mayor: Is there anyone from the public wishing to speak regarding this proposal?

Mayor: Hearing no further discussion, the council will take this matter under advisement and consider the hearing to be recessed.



AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 2

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **July 30, 2020** edition and ending with the **July 30, 2020** edition, for a total of 1 publications:

07/30/2020

Karie Clark

Karie Clark

Subscribed & sworn before me this 30th day of July, 2020
(SEAL)

Chanel Jones

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

AFFIDAVIT OF PUBLICATION

NOTICE OF PUBLIC HEARING

The Council of the City of Kirkwood will hold a public hearing at City Hall, 139 S. Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m. on Thursday August 20, 2020 at which time citizens may be heard on the proposed property tax rates.

Each tax rate is determined by dividing the amount of revenue required by the current assessed valuation for each subclass. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation. This proposed levy is subject to change pending action of the City Council, the Board of Equalization and/or the tax rate certification by the State Auditor.

| Assessed Valuation | Previous Year's Valuation 2019 | Current Year's Valuation 2020 | | |
|----------------------------------|--------------------------------------|-------------------------------------|-----------------|---------------------|
| City of Kirkwood | | | | |
| Residential | 741,674,190 | 754,956,640 | | |
| Commercial | 138,982,273 | 139,122,040 | | |
| Personal Property | 79,282,450 | 82,305,188 | | |
| Total | 959,938,913 | 976,383,868 | | |
| Assessed Valuation | | | | |
| Kirkwood Library | | | | |
| Residential | 734,751,070 | 747,987,450 | | |
| Commercial | 120,999,430 | 121,135,881 | | |
| Personal Property | 77,347,560 | 80,351,869 | | |
| Total | 933,098,060 | 949,475,200 | | |
| Assessed Valuation | | | | |
| Special Business District | | | | |
| Commercial | 38,134,630 | 38,214,370 | | |
| Proposed Tax | | | | |
| | Rate | Rate | Rate | Proposed |
| | Residential | Commercial | Personal | Property Tax |
| | | | | Revenue |
| Police & Fire Pension | 0.117 | 0.141 | 0.180 | 1,227,611 |
| Parks | 0.107 | 0.114 | 0.119 | 1,064,346 |
| General Gov't | 0.271 | 0.292 | 0.340 | 2,732,006 |
| Library | 0.246 | 0.285 | 0.355 | 2,470,536 |
| Special Business District | n/a | 0.381 | n/a | 145,597 |

Such hearing may be adjourned from time to time until completed. By order of the City Council.

Laurie Asche
City Clerk
City of Kirkwood
St. Louis County, Missouri

11904773 County July 30, 2020

St. Louis County

Legal Ledger

AFFIDAVIT OF PUBLICATION

See Attached

State of Missouri

ss

County of St. Louis

Before the undersigned, a Notary Public of Jackson County, Missouri, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

John Wingo

Publisher of the St. Louis County *Legal Ledger*, a daily newspaper of general circulation published in the County of St. Louis, Missouri, that he is authorized to make this affidavit and sworn statement; that the notice of

Notice of Hearing

a true copy of which is attached hereto, was published in the St. Louis County *Legal Ledger*, on the following dates:

July 30, 2020

in volume **12**

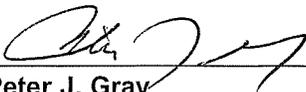
and numbered **302**

and that the said newspaper in which such notice, was published was, at the time of each and every such publication, a newspaper meeting the requirements and qualifications of Chapter 443, Revised Statutes of Missouri and Chapter 493 including Section 493.050

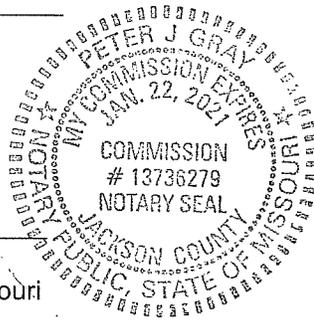


John Wingo

Sworn to and subscribed
before me this **July 30, 2020**



Peter J. Gray
Notary Public—Jackson County, State of Missouri
My Commission expires January 22, 2021
Commission No. 13736279



NOTICE OF PUBLIC HEARING

The Council of the City of Kirkwood will hold a public hearing at City Hall, 139 S. Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m. on Thursday August 20, 2020 at which time citizens may be heard on the proposed property tax rates.

Each tax rate is determined by dividing the amount of revenue required by the current assessed valuation for each subclass. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation. This proposed levy is subject to change pending action of the City Council, the Board of Equalization and/or the tax rate certification by the State Auditor.

| | Previous Year's Valuation <u>2019</u> | Current Year's Valuation <u>2020</u> |
|--------------------------------|---|--|
| Assessed Valuation | | |
| <u>City of Kirkwood</u> | | |
| Residential | 741,674,190 | 754,956,640 |
| Commercial | 138,982,273 | 139,122,040 |
| Personal Property | <u>79,282,450</u> | <u>82,305,188</u> |
| Total | 959,938,913 | 976,383,868 |

Assessed Valuation
Kirkwood Library

| | | |
|-------------------|--------------------|--------------------|
| Residential | 734,751,070 | 747,987,450 |
| Commercial | 120,999,430 | 121,135,881 |
| Personal Property | <u>77,347,560</u> | <u>80,351,869</u> |
| Total | 933,098,060 | 949,475,200 |

Assessed Valuation
Special Business District

| | | |
|------------|------------|------------|
| Commercial | 38,134,630 | 38,214,370 |
|------------|------------|------------|

| | Proposed Tax Rate | Proposed Tax Rate | Proposed Tax Rate | Proposed Property Tax <u>Revenue</u> |
|---------------------------|----------------------|----------------------|----------------------|--|
| | <u>Residential</u> | <u>Commercial</u> | <u>Personal</u> | |
| Police & Fire Pension | 0.117 | 0.141 | 0.180 | 1,227,611 |
| Parks | 0.107 | 0.114 | 0.119 | 1,064,346 |
| General Gov't | 0.271 | 0.292 | 0.340 | 2,732,006 |
| Library | 0.246 | 0.285 | 0.355 | 2,470,536 |
| Special Business District | n/a | 0.381 | n/a | 145,597 |

Such hearing may be adjourned from time to time until completed. By order of the City Council.

Laurie Asche
City Clerk
City of Kirkwood
St. Louis County, Missouri
Published July 30, 2020
302

M2037

SUBSTITUTE BILL 10844

ORDINANCE

AN ORDINANCE FIXING AND ESTABLISHING THE RATE OF TAXATION TO BE LEVIED UPON ALL REAL ESTATE AND CERTAIN TANGIBLE PERSONAL PROPERTY IN THE CITY OF KIRKWOOD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, FOR THE YEAR 2020, FOR THE MAINTENANCE OF THE KIRKWOOD PUBLIC PARKS; FOR THE POLICE AND FIREMEN'S PENSION FUND; FOR GENERAL GOVERNMENT SERVICES AND FOR BUSINESSES IN THE SPECIAL BUSINESS DISTRICT.

WHEREAS, pursuant to State law and the City's ordinances, a public hearing was duly advertised and held on August 20, 2020, setting forth the assessed valuation of real and personal property in the City and the estimated tax rate for 2020, and

WHEREAS, failure to meet this certification could put at risk significant tax revenues that are needed to support the Park System, Police and Firemen's Pension Fund, General Government Services, and Special Business District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That there be and is hereby levied on all real estate and certain tangible personal property, subject to taxation in the City of Kirkwood, County of St. Louis, State of Missouri, for the year 2020:

A tax for the Kirkwood Public Parks of 10.6 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate for the maintenance and operation of the Kirkwood Public Parks.

A tax for the Kirkwood Public Parks of 11.6 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate for the maintenance and operation of the Kirkwood Public Parks.

A tax for the Kirkwood Public Parks of 11.9 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Personal Property for the maintenance and operation of the Kirkwood Public Parks.

A tax for Police and Firemen Pension Fund of 11.7 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate

A tax for Police and Firemen Pension Fund of 14.4 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate

A tax for Police and Firemen Pension Fund of 18.0 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Personal Property.

A tax for General Government Services including Police and Fire of 27.0 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate.

A tax for General Government Services including Police and Fire of 29.6 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate.

A tax for General Government Services including Police and Fire of 34.0 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Personal property.

A tax for businesses in the Special Business District of 38.2 cents for each One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate.

SECTION 2. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk
Public Hearing: August 20, 2020
1st Reading: September 3, 2020
2nd Reading:



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood

09-096-0045

Parks & Recreation

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

- A. Prior year tax rate ceiling
B. Current year rate computed
C. Amount of rate increase authorized by voters for current year
D. Rate to compare to maximum authorized levy to determine tax rate ceiling
E. Maximum authorized levy
F. Current year tax rate ceiling
G. 1. Less required sales tax reduction
G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies)
H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)
I. Plus allowable recoupment rate
J. Tax rate to be levied
AA. Rate to be levied for debt service, if applicable
BB. Additional special purposed rate authorized by voters

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020
(2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Parks & Recreation
 Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) | (b) | (c) | (d) | Total | Prior Method Single Rate |
|--|-------------|-----------------------------|------------|----------------------|--------------|-----------------------------|
| | Residential | Real Estate Agricultural | Commercial | Personal Property | | |
| For Informational Purposes Only - Impact of the Multi Rate System | | | | | | |
| 38. Revenue calculated using the multi rate method (Line 37 x Line 1 / 100) | 801,171.65 | 0.00 | 159,501.51 | 102,992.14 | 1,063,665.30 | |
| 39. Revenue calculated using the single rate method (Line 23 prior method x Line 1 / 100) | 823,090.50 | 0.00 | 149,738.92 | 94,250.79 | 1,067,080.21 | |
| 40. Revenue differences using the different methods (Line 38 - Line 39) | -21,918.85 | 0.00 | 9,762.59 | 8,741.35 | -3,414.91 | |
| 41. Percent change (Line 40 / Line 39) | -2.6630% | 0.0000% | 6.5197% | 9.2746% | -0.3200% | |

For Informational Purposes Only - Blended Rate Calculation

| | | | | | | |
|---|-------------|--------|-------------|------------|-------------|--------|
| 42. Tax rate ceiling (Summary Page, Line F) | 0.1060 | 0.0000 | 0.1160 | 0.1190 | | |
| 43. Allowable recoupment rate (Summary Page, Line I) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | |
| 44. Tax rate ceiling including recoupment (Line 42 + Line 43) | 0.1060 | 0.0000 | 0.1160 | 0.1190 | | |
| 45. Assessed valuation (Line 1) | 755,822,310 | 0 | 137,501,306 | 86,548,016 | 979,871,632 | |
| 46. Revenue from tax rate ceiling including recoupment (Line 44 x Line 45 / 100) | 801,172 | 0 | 159,502 | 102,992 | 1,063,666 | 0.1086 |
| 47. Blended tax rate ceiling including recoupment (Line 46 total / Line 45 total x 100) | | | | | | 0.1086 |
| 48. Voluntary reduction (Summary Page, Line H) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | |
| 49. Unadjusted levy (Line 44 - Line 48) | 0.1060 | 0.0000 | 0.1160 | 0.1190 | | |
| 50. Assessed valuation (Line 1) | 755,822,310 | 0 | 137,501,306 | 86,548,016 | 979,871,632 | |
| 51. Revenue from unadjusted levy (Line 49 x Line 50/100) | 801,172 | 0 | 159,502 | 102,992 | 1,063,666 | |
| 52. Blended tax rate from the unadjusted levy (Line 51 total / Line 50 total x 100) | | | | | | 0.1086 |
| 53. Sales tax reduction (Summary Page, Line G) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | |
| 54. Adjusted levy (Line 49 - Line 53) | 0.1060 | 0.0000 | 0.1160 | 0.1190 | | |
| 55. Assessed valuation (Line 1) | 755,822,310 | 0 | 137,501,306 | 86,548,016 | 979,871,632 | |
| 56. Revenue from adjusted levy (Line 54 x Line 55 / 100) | 801,172 | 0 | 159,502 | 102,992 | 1,063,666 | |
| 57. Blended tax rate from the adjusted levy (Line 56 total / Line 55 total x 100) | | | | | | 0.1086 |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood

09-096-0045

Pension

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if prior year data changed or a voluntary reduction was taken in a non-reassessment year.

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase

(Form A, Line 37 & Line 23 prior method)

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

C. Amount of rate increase authorized by voters for current year if same purpose adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

(Form B, Line 17 & Line 20 prior method)

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

D. Rate to compare to maximum authorized levy to determine tax rate ceiling

(Line B if no election, otherwise Line C)

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

E. Maximum authorized levy

the most recent voter approved rate

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws

Political subdivision's tax rate (Lower of Line D or Line E)

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

G. 1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable

G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)

H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)

WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.

I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.

J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)

AA. Rate to be levied for debt service, if applicable (Form C, Line 10)

BB. Additional special purposed rate authorized by voters after the prior year tax rates were set (Form B, Line 17 if a different purpose)

Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020 (2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Pension
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.

Table with columns: Residential, Real Estate Agricultural, Commercial, Personal Property, Total, Prior Method Single Rate. Rows include: Calculate Revised Rate(s), 24. Tax revenue, 25. Total assessed valuation, 26. Blended rate, 27. Revenue difference, 28. Rate(s) to be revised, 29. Current year adjusted assessed valuation, 30. Relative ratio of current year adjusted assessed valuation, 31. Revision to rate, 32. Revised rate, 33. Revised rate rounded, Calculate Final Blended Rate, 34. Tax revenue, 35. Total assessed valuation, 36. Final blended rate, 37. Tax rate(s) permitted.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood

09-096-0045

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

- A. Prior year tax rate ceiling
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase
C. Amount of rate increase authorized by voters for current year if same purpose adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI
D. Rate to compare to maximum authorized levy to determine tax rate ceiling
E. Maximum authorized levy the most recent voter approved rate
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws
G. 1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable
G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)
H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)
AA. Rate to be levied for debt service, if applicable (Form C, Line 10)
BB. Additional special purposed rate authorized by voters after the prior year tax rates were set (Form B, Line 17 if a different purpose) Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020 (2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with columns (a) Residential, (b) Real Estate Agricultural, (c) Commercial, (d) Personal Property, Total, and Prior Method Single Rate. Rows include Calculate Revised Rate(s), Tax revenue, Total assessed valuation, Blended rate, Revenue difference, Rate(s) to be revised, Current year adjusted assessed valuation, Relative ratio of current year adjusted assessed valuation, Revision to rate, Revised rate, Revised rate rounded, Calculate Final Blended Rate, and Tax rate(s) permitted.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020
(2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 General Revenue
 Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) | (b) | (c) | (d) | Total | Prior Method Single Rate |
|--|--------------|-----------------------------|------------|----------------------|--------------|-----------------------------|
| | Residential | Real Estate Agricultural | Commercial | Personal Property | | |
| For Informational Purposes Only - Impact of the Multi Rate System | | | | | | |
| 38. Revenue calculated using the multi rate method (Line 37 x Line 1 / 100) | 2,040,720.24 | 0.00 | 407,003.87 | 294,263.25 | 2,741,987.36 | |
| 39. Revenue calculated using the single rate method (Line 23 prior method x Line 1 / 100) | 2,116,302.47 | 0.00 | 385,003.66 | 242,334.44 | 2,743,640.57 | |
| 40. Revenue differences using the different methods (Line 38 - Line 39) | -75,582.23 | 0.00 | 22,000.21 | 51,928.81 | -1,653.21 | |
| 41. Percent change (Line 40 / Line 39) | -3.5714% | 0.0000% | 5.7143% | 21.4286% | -0.0603% | |

For Informational Purposes Only - Blended Rate Calculation

| | | | | | | |
|---|-------------|--------|-------------|------------|-------------|--------|
| 42. Tax rate ceiling (Summary Page, Line F) | 0.2700 | 0.0000 | 0.2960 | 0.3400 | | |
| 43. Allowable recoupment rate (Summary Page, Line I) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | |
| 44. Tax rate ceiling including recoupment (Line 42 + Line 43) | 0.2700 | 0.0000 | 0.2960 | 0.3400 | | |
| 45. Assessed valuation (Line 1) | 755,822,310 | 0 | 137,501,306 | 86,548,016 | 979,871,632 | |
| 46. Revenue from tax rate ceiling including recoupment (Line 44 x Line 45 / 100) | 2,040,720 | 0 | 407,004 | 294,263 | 2,741,987 | 0.2798 |
| 47. Blended tax rate ceiling including recoupment (Line 46 total / Line 45 total x 100) | | | | | | 0.2798 |
| 48. Voluntary reduction (Summary Page, Line H) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | |
| 49. Unadjusted levy (Line 44 - Line 48) | 0.2700 | 0.0000 | 0.2960 | 0.3400 | | |
| 50. Assessed valuation (Line 1) | 755,822,310 | 0 | 137,501,306 | 86,548,016 | 979,871,632 | |
| 51. Revenue from unadjusted levy (Line 49 x Line 50/100) | 2,040,720 | 0 | 407,004 | 294,263 | 2,741,987 | |
| 52. Blended tax rate from the unadjusted levy (Line 51 total / Line 50 total x 100) | | | | | | 0.2798 |
| 53. Sales tax reduction (Summary Page, Line G) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | |
| 54. Adjusted levy (Line 49 - Line 53) | 0.2700 | 0.0000 | 0.2960 | 0.3400 | | |
| 55. Assessed valuation (Line 1) | 755,822,310 | 0 | 137,501,306 | 86,548,016 | 979,871,632 | |
| 56. Revenue from adjusted levy (Line 54 x Line 55 / 100) | 2,040,720 | 0 | 407,004 | 294,263 | 2,741,987 | |
| 57. Blended tax rate from the adjusted levy (Line 56 total / Line 55 total x 100) | | | | | | 0.2798 |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

Kirkwood SBD

15-096-0008

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

- A. Prior year tax rate ceiling
B. Current year rate computed
C. Amount of rate increase authorized by voters for current year
D. Rate to compare to maximum authorized levy to determine tax rate ceiling
E. Maximum authorized levy
F. Current year tax rate ceiling
G. 1. Less required sales tax reduction
G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies)
H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)
I. Plus allowable recoupment rate
J. Tax rate to be levied
AA. Rate to be levied for debt service
BB. Additional special purposed rate authorized by voters

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020 (2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

Kirkwood SBD 15-096-0008 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 7 columns: (a) Residential, (b) Agricultural, (c) Commercial, (d) Personal Property, Total, Prior Method Single Rate. Rows include: 1. (2020) Current year assessed valuation, 2. Assessed valuation of new construction & improvements, 3. Assessed value of newly added territory, 4. Assessed value of real property that changed subclass from the prior year and was added to a new subclass in the current year, 5. Adjusted current year assessed valuation, 6. (2019) Prior year assessed valuation, 7. Assessed value in newly separated territory, 8. Assessed value of property locally assessed in prior year, but state assessed in current year, 9. Assessed value of real property that changed subclass from the prior year and was subtracted from the previously reported subclass, 10. Adjusted prior year assessed valuation.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020
(2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

Kirkwood SBD 15-096-0008 General Revenue
 Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) | (b) Real Estate | | (c) | (d) | Total | Prior Method Single Rate |
|--|-------------|-----------------|------------|-------------------|-----|-------|--------------------------|
| | Residential | Agricultural | Commercial | Personal Property | | | |
| 11. Percentage increase in adjusted valuation of existing property in the current year over the prior year's assessed valuation (Line 5 - Line 10) / Line 10 x 100) | 0.0000% | 0.0000% | -0.1655% | 0.0000% | | | -0.1655% |
| 12. Increase in Consumer Price Index (CPI) certified by the State Tax Commission | 2.3000% | 2.3000% | 2.3000% | 2.3000% | | | 2.3000% |
| 13. Adjusted prior year assessed valuation (Line 10) | 0 | 0 | 38,182,630 | 0 | | | 38,182,630 |
| 14. Prior year voluntarily reduced rate in non-reassessment year (Summary Page, Line A) | 0.0000 | 0.0000 | 0.3810 | 0.0000 | | | 0.3805 |
| 15. Maximum prior year adjusted revenue permitted from property that existed in both years (Line 13 x Line 14 / 100) | 0 | 0 | 145,476 | 0 | | | 145,285 |
| 16. Permitted reassessment revenue growth Enter the lower of the actual growth (Line 11), the CPI (Line 12), or 5%. If Line 11 is negative, enter 0%. Do not enter less than 0%, nor more than 5%. | 0.0000% | 0.0000% | 0.0000% | 0.0000% | | | 0.0000% |
| 17. Additional reassessment revenue permitted (Line 15 x Line 16) | 0 | 0 | 0 | 0 | | | 0 |
| 18. Revenue permitted in the current year from property that existed in both years (Line 15 + Line 17) | 0 | 0 | 145,476 | 0 | | | 145,285 |
| 19. Adjusted current year assessed valuation (Line 5) | 0 | 0 | 38,119,450 | 0 | | | 38,119,450 |
| 20. Tax rate permitted using prior method tax rate permitted prior to HB 1150 & SB960 (Line 18 / Line 19 x 100) | 0.0000 | 0.0000 | 0.3816 | 0.0000 | | | 0.3811 |
| 21. Limit personal property to the prior year ceiling (Lower of Line 20 personal property or Line 14 personal property) | | | | 0.0000 | | | |
| 22. Maximum authorized levy (Summary Page, Line E) | 0.8500 | 0.8500 | 0.8500 | 0.8500 | | | 0.8500 |
| 23. Limit to the prior year maximum authorized levy (Lower of Line 20, Line 21 for personal property only, or Line 22) | 0.0000 | 0.0000 | 0.3816 | 0.0000 | | | 0.3811 |

Enter the rate for the prior method column on Line B of the Summary Page



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020
(2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

Kirkwood SBD 15-096-0008 General Revenue
 Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) | (b) | | (c) | (d) | Total | Prior Method Single Rate |
|---|-------------|-----------------------------|------------|----------------------|-----|------------|-----------------------------|
| | Residential | Real Estate Agricultural | Commercial | Personal Property | | | |
| Calculate Revised Rate(s) | | | | | | | |
| 24. Tax revenue (Line 1 x Line 23 /100) | 0 | 0 | 145,464 | 0 | | 145,464 | 145,273 |
| 25. Total assessed valuation (Line 1 total) | | | | | | 38,119,450 | |
| 26. Blended rate (Line 24 total / Line 25 x 100) | | | | | | 0.3816 | |
| 27. Revenue difference due to the multi rate calculation (Line 24 total - Line 24 prior method) | | | | | | 191 | |
| 28. Rate(s) to be revised | | | | | | | |
| NOTE: Revision cannot increase personal property rate. (If Line 27 < or > 0 & Line 23 < Line 23 prior method then Line 23, otherwise 0) | | | | | | | |
| | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | | |
| 29. Current year adjusted assessed valuation of rates being revised (If Line 28 > 0, then Line 5, otherwise 0) | 0 | 0 | 0 | 0 | | 0 | |
| 30. Relative ratio of current year adjusted assessed valuation of the rates being revised (Line 29 / Line 29 total) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | |
| 31. Revision to rate (If Line 28 > 0, then -Line 30 x Line 27 / Line 5 x 100 (limited to - Line 28), otherwise 0) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | |
| 32. Revised rate (Line 23 + Line 31) | 0.0000 | 0.0000 | 0.3816 | 0.0000 | | | |
| 33. Revised rate rounded (If Line 32 < 1, then round to a 3 - digit rate, otherwise round to a 4 - digit rate) | 0.0000 | 0.0000 | 0.3820 | 0.0000 | | | |
| Calculate Final Blended Rate | | | | | | | |
| 34. Tax revenue (Line 1 x Line 33 / 100) | 0 | 0 | 145,616 | 0 | | 145,616 | |
| 35. Total assessed valuation (Line 1 total) | | | | | | 38,119,450 | |
| 36. Final blended rate (Line 34 total / Line 35 x 100) | | | | | | 0.3820 | |
| 37. Tax rate(s) permitted calculated pursuant to Article X, Section 22, and Section 137.073, RSMo (Line 33) Enter rate(s) on the Summary Page, Line B | 0.0000 | 0.0000 | 0.3820 | 0.0000 | | | |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020
(2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

Kirkwood SBD 15-096-0008 General Revenue
 Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) | | (b) | | (c) | | (d) | | Prior Method Single Rate |
|--|-------------|--------------|------------|----------------------|------------|--|-----|--|-----------------------------|
| | Residential | Agricultural | Commercial | Personal Property | Total | | | | |
| For Informational Purposes Only - Impact of the Multi Rate System | | | | | | | | | |
| 38. Revenue calculated using the multi rate method (Line 37 x Line 1 / 100) | 0.00 | 0.00 | 145,616.30 | 0.00 | 145,616.30 | | | | |
| 39. Revenue calculated using the single rate method (Line 23 prior method x Line 1 / 100) | 0.00 | 0.00 | 145,273.22 | 0.00 | 145,273.22 | | | | |
| 40. Revenue differences using the different methods (Line 38 - Line 39) | 0.00 | 0.00 | 343.08 | 0.00 | 343.08 | | | | |
| 41. Percent change (Line 40 / Line 39) | 0.0000% | 0.0000% | 0.2362% | 0.0000% | 0.2362% | | | | |
| For Informational Purposes Only - Blended Rate Calculation | | | | | | | | | |
| 42. Tax rate ceiling (Summary Page, Line F) | 0.0000 | 0.0000 | 0.3820 | 0.0000 | | | | | |
| 43. Allowable recoupment rate (Summary Page, Line I) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | | | | |
| 44. Tax rate ceiling including recoupment (Line 42 + Line 43) | 0.0000 | 0.0000 | 0.3820 | 0.0000 | | | | | |
| 45. Assessed valuation (Line 1) | 0 | 0 | 38,119,450 | 0 | 38,119,450 | | | | |
| 46. Revenue from tax rate ceiling including recoupment (Line 44 x Line 45 / 100) | 0 | 0 | 145,616 | 0 | 145,616 | | | | |
| 47. Blended tax rate ceiling including recoupment (Line 46 total / Line 45 total x 100) | | | | | 0.3820 | | | | |
| 48. Voluntary reduction (Summary Page, Line H) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | | | | |
| 49. Unadjusted levy (Line 44 - Line 48) | 0.0000 | 0.0000 | 0.3820 | 0.0000 | | | | | |
| 50. Assessed valuation (Line 1) | 0 | 0 | 38,119,450 | 0 | 38,119,450 | | | | |
| 51. Revenue from unadjusted levy (Line 49 x Line 50/100) | 0 | 0 | 145,616 | 0 | 145,616 | | | | |
| 52. Blended tax rate from the unadjusted levy (Line 51 total / Line 50 total x 100) | | | | | 0.3820 | | | | |
| 53. Sales tax reduction (Summary Page, Line G) | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | | | | |
| 54. Adjusted levy (Line 49 - Line 53) | 0.0000 | 0.0000 | 0.3820 | 0.0000 | | | | | |
| 55. Assessed valuation (Line 1) | 0 | 0 | 38,119,450 | 0 | 38,119,450 | | | | |
| 56. Revenue from adjusted levy (Line 54 x Line 55 / 100) | 0 | 0 | 145,616 | 0 | 145,616 | | | | |
| 57. Blended tax rate from the adjusted levy (Line 56 total / Line 55 total x 100) | | | | | 0.3820 | | | | |

BILL 10845

ORDINANCE

AN ORDINANCE FIXING AND ESTABLISHING THE RATE OF TAXATION TO BE LEVIED UPON ALL REAL ESTATE AND CERTAIN TANGIBLE PERSONAL PROPERTY IN THE CITY OF KIRKWOOD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, FOR THE YEAR 2020, FOR THE OPERATION AND MAINTENANCE OF THE MUNICIPAL LIBRARY DISTRICT OF KIRKWOOD.

WHEREAS, pursuant to State law and the City's ordinances, a public hearing was duly advertised and held on August 20, 2020, setting forth the assessed valuation of real and personal property in the City and the estimated tax rate of 2020, and

WHEREAS, failure to meet this certification could put at risk significant tax revenues that are needed to support the Municipal Library District of Kirkwood.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That there be and is hereby levied on all real estate and certain tangible personal property, subject to taxation in the City of Kirkwood, County of St. Louis, State of Missouri, and those areas within the Municipal Library District of the City of Kirkwood, Missouri, for the year 2020:

A tax for the Municipal Library District of Kirkwood of 24.6 cents per One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate.

A tax for the Municipal Library District of Kirkwood of 28.6 cents per One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate.

A tax for the Municipal Library District of Kirkwood of 35.5 cents per One Hundred Dollars (\$100.00) of assessed valuation on Personal Property.

SECTION 2. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

Mayor, City of Kirkwood

ATTEST:

City Clerk
Public Hearing:
1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 9/3/2020

Step #1:

Strategic Plan Select... Goal # & Title

Background To Issue:

City Council certifies the Kirkwood Library property tax rates. These rates are reviewed by the State Auditors office and sent to St. Louis County who collects the property taxes. All proceeds from the attached rates are used for the library operations.

Recommendations and Action Requested:

I recommend Council approve the rates listed in the ordinance.

Alternatives Available:

Council can approve, deny and/or reduce the property tax rates.

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: N/A Project #: Budgeted: YES

If YES, Budgeted Amount: If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

The Kirkwood Library depends on this revenue source to fund Library operations in Kirkwood.

BY: Sandra Stephens

Date: 8/11/2020

Authenticated: stephesf

You can attach up to 3 files along with this request.



DRAFT PPTY Library Ordinance .docx
Microsoft Word Document
12.8 KB



KWD Library SAO Review 2020-08-03.pdf
Adobe Acrobat Document
317 KB



KWD Library 2020 Property Tax 2020-08-11.docx
Microsoft Word Document
19.1 KB

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

File Attachment

File Attachment

File Attachment

File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

I recommend certifying the attached property tax rates.

BY: Sandra Stephens

Date: 8/11/2020

Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve

Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

8-13-20



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Library
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate. Rows include: A. Prior year tax rate ceiling, B. Current year rate computed, C. Amount of rate increase authorized by voters for current year, D. Rate to compare to maximum authorized levy to determine tax rate ceiling, E. Maximum authorized levy, F. Current year tax rate ceiling, G. 1. Less required sales tax reduction, G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies), H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F), I. WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year., J. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H., J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I), AA. Rate to be levied for debt service, if applicable (Form C, Line 10), BB. Additional special purposed rate authorized by voters after the prior year tax rates were set (Form B, Line 17 if a different purpose) Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

Date Signature (Print Name) Telephone

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

Date County Clerk's Signature County Telephone



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Library-Temp
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if prior year data changed or a voluntary reduction was taken in a non-reassessment year. (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)
0.0930 0.0000 0.1000 0.1200 0.0000

B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase
(Form A, Line 37 & Line 23 prior method)
0.0930 0.0000 0.1010 0.1200 0.0000

Amount of rate increase authorized by voters for current year if same purpose adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI
(Form B, Line 17 & Line 20 prior method)
0.0000 0.0000 0.0000 0.0000 0.0000

D. Rate to compare to maximum authorized levy to determine tax rate ceiling
(Line B if no election, otherwise Line C)
0.0930 0.0000 0.1010 0.1200 0.0000

E. Maximum authorized levy the most recent voter approved rate
0.1200 0.1200 0.1200 0.1200 0.0000

F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws
Political subdivision's tax rate (Lower of Line D or Line E)
0.0930 0.0000 0.1010 0.1200 0.0000

G. 1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable

G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)

H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)

B. WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.

I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.

J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)

A. Rate to be levied for debt service, if applicable (Form C, Line 10)

B. Additional special purposed rate authorized by voters after the prior year tax rates were set (Form B, Line 17 if a different purpose) Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI

Certification
the undersigned, (Office) of (Political Subdivision)
levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section.
Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)

Finance Department Memorandum

TO: Mayor, City Council and
Russ Hawes, CAO

FROM: Sandy Stephens, Finance Director

DATE: August 11, 2020

RE: Kirkwood Library 2020 Property Tax Levy

| | Residential | Commercial | Personal Property | Total |
|--|------------------|------------------|----------------------|------------------|
| Assessment Roll-July 1, 2020 | 747,987,450 | 121,107,701 | 80,351,869 | 949,447,020 |
| Assessment 2019 | 742,619,370 | 121,524,230 | 81,927,039 | 946,070,639 |
| Change in Assessment | <u>5,368,080</u> | <u>(416,529)</u> | <u>(1,575,170)</u> | <u>3,376,381</u> |
| 2020 Proposed Tax Levy | \$ 0.246 | \$ 0.286 | \$ 0.355 | |
| 2019 Tax Levy | \$ 0.245 | \$ 0.284 | \$ 0.355 | |
| Change in Tax Levy | <u>\$ 0.001</u> | <u>\$ 0.002</u> | <u>\$ 0.000</u> | |
| Estimated Revenue Based on 2020 Proposed Tax Levy | \$ 1,840,000 | \$ 346,400 | \$ 285,300 | \$ 2,471,700 |
| Estimated Revenue Based On 2019 Tax Levy | \$ 1,819,400 | \$ 345,100 | \$ 290,800 | \$ 2,455,300 |
| Change in Estimated Revenue | <u>\$ 20,600</u> | <u>\$ 1,300</u> | <u>(\$ 5,500)</u> | <u>\$ 16,400</u> |
| | Residential | Commercial | | |
| Appraised Value | \$ 500,000 | \$ 1,000,000 | | |
| Assessed Value | \$ 95,000 | \$ 320,000 | | |
| Estimated Property Tax | \$ 234 | \$ 915 | | |

PROCEDURE FOR PUBLIC HEARING

Mayor: At this time the council will recess to conduct a public hearing regarding:

Establishing the Property Tax Rates for the Kirkwood Municipal Library

Mayor: Mr. Hessel, do you wish to enter any exhibits into the record?

Mayor: Mr. Hawes, who will present this issue to the City Council?

Director of Finance Sandy Stephens

Mayor: Is there anyone from the public wishing to speak regarding this proposal?

Mayor: Hearing no further discussion, the council will take this matter under advisement and consider the hearing to be recessed.



AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 2

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **July 30, 2020** edition and ending with the **July 30, 2020** edition, for a total of 1 publications:

07/30/2020

Karie Clark

Karie Clark

Subscribed & sworn before me this 30th day of July, 2020
(SEAL)

Chanel Jones

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

St. Louis County

Legal Ledger

AFFIDAVIT OF PUBLICATION

See Attached

State of Missouri

ss

County of St. Louis

Before the undersigned, a Notary Public of Jackson County, Missouri, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

John Wingo

Publisher of the St. Louis County *Legal Ledger*, a daily newspaper of general circulation published in the County of St. Louis, Missouri, that he is authorized to make this affidavit and sworn statement; that the notice of

Notice of Hearing

a true copy of which is attached hereto, was published in the St. Louis County *Legal Ledger*, on the following dates:

July 30, 2020

in volume **12**

and numbered **302**

and that the said newspaper in which such notice, was published was, at the time of each and every such publication, a newspaper meeting the requirements and qualifications of Chapter 443, Revised Statutes of Missouri and Chapter 493 including Section 493.050

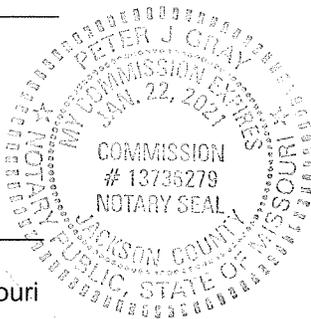


John Wingo

Sworn to and subscribed
before me this **July 30, 2020**



Peter J. Gray
Notary Public—Jackson County, State of Missouri
My Commission expires January 22, 2021
Commission No. 13736279



NOTICE OF PUBLIC HEARING

The Council of the City of Kirkwood will hold a public hearing at City Hall, 139 S. Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m. on Thursday August 20, 2020 at which time citizens may be heard on the proposed property tax rates.

Each tax rate is determined by dividing the amount of revenue required by the current assessed valuation for each subclass. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation. This proposed levy is subject to change pending action of the City Council, the Board of Equalization and/or the tax rate certification by the State Auditor.

| | Previous Year's Valuation <u>2019</u> | Current Year's Valuation <u>2020</u> |
|--------------------------------|---|--|
| Assessed Valuation | | |
| <u>City of Kirkwood</u> | | |
| Residential | 741,674,190 | 754,956,640 |
| Commercial | 138,982,273 | 139,122,040 |
| Personal Property | 79,282,450 | 82,305,188 |
| Total | 959,938,913 | 976,383,868 |

| | | |
|--------------------------------|--------------------|--------------------|
| Assessed Valuation | | |
| <u>Kirkwood Library</u> | | |
| Residential | 734,751,070 | 747,987,450 |
| Commercial | 120,999,430 | 121,135,881 |
| Personal Property | 77,347,560 | 80,351,869 |
| Total | 933,098,060 | 949,475,200 |

| | | |
|---|------------|------------|
| Assessed Valuation | | |
| <u>Special Business District</u> | | |
| Commercial | 38,134,630 | 38,214,370 |

| | Proposed Tax Rate <u>Residential</u> | Proposed Tax Rate <u>Commercial</u> | Proposed Tax Rate <u>Personal</u> | Proposed Property Tax Revenue |
|---------------------------|--|---|---|-------------------------------------|
| Police & Fire Pension | 0.117 | 0.141 | 0.180 | 1,227,611 |
| Parks | 0.107 | 0.114 | 0.119 | 1,064,346 |
| General Gov't | 0.271 | 0.292 | 0.340 | 2,732,006 |
| Library | 0.246 | 0.285 | 0.355 | 2,470,536 |
| Special Business District | n/a | 0.381 | n/a | 145,597 |

Such hearing may be adjourned from time to time until completed. By order of the City Council.

Laurie Asche
 City Clerk
 City of Kirkwood
 St. Louis County, Missouri
 Published July 30, 2020
 302

M2037

SUBSTITUTE BILL 10845

ORDINANCE

AN ORDINANCE FIXING AND ESTABLISHING THE RATE OF TAXATION TO BE LEVIED UPON ALL REAL ESTATE AND CERTAIN TANGIBLE PERSONAL PROPERTY IN THE CITY OF KIRKWOOD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, FOR THE YEAR 2020, FOR THE OPERATION AND MAINTENANCE OF THE MUNICIPAL LIBRARY DISTRICT OF KIRKWOOD.

WHEREAS, pursuant to State law and the City's ordinances, a public hearing was duly advertised and held on August 20, 2020, setting forth the assessed valuation of real and personal property in the City and the estimated tax rate of 2020, and

WHEREAS, failure to meet this certification could put at risk significant tax revenues that are needed to support the Municipal Library District of Kirkwood.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That there be and is hereby levied on all real estate and certain tangible personal property, subject to taxation in the City of Kirkwood, County of St. Louis, State of Missouri, and those areas within the Municipal Library District of the City of Kirkwood, Missouri, for the year 2020:

A tax for the Municipal Library District of Kirkwood of 24.5 cents per One Hundred Dollars (\$100.00) of assessed valuation on Residential Real Estate.

A tax for the Municipal Library District of Kirkwood of 29.0 cents per One Hundred Dollars (\$100.00) of assessed valuation on Commercial Real Estate.

A tax for the Municipal Library District of Kirkwood of 35.5 cents per One Hundred Dollars (\$100.00) of assessed valuation on Personal Property.

SECTION 2. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk
Public Hearing: August 20, 2020
1st Reading:
2nd Reading: September 17, 2020



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood

09-096-0045

Library

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

- A. Prior year tax rate ceiling
B. Current year rate computed
C. Amount of rate increase authorized by voters for current year
D. Rate to compare to maximum authorized levy to determine tax rate ceiling
E. Maximum authorized levy
F. Current year tax rate ceiling
G. 1. Less required sales tax reduction
G. 2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies)
H. Less voluntary reduction by political subdivision taken from tax rate ceiling (Line F)
I. Plus allowable recoupment rate
J. Tax rate to be levied
AA. Rate to be levied for debt service, if applicable
BB. Additional special purposed rate authorized by voters

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020 (2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Library
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.
Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with columns: (a) Residential, (b) Real Estate Agricultural, (c) Commercial, (d) Personal Property, Total, Prior Method Single Rate. Rows include: Calculate Revised Rate(s), 24. Tax revenue, 25. Total assessed valuation, 26. Blended rate, 27. Revenue difference, 28. Rate(s) to be revised, 29. Current year adjusted assessed valuation, 30. Relative ratio of current year adjusted assessed valuation, 31. Revision to rate, 32. Revised rate, 33. Revised rate rounded, Calculate Final Blended Rate, 34. Tax revenue, 35. Total assessed valuation, 36. Final blended rate, 37. Tax rate(s) permitted.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020

Summary Page

(2020)

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood

09-096-0045

Library-Temp

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with 5 columns: Residential, Agriculture, Commercial, Personal Property, Prior Method Single Rate

- A. Prior year tax rate ceiling... B. Current year rate computed... C. Amount of rate increase authorized by voters... D. Rate to compare to maximum authorized levy... E. Maximum authorized levy... F. Current year tax rate ceiling... G. 1. Less required sales tax reduction... G. 2. Less 20% required reduction... H. Less voluntary reduction... I. Plus allowable recoupment rate... J. Tax rate to be levied... AA. Rate to be levied for debt service... BB. Additional special purposed rate authorized by voters

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date) (Signature) (Print Name) (Telephone)

Proposed rate to be entered on tax books by the county clerk based on the certification from the political subdivision:

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section. Lines: J AA BB

(Date) (County Clerk's Signature) (County) (Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020 (2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Library-Temp
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.

Table with 6 columns: (a) Residential, (b) Real Estate Agricultural, (c) Commercial, (d) Personal Property, Total, Prior Method Single Rate. Rows include percentage increase in adjusted valuation, CPI increase, assessed valuation, tax rates, and revenue permitted.

Enter the rate for the prior method column on Line B of the Summary Page



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

9/15/2020 (2020)

Form A

For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

City of Kirkwood 09-096-0045 Library-Temp
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Table with columns (a) Residential, (b) Real Estate Agricultural, (c) Commercial, (d) Personal Property, Total, and Prior Method Single Rate. Rows include Calculate Revised Rate(s), Current year adjusted assessed valuation, Relative ratio of current year adjusted assessed valuation, Revised rate, and Calculate Final Blended Rate.

BILL 10846

ORDINANCE

AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$91,359.92 FROM THE DEBT SERVICE FUND TO THE TRANSFER TO OTHER FUNDS ACCOUNT, AND THEN TRANSFERRING FUNDS IN THE AMOUNT OF \$91,359.92 FROM THE TRANSFER TO OTHER FUNDS ACCOUNT TO THE GENERAL FUND.

WHEREAS, in March 2020 the General Obligation Bond Series 2009 Refunding were retired in full leaving a cash balance of \$91,359.92 in the Debt Service Fund, and

WHEREAS, staff recommends appropriating \$91,359.92 from the Debt Service Fund to Account #275-0000-491.10.10 (Transfer to Other Funds), and

WHEREAS, staff recommends transferring \$91,359.92 from Account #275-0000-491.10.10 (Transfer to Other Funds) to the General Fund, which will close out the Debt Service Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. Funds in the amount of \$91,359.92 are hereby appropriated from the Debt Service Fund to Account #275-0000-491.10.10 (Transfer to Other Funds).

SECTION 2. Funds in the amount of \$91,359.92 are hereby transferred from Account #275-0000-491.10.10 (Transfer to Other Funds) to the General Fund.

SECTION 3: This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk
1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 9/3/2020

Step #1:

Strategic Plan Select... Goal # & Title

Background To Issue:

In March 2020, the General Obligation Bonds Series 2009 Refunding were retired in full leaving a cash balance of \$91,359.92 in the Debt Service Fund. Section 108.180 RSMo provides that any money remaining after the bonds have been paid shall be transferred to the "general revenue fund" of the City.

Recommendations and Action Requested:

Staff is requesting City Council to appropriate \$91,359.92 from the Debt Service Fund balance to expenditure account 275-0000-491-10-10, Transfers to Other Funds and then transfer to the General Fund. This cash transfer will close the Debt Service Fund.

Alternatives Available:

None

Si

Does this project have a public information component? Yes No

Cost: \$91,359.92 Account #: 27500004911010 Project #: Budgeted: NO

If YES, Budgeted Amount: If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

I recommend appropriating \$91,359.92 from the Debt Service Fund fund balance to expenditure account 275-0000-491-10-10, Transfers to Other Funds which will provide the budgetary authority to complete the cash balance transfer.

BY: Sandra Stephens

Date: 8/26/2020

Authenticated: stephesf

You can attach up to 3 files along with this request.

Si

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Appropriation

From Account # or Fund Name:

To Account # or Fund Name: 27500004911010, Transfers to other funds

Finance Director's Comments:

The Debt Service Fund Balance is available and sufficient to appropriate \$91,359.92 to 275-0000-491-10-10, Transfers to Other Funds and then transfer to the General Fund.

BY: Sandra Stephens

Date: 8/26/2020

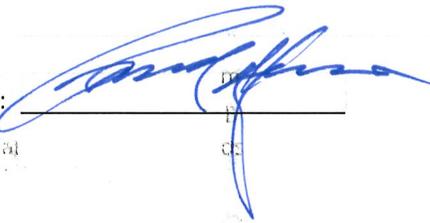
Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date: 8-27-20

BILL 10847

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, SECTION A-510.8 REGARDING THE FRONTAGE OCCUPATION REQUIREMENT IN THE B-2, GENERAL BUSINESS DISTRICT (CENTRAL BUSINESS DISTRICT).

WHEREAS, Clayton Financial Corporation LLC (DBA Commerce Bank) made application (PZ-27-20) for a text amendment to the Zoning Code to revise the street frontage occupation requirement in the B-2 District; and

WHEREAS, the Planning and Zoning Commission did on the 5th day of August, 2020, by adopting the subcommittee report as amended dated August 5, 2020, (attached hereto and incorporated by reference herein), recommend the approval of said Zoning Code text amendment; and

WHEREAS, on the 3rd day of September, 2020, the City Council did hold a public hearing with respect to such amendment to the Zoning Code after duly advertising and giving proper notice of such hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by removing the existing provision in Section A-510.8(2) in its entirety and replacing it with the following language:

When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown. Furthermore, with respect to corner lots only, said minimum frontage occupation requirement shall not apply to Downtown Phase 2, B-streets provided that the required frontage occupation requirement is met on the A-street frontage of said corner lot. In the event said corner lot fronts on two Phase 2, B-streets, then said frontage occupation requirement shall apply only to one such street frontage.

SECTION 2. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ____ day of _____, 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Public Hearing:

1ST Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 9/3/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

Commerce Bank has applied for multiple items related to the redevelopment of their property at 300 N. Kirkwood Road. This application is under the number PZ-27-20 and includes a 2-lot commercial subdivision, a zoning code text amendment, and a site plan review. The subdivision request does not require a public hearing and will therefore be presented at a future date to correspond with the vote meetings of the other related items.

The remaining two items (zoning code text amendment and site plan) require a public hearing and are being presented at the September 3rd City Council Meeting. This legislation request is specific to the zoning code text amendment while a separate legislation request will be submitted related to the site plan review.

The applicant is proposing a text amendment to the street frontage occupation requirement in the B-2 District. This new requirement was added in response to the Downtown Master Plan and has not been tested through practical application. The proposed site plan has highlighted challenges with the current language and the applicant has proposed a text amendment to address this challenge. The Planning & Zoning Commission amended the applicant's proposal such that it would only exclude the requirement in very narrow circumstances. The subcommittee report for the entire redevelopment project is attached and includes additional detail on this, and the other, requests.

Recommendations and Action Requested:

After amending the request language, the Planning & Zoning Commission unanimously approved the request. A public hearing is requested for the September 3, 2020 City Council meeting followed by consideration of the drafted ordinance.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

Raiche

BY: Jonathan Raiche

Date: 8/26/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.



2020-09-03 PZ-27-20
TextAmend Ordinance.doc
Microsoft Word 97 - 2003
Document
30.0 KB



2020-08-05 PZ-27-20
ReportAmended.pdf
Adobe Acrobat Document
773 KB

File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. (Must have Purchasing Director's approval).

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

File Attachment

File Attachment

File Attachment

Step #3: If budgetary approval is required (Must have Finance Department's approval).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

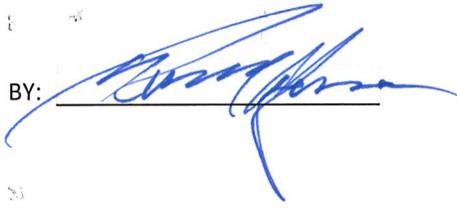
Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

8-27-20

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
August 5, 2020**

PETITION NUMBER: PZ-27-20

ACTION REQUESTED: SUBDIVISION (PRELIMINARY & FINAL), ZONING CODE TEXT AMENDMENT, AND SITE PLAN REVIEW

PROPERTY OWNER: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)

APPLICANT: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)

APPLICANT'S AGENT: CHRIS MROZEWSKI, V3 STUDIOS

PROPERTY LOCATION: 300 NORTH KIRKWOOD ROAD

ZONING: B-2, GENERAL BUSINESS DISTRICT (CENTRAL BUSINESS DISTRICT)

DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY V3 STUDIOS, STOCK & ASSOCIATES, AND COLE & ASSOCIATES STAMPED "RECEIVED JULY 24, 2020, CITY OF KIRKWOOD PUBLIC SERVICES DEPARTMENT"

DESCRIPTION OF PROJECT:

The applicant is requesting three separate actions for this project which will require three separate recommendations by the subcommittee. The first request is to subdivide the current site (approximately 2.18 acres) into two commercial lots: Lot 1 (1.44 acres) and Lot 2 (0.74 acres). No new public roadways or significant public infrastructure is proposed with the subdivision. The remaining two portions of this request both pertain to Lot 2 of the proposed subdivision.

The second request is for a text amendment in the B-2, General Business District regulations regarding street frontage occupation in Section A-510.8 (2). This provision of the code was adopted in December of 2018 in response to a recommendation from the City's Downtown Master Plan. Currently, the provision that applies to this site would require that 75% of the street frontage is occupied by building. The proposal complies with this requirement on Kirkwood Road, but does not comply along Washington Avenue. After discussion with Staff, the applicant chose to pursue a text amendment that would revise the current requirement to acknowledge a difference between streets that are identified as A-streets and those that are identified as B-streets in the Downtown Master Plan. The proposed revised language for Section A-510.8(2) is included below with the new text underlined:

"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown."

The third item for consideration is a Site Plan Review for an approximately 3,800 sf, 1-story retail bank building located along Kirkwood Road. The proposed plan includes a surface parking lot to the east of the proposed building, 3 advanced ATM lanes near the northeast corner of the property, 2 unrestricted access points from Washington Avenue, and a cross-access drive to Lot 1 to the south.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as being located in the Downtown land use category on the EnVision Kirkwood 2035 Future Land Use Map. Regional/Neighborhood Commercial is listed in this land use category as an appropriate development type.

The subject property is currently zoned B-2, General Business District (Central Business District) and financial institutions are a permitted use in this district.

Surrounding land uses and zoning include the following:

To the north: Across Washington Avenue, there are various commercial uses which are zoned B-2.

To the south: Across Adams Avenue, there is a church and various commercial uses which are zoned B-2.

To the east: Directly adjacent to the subject site are properties that are all zoned R-5, Multifamily Residential which are occupied by the local Kirkwood YMCA and a condominium development.

To the west: Across Kirkwood Road, there are various commercial uses which are zoned B-2.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: 1. Provide an electrical distribution plan.

Water: No Comments received.

Engineering/Planning: 1. MSD approval is required.
2. Street tree species on Washington Avenue may need to be revised to avoid conflicts with overhead utility lines as determined by the City Forester.
3. An additional canopy tree and evergreen tree are required in the landscape island near the proposed trash enclosure. Prior to City Council approval, a revised plan to address this shall be submitted.

Building/Fire: 1. ARB review is required.
2. The 2015 IBC must be followed.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is approximately 3,800 sf, 1 story, and approximately 22' tall which complies with the maximum building height of 40' in the B-2 District. The structure complies with all setback requirements and with the street frontage occupation requirement along Kirkwood Road. As previously mentioned, it does not comply with the street frontage occupation requirement on Washington Avenue which is the impetus for the requested text amendment.

The applicant is proposing new 6' wide sidewalks adjacent to an 8' wide tree-lawn to provide a benefit for pedestrian circulation. A private plaza is also included in the southwest corner of the project site which provides access to the building along with a private sidewalk along the eastern-side of the building. As reflected in the recommendation section of this report, the subcommittee prefers that a sidewalk be provided along the eastern property line to provide north/south pedestrian access through the site. This revision will likely necessitate the removal of the proposed trees in this area, but it is likely that shrubs and other low-lying landscaping may remain. The subcommittee is recommending a

modification to the required parking lot perimeter landscaping in this location in favor of the pedestrian access being provided.

Landscaping/Screening

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way along Kirkwood Road and on private property along Washington Avenue due to the presence of overhead utility lines. A condition has been added regarding the fact that tree species may need to be revised based upon recommendation of the City Forester to avoid conflict with the overhead utility lines along Washington Avenue. The applicant has also provided the required landscaping throughout the parking lot internally on the site with a couple minor exceptions which are anticipated to be addressed by the applicant prior to City Council approval. A condition has been added to the recommendation portion of this report which requires the addition of one canopy tree and one evergreen tree in the landscape island near the proposed dumpster enclosure. In addition to proposed landscaping, the applicant is proposing a 6' tall sight-proof vinyl fence along the eastern property line.

Site Access & Parking

The site is proposed to be accessed from two separate two-way drives from Washington Avenue on the eastern half of the site. Additionally there is a proposed cross-access drive along the eastern property line that will provide access between the subject property and Lot 1 to the south. There are 15 parking spaces required with 26 currently proposed. The site plan also provides the required minimum 60' queue length for each of the proposed ATM lanes.

DISCUSSION:

Zoning Matters signs were placed on the property on March 13, 2020. The request introduction was delayed due to COVID-19, but was ultimately introduced at the Planning & Zoning Commission meeting on July 15, 2020 held via Zoom. An online subcommittee meeting was subsequently held via Zoom on July 27th. A list of attendees of the subcommittee meeting can be seen in Exhibit B. The overall proposal was discussed at the subcommittee meeting with attention given to the following items:

- 1) The subcommittee expressed their preference that a sidewalk for public use be provided in the approximate 10' buffer area between the eastern property line and the proposed cross-access drive. The subcommittee agreed that the sidewalk would be preferred with low-lying landscaping in lieu of the larger trees proposed in the area currently.
- 2) It was confirmed that there was still excess parking with the revised site plan after removing parking spaces to accommodate the minimum 10' parking setback from the right-of-way along Washington Avenue.
- 3) A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area.
- 4) The Downtown Master Plan did recognize that B-streets should receive different treatment and attention which would allow more utilitarian and vehicular-focused activity. The current street frontage occupation requirement was drafted by Staff as a first attempt at codifying the recommendation from the consultant and is applied to all B-Districts and the I-1 District within the Downtown area. If approved, the applicant's request would apply to the following street frontages:
 - Washington Avenue from Clay Avenue to Kirkwood Road
 - Western half of Washington Avenue from Kirkwood Road to Taylor Avenue
 - Northeastern frontage of Woodbine Avenue from Clay Avenue to Kirkwood Road
 - Northern half of Fillmore Avenue from Monroe Avenue to Clinton Place

The applicant's request was believed to be in keeping with the intent of the plan and seen to have minimal impact due to the low number of properties that have frontage on a B-street in Phase 2 and are zoned either B-1, B-2, B-4, B-5 or I-1.

- 5) The subcommittee had no concerns about the proposed subdivision.

RECOMMENDATIONS:

The subcommittee recommends that the proposed 2-lot commercial subdivision as proposed in the plan packet stamped "Received July 24, 2020 City of Kirkwood Public Services Department" be **approved** with the following conditions:

1. Evidence of MSD approval shall be provided to the City prior to approval of the final plat by the City Council.
2. A subdivision plat approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds shall be filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

The Subcommittee recommends that the request to amend Section A-510.8(2) of the Zoning Code to remove the existing provision and replace with the following language be **approved**:

*"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown. *However, with respect to corner lots only, said minimum frontage occupation requirement shall not apply to Downtown Phase 2 B-Streets provided the required frontage occupation is met on the A-Street frontage of said corner lot, but in the event said corner lot fronts on two Phase 2 B-Streets, then said frontage occupancy requirement shall apply only to one such street frontage."*

The Subcommittee recommends that the Site Plan Review application be **approved** with the following conditions:

1. The project shall be constructed and maintained in accordance with the plans referenced in the Drawing Submitted portion of this report, except as noted herein.
2. A 6' high sight-proof fence shall be installed along the eastern property line and shall be constructed of material comparable to simtek composite fencing.
3. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and shall be replaced with a 6' wide exposed aggregate sidewalk.
4. The species of street frontage trees along Washington Avenue may need to be revised to avoid conflict with the existing overhead utility lines as advised by the City Forester.
5. Prior to City Council approval, a revised landscape plan shall be submitted which includes one additional canopy tree and one additional evergreen tree near the proposed trash enclosure.
6. Prior to City Council approval, a revised site plan, lighting plan, and landscape plan shall be submitted which includes a pedestrian sidewalk along the eastern property line. Said area shall include low-lying vegetation and trees as possible; however, it is recognized that the width of the buffer area may not accommodate trees alongside the desired sidewalk. Because of this, a modification to the parking lot landscaping requirements along the eastern property line is recommended to accommodate the sidewalk. Said revised lighting plan shall ensure that the proposed pedestrian sidewalk meets the regulations in Section A-1040.

7. A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area to provide access across the site and toward Adams Avenue.
8. A demolition permit for the existing building on Lot 1 shall be submitted prior to occupancy of the proposed building on Lot 2 and said existing building shall be demolished within 180 days of the date of the occupancy permit of the proposed building on Lot 2. Alternatively, the applicant shall provide documentation that the parking requirements for the proposed bank structure and the existing bank structure are fulfilled.
9. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

David Eagleton

Tom Feiner

Allen Klippel

EXHIBIT A
STANDARD CONDITIONS

1. A performance guarantee in the form of a cash deposit or letter of credit in an amount approved by the Public Services Department and an administrative fee (10% of the first \$10,000 and 2% of the remaining balance of the performance guarantee) shall be submitted within one year of approval and prior to the issuance of a foundation letter or building permit to insure the completion of the proposed improvements, utilities and landscaping; to replace public improvements damaged by construction activities (sidewalks, curbs, etc.); and to guarantee significant trees designated to be saved. The letter of credit shall be in effect for a minimum of two years and may be extended in minimum six-month intervals as approved by the Department of Public Services. The Letter of Credit shall be drawn from a St. Louis area bank.
2. Storm water management plans for the proposed site plan shall be submitted to Metropolitan Sewer District (MSD) and City for review and approval prior to the issuance of a grading, foundation or building permit. Storm water greater than one c.f.s. shall not be directed across the public sidewalk or driveway entrances.
3. Sanitary sewer plan shall be approved by MSD prior to the issuance of a foundation letter or building permit.
4. Parking lot entrances shall be 7" thick concrete and ADA compliant.
5. The water system shall meet the requirements of the Kirkwood Fire and Water Departments. The Fire Department shall approve the water flow for the project. If satisfactory water flow is not available from the existing water system in accordance with City policy, the applicant shall install the necessary mains and accessories.
6. If applicable, a grading permit shall be obtained from the Public Services Department in accordance with the Kirkwood Code of Ordinances prior to any grading on the site. The grading permit shall include a grading plan in accordance with the Code of Ordinances.
7. Erosion and sediment control devices shall be sufficient to protect all off-site property from siltation and shall be installed prior to beginning of any grading or construction. The siltation control measures shall be installed and approved by the Public Services Department prior to issuance of a building permit. These devices shall be maintained during the construction activities.
8. During excavation and construction activities, the area of the site that is disturbed for this project shall be fully enclosed by a 6-foot high chain link fence to prevent the entry of unauthorized persons. The gate for the fence shall be locked during non-working hours.
9. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time.
10. An accessible route in compliance with ADA standards shall be provided from the proposed accessible parking spaces to the accessible entrance of the building.
11. All rooftop equipment, air-conditioning units and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.

12. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.

EXHIBIT B
Subcommittee Meeting Attendees
July 27, 2020 (Via Zoom)

| | |
|-------------------|--|
| David Eagleton – | Subcommittee Member |
| Tom Feiner - | Subcommittee Member |
| Allen Klippel - | Subcommittee Member |
| Chris Mrozewski - | Applicant |
| George Stock - | Applicant |
| Josh Hellman - | Applicant |
| Denny Hoelzer - | Applicant |
| Joe Horvath - | Applicant |
| Maggie Duwe - | Councilmember |
| Donna Poe - | Downtown Kirkwood Executive Director |
| Jonathan Raiche - | Planning & Development Services Director |
| Chris Krueger - | City Engineer |

PROCEDURE FOR PUBLIC HEARING

Mayor: At this time the council will recess to conduct a public hearing regarding:

A request for a Zoning Code Text Amendment and Site Plan Review for Commerce Bank at 300 North Kirkwood Road.

Mayor: Mr. Hessel, do you wish to enter any exhibits into the record?

Mayor: Mr. Hawes, who will present this issue to the City Council?

City Planner Jonathan Raiche

Mayor: Is there anyone from the public wishing to speak regarding this proposal?

Mayor: Hearing no further discussion, the council will take this matter under advisement and consider the hearing to be recessed.



AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Before the undersigned Notary Public personally appeared **Kathy Travis** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **August 18, 2020** edition and ending with the **August 18, 2020** edition, for a total of 1 publications:

08/18/2020

**CITY OF KIRKWOOD
NOTICE OF PUBLIC HEARING
BEFORE THE CITY COUNCIL OF
KIRKWOOD, MISSOURI**

The Council of the City of Kirkwood will hold a public hearing via Zoom at the hour of 7:00 p.m., Thursday, September 3, 2020 to consider the following:

- 1. A request for a Zoning Code Text Amendment and Site Plan Review for Commerce Bank at 300 North Kirkwood Road.**
- 2. A request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard.**

Laurie Asche, CMC/MRCC
City Clerk

The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802. 11909607 County August 18, 2020

Kathy Travis

Subscribed & sworn before me this 18th day of Aug., 2020
(SEAL)

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

St. Louis County

Legal Ledger

AFFIDAVIT OF PUBLICATION

State of Missouri
County of St. Louis

ss

Before the undersigned, a Notary Public of Jackson County, Missouri, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

John Wingo

Publisher of the St. Louis County *Legal Ledger*, a daily newspaper of general circulation published in the County of St. Louis, Missouri, that he is authorized to make this affidavit and sworn statement; that the notice of

Notice of Hearing

a true copy of which is attached hereto, was published in the St. Louis County *Legal Ledger*, on the following dates:

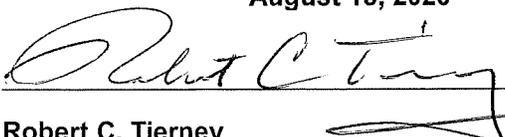
August 18, 2020

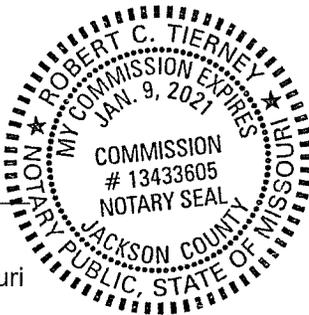
in volume **12**
and numbered **321**

and that the said newspaper in which such notice, was published was, at the time of each and every such publication, a newspaper meeting the requirements and qualifications of Chapter 443, Revised Statutes of Missouri and Chapter 493 including Section 493.050


John Wingo

Sworn to and subscribed
before me this **August 18, 2020**


Robert C. Tierney
Notary Public—Jackson County, State of Missouri
My Commission expires January 9, 2021
Commission No. 13433605



CITY OF KIRKWOOD
NOTICE OF PUBLIC HEARING
BEFORE THE CITY COUNCIL
OF KIRKWOOD, MISSOURI

The Council of the City of Kirkwood will hold a public hearing via Zoom at the hour of 7:00 p.m., Thursday, September 3, 2020 to consider the following:

- 1. A request for a Zoning Code Text Amendment and Site Plan Review for Commerce Bank at 300 North Kirkwood Road.**
- 2. A request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard.**

Laurie Asche, CMC/MRCC
City Clerk

The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.

Published August 18, 2020

PROPERTY OWNER
10273 QUAIL RUN DR
SAINT LOUIS, MO 63128

PROPERTY OWNER
1010 GRAND BLVD 4TH FLR
KANSAS CITY, MO 64106

PROPERTY OWNER
7640 BECKER RD
SAINT LOUIS, MO 63129

PROPERTY OWNER
PO BOX 965
CAPE GIRARDEAU, MO 63702

PROPERTY OWNER
400 N KIRKWOOD RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
125 E WASHINGTON AVE UNIT 2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
1110 WESTMARK DR
SAINT LOUIS, MO 63131

PROPERTY OWNER
421 N KIRKWOOD RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
125 E WASHINGTON AVE UNIT 2 SOUTH
SAINT LOUIS, MO 63122

PROPERTY OWNER
250 GREENBRIAR ESTATES DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
7003 MANCHESTER RD
SAINT LOUIS, MO 63143

PROPERTY OWNER
211 N TAYLOR AVE UNIT 201
SAINT LOUIS, MO 63122

PROPERTY OWNER
18448 WESTWOOD DR
CAPLENCOE, MO 63038

PROPERTY OWNER
16100 SWINGLEY RIDGE RD SUITE 210
CHESTERFIELD, MO 63017

PROPERTY OWNER
211 N TAYLOR AVE UNIT 101
SAINT LOUIS, MO 63122

PROPERTY OWNER
909 CHESTNUT ST RM 36-Q-1
SAINT LOUIS, MO 63101

PROPERTY OWNER
2000 SHERMAN SQUARE DR
SAINT CHARLES, MO 63303

PROPERTY OWNER
211 N TAYLOR AVE UNIT 102
SAINT LOUIS, MO 63122

PROPERTY OWNER
25 825 N TAYLOR AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
3330 S RIDER TRL
EARTH CITY, MO 63045

PROPERTY OWNER
211 N TAYLOR AVE UNIT 202
SAINT LOUIS, MO 63122

PROPERTY OWNER
1528 LOCUST ST
SAINT LOUIS, MO 63103

PROPERTY OWNER
100 E ADAMS AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
211 N TAYLOR AVE UNIT 302
SAINT LOUIS, MO 63122

PROPERTY OWNER
9 415 N TAYLOR AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
8000 FORSYTH BLVD SUITE 1300
SAINT LOUIS, MO 63105

PROPERTY OWNER
131 E ADAMS AVE # 3A
SAINT LOUIS, MO 63122

PROPERTY OWNER
25 1010 GRAND BLVD
KANSAS CITY, MO 64106

PROPERTY OWNER
211 N TAYLOR AVE UNIT 301
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE 1A
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE 1B
SAINT LOUIS, MO 63122

PROPERTY OWNER
127 E WASHINGTON AVE 2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
111 E WASHINGTON AVE UNIT 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE 2B
SAINT LOUIS, MO 63122

PROPERTY OWNER
127 E WASHINGTON AVE # 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
115 E WASHINGTON AVE 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
129 E WASHINGTON AVE UNIT 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE UNIT 2A
SAINT LOUIS, MO 63122

PROPERTY OWNER
115 E WASHINGTON AVE UNIT 1S
SAINT LOUIS, MO 63122

PROPERTY OWNER
4353 STANBRIDGE AVE
LONG BEACH, CA 90808

PROPERTY OWNER
109 E WASHINGTON AVE UNIT 2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
509 BASHFORD LN APT 1
ALEXANDRIA, VA 22314

PROPERTY OWNER
8880 N SEA OAKS WAY 307
VERO BEACH, FL 32963

PROPERTY OWNER
115 E WASHINGTON AVE UNIT 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
119 E WASHINGTON AVE 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE UNIT 3D
SAINT LOUIS, MO 63122

PROPERTY OWNER
117 E WASHINGTON AVE 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
6770 NOESHO ST
SAINT LOUIS, MO 63108

PROPERTY OWNER
131 E ADAMS AVE 2D
SAINT LOUIS, MO 63122

PROPERTY OWNER
415 W JERRSON AVE UNIT 404
SAINT LOUIS, MO 63122

PROPERTY OWNER
121 E WASHINGTON AVE 1E
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE 3C
SAINT LOUIS, MO 63122

PROPERTY OWNER
111 E WASHINGTON AVE # 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
109 E WASHINGTON AVE # 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
127 E WASHINGTON AVE UNIT 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
1300 KIEFER BLUFFS DR
BALLWIN , MO 63021

PROPERTY OWNER
237 MULBERRY ROW CT
SAINT LOUIS, MO 63141

PROPERTY OWNER
9909 CLAYTON RD SUITE 224
SAINT LOUIS, MO 63124

PROPERTY OWNER
111 E WASHINGTON AVE 2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
1567 TALLOW TREE DR
LADY LAKE, FL 32162

PROPERTY OWNER
9909 CLAYTON RD SUITE 224
SAINT LOUIS, MO 63124

PROPERTY OWNER
121 E WASHINGTON AVE 2E
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E WASHINGTON AVE 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
129 E WASHINGTON AVE UNIT 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
2210 N KONSTANZ DR
WRIGHT CITY, MO 63390

PROPERTY OWNER
131 E ADAMS AVE 1C
SAINT LOUIS, MO 63122

PROPERTY OWNER
119 E WASHINGTON AVE UNIT 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
25 SAYBRIDGE MANOR CT
LAKE SAINT LOUIS, MO 63367

PROPERTY OWNER
1817 PATRICK HENRY LN
HILLSBOROUGH, NC 27278

PROPERTY OWNER
802 KIPLING WAY
SAINT CHARLES, MO 63304

PROPERTY OWNER
123 E WASHINGTON AVE 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
11565 NEW LONDON DR
SAINT LOUIS, MO 63141

PROPERTY OWNER
119 E WASHINGTON AVE UNIT 2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
123 E WASHINGTON AVE 1S
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E ADAMS AVE UNIT 1D
SAINT LOUIS, MO 63122

PROPERTY OWNER
14921 CYPRESS HAMMOCK DR
SAINT CLOUD, FL 34771

PROPERTY OWNER
304 DOWNING ST
NIXA, MO 65714

PROPERTY OWNER
109 E WASHINGTON AVE UNIT 1S
SAINT LOUIS, MO 63122

PROPERTY OWNER
113 E WASHINGTON AVE 2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
11647 GRAVOIS RD SUITE 100
SAINT LOUIS, MO 63126

PROPERTY OWNER
119 E 131 E ADAMS AVE # 2C
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 E WASHINGTON AVE 1N
SAINT LOUIS, MO 63122

PROPERTY OWNER
PO BOX 93
GLEN ARBOR, MI 49636

PROPERTY OWNER
131 E WASHINGTON AVE UNIT 1S
SAINT LOUIS, MO 63122

PROPERTY OWNER
1497 130TH ST
RUDD, IA 50471

PROPERTY OWNER
131 E WASHINGTON AVE UNIT 2N
SAINT LOUIS, MO 63122

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
August 5, 2020**

PETITION NUMBER: PZ-27-20

ACTION REQUESTED: SUBDIVISION (PRELIMINARY & FINAL), ZONING CODE TEXT AMENDMENT, AND SITE PLAN REVIEW

PROPERTY OWNER: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)

APPLICANT: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)

APPLICANT'S AGENT: CHRIS MROZEWSKI, V3 STUDIOS

PROPERTY LOCATION: 300 NORTH KIRKWOOD ROAD

ZONING: B-2, GENERAL BUSINESS DISTRICT (CENTRAL BUSINESS DISTRICT)

DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY V3 STUDIOS, STOCK & ASSOCIATES, AND COLE & ASSOCIATES STAMPED "RECEIVED JULY 24, 2020, CITY OF KIRKWOOD PUBLIC SERVICES DEPARTMENT"

DESCRIPTION OF PROJECT:

The applicant is requesting three separate actions for this project which will require three separate recommendations by the subcommittee. The first request is to subdivide the current site (approximately 2.18 acres) into two commercial lots: Lot 1 (1.44 acres) and Lot 2 (0.74 acres). No new public roadways or significant public infrastructure is proposed with the subdivision. The remaining two portions of this request both pertain to Lot 2 of the proposed subdivision.

The second request is for a text amendment in the B-2, General Business District regulations regarding street frontage occupation in Section A-510.8 (2). This provision of the code was adopted in December of 2018 in response to a recommendation from the City's Downtown Master Plan. Currently, the provision that applies to this site would require that 75% of the street frontage is occupied by building. The proposal complies with this requirement on Kirkwood Road, but does not comply along Washington Avenue. After discussion with Staff, the applicant chose to pursue a text amendment that would revise the current requirement to acknowledge a difference between streets that are identified as A-streets and those that are identified as B-streets in the Downtown Master Plan. The proposed revised language for Section A-510.8(2) is included below with the new text underlined:

"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown."

The third item for consideration is a Site Plan Review for an approximately 3,800 sf, 1-story retail bank building located along Kirkwood Road. The proposed plan includes a surface parking lot to the east of the proposed building, 3 advanced ATM lanes near the northeast corner of the property, 2 unrestricted access points from Washington Avenue, and a cross-access drive to Lot 1 to the south.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as being located in the Downtown land use category on the EnVision Kirkwood 2035 Future Land Use Map. Regional/Neighborhood Commercial is listed in this land use category as an appropriate development type.

The subject property is currently zoned B-2, General Business District (Central Business District) and financial institutions are a permitted use in this district.

Surrounding land uses and zoning include the following:

To the north: Across Washington Avenue, there are various commercial uses which are zoned B-2.

To the south: Across Adams Avenue, there is a church and various commercial uses which are zoned B-2.

To the east: Directly adjacent to the subject site are properties that are all zoned R-5, Multifamily Residential which are occupied by the local Kirkwood YMCA and a condominium development.

To the west: Across Kirkwood Road, there are various commercial uses which are zoned B-2.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: 1. Provide an electrical distribution plan.

Water: No Comments received.

Engineering/Planning: 1. MSD approval is required.
2. Street tree species on Washington Avenue may need to be revised to avoid conflicts with overhead utility lines as determined by the City Forester.
3. An additional canopy tree and evergreen tree are required in the landscape island near the proposed trash enclosure. Prior to City Council approval, a revised plan to address this shall be submitted.

Building/Fire: 1. ARB review is required.
2. The 2015 IBC must be followed.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is approximately 3,800 sf, 1 story, and approximately 22' tall which complies with the maximum building height of 40' in the B-2 District. The structure complies with all setback requirements and with the street frontage occupation requirement along Kirkwood Road. As previously mentioned, it does not comply with the street frontage occupation requirement on Washington Avenue which is the impetus for the requested text amendment.

The applicant is proposing new 6' wide sidewalks adjacent to an 8' wide tree-lawn to provide a benefit for pedestrian circulation. A private plaza is also included in the southwest corner of the project site which provides access to the building along with a private sidewalk along the eastern-side of the building. As reflected in the recommendation section of this report, the subcommittee prefers that a sidewalk be provided along the eastern property line to provide north/south pedestrian access through the site. This revision will likely necessitate the removal of the proposed trees in this area, but it is likely that shrubs and other low-lying landscaping may remain. The subcommittee is recommending a

modification to the required parking lot perimeter landscaping in this location in favor of the pedestrian access being provided.

Landscaping/Screening

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way along Kirkwood Road and on private property along Washington Avenue due to the presence of overhead utility lines. A condition has been added regarding the fact that tree species may need to be revised based upon recommendation of the City Forester to avoid conflict with the overhead utility lines along Washington Avenue. The applicant has also provided the required landscaping throughout the parking lot internally on the site with a couple minor exceptions which are anticipated to be addressed by the applicant prior to City Council approval. A condition has been added to the recommendation portion of this report which requires the addition of one canopy tree and one evergreen tree in the landscape island near the proposed dumpster enclosure. In addition to proposed landscaping, the applicant is proposing a 6' tall sight-proof vinyl fence along the eastern property line.

Site Access & Parking

The site is proposed to be accessed from two separate two-way drives from Washington Avenue on the eastern half of the site. Additionally there is a proposed cross-access drive along the eastern property line that will provide access between the subject property and Lot 1 to the south. There are 15 parking spaces required with 26 currently proposed. The site plan also provides the required minimum 60' queue length for each of the proposed ATM lanes.

DISCUSSION:

Zoning Matters signs were placed on the property on March 13, 2020. The request introduction was delayed due to COVID-19, but was ultimately introduced at the Planning & Zoning Commission meeting on July 15, 2020 held via Zoom. An online subcommittee meeting was subsequently held via Zoom on July 27th. A list of attendees of the subcommittee meeting can be seen in Exhibit B. The overall proposal was discussed at the subcommittee meeting with attention given to the following items:

- 1) The subcommittee expressed their preference that a sidewalk for public use be provided in the approximate 10' buffer area between the eastern property line and the proposed cross-access drive. The subcommittee agreed that the sidewalk would be preferred with low-lying landscaping in lieu of the larger trees proposed in the area currently.
- 2) It was confirmed that there was still excess parking with the revised site plan after removing parking spaces to accommodate the minimum 10' parking setback from the right-of-way along Washington Avenue.
- 3) A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area.
- 4) The Downtown Master Plan did recognize that B-streets should receive different treatment and attention which would allow more utilitarian and vehicular-focused activity. The current street frontage occupation requirement was drafted by Staff as a first attempt at codifying the recommendation from the consultant and is applied to all B-Districts and the I-1 District within the Downtown area. If approved, the applicant's request would apply to the following street frontages:
 - Washington Avenue from Clay Avenue to Kirkwood Road
 - Western half of Washington Avenue from Kirkwood Road to Taylor Avenue
 - Northeastern frontage of Woodbine Avenue from Clay Avenue to Kirkwood Road
 - Northern half of Fillmore Avenue from Monroe Avenue to Clinton Place

The applicant's request was believed to be in keeping with the intent of the plan and seen to have minimal impact due to the low number of properties that have frontage on a B-street in Phase 2 and are zoned either B-1, B-2, B-4, B-5 or I-1.

- 5) The subcommittee had no concerns about the proposed subdivision.

RECOMMENDATIONS:

The subcommittee recommends that the proposed 2-lot commercial subdivision as proposed in the plan packet stamped "Received July 24, 2020 City of Kirkwood Public Services Department" be **approved** with the following conditions:

1. Evidence of MSD approval shall be provided to the City prior to approval of the final plat by the City Council.
2. A subdivision plat approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds shall be filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

The Subcommittee recommends that the request to amend Section A-510.8(2) of the Zoning Code to remove the existing provision and replace with the following language be **approved**:

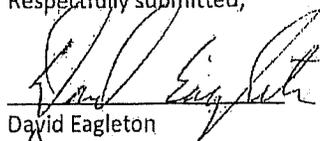
*"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown. *However, with respect to corner lots only, said minimum frontage occupation requirement shall not apply to Downtown Phase 2 B-Streets provided the required frontage occupation is met on the A-Street frontage of said corner lot, but in the event said corner lot fronts on two Phase 2 B-Streets, then said frontage occupancy requirement shall apply only to one such street frontage."*

The Subcommittee recommends that the Site Plan Review application be **approved** with the following conditions:

1. The project shall be constructed and maintained in accordance with the plans referenced in the Drawing Submitted portion of this report, except as noted herein.
2. A 6' high sight-proof fence shall be installed along the eastern property line and shall be constructed of material comparable to simtek composite fencing.
3. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and shall be replaced with a 6' wide exposed aggregate sidewalk.
4. The species of street frontage trees along Washington Avenue may need to be revised to avoid conflict with the existing overhead utility lines as advised by the City Forester.
5. Prior to City Council approval, a revised landscape plan shall be submitted which includes one additional canopy tree and one additional evergreen tree near the proposed trash enclosure.
6. Prior to City Council approval, a revised site plan, lighting plan, and landscape plan shall be submitted which includes a pedestrian sidewalk along the eastern property line. Said area shall include low-lying vegetation and trees as possible; however, it is recognized that the width of the buffer area may not accommodate trees alongside the desired sidewalk. Because of this, a modification to the parking lot landscaping requirements along the eastern property line is recommended to accommodate the sidewalk. Said revised lighting plan shall ensure that the proposed pedestrian sidewalk meets the regulations in Section A-1040.

7. A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area to provide access across the site and toward Adams Avenue.
8. A demolition permit for the existing building on Lot 1 shall be submitted prior to occupancy of the proposed building on Lot 2 and said existing building shall be demolished within 180 days of the date of the occupancy permit of the proposed building on Lot 2. Alternatively, the applicant shall provide documentation that the parking requirements for the proposed bank structure and the existing bank structure are fulfilled.
9. The applicant shall comply with all standard conditions as listed in Exhibit A.

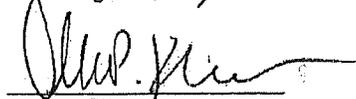
Respectfully submitted,



David Eagleton



Tom Feiner



Allen Klippel

EXHIBIT A
STANDARD CONDITIONS

1. A performance guarantee in the form of a cash deposit or letter of credit in an amount approved by the Public Services Department and an administrative fee (10% of the first \$10,000 and 2% of the remaining balance of the performance guarantee) shall be submitted within one year of approval and prior to the issuance of a foundation letter or building permit to insure the completion of the proposed improvements, utilities and landscaping; to replace public improvements damaged by construction activities (sidewalks, curbs, etc.); and to guarantee significant trees designated to be saved. The letter of credit shall be in effect for a minimum of two years and may be extended in minimum six-month intervals as approved by the Department of Public Services. The Letter of Credit shall be drawn from a St. Louis area bank.
2. Storm water management plans for the proposed site plan shall be submitted to Metropolitan Sewer District (MSD) and City for review and approval prior to the issuance of a grading, foundation or building permit. Storm water greater than one c.f.s. shall not be directed across the public sidewalk or driveway entrances.
3. Sanitary sewer plan shall be approved by MSD prior to the issuance of a foundation letter or building permit.
4. Parking lot entrances shall be 7" thick concrete and ADA compliant.
5. The water system shall meet the requirements of the Kirkwood Fire and Water Departments. The Fire Department shall approve the water flow for the project. If satisfactory water flow is not available from the existing water system in accordance with City policy, the applicant shall install the necessary mains and accessories.
6. If applicable, a grading permit shall be obtained from the Public Services Department in accordance with the Kirkwood Code of Ordinances prior to any grading on the site. The grading permit shall include a grading plan in accordance with the Code of Ordinances.
7. Erosion and sediment control devices shall be sufficient to protect all off-site property from siltation and shall be installed prior to beginning of any grading or construction. The siltation control measures shall be installed and approved by the Public Services Department prior to issuance of a building permit. These devices shall be maintained during the construction activities.
8. During excavation and construction activities, the area of the site that is disturbed for this project shall be fully enclosed by a 6-foot high chain link fence to prevent the entry of unauthorized persons. The gate for the fence shall be locked during non-working hours.
9. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time.
10. An accessible route in compliance with ADA standards shall be provided from the proposed accessible parking spaces to the accessible entrance of the building.
11. All rooftop equipment, air-conditioning units and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.

12. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.

EXHIBIT B
Subcommittee Meeting Attendees
July 27, 2020 (Via Zoom)

| | |
|-------------------|--|
| David Eagleton – | Subcommittee Member |
| Tom Feiner - | Subcommittee Member |
| Allen Klippel - | Subcommittee Member |
| Chris Mrozewski - | Applicant |
| George Stock - | Applicant |
| Josh Hellman - | Applicant |
| Denny Hoelzer - | Applicant |
| Joe Horvath - | Applicant |
| Maggie Duwe - | Councilmember |
| Donna Poe - | Downtown Kirkwood Executive Director |
| Jonathan Raiche - | Planning & Development Services Director |
| Chris Krueger - | City Engineer |



WHERE COMMUNITY AND SPIRIT MEET

August 6, 2020

Russell B. Hawes
Chief Administrative Officer

At the August 5, 2020, meeting of the Planning and Zoning Commission, the following action was taken:

1. The Commission recommended approval of a request for a Zoning Code Text Amendment, Site Plan Review, and two-lot commercial Subdivision for Commerce Bank at 300 North Kirkwood Road.
2. After a presentation for a request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard, the Commission recommended approval.

The next meeting will be held on August 19, 2020, at 7 p.m. via Zoom.

Respectfully submitted,

Jim Adkins, Chair
Planning and Zoning Commission

BILL 10848

ORDINANCE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PHYSICAL FITNESS FACILITY AT 10505 BIG BEND BOULEVARD SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, RiverNorth Strength LLC, made application (PZ-1-21) for a Special Use Permit for a physical fitness facility use at 10505 Big Bend Boulevard; and

WHEREAS, the Planning and Zoning Commission did on the 5th day of August, 2020, by adopting the Staff memo dated July 29, 2020 (attached hereto and incorporated by reference herein), recommend the granting of said Special Use Permit subject to certain conditions, and did find that granting of said permit would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities, and that granting such permit would be consistent with the zoning laws; and

WHEREAS, the Council did on the 3rd day of September, 2020, hold a public hearing with respect to such application after duly advertising and giving proper notice of such hearing, and does find that the granting of such permit, subject to certain conditions, would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities; and

WHEREAS, the Council does further find that the general welfare requires that such permit be subject to the conditions hereinafter set out.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. A Special Use Permit is hereby granted for a physical fitness facility at 10505 Big Bend Boulevard subject to the following conditions:

1. Said facility shall be restricted to the approximately 1,100sf area in suites A and B indicated on the plans stamped "Received July 13, 2020 City of Kirkwood Public Services Department".
2. Said facility shall be required to comply with the City's parking requirements and parking for future tenants of the remaining suites shall be subject to review and evaluation according to the City's parking requirements.

SECTION 2. The approval of this special use permit shall not authorize any person to unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property.

SECTION 3. The premises and improvements as approved by this Special Use Permit shall be in good working order and maintained in good repair at all times.

SECTION 4. The applicant, by accepting and acting under the Special Use Permit herein granted, accepts the permit subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this permit in the event such provisions are not complied with.

SECTION 5. The applicant and his successors and assigns, by accepting and acting under the approval herein granted, accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Services Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

SECTION 6. The applicant further agrees by accepting and acting under this Special Use Permit herein granted that this ordinance does not grant applicant any special rights, privileges, or immunities.

SECTION 7. This ordinance shall become null and void in the event the petitioner does not obtain an occupancy permit for the use approved by this ordinance within one year of the passage of this ordinance.

SECTION 8. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ___ day of _____, 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Introduced:
1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 9/3/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

RiverNorth Strength, LLC has applied for a special use permit to operate a physical fitness facility in the new multi-tenant building at 10505 Big Bend Boulevard. The tenant is proposing to occupy approximately 1,100 square feet of the building which contains approximately 3,000 sf of useable area. No outdoor use is proposed in conjunction with this request. Additional information on the request can be found in the attached Staff Memo and applicant materials.

Recommendations and Action Requested:

The Planning & Zoning Commission unanimously recommended approval of the request at their August 5, 2020 meeting. A public hearing is requested followed by the City Council's consideration of the ordinance drafted to approve said request subject to conditions.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES
If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Jonathan Raiche

Date: 8/26/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.



2020-09-03 PZ-1-21 CC
Packet.pdf
Adobe Acrobat Document
9.59 MB



2020-09-03 PZ-1-21
Ordinance.doc
Microsoft Word 97 - 2003
Document
39.5 KB

File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.



Approve



Disapprove

Chief Administrative Officer's Comments:

BY:

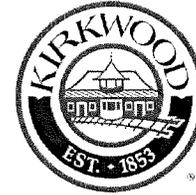


Date:

8-27-20

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN D. RAICHE, PLANNING & DEVELOPMENT SERVICES DIRECTOR
SUBJECT: PZ-1-21; 10505 BIG BEND BLVD – RIVERNORTH STRENGTH (SUP– PHYSICAL FITNESS FACILITY)
DATE: JULY 29, 2020
CC: BILL BENSING, PUBLIC SERVICES DIRECTOR



WHERE COMMUNITY AND SPIRIT MEET®

PROJECT DESCRIPTION:

The subject property was rezoned to B-1, Neighborhood Business District in 2017 and was also approved for a site plan to develop the property with the approximately 3,800 gsf multi-tenant building that exists today. The building was constructed in 2018 in compliance with the site plan approval. The owner is now requesting a Special Use Permit for a Physical Fitness Facility on behalf of a potential tenant, RiverNorth Strength. The tenant is proposed to occupy suites A and B for an approximately 1,100 sf tenant space. Suites C and D would be currently vacant.

DISCUSSION:

Zoning Matters signs will be posted on the property by July 31, 2020. The B-1 District has very few permitted uses, but does allow for various special uses to be requested. One of these uses is a physical fitness facility. Section A-1000: Parking Regulations of the Zoning Code requires that physical fitness facilities provide 1 space for every 5 customers at maximum occupancy plus 1 space for every 2 employees. The applicant's plans indicate that the maximum occupancy for the space is 12 individuals and that they would have a maximum of 2 employees. These numbers are under review by the City's Building Department and verification will be provided. If the numbers provided are accurate, this would require a minimum of 4 total parking spaces for this user. The subject site provides a total of 19 parking spaces.

RECOMMENDATION:

Staff recommends this petition be **approved** with the following conditions:

1. A Special Use Permit shall be granted to allow for the operation of a physical fitness facility in approximately 1,127sf of space in the building located at 10505 Big Bend Boulevard.
2. The physical fitness facility shall be required to comply with the City's parking requirements.

Attachments:

Planning & Zoning Application
Applicant Cover Letter
Floor Plan and Site Plan

CITY OF KIRKWOOD

APPLICATION FOR PLANNING AND ZONING COMMISSION ACTION

CASE NUMBER: PZ-1-21

DATE: 5/14/2020

PROJECT ADDRESS: 10505 Big Bend Blvd.

ZONING DISTRICT: B-1 LOT SIZE: _____

LOCATOR NUMBER: 24M211927

ACTION REQUESTED

- | | |
|---|---|
| <input type="checkbox"/> Zoning Change From _____ to _____ <input type="checkbox"/> Community Unit Plan, Type: _____ <input checked="" type="checkbox"/> Special Use Permit, Category: <u>Fitness Center</u> <input type="checkbox"/> Subdivision Development, Number of Lots: _____ <input type="checkbox"/> B4 Development Plan <input type="checkbox"/> B5 Development Plan | <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Right-of-Way/Easement Vacation <input type="checkbox"/> Other: _____ Comments: _____ _____ |
|---|---|

PETITIONER INFORMATION

I (We) hereby certify that I (we) have legal interest in the hereinabove described property and that all information given herein is true and a statement of fact

Name (Print): RiverNorth ~~LLC~~ ^{STRENGTH} LLC Signature: [Signature] Phone No.: (908) 246-8325

Mailing Address: 3 Parkland Ave City: St. Louis State: MO Zip: 63122

E-mail Address: Ryan.Lutach@rivernorthstrength.com

Petitioner's Status: Corporation Partnership Individual LLC

Relationship of Petitioner to Property: Owner Tenant Option Holder (Attach Copy of Contract) Other

AGENT INFORMATION

Agent's Name: Ron Hampp Signature: Ron Hampp Phone No.: 314-962-2211

Mailing Address: 1590 Ashby Road City: St. Louis State: MO Zip: 63031

E-mail Address: ron@iconcontractinginc.com

(NOTE: The petitioner's agent, if listed, shall receive the official notice of public hearing)

PROPERTY OWNERS

Signature required or submit proof petitioner has legal interest in property.

Name: Big Bend Filmore Name: _____

Signature: Ron OO Hampp manager Signature: _____

Address: 1590 Ashby Road Address: _____

City/State/Zip: St. Louis MO 63132 City/State/Zip: _____

Phone: (314) 962-2211 Phone: _____

FOR CITY USE ONLY

Date Received: 7-14-2020 Total Received: \$1,000 Agenda Date: _____

- B-4/B-5 Development Plan (Preliminary): \$1,000 + _____ Acres @ \$100/Acre or portion over one acre) = \$ _____
- CUP, Preliminary (Multi Family): \$1,000 + _____ Dwelling units @ \$20/Each = \$ _____
- CUP, Preliminary (Detached Single Family): \$1,000 + _____ Lots @ \$500/Lot = \$ _____
- Letter of Credit Extension: \$100
- Rezoning: \$1,000
- Site Plan Review: \$1,000
- Site Plan Review Amendment \$800 or Extension: \$300
- Site Plan Review, Mixed Use in B2 Zoning District (Preliminary): \$1,000 (includes SPR fee) + \$25/acre or portion over one acre
- Special Use Permit and Special Use Permit Amendments: \$1,000
- Subdivision, Preliminary (Detached Single Family): _____ Lots @ \$500/Lot = \$ _____
- Vacation, Easement: \$75
- Vacation, Right-of-way: \$100
- Zoning Code Amendment: \$1,000

Final Subdivision Plat/Community Unit Plan/B-4or B-5 Development Plan

Date Received: _____ Total Received: \$ _____ Agenda Date: _____

- B-4 and B-5 Development Plan (Final) or B4 Development Plan Amendment (when public hearing is not required): \$1,000
- B-5 Development Plan Amendment (when public hearing is not required): \$500
- CUP Amendment, Type A or Type C: Without public hearing \$500; With public hearing \$800
- CUP Type C (Final): \$500 + 1-1/4% of \$ _____ = \$ _____
- CUP Type A or C Time Extension on Final: \$300
- Sidewalk Waiver on _____ feet @ \$30/Foot = \$ _____ = \$ _____
- Site Plan Review, Mixed use in B2 Zoning District (Final): \$500
- Site Plan, Mixed use in B2 Zoning District Amendment: \$300
- Subdivision Plat or CUP Type A (Final): _____ Lots @ \$100/Lot = \$ _____ + 1-1/4% of \$ _____ = \$ _____
- Subdivision Plat Development Plan Amendment: \$200

Big Bend Filmore LLC

1590 Ashby Road St. Louis MO
314-962-2211

July 14, 2020

Jonathan Raiche
Planning & development Service Director
City of Kirkwood
139 South Kirkwood Road
Kirkwood MO 63122

Re: 10505 Big Bend Road Suite A

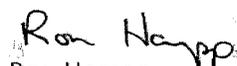
Mr. Raiche,
Big Bend Filmore is submitting a special use permit for a fitness center located at 10505 Big Bend Road Suite A Kirkwood MO 63122. Their business plan is to be a one-on-one personal trainer for their clients. Maximum of four clients at one given time.

The rentable space 1,127 square feet with one (1) office, two (2) ADA compliant restrooms, and one (1) utility room.

Currently there is only one employee, which is the owner, with a possibility of a second personal trainer.

Their hours of operation will be from 6:30 am to 9:30 pm. Peak times will be in the early morning and the evening hours.

If you have any questions, please do not hesitate to call me at 314-581-5200.


Ron Hampp
Manager

PROCEDURE FOR PUBLIC HEARING

Mayor: At this time the council will recess to conduct a public hearing regarding:

A request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard.

Mayor: Mr. Hessel, do you wish to enter any exhibits into the record?

Mayor: Mr. Hawes, who will present this issue to the City Council?

City Planner Jonathan Raiche

Mayor: Is there anyone from the public wishing to speak regarding this proposal?

Mayor: Hearing no further discussion, the council will take this matter under advisement and consider the hearing to be recessed.



AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Kathy Travis** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **August 18, 2020** edition and ending with the **August 18, 2020** edition, for a total of 1 publications:

08/18/2020

CITY OF KIRKWOOD NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF KIRKWOOD, MISSOURI

The Council of the City of Kirkwood will hold a public hearing via Zoom at the hour of 7:00 p.m., Thursday, September 3, 2020 to consider the following:

1. *A request for a Zoning Code Text Amendment and Site Plan Review for Commerce Bank at 300 North Kirkwood Road.*
2. *A request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard.*

Laurie Asche, CMC/MRCC
City Clerk

The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.
11909607 County August 18, 2020

Kathy Travis

Subscribed & sworn before me this 18th day of Aug, 2020

(SEAL)

Notary Public

| |
|--|
| CHANEL JONES |
| Notary Public - Notary Seal |
| State of Missouri |
| Commissioned for St Louis County |
| My Commission Expires: August 08, 2022 |
| Commission Number: 14397721 |

St. Louis County

Legal Ledger

AFFIDAVIT OF PUBLICATION

State of Missouri

ss

County of St. Louis

Before the undersigned, a Notary Public of Jackson County, Missouri, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

John Wingo

Publisher of the St. Louis County *Legal Ledger*, a daily newspaper of general circulation published in the County of St. Louis, Missouri, that he is authorized to make this affidavit and sworn statement; that the notice of

Notice of Hearing

a true copy of which is attached hereto, was published in the St. Louis County *Legal Ledger*, on the following dates:

August 18, 2020

in volume **12**

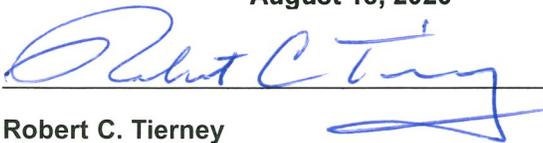
and numbered **321**

and that the said newspaper in which such notice, was published was, at the time of each and every such publication, a newspaper meeting the requirements and qualifications of Chapter 443, Revised Statutes of Missouri and Chapter 493 including Section 493.050



John Wingo

Sworn to and subscribed
before me this **August 18, 2020**



Robert C. Tierney
Notary Public—Jackson County, State of Missouri
My Commission expires January 9, 2021
Commission No. 13433605



CITY OF KIRKWOOD NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF KIRKWOOD, MISSOURI

The Council of the City of Kirkwood will hold a public hearing via Zoom at the hour of 7:00 p.m., Thursday, September 3, 2020 to consider the following:

- 1. A request for a Zoning Code Text Amendment and Site Plan Review for Commerce Bank at 300 North Kirkwood Road.**
- 2. A request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard.**

Laurie Asche, CMC/MRCC

City Clerk

The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.

Published August 18, 2020

PROPERTY OWNER
243 NEW YORK ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
10520 BIG BEND RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
10515 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
237 NEW YORK ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
307 ATTUCKS ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
1590 ASHBY RD
SAINT LOUIS, MO 63132

PROPERTY OWNER
229 NEW YORK ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
309 ATTUCKS ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
226 S MERAMEC AVE SUITE 100
SAINT LOUIS, MO 63105

PROPERTY OWNER
248 NEW YORK ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
10525 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
6638 PEPPERIDGE DR
SAINT LOUIS, MO 63134

PROPERTY OWNER
6 WHTEGATE LN
SAINT LOUIS, MO 63124

PROPERTY OWNER
12777 NANELL LN
SAINT LOUIS, MO 63127

PROPERTY OWNER
237 GORDON PL
SAINT LOUIS, MO 63122

PROPERTY OWNER
3243 HAWTHORNE BLVD
SAINT LOUIS, MO 63104

PROPERTY OWNER
701 WESTGATE AVE APT 805
SAINT LOUIS, MO 63130

PROPERTY OWNER
938 OHLMAN AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
242 ATTUCKS ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
10551 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
939 S FILLMORE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
10520 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
10450 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
938 S FILLMORE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
350 TOWER GROVE DR
SAINT LOUIS, MO 63121

PROPERTY OWNER
952 OHLMAN AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
10451 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
PO BOX 790830
SAN ANTONIO, TX 78279

PROPERTY OWNER
211 LARK HILL LN
BALLWIN, MO 63021

PROPERTY OWNER
257 GORDON PL
SAINT LOUIS, MO 63122

PROPERTY OWNER
10447 BIG BEND BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1347 SUMMIT DR
FENTON, MO 63026

PROPERTY OWNER
928 OHLMAN AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
516 S FILLMORE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
932 S FILLMORE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
1117 COLEBROOK DR
SAINT LOUIS, MO 63119

PROPERTY OWNER
1490 SCHOETTLER RD
CHESTERFIELD, MO 63017

PROPERTY OWNER
323 REARDON DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
245 GORDON PL
SAINT LOUIS, MO 63122

PROPERTY OWNER
318 REARDON DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
924 OHLMAN AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
926 S FILLMORE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
939 S FILLMORE AVE
SAINT LOUIS, MO 63122

BI
11
11

11
11

11

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN D. RAICHE, PLANNING & DEVELOPMENT SERVICES DIRECTOR
SUBJECT: PZ-1-21; 10505 BIG BEND BLVD – RIVERNORTH STRENGTH (SUP– PHYSICAL FITNESS FACILITY)
DATE: JULY 29, 2020
CC: BILL BENSING, PUBLIC SERVICES DIRECTOR



WHERE COMMUNITY AND SPIRIT MEET®

PROJECT DESCRIPTION:

The subject property was rezoned to B-1, Neighborhood Business District in 2017 and was also approved for a site plan to develop the property with the approximately 3,800 gsf multi-tenant building that exists today. The building was constructed in 2018 in compliance with the site plan approval. The owner is now requesting a Special Use Permit for a Physical Fitness Facility on behalf of a potential tenant, RiverNorth Strength. The tenant is proposed to occupy suites A and B for an approximately 1,100 sf tenant space. Suites C and D would be currently vacant.

DISCUSSION:

Zoning Matters signs will be posted on the property by July 31, 2020. The B-1 District has very few permitted uses, but does allow for various special uses to be requested. One of these uses is a physical fitness facility. Section A-1000: Parking Regulations of the Zoning Code requires that physical fitness facilities provide 1 space for every 5 customers at maximum occupancy plus 1 space for every 2 employees. The applicant's plans indicate that the maximum occupancy for the space is 12 individuals and that they would have a maximum of 2 employees. These numbers are under review by the City's Building Department and verification will be provided. If the numbers provided are accurate, this would require a minimum of 4 total parking spaces for this user. The subject site provides a total of 19 parking spaces.

RECOMMENDATION:

Staff recommends this petition be **approved** with the following conditions:

1. A Special Use Permit shall be granted to allow for the operation of a physical fitness facility in approximately 1,127sf of space in the building located at 10505 Big Bend Boulevard.
2. The physical fitness facility shall be required to comply with the City's parking requirements.

Attachments:

Planning & Zoning Application
Applicant Cover Letter
Floor Plan and Site Plan



WHERE COMMUNITY AND SPIRIT MEET

August 6, 2020

Russell B. Hawes
Chief Administrative Officer

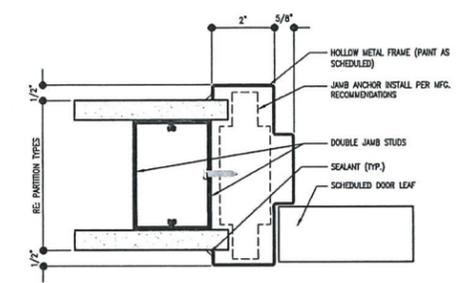
At the August 5, 2020, meeting of the Planning and Zoning Commission, the following action was taken:

1. The Commission recommended approval of a request for a Zoning Code Text Amendment, Site Plan Review, and two-lot commercial Subdivision for Commerce Bank at 300 North Kirkwood Road.
2. After a presentation for a request for a Special Use Permit for a Physical Fitness Facility known as RiverNorth Strength in Suites A and B at 10505 Big Bend Boulevard, the Commission recommended approval.

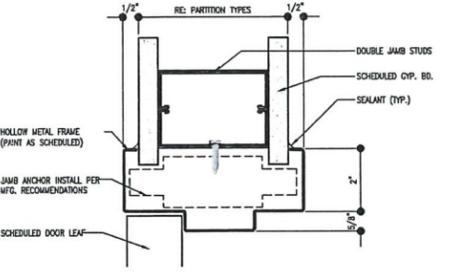
The next meeting will be held on August 19, 2020, at 7 p.m. via Zoom.

Respectfully submitted,

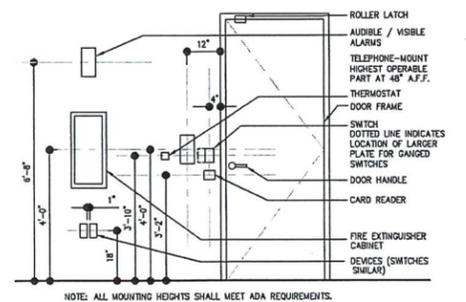
Jim Adkins, Chair
Planning and Zoning Commission



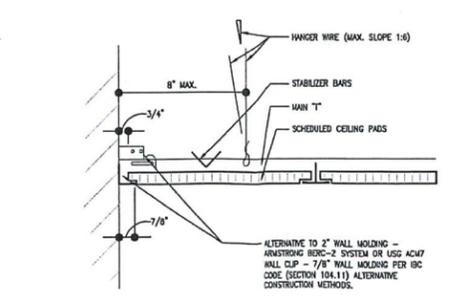
17 HOLLOW METAL DOOR JAMB
SCALE: 6"=1'-0"



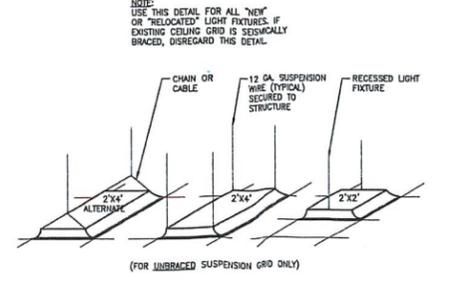
18 HOLLOW METAL DOOR HEAD
SCALE: 6"=1'-0"



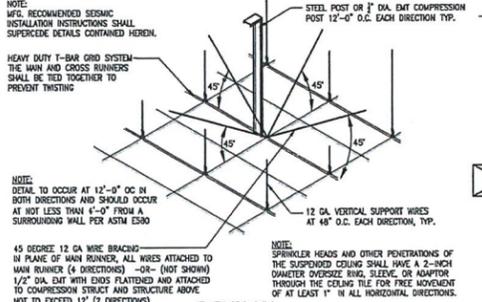
19 TYP. MOUNTING HEIGHTS
SCALE: NOT TO SCALE



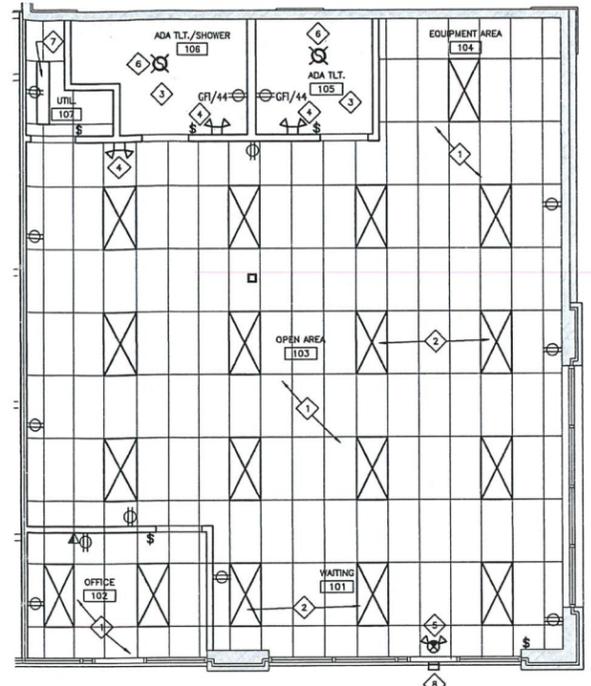
14 SEISMIC CEILING DETAIL-D
SCALE: 3"=1'-0"



15 SEISMIC LIGHT HANGERS
SCALE: 1 1/2"=1'-0"



9 SEISMIC BRACING DETAIL-D
SCALE: 1 1/2"=1'-0"



17 REFLECTED CEILING PLAN
SCALE: 1/4"=1'-0"

CEILING PLAN GENERAL NOTES:

- ALL LIGHTLY DRAWN AREAS INDICATE "NO WORK" OR "NOT IN CONTRACT" UNLESS OTHERWISE NOTED ON PLAN.
- REPAIR ALL CEILINGS TO MATCH EXISTING CEILINGS WHERE PARTITIONS HAVE BEEN DEMOLISHED AND EXISTING CEILING IS TO REMAIN.
- PROVIDE NEW BUILDING STANDARD 2 X 4 ACOUSTICAL CEILING TILE AND CEILING GRID AT 10'-6" A.F.F. UNLESS OTHERWISE NOTED ON PLAN.
- ALL LIGHTING IS NEW AND SHOWN FOR DESIGN INTENT ONLY.
- EXIT AND EGRESS LIGHTING IS NEW AND SHALL COMPLY WITH ALL BUILDING AND SAFETY CODES.
- ALL SWITCHES AND DIMMERS (WHERE OCCURS) AT SAME LOCATION SHALL MATCH IN SAME STYLE AND FINISH. DEVICE COLOR SHALL BE SELECTED BY DESIGNER. REFER TO TYPICAL DEVICE ELEVATION 19/A301.
- NO GANG PLATES SHALL BE USED UNLESS SPECIFICALLY NOTED ON CONTRACT DOCUMENTS. ALL RECEPTACLES/DEVICES THAT ARE GROUPED TOGETHER MUST BE ALIGNED WITH 1" EQUAL SPACING BETWEEN EACH PLATE, UNLESS OTHERWISE NOTED. REFER TO TYPICAL DEVICE ELEVATION 19/A301.
- ALL NEW DRYWALL CEILINGS AT 10'-6" A.F.F. UNLESS OTHERWISE NOTED ON PLAN.

POWER PLAN GENERAL NOTES:

- ALL LIGHTLY DRAWN AREAS INDICATE "NO WORK" OR "NOT IN CONTRACT" UNLESS OTHERWISE NOTED ON PLAN.
- REFER TO ELEVATIONS FOR DEVICE LOCATIONS AND HEIGHTS. VERIFY BEFORE INSTALLATION. TYPICAL. REFER TO DETAIL 19/A301.
- NO GANG PLATES SHALL BE USED UNLESS OTHERWISE NOTED ON CONTRACT DOCUMENTS. ALL RECEPTACLES/DEVICES THAT ARE GROUPED TOGETHER MUST BE ALIGNED WITH 1" EQUAL SPACING BETWEEN EACH PLATE, UNLESS OTHERWISE NOTED. REFER TO DETAIL 19/A301.
- PROVIDE AND INSTALL NEW DEVICES AND COVERPLATES TO MATCH BUILDING STANDARD FINISH AND/OR EXISTING. ALL COVERPLATES MUST MATCH IN COLOR AND STYLE. VERIFY WITH BUILDING CONSTRUCTION MANAGER.

CEILING PLAN KEYED NOTES:

- INSTALL BUILDING STANDARD CEILING GRID AND TILE AT 10'-6" A.F.F. AS SHOWN. SEE SEISMIC BRACING DETAILS THIS SHEET FOR ADDITIONAL INSTALLATION DETAILS.
- INSTALL NEW BUILDING STANDARD 2X4 LAY-IN LIGHT FIXTURES AS SHOWN. SWITCHING IS SHOWN FOR DESIGN INTENT ONLY. VERIFY WITH OWNER EXACT LOCATIONS.
- PROVIDE DRYWALL CEILING AT 10'-6" A.F.F.
- PROVIDE EMERGENCY LIGHTING WITH 90 MINUTE BATTERY BACKUP.
- PROVIDE COMBO EXIT SIGN/EMERGENCY LIGHTING WITH MIN. 90 MINUTE BATTERY BACKUP.
- PROVIDE COMBO LIGHT/EXHAUST FAN. VENT TO OUTSIDE.
- PROVIDE STRIP LIGHT FIXTURE.
- PROVIDE EXTERIOR EGRESS LIGHTING WITH 90 MINUTE BATTERY BACKUP. REUSE EXISTING IF POSSIBLE.

CEILING LEGEND

| NEW | EXISTING | NEW | EXISTING |
|-----|----------|-----|----------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

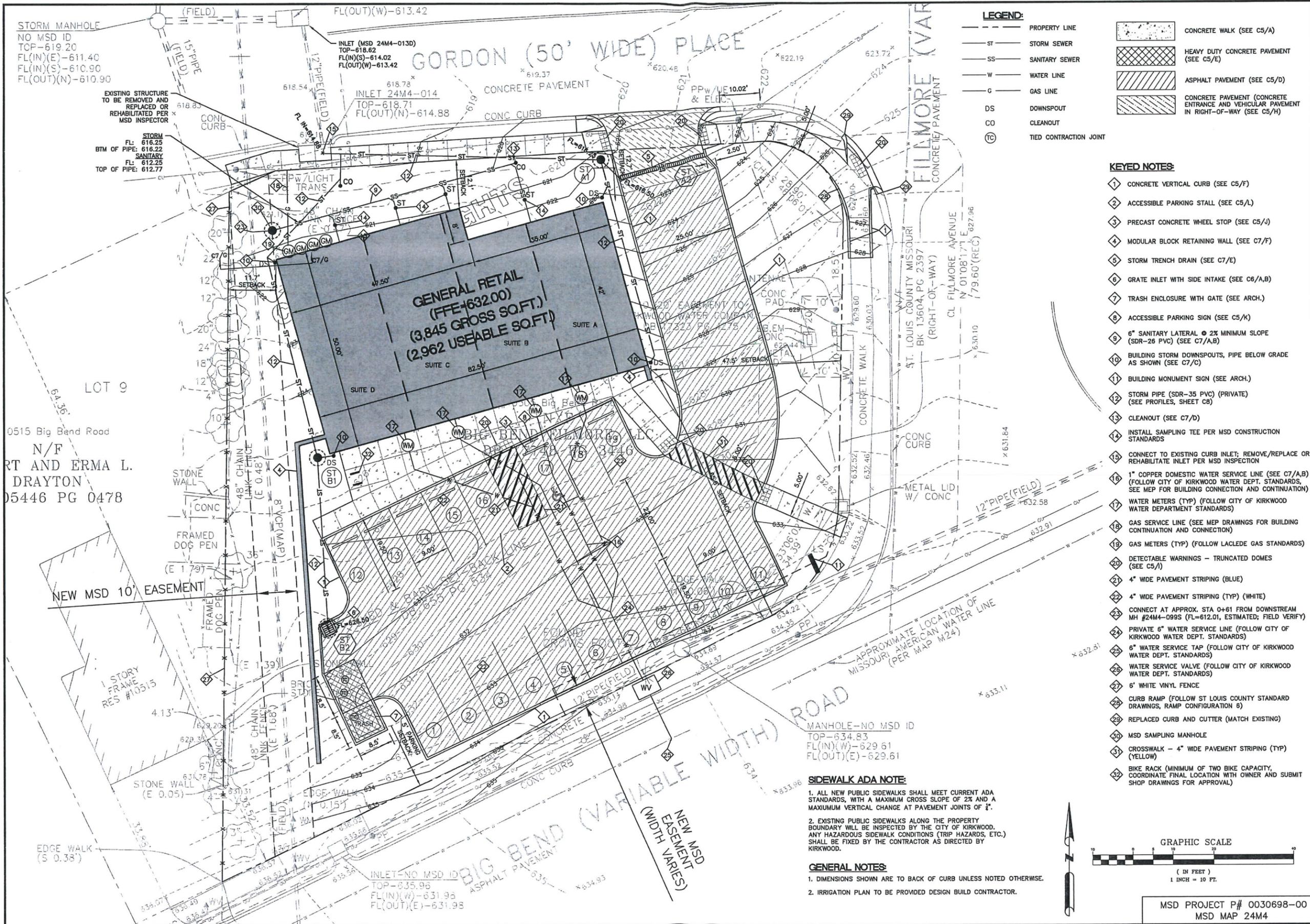
ELECTRICAL LEGEND

| NEW | EXISTING | NEW | EXISTING |
|-----|----------|-----|----------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |



Construction Documents for:
Rivernorth
10505 Big Bend Blvd., Kirkwood, (St. Louis Co.) MO 63122

DATE: PERMIT SET 06.10.2020
REVISIONS:
DRAWN BY:
PROJECT NO.: 2020-034
SHEET NUMBER:
A301



- LEGEND:**
- PROPERTY LINE
 - ST — STORM SEWER
 - SS — SANITARY SEWER
 - W — WATER LINE
 - G — GAS LINE
 - DS — DOWNSPOUT
 - CO — CLEANOUT
 - (TC) — TIED CONTRACTION JOINT

- CONCRETE WALK (SEE C5/A)
- HEAVY DUTY CONCRETE PAVEMENT (SEE C5/E)
- ASPHALT PAVEMENT (SEE C5/D)
- CONCRETE PAVEMENT (CONCRETE ENTRANCE AND VEHICULAR PAVEMENT IN RIGHT-OF-WAY) (SEE C5/H)

KEYED NOTES:

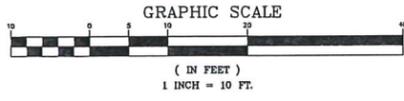
- 1 CONCRETE VERTICAL CURB (SEE C5/F)
- 2 ACCESSIBLE PARKING STALL (SEE C5/L)
- 3 PRECAST CONCRETE WHEEL STOP (SEE C5/J)
- 4 MODULAR BLOCK RETAINING WALL (SEE C7/F)
- 5 STORM TRENCH DRAIN (SEE C7/E)
- 6 GRATE INLET WITH SIDE INTAKE (SEE C6/A,B)
- 7 TRASH ENCLOSURE WITH GATE (SEE ARCH.)
- 8 ACCESSIBLE PARKING SIGN (SEE C5/K)
- 9 6" SANITARY LATERAL @ 2% MINIMUM SLOPE (SDR-26 PVC) (SEE C7/A,B)
- 10 BUILDING STORM DOWNSPOUTS, PIPE BELOW GRADE AS SHOWN (SEE C7/C)
- 11 BUILDING MONUMENT SIGN (SEE ARCH.)
- 12 STORM PIPE (SDR-35 PVC) (PRIVATE) (SEE PROFILES, SHEET C8)
- 13 CLEANOUT (SEE C7/D)
- 14 INSTALL SAMPLING TEE PER MSD CONSTRUCTION STANDARDS
- 15 CONNECT TO EXISTING CURB INLET; REMOVE/REPLACE OR REHABILITATE INLET PER MSD INSPECTION
- 16 1" COPPER DOMESTIC WATER SERVICE LINE (SEE C7/A,B) (FOLLOW CITY OF KIRKWOOD WATER DEPT. STANDARDS, SEE MEP FOR BUILDING CONNECTION AND CONTINUATION)
- 17 WATER METERS (TYP) (FOLLOW CITY OF KIRKWOOD WATER DEPARTMENT STANDARDS)
- 18 GAS SERVICE LINE (SEE MEP DRAWINGS FOR BUILDING CONTINUATION AND CONNECTION)
- 19 GAS METERS (TYP) (FOLLOW LACLEDE GAS STANDARDS)
- 20 DETECTABLE WARNINGS - TRUNCATED DOMES (SEE C5/I)
- 21 4" WIDE PAVEMENT STRIPING (BLUE)
- 22 4" WIDE PAVEMENT STRIPING (TYP) (WHITE)
- 23 CONNECT AT APPROX. STA 0+61 FROM DOWNSTREAM MH #24M4-099S (FL=612.01, ESTIMATED; FIELD VERIFY)
- 24 PRIVATE 6" WATER SERVICE LINE (FOLLOW CITY OF KIRKWOOD WATER DEPT. STANDARDS)
- 25 6" WATER SERVICE TAP (FOLLOW CITY OF KIRKWOOD WATER DEPT. STANDARDS)
- 26 WATER SERVICE VALVE (FOLLOW CITY OF KIRKWOOD WATER DEPT. STANDARDS)
- 27 6" WHITE VINYL FENCE
- 28 CURB RAMP (FOLLOW ST LOUIS COUNTY STANDARD DRAWINGS, RAMP CONFIGURATION 6)
- 29 REPLACED CURB AND CUTTER (MATCH EXISTING)
- 30 MSD SAMPLING MANHOLE
- 31 CROSSWALK - 4" WIDE PAVEMENT STRIPING (TYP) (YELLOW)
- 32 BIKE RACK (MINIMUM OF TWO BIKE CAPACITY, COORDINATE FINAL LOCATION WITH OWNER AND SUBMIT SHOP DRAWINGS FOR APPROVAL)

SIDEWALK ADA NOTE:

1. ALL NEW PUBLIC SIDEWALKS SHALL MEET CURRENT ADA STANDARDS, WITH A MAXIMUM CROSS SLOPE OF 2% AND A MAXIMUM VERTICAL CHANGE AT PAVEMENT JOINTS OF 1/4".
2. EXISTING PUBLIC SIDEWALKS ALONG THE PROPERTY BOUNDARY WILL BE INSPECTED BY THE CITY OF KIRKWOOD. ANY HAZARDOUS SIDEWALK CONDITIONS (TRIP HAZARDS, ETC.) SHALL BE FIXED BY THE CONTRACTOR AS DIRECTED BY KIRKWOOD.

GENERAL NOTES:

1. DIMENSIONS SHOWN ARE TO BACK OF CURB UNLESS NOTED OTHERWISE.
2. IRRIGATION PLAN TO BE PROVIDED DESIGN BUILD CONTRACTOR.



JOHN E. FALK,
PE-2003001031

SEAL DATE: 11-08-2017
DATE: 11/07/2017
PROJECT #: R1088
DESIGNED BY: JEF
DRAWN BY: SJA
CHECKED BY: DML

| REV. NO. | DATE | REMARKS |
|----------|------------|---------------------------------------|
| 1 | 11/08/2017 | ADDENDUM - CITY OF KIRKWOOD REVISIONS |

1532 South 7th Street
St. Louis, MO 63104
314.666.5070

CPI CIVIL DESIGN, INC.
Missouri State Certificate
No. 0000000004
or Authority #02000004

SITE PLAN

10505 BIG BEND BLVD.
BIG BEND BLVD. & S. FILMORE AVE.
KIRKWOOD, MISSOURI 63122

SHEET TITLE: C3.2

SHEET NO. C3.2

BILL 10849

ORDINANCE

AN ORDINANCE APPROVING THE FINAL SUBDIVISION PLAT OF A TWO-LOT COMMERCIAL SUBDIVISION KNOWN AS KIRKWOOD MIXED USE, A TRACT OF LAND BEING PART OF THE WEST ½ OF BLOCK 11 OF THE TOWN OF KIRKWOOD AS RECORDED IN PLAT BOOK 3, PAGE 57 IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, Clayton Financial Corporation (DBA Commerce Bank) made application (PZ-27-20) for a two-lot commercial subdivision upon a tract of land known as 300 North Kirkwood Road; and

WHEREAS, the Planning and Zoning Commission did on the 5th day of August, 2020, by adopting the Planning & Zoning Commission Subcommittee Report dated August 5, 2020 (attached hereto as Exhibit "A" and incorporated by reference herein), recommend approval of the preliminary and final subdivision plats.

WHEREAS, the City Council did on the 17th day of September, 2019, approve the preliminary subdivision plat by Resolution 103-2020.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, as follows:

SECTION 1. That the final subdivision plat on the property known as 300 North Kirkwood Road in the City of Kirkwood, St. Louis County, Missouri, is hereby approved.

SECTION 2. The approval of said subdivision plat is subject to the following conditions:

1. The subdivision shall be developed in accordance with the Final Subdivision Plat stamped "Received July 24, 2020 City of Kirkwood Public Services Department".

SECTION 3. The easements designated for public use on such plat are hereby accepted and dedicated for public use.

SECTION 4. The approval of this subdivision shall not authorize any person to increase or unreasonably alter or redirect the surface water run off so as to cause harm to any person or property.

SECTION 5. The premises and improvements as approved by this Ordinance shall be in good working order and maintained in good repair at all times.

SECTION 6. That the applicant by accepting and acting under the Subdivision approval herein granted accepts the subdivision approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this Ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances.

SECTION 7. The applicant and his successors and assigns by accepting and acting under the approval herein granted accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Services Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

SECTION 8. That the City Clerk is authorized to execute such plat on behalf of the City, and the Council does hereby authorize that such plat and a copy of this ordinance be recorded at the office of the Recorder of Deeds for St. Louis County, Missouri, at the expense of the applicant, within 90 days of the passage of this ordinance.

SECTION 9. Within ten days after recording, one printed copy, one PDF digital version, and one CAD or comparable digital version of the recorded plat shall be submitted to the Public Services Department.

SECTION 10. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ____ DAY OF _____, 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 9/17/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

Commerce Bank has applied to subdivide their property at 300 N. Kirkwood into 2 commercial lots. The southern lot (Lot 1) would be approximately 1.4 acres and the norther lot (Lot 2) would be approximately 0.7 acres. This request was submitted in conjunction with a request for site plan review and a zoning code text amendment; however, the subdivision request should be evaluated separately. This legislation request is for the final plat which is approved by ordinance and requires 2 readings. A separate legislation request for the preliminary subdivision plat will also be submitted for this same meeting.

More information on this request can be found in the attached P&Z subcommittee report.

Recommendations and Action Requested:

The P&Z Commission unanimously recommended approval of the request. First reading vote of the attached legislation is requested at the September 17, 2020 meeting of the City Council.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Jonathan Raiche

Date: 9/8/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.



2020-08-05 PZ-27-20
ReportAmended.pdf
Adobe Acrobat Document
773 KB



7.24.2020 FinalPlat.pdf
Adobe Acrobat Document
3.01 MB



2020-09-03 PZ-27-20 FinalPlat
Ord.doc
Microsoft Word 97 - 2003
Document
36.0 KB

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. (Must have Purchasing Director's approval).

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (Must have Finance Department's approval).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.



Approve



Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

9-10-20

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
August 5, 2020**

PETITION NUMBER: PZ-27-20

ACTION REQUESTED: SUBDIVISION (PRELIMINARY & FINAL), ZONING CODE TEXT AMENDMENT, AND SITE PLAN REVIEW

PROPERTY OWNER: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)

APPLICANT: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)

APPLICANT'S AGENT: CHRIS MROZEWSKI, V3 STUDIOS

PROPERTY LOCATION: 300 NORTH KIRKWOOD ROAD

ZONING: B-2, GENERAL BUSINESS DISTRICT (CENTRAL BUSINESS DISTRICT)

DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY V3 STUDIOS, STOCK & ASSOCIATES, AND COLE & ASSOCIATES STAMPED "RECEIVED JULY 24, 2020, CITY OF KIRKWOOD PUBLIC SERVICES DEPARTMENT"

DESCRIPTION OF PROJECT:

The applicant is requesting three separate actions for this project which will require three separate recommendations by the subcommittee. The first request is to subdivide the current site (approximately 2.18 acres) into two commercial lots: Lot 1 (1.44 acres) and Lot 2 (0.74 acres). No new public roadways or significant public infrastructure is proposed with the subdivision. The remaining two portions of this request both pertain to Lot 2 of the proposed subdivision.

The second request is for a text amendment in the B-2, General Business District regulations regarding street frontage occupation in Section A-510.8 (2). This provision of the code was adopted in December of 2018 in response to a recommendation from the City's Downtown Master Plan. Currently, the provision that applies to this site would require that 75% of the street frontage is occupied by building. The proposal complies with this requirement on Kirkwood Road, but does not comply along Washington Avenue. After discussion with Staff, the applicant chose to pursue a text amendment that would revise the current requirement to acknowledge a difference between streets that are identified as A-streets and those that are identified as B-streets in the Downtown Master Plan. The proposed revised language for Section A-510.8(2) is included below with the new text underlined:

"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown."

The third item for consideration is a Site Plan Review for an approximately 3,800 sf, 1-story retail bank building located along Kirkwood Road. The proposed plan includes a surface parking lot to the east of the proposed building, 3 advanced ATM lanes near the northeast corner of the property, 2 unrestricted access points from Washington Avenue, and a cross-access drive to Lot 1 to the south.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as being located in the Downtown land use category on the EnVision Kirkwood 2035 Future Land Use Map. Regional/Neighborhood Commercial is listed in this land use category as an appropriate development type.

The subject property is currently zoned B-2, General Business District (Central Business District) and financial institutions are a permitted use in this district.

Surrounding land uses and zoning include the following:

To the north: Across Washington Avenue, there are various commercial uses which are zoned B-2.

To the south: Across Adams Avenue, there is a church and various commercial uses which are zoned B-2.

To the east: Directly adjacent to the subject site are properties that are all zoned R-5, Multifamily Residential which are occupied by the local Kirkwood YMCA and a condominium development.

To the west: Across Kirkwood Road, there are various commercial uses which are zoned B-2.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: 1. Provide an electrical distribution plan.

Water: No Comments received.

Engineering/Planning: 1. MSD approval is required.
2. Street tree species on Washington Avenue may need to be revised to avoid conflicts with overhead utility lines as determined by the City Forester.
3. An additional canopy tree and evergreen tree are required in the landscape island near the proposed trash enclosure. Prior to City Council approval, a revised plan to address this shall be submitted.

Building/Fire: 1. ARB review is required.
2. The 2015 IBC must be followed.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is approximately 3,800 sf, 1 story, and approximately 22' tall which complies with the maximum building height of 40' in the B-2 District. The structure complies with all setback requirements and with the street frontage occupation requirement along Kirkwood Road. As previously mentioned, it does not comply with the street frontage occupation requirement on Washington Avenue which is the impetus for the requested text amendment.

The applicant is proposing new 6' wide sidewalks adjacent to an 8' wide tree-lawn to provide a benefit for pedestrian circulation. A private plaza is also included in the southwest corner of the project site which provides access to the building along with a private sidewalk along the eastern-side of the building. As reflected in the recommendation section of this report, the subcommittee prefers that a sidewalk be provided along the eastern property line to provide north/south pedestrian access through the site. This revision will likely necessitate the removal of the proposed trees in this area, but it is likely that shrubs and other low-lying landscaping may remain. The subcommittee is recommending a

modification to the required parking lot perimeter landscaping in this location in favor of the pedestrian access being provided.

Landscaping/Screening

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way along Kirkwood Road and on private property along Washington Avenue due to the presence of overhead utility lines. A condition has been added regarding the fact that tree species may need to be revised based upon recommendation of the City Forester to avoid conflict with the overhead utility lines along Washington Avenue. The applicant has also provided the required landscaping throughout the parking lot internally on the site with a couple minor exceptions which are anticipated to be addressed by the applicant prior to City Council approval. A condition has been added to the recommendation portion of this report which requires the addition of one canopy tree and one evergreen tree in the landscape island near the proposed dumpster enclosure. In addition to proposed landscaping, the applicant is proposing a 6' tall sight-proof vinyl fence along the eastern property line.

Site Access & Parking

The site is proposed to be accessed from two separate two-way drives from Washington Avenue on the eastern half of the site. Additionally there is a proposed cross-access drive along the eastern property line that will provide access between the subject property and Lot 1 to the south. There are 15 parking spaces required with 26 currently proposed. The site plan also provides the required minimum 60' queue length for each of the proposed ATM lanes.

DISCUSSION:

Zoning Matters signs were placed on the property on March 13, 2020. The request introduction was delayed due to COVID-19, but was ultimately introduced at the Planning & Zoning Commission meeting on July 15, 2020 held via Zoom. An online subcommittee meeting was subsequently held via Zoom on July 27th. A list of attendees of the subcommittee meeting can be seen in Exhibit B. The overall proposal was discussed at the subcommittee meeting with attention given to the following items:

- 1) The subcommittee expressed their preference that a sidewalk for public use be provided in the approximate 10' buffer area between the eastern property line and the proposed cross-access drive. The subcommittee agreed that the sidewalk would be preferred with low-lying landscaping in lieu of the larger trees proposed in the area currently.
- 2) It was confirmed that there was still excess parking with the revised site plan after removing parking spaces to accommodate the minimum 10' parking setback from the right-of-way along Washington Avenue.
- 3) A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area.
- 4) The Downtown Master Plan did recognize that B-streets should receive different treatment and attention which would allow more utilitarian and vehicular-focused activity. The current street frontage occupation requirement was drafted by Staff as a first attempt at codifying the recommendation from the consultant and is applied to all B-Districts and the I-1 District within the Downtown area. If approved, the applicant's request would apply to the following street frontages:
 - Washington Avenue from Clay Avenue to Kirkwood Road
 - Western half of Washington Avenue from Kirkwood Road to Taylor Avenue
 - Northeastern frontage of Woodbine Avenue from Clay Avenue to Kirkwood Road
 - Northern half of Fillmore Avenue from Monroe Avenue to Clinton Place

The applicant's request was believed to be in keeping with the intent of the plan and seen to have minimal impact due to the low number of properties that have frontage on a B-street in Phase 2 and are zoned either B-1, B-2, B-4, B-5 or I-1.

- 5) The subcommittee had no concerns about the proposed subdivision.

RECOMMENDATIONS:

The subcommittee recommends that the proposed 2-lot commercial subdivision as proposed in the plan packet stamped "Received July 24, 2020 City of Kirkwood Public Services Department" be approved with the following conditions:

1. Evidence of MSD approval shall be provided to the City prior to approval of the final plat by the City Council.
2. A subdivision plat approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds shall be filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

The Subcommittee recommends that the request to amend Section A-510.8(2) of the Zoning Code to remove the existing provision and replace with the following language be approved:

*"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown. *However, with respect to corner lots only, said minimum frontage occupation requirement shall not apply to Downtown Phase 2 B-Streets provided the required frontage occupation is met on the A-Street frontage of said corner lot, but in the event said corner lot fronts on two Phase 2 B-Streets, then said frontage occupancy requirement shall apply only to one such street frontage."*

The Subcommittee recommends that the Site Plan Review application be approved with the following conditions:

1. The project shall be constructed and maintained in accordance with the plans referenced in the Drawing Submitted portion of this report, except as noted herein.
2. A 6' high sight-proof fence shall be installed along the eastern property line and shall be constructed of material comparable to simtek composite fencing.
3. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and shall be replaced with a 6' wide exposed aggregate sidewalk.
4. The species of street frontage trees along Washington Avenue may need to be revised to avoid conflict with the existing overhead utility lines as advised by the City Forester.
5. Prior to City Council approval, a revised landscape plan shall be submitted which includes one additional canopy tree and one additional evergreen tree near the proposed trash enclosure.
6. Prior to City Council approval, a revised site plan, lighting plan, and landscape plan shall be submitted which includes a pedestrian sidewalk along the eastern property line. Said area shall include low-lying vegetation and trees as possible; however, it is recognized that the width of the buffer area may not accommodate trees alongside the desired sidewalk. Because of this, a modification to the parking lot landscaping requirements along the eastern property line is recommended to accommodate the sidewalk. Said revised lighting plan shall ensure that the proposed pedestrian sidewalk meets the regulations in Section A-1040.

7. A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area to provide access across the site and toward Adams Avenue.
8. A demolition permit for the existing building on Lot 1 shall be submitted prior to occupancy of the proposed building on Lot 2 and said existing building shall be demolished within 180 days of the date of the occupancy permit of the proposed building on Lot 2. Alternatively, the applicant shall provide documentation that the parking requirements for the proposed bank structure and the existing bank structure are fulfilled.
9. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

David Eagleton

Tom Feiner

Allen Klippel

EXHIBIT A
STANDARD CONDITIONS

1. A performance guarantee in the form of a cash deposit or letter of credit in an amount approved by the Public Services Department and an administrative fee (10% of the first \$10,000 and 2% of the remaining balance of the performance guarantee) shall be submitted within one year of approval and prior to the issuance of a foundation letter or building permit to insure the completion of the proposed improvements, utilities and landscaping; to replace public improvements damaged by construction activities (sidewalks, curbs, etc.); and to guarantee significant trees designated to be saved. The letter of credit shall be in effect for a minimum of two years and may be extended in minimum six-month intervals as approved by the Department of Public Services. The Letter of Credit shall be drawn from a St. Louis area bank.
2. Storm water management plans for the proposed site plan shall be submitted to Metropolitan Sewer District (MSD) and City for review and approval prior to the issuance of a grading, foundation or building permit. Storm water greater than one c.f.s. shall not be directed across the public sidewalk or driveway entrances.
3. Sanitary sewer plan shall be approved by MSD prior to the issuance of a foundation letter or building permit.
4. Parking lot entrances shall be 7" thick concrete and ADA compliant.
5. The water system shall meet the requirements of the Kirkwood Fire and Water Departments. The Fire Department shall approve the water flow for the project. If satisfactory water flow is not available from the existing water system in accordance with City policy, the applicant shall install the necessary mains and accessories.
6. If applicable, a grading permit shall be obtained from the Public Services Department in accordance with the Kirkwood Code of Ordinances prior to any grading on the site. The grading permit shall include a grading plan in accordance with the Code of Ordinances.
7. Erosion and sediment control devices shall be sufficient to protect all off-site property from siltation and shall be installed prior to beginning of any grading or construction. The siltation control measures shall be installed and approved by the Public Services Department prior to issuance of a building permit. These devices shall be maintained during the construction activities.
8. During excavation and construction activities, the area of the site that is disturbed for this project shall be fully enclosed by a 6-foot high chain link fence to prevent the entry of unauthorized persons. The gate for the fence shall be locked during non-working hours.
9. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time.
10. An accessible route in compliance with ADA standards shall be provided from the proposed accessible parking spaces to the accessible entrance of the building.
11. All rooftop equipment, air-conditioning units and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.

12. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.

EXHIBIT B
Subcommittee Meeting Attendees
July 27, 2020 (Via Zoom)

| | |
|-------------------|--|
| David Eagleton – | Subcommittee Member |
| Tom Feiner - | Subcommittee Member |
| Allen Klippel - | Subcommittee Member |
| Chris Mrozewski - | Applicant |
| George Stock - | Applicant |
| Josh Hellman - | Applicant |
| Denny Hoelzer - | Applicant |
| Joe Horvath - | Applicant |
| Maggie Duwe - | Councilmember |
| Donna Poe - | Downtown Kirkwood Executive Director |
| Jonathan Raiche - | Planning & Development Services Director |
| Chris Krueger - | City Engineer |

"KIRKWOOD MIXED USE"

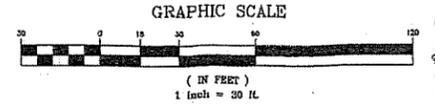
A SUBDIVISION OF TRACT OF LAND BEING PART OF THE WEST 1/2 OF BLOCK 11 OF THE TOWN OF KIRKWOOD AS RECORDED IN PLAT BOOK 3, PAGE 57, CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI

ST. LOUIS COUNTY BENCHMARK

BENCHMARK 18346
NAD83 Elev = 658.62 FUS
7.1" on the southeast corner of 3.5'x4.5' concrete base of flagpole north of the west entrance to Commerce Bank addressed as 300 North Kirkwood Road, roughly 37 feet east of the centerline of Kirkwood Road, 15 feet east of the east curb of Kirkwood Road, and 100 feet more or less north of the centerline of East Adams Avenue.

SITE BENCHMARK

ELEV. = 658.78
7.1" CUT ON CONC. PAD 18" S. FROM THE SOUTHERN LINE OF E. WASHINGTON AVE. AND 7.5' E. OF N. KIRKWOOD ROAD AS SHOWN HEREON.

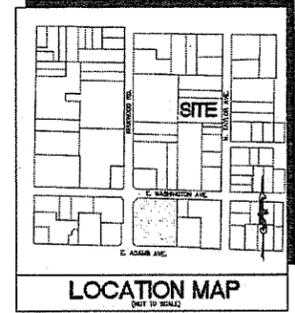


ABBREVIATIONS

- DB. = DEED BOOK
- FT. = FEET
- FND. = FOUND
- N/F = NOW OR FORMERLY
- P.B. = PLAT BOOK
- P.C. = PAGE
- R.B. = RADIAL BEARING
- R.C.C. = REINFORCED CONCRETE PIPE
- SQ. = SQUARE
- (86'W) = RIGHT-OF-WAY WIDTH

LEGEND

- ⊕ BENCH MARK
- ⊙ FOUND IRON ROD
- FOUND IRON PIPE
- △ RIGHT OF WAY MARKER
- SET IRON ROD



OWNER'S CERTIFICATION

We, the undersigned owners of the tracts of land herein platted, and further described in the foregoing Surveyor's Certification, have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereinafter be known as

"KIRKWOOD MIXED USE"

All taxes which are due and payable against this property have been paid in full.

Permanent and/or semi permanent monuments, as required, will be set at all lot corners within twelve (12) months after the recording of this subdivision adjustment plat, in accordance with 20 CSR 2030-16 of the Department of Insurance, Financial Institutions and Professional Registration. In addition, other survey monuments indicated on this subdivision plat, required by the Subdivision Ordinance of the City of Kirkwood, Missouri, will be set.

IN WITNESS THEREOF, I have hereunto set my hand this _____ day of _____, 2020.

By: _____
PRINT NAME: _____
PRINT TITLE: _____

State of Missouri)
St. Louis County) ss.

On this _____ day of _____ in the year 2020 before me, _____, a Notary Public in and for said state, personally appeared _____, the _____ of _____, known to me to be the person who executed the within Subdivision in behalf of said corporation and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Notary Public

My Commission Expires: _____

LENDER'S CERTIFICATION

The undersigned Owner and Holder of Note, as secured by Deeds of Trust recorded in Book _____ Page _____, of the St. Louis County Records, does hereby join in and approve the foregoing Subdivision Plat as shown hereon.

IN WITNESS WHEREOF, we have hereunto set out hand and affixed our corporate seal the _____ day of _____, 20____.

By: _____
Print Name: _____

STATE OF)
COUNTY OF) ss.

On this _____ day of _____, 20____, before me appeared _____, _____, personally known, who, being by me duly sworn, did say that he/she is the _____ of _____, known to me to be the person who executed the within instrument in behalf of said _____ and acknowledged to me that he/she executed same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

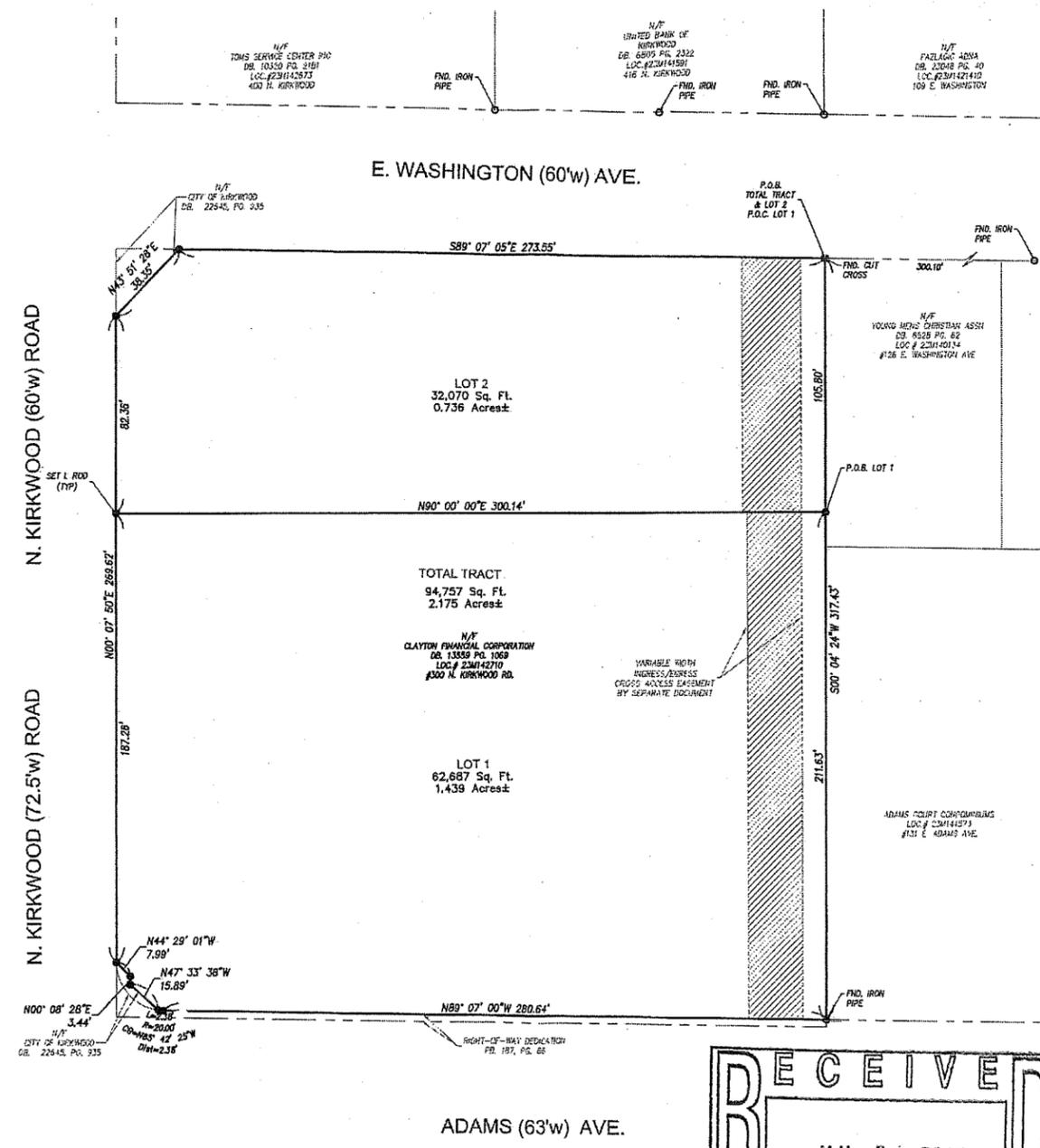
Notary Public

My commission expires: _____

GENERAL NOTES:

- 1) Subject property in Zoned B-2 Mixed Use by City Ord. # _____
- Note: The above zoning provided by the City of Kirkwood and to verify the client should obtain a zoning endorsement from their title company.
- 2) Subject property lies within Flood Zone X (areas of minimal flood hazard) according to the National Flood Insurance Rate Map Number 29189C0308K with an effective date of 02/04/2015.
- 3) Basis of Bearings DB. 10320 PG. 2161

PREPARED FOR:
COMMERCE BANK
8000 FORSYTH BLVD.
CLAYTON, MO 63105
C/O MR. DENNIS HOELZER



Lot 1

Part of a tract of land as conveyed to Clayton Financial Corporation by instrument recorded in Book 13559, Page 1069 of the St. Louis County Records, located in Block 11 of The Town (Now City) of Kirkwood, according to the plat thereof recorded in Plat Book 3, Page 57 of the St. Louis City, Missouri, (Formerly County) records being more particularly described as follows:

Commencing at a found cut cross, located at the northwest corner of a tract of land as conveyed to the Young Men's Christian Association by instrument recorded in Book 6528, Page 62 of the above said records, said point also being the northeast corner of above said Clayton Financial Corporation tract, thence along the common line thereof, South 00 degrees 04 minutes 24 seconds West, 105.80 feet to the POINT OF BEGINNING of the herein described Lot; thence continuing along the east line of said Clayton Financial Corporation tract, South 00 degrees 04 minutes 24 seconds West, 211.63 feet to a found iron pipe located at the southeast corner of said Clayton Financial Corporation tract, said point also being located on the north right-of-way line of Adams Avenue, 63 feet wide; thence along said right-of-way line the following courses and distances: North 89 degrees 07 minutes 00 seconds West, 280.64 feet to a point of curvature to the right having a radius of 20.00 feet, an arc length of 2.38 feet and a chord which bears North 65 degrees 42 minutes 25 seconds West, 2.38 feet; North 47 degrees 33 minutes 38 seconds West, 15.89 feet; North 00 degrees 08 minutes 28 seconds East, 3.44 feet and North 44 degrees 29 minutes 01 second West, 7.99 feet to the east right-of-way line of North Kirkwood Road, 72.5 feet wide; thence along said right-of-way line, North 00 degrees 07 minutes 50 seconds East, 187.25 feet; thence departing said right-of-way line, North 90 degrees 00 minutes 00 seconds East, 300.14 feet to the POINT OF BEGINNING.

Containing 62,686.55 square feet or 1.4391 acres, more or less.

Lot 2

Part of a tract of land as conveyed to Clayton Financial Corporation by instrument recorded in Book 13559, Page 1069 of the St. Louis County Records, located in Block 11 of The Town (Now City) of Kirkwood, according to the plat thereof recorded in Plat Book 3, Page 57 of the St. Louis City, Missouri, (Formerly County) records being more particularly described as follows:

Beginning at found cut cross, located at the northwest corner of a tract of land as conveyed to the Young Men's Christian Association by instrument recorded in Book 6528, Page 62 of the above said records, said point also being the northeast corner of above said Clayton Financial Corporation tract, said point being the POINT OF BEGINNING of the herein described Lot; thence along the common line thereof, South 00 degrees 04 minutes 24 seconds West, 105.80 feet; thence departing said common line, thence North 89 degrees 00 minutes 00 seconds West, 300.14 feet to the east right-of-way line of North Kirkwood Road, 60 feet wide; thence along said right-of-way line, North 00 degrees 07 minutes 50 seconds East, 82.36 feet; thence North 43 degrees 51 minutes 28 seconds East, 38.35 feet to the south right-of-way line of East Washington Avenue, 60 feet wide; thence along said right-of-way line, South 89 degrees 07 minutes 50 seconds East, 273.55 feet to the POINT OF BEGINNING.

Containing 32,070 square feet or 0.736 acres, more or less.

ORIGINAL PROPERTY DESCRIPTION

THE WEST 1/2 OF BLOCK 11 OF THE TOWN (NOW CITY) OF KIRKWOOD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 57 OF THE ST. LOUIS CITY, MISSOURI, (FORMERLY COUNTY) RECORDS;

EXCEPTING THEREFROM THAT PORTION TAKEN FOR WIDENING KIRKWOOD ROAD BY CAUSE NO. 103912 OF THE ST. LOUIS COUNTY CIRCUIT COURT, ALSO EXCEPTING THEREFROM THAT PART CONVEYED TO ST. LOUIS COUNTY, MISSOURI BY DEED RECORDED IN BOOK 7125, PAGE 231;

ALSO LESS AND EXCEPTING THAT PART CONVEYED TO THE CITY OF KIRKWOOD, ACCORDING TO INSTRUMENT RECORDED IN BOOK 22645, PAGE 935.

I, Laurin Asche, City Clerk for the City of Kirkwood, Missouri, do hereby certify that the above plat of "Kirkwood Mixed Use" was approved by the Planning and Zoning Commission on the _____ day of _____, 2020, and was approved by the City Council of the City of Kirkwood, Missouri, by Ordinance No. _____ on this _____ day of _____, 2020.

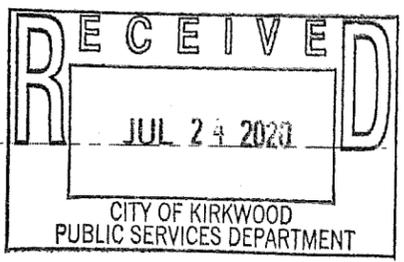
Laurin Asche, City Clerk
City of Kirkwood, Missouri

SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc., have, during the month of January 2020, by order of Commerce Bank, prepared a survey and Subdivision Plat of part of the West 1/2 of Block 11 of the Town of Kirkwood as recorded in Plat Book 3, Page 57, City of Kirkwood, St. Louis County, Missouri and the results of said survey and plat are shown hereon. We further certify that said survey meets or exceeds the current standards for Property Boundary Surveys for "Class Urban Property" as defined in Division 2030 Chapter 16, Missouri Standards for Property Boundary Surveys and adopted by The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
LC NO. 222-D

By: *Walter J. Pflug*
Walter J. Pflug, Missouri P.L.S. No. 2009-00728

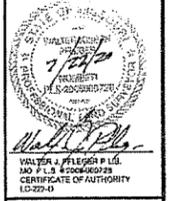


PREPARED BY:

STOCK & ASSOCIATES
Consulting Engineers, Inc.

PRELIMINARY/FINAL SUBDIVISION PLAT

PART OF BLOCK 11 OF THE TOWN OF KIRKWOOD
300 N. KIRKWOOD RD.
CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI



REVISIONS:

1. 3/11/2020 REVISED PER CITY COMMENTS
2. 3/30/2020 REVISED PER CITY COMMENTS

| DATE | BY | CHECKED BY |
|-------------|------------------|------------|
| 02/03/2020 | JOB NO. 219-6554 | |
| U.S.D. # | BASE MAP # | |
| PLAT BOOK # | BOOK | |
| SHEET # | HWT SURV. # | |
| | XX-XXX-XX | |
| W.D.R. # | | |
| MD-XXXXXX | | |

SHEET TITLE:
PRELIMINARY/FINAL SUBDIVISION PLAT

SHEET NO.:
1 OF 1

RESOLUTION 103-2020

A RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAT OF A TWO-LOT COMMERCIAL SUBDIVISION KNOWN AS KIRKWOOD MIXED USE, A TRACT OF LAND BEING PART OF THE WEST ½ OF BLOCK 11 OF THE TOWN OF KIRKWOOD AS RECORDED IN PLAT BOOK 3, PAGE 57 IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, Clayton Financial Corporation (DBA Commerce Bank) made application (PZ-27-20) for a two-lot commercial subdivision upon a tract of land known as 300 North Kirkwood Road; and

WHEREAS, the Planning and Zoning Commission did on the 5th day of August, 2020, by adopting the Planning & Zoning Commission Subcommittee Report dated August 5, 2020 (attached hereto as Exhibit "A" and incorporated by reference herein), recommend approval of the preliminary and final subdivision plats.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The preliminary subdivision plat on the property known as 300 North Kirkwood Road in the City of Kirkwood, St. Louis County, Missouri, is hereby approved.

SECTION 2. The approval of said preliminary subdivision plat is subject to the following conditions:

1. The final plat shall be consistent with the Preliminary Plat stamped "Received July 24, 2020 City of Kirkwood Public Services Department" except as noted herein.
2. A subdivision plat approved by the City and recorded in the St. Louis Country Office of the Recorder of Deeds shall be filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

SECTION 3. The approval of this preliminary subdivision plat shall not authorize any person to unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property. The applicant assumes all responsibility and liability for storm water run-off.

SECTION 4. The applicant is authorized to proceed with the preparation of the final development plans and final subdivision plat for this subdivision under the conditions of approval herein.

SECTION 5. This preliminary subdivision plat approval confers upon the applicant for a one-year period from the date of approval that the general terms and conditions under which the preliminary approval will not be changed.

SECTION 6. The applicant by accepting and acting under the preliminary subdivision approval herein granted accepts the approval subject to the reservations, restrictions, and

conditions set forth in the Code of Ordinances and in this Resolution and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this approval in the event such provisions are not complied with.

SECTION 7. The applicant further agrees by accepting and acting under this preliminary plat approval herein granted that this resolution does not grant applicant any special rights, privileges, or immunities.

SECTION 8. This Resolution shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 9/17/2020

Step #1:

Strategic Plan Select... Goal # & Title

Background To Issue:

Commerce Bank has applied to subdivide their property at 300 N. Kirkwood into 2 commercial lots. The southern lot (Lot 1) would be approximately 1.4 acres and the norther lot (Lot 2) would be approximately 0.7 acres. This request was submitted in conjunction with a request for site plan review and a zoning code text amendment; however, the subdivision request should be evaluated separately. This legislation request is for the preliminary plat which is approved by resolution. While the preliminary plat is required to show potential buildings on the property, it is intended to prove that the property can properly be developed as subdivided. The preliminary plat is the first step in allowing the property to subdivide, but does not bestow a legal right to put specific buildings on the properties. The actual development of the properties is regulated by the site plan review process.

A separate legislation request for the final subdivision plat will also be submitted for this same meeting. More information on this request can be found in the attached P&Z subcommittee report.

Recommendations and Action Requested:

The P&Z Commission unanimously recommended approval of the request. First reading vote of the attached legislation is requested at the September 17, 2020 meeting of the City Council.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Jonathan Raiche

Date: 9/8/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.


7.24.2020 PrelPlat.pdf
Adobe Acrobat Document
4.43 MB


2020-08-05 PZ-27-20
ReportAmended.pdf
Adobe Acrobat Document
773 KB


2020-09-03 PZ-27-20 PrelPlat
Resolution.docx
Microsoft Word Document
17.1 KB

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve

Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

9-10-20



CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
August 5, 2020

PETITION NUMBER: PZ-27-20
ACTION REQUESTED: SUBDIVISION (PRELIMINARY & FINAL), ZONING CODE TEXT AMENDMENT, AND SITE PLAN REVIEW
PROPERTY OWNER: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)
APPLICANT: CLAYTON FINANCIAL CORPORATION (COMMERCE BANK)
APPLICANT’S AGENT: CHRIS MROZEWSKI, V3 STUDIOS
PROPERTY LOCATION: 300 NORTH KIRKWOOD ROAD
ZONING: B-2, GENERAL BUSINESS DISTRICT (CENTRAL BUSINESS DISTRICT)
DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY V3 STUDIOS, STOCK & ASSOCIATES, AND COLE & ASSOCIATES STAMPED “RECEIVED JULY 24, 2020, CITY OF KIRKWOOD PUBLIC SERVICES DEPARTMENT”

DESCRIPTION OF PROJECT:

The applicant is requesting three separate actions for this project which will require three separate recommendations by the subcommittee. The first request is to subdivide the current site (approximately 2.18 acres) into two commercial lots: Lot 1 (1.44 acres) and Lot 2 (0.74 acres). No new public roadways or significant public infrastructure is proposed with the subdivision. The remaining two portions of this request both pertain to Lot 2 of the proposed subdivision.

The second request is for a text amendment in the B-2, General Business District regulations regarding street frontage occupation in Section A-510.8 (2). This provision of the code was adopted in December of 2018 in response to a recommendation from the City’s Downtown Master Plan. Currently, the provision that applies to this site would require that 75% of the street frontage is occupied by building. The proposal complies with this requirement on Kirkwood Road, but does not comply along Washington Avenue. After discussion with Staff, the applicant chose to pursue a text amendment that would revise the current requirement to acknowledge a difference between streets that are identified as A-streets and those that are identified as B-streets in the Downtown Master Plan. The proposed revised language for Section A-510.8(2) is included below with the new text underlined:

“When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown.”

The third item for consideration is a Site Plan Review for an approximately 3,800 sf, 1-story retail bank building located along Kirkwood Road. The proposed plan includes a surface parking lot to the east of the proposed building, 3 advanced ATM lanes near the northeast corner of the property, 2 unrestricted access points from Washington Avenue, and a cross-access drive to Lot 1 to the south.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as being located in the Downtown land use category on the EnVision Kirkwood 2035 Future Land Use Map. Regional/Neighborhood Commercial is listed in this land use category as an appropriate development type.

The subject property is currently zoned B-2, General Business District (Central Business District) and financial institutions are a permitted use in this district.

Surrounding land uses and zoning include the following:

To the north: Across Washington Avenue, there are various commercial uses which are zoned B-2.

To the south: Across Adams Avenue, there is a church and various commercial uses which are zoned B-2.

To the east: Directly adjacent to the subject site are properties that are all zoned R-5, Multifamily Residential which are occupied by the local Kirkwood YMCA and a condominium development.

To the west: Across Kirkwood Road, there are various commercial uses which are zoned B-2.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: 1. Provide an electrical distribution plan.

Water: No Comments received.

Engineering/Planning: 1. MSD approval is required.
2. Street tree species on Washington Avenue may need to be revised to avoid conflicts with overhead utility lines as determined by the City Forester.
3. An additional canopy tree and evergreen tree are required in the landscape island near the proposed trash enclosure. Prior to City Council approval, a revised plan to address this shall be submitted.

Building/Fire: 1. ARB review is required.
2. The 2015 IBC must be followed.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is approximately 3,800 sf, 1 story, and approximately 22' tall which complies with the maximum building height of 40' in the B-2 District. The structure complies with all setback requirements and with the street frontage occupation requirement along Kirkwood Road. As previously mentioned, it does not comply with the street frontage occupation requirement on Washington Avenue which is the impetus for the requested text amendment.

The applicant is proposing new 6' wide sidewalks adjacent to an 8' wide tree-lawn to provide a benefit for pedestrian circulation. A private plaza is also included in the southwest corner of the project site which provides access to the building along with a private sidewalk along the eastern-side of the building. As reflected in the recommendation section of this report, the subcommittee prefers that a sidewalk be provided along the eastern property line to provide north/south pedestrian access through the site. This revision will likely necessitate the removal of the proposed trees in this area, but it is likely that shrubs and other low-lying landscaping may remain. The subcommittee is recommending a

modification to the required parking lot perimeter landscaping in this location in favor of the pedestrian access being provided.

Landscaping/Screening

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way along Kirkwood Road and on private property along Washington Avenue due to the presence of overhead utility lines. A condition has been added regarding the fact that tree species may need to be revised based upon recommendation of the City Forester to avoid conflict with the overhead utility lines along Washington Avenue. The applicant has also provided the required landscaping throughout the parking lot internally on the site with a couple minor exceptions which are anticipated to be addressed by the applicant prior to City Council approval. A condition has been added to the recommendation portion of this report which requires the addition of one canopy tree and one evergreen tree in the landscape island near the proposed dumpster enclosure. In addition to proposed landscaping, the applicant is proposing a 6' tall sight-proof vinyl fence along the eastern property line.

Site Access & Parking

The site is proposed to be accessed from two separate two-way drives from Washington Avenue on the eastern half of the site. Additionally there is a proposed cross-access drive along the eastern property line that will provide access between the subject property and Lot 1 to the south. There are 15 parking spaces required with 26 currently proposed. The site plan also provides the required minimum 60' queue length for each of the proposed ATM lanes.

DISCUSSION:

Zoning Matters signs were placed on the property on March 13, 2020. The request introduction was delayed due to COVID-19, but was ultimately introduced at the Planning & Zoning Commission meeting on July 15, 2020 held via Zoom. An online subcommittee meeting was subsequently held via Zoom on July 27th. A list of attendees of the subcommittee meeting can be seen in Exhibit B. The overall proposal was discussed at the subcommittee meeting with attention given to the following items:

- 1) The subcommittee expressed their preference that a sidewalk for public use be provided in the approximate 10' buffer area between the eastern property line and the proposed cross-access drive. The subcommittee agreed that the sidewalk would be preferred with low-lying landscaping in lieu of the larger trees proposed in the area currently.
- 2) It was confirmed that there was still excess parking with the revised site plan after removing parking spaces to accommodate the minimum 10' parking setback from the right-of-way along Washington Avenue.
- 3) A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area.
- 4) The Downtown Master Plan did recognize that B-streets should receive different treatment and attention which would allow more utilitarian and vehicular-focused activity. The current street frontage occupation requirement was drafted by Staff as a first attempt at codifying the recommendation from the consultant and is applied to all B-Districts and the I-1 District within the Downtown area. If approved, the applicant's request would apply to the following street frontages:
 - Washington Avenue from Clay Avenue to Kirkwood Road
 - Western half of Washington Avenue from Kirkwood Road to Taylor Avenue
 - Northeastern frontage of Woodbine Avenue from Clay Avenue to Kirkwood Road
 - Northern half of Fillmore Avenue from Monroe Avenue to Clinton Place

The applicant's request was believed to be in keeping with the intent of the plan and seen to have minimal impact due to the low number of properties that have frontage on a B-street in Phase 2 and are zoned either B-1, B-2, B-4, B-5 or I-1.

- 5) The subcommittee had no concerns about the proposed subdivision.

RECOMMENDATIONS:

The subcommittee recommends that the proposed 2-lot commercial subdivision as proposed in the plan packet stamped "Received July 24, 2020 City of Kirkwood Public Services Department" be **approved** with the following conditions:

1. Evidence of MSD approval shall be provided to the City prior to approval of the final plat by the City Council.
2. A subdivision plat approved by the City and recorded in the St. Louis County Office of the Recorder of Deeds shall be filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

The Subcommittee recommends that the request to amend Section A-510.8(2) of the Zoning Code to remove the existing provision and replace with the following language be **approved**:

*"When located within the study area of the 2018 Downtown Master Plan and Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, a minimum frontage occupation requirement of 75% shall be provided. However, said requirement shall not apply to streets identified as B-streets in the Phase 2 portion of Downtown. *However, with respect to corner lots only, said minimum frontage occupation requirement shall not apply to Downtown Phase 2 B-Streets provided the required frontage occupation is met on the A-Street frontage of said corner lot, but in the event said corner lot fronts on two Phase 2 B-Streets, then said frontage occupancy requirement shall apply only to one such street frontage."*

The Subcommittee recommends that the Site Plan Review application be **approved** with the following conditions:

1. The project shall be constructed and maintained in accordance with the plans referenced in the Drawing Submitted portion of this report, except as noted herein.
2. A 6' high sight-proof fence shall be installed along the eastern property line and shall be constructed of material comparable to simtek composite fencing.
3. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and shall be replaced with a 6' wide exposed aggregate sidewalk.
4. The species of street frontage trees along Washington Avenue may need to be revised to avoid conflict with the existing overhead utility lines as advised by the City Forester.
5. Prior to City Council approval, a revised landscape plan shall be submitted which includes one additional canopy tree and one additional evergreen tree near the proposed trash enclosure.
6. Prior to City Council approval, a revised site plan, lighting plan, and landscape plan shall be submitted which includes a pedestrian sidewalk along the eastern property line. Said area shall include low-lying vegetation and trees as possible; however, it is recognized that the width of the buffer area may not accommodate trees alongside the desired sidewalk. Because of this, a modification to the parking lot landscaping requirements along the eastern property line is recommended to accommodate the sidewalk. Said revised lighting plan shall ensure that the proposed pedestrian sidewalk meets the regulations in Section A-1040.

7. A recorded cross-access easement for both vehicular and pedestrian access shall be required along the proposed eastern drive and the buffer area that will accommodate the requested sidewalk in this area to provide access across the site and toward Adams Avenue.
8. A demolition permit for the existing building on Lot 1 shall be submitted prior to occupancy of the proposed building on Lot 2 and said existing building shall be demolished within 180 days of the date of the occupancy permit of the proposed building on Lot 2. Alternatively, the applicant shall provide documentation that the parking requirements for the proposed bank structure and the existing bank structure are fulfilled.
9. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

David Eagleton

Tom Feiner

Allen Klippel

EXHIBIT A
STANDARD CONDITIONS

1. A performance guarantee in the form of a cash deposit or letter of credit in an amount approved by the Public Services Department and an administrative fee (10% of the first \$10,000 and 2% of the remaining balance of the performance guarantee) shall be submitted within one year of approval and prior to the issuance of a foundation letter or building permit to insure the completion of the proposed improvements, utilities and landscaping; to replace public improvements damaged by construction activities (sidewalks, curbs, etc.); and to guarantee significant trees designated to be saved. The letter of credit shall be in effect for a minimum of two years and may be extended in minimum six-month intervals as approved by the Department of Public Services. The Letter of Credit shall be drawn from a St. Louis area bank.
2. Storm water management plans for the proposed site plan shall be submitted to Metropolitan Sewer District (MSD) and City for review and approval prior to the issuance of a grading, foundation or building permit. Storm water greater than one c.f.s. shall not be directed across the public sidewalk or driveway entrances.
3. Sanitary sewer plan shall be approved by MSD prior to the issuance of a foundation letter or building permit.
4. Parking lot entrances shall be 7" thick concrete and ADA compliant.
5. The water system shall meet the requirements of the Kirkwood Fire and Water Departments. The Fire Department shall approve the water flow for the project. If satisfactory water flow is not available from the existing water system in accordance with City policy, the applicant shall install the necessary mains and accessories.
6. If applicable, a grading permit shall be obtained from the Public Services Department in accordance with the Kirkwood Code of Ordinances prior to any grading on the site. The grading permit shall include a grading plan in accordance with the Code of Ordinances.
7. Erosion and sediment control devices shall be sufficient to protect all off-site property from siltation and shall be installed prior to beginning of any grading or construction. The siltation control measures shall be installed and approved by the Public Services Department prior to issuance of a building permit. These devices shall be maintained during the construction activities.
8. During excavation and construction activities, the area of the site that is disturbed for this project shall be fully enclosed by a 6-foot high chain link fence to prevent the entry of unauthorized persons. The gate for the fence shall be locked during non-working hours.
9. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time.
10. An accessible route in compliance with ADA standards shall be provided from the proposed accessible parking spaces to the accessible entrance of the building.
11. All rooftop equipment, air-conditioning units and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.

12. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.

EXHIBIT B
Subcommittee Meeting Attendees
July 27, 2020 (Via Zoom)

| | |
|-------------------|--|
| David Eagleton – | Subcommittee Member |
| Tom Feiner - | Subcommittee Member |
| Allen Klippel - | Subcommittee Member |
| Chris Mrozewski - | Applicant |
| George Stock - | Applicant |
| Josh Hellman - | Applicant |
| Denny Hoelzer - | Applicant |
| Joe Horvath - | Applicant |
| Maggie Duwe - | Councilmember |
| Donna Poe - | Downtown Kirkwood Executive Director |
| Jonathan Raiche - | Planning & Development Services Director |
| Chris Krueger - | City Engineer |

CP

CP

CP

CP

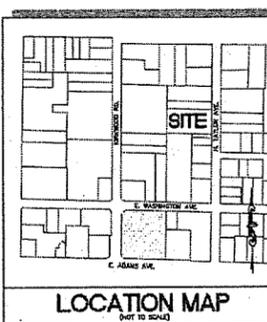
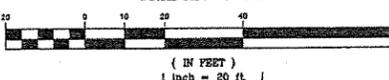
CP

PRELIMINARY PLAT OF KIRKWOOD MIXED USE

A TRACT OF LAND BEING PART OF THE WEST 1/2 OF BLOCK 11 OF THE TOWN OF KIRKWOOD AS RECORDED IN PLAT BOOK 3, PAGE 57, CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI

E. WASHINGTON (60'w) AVE.

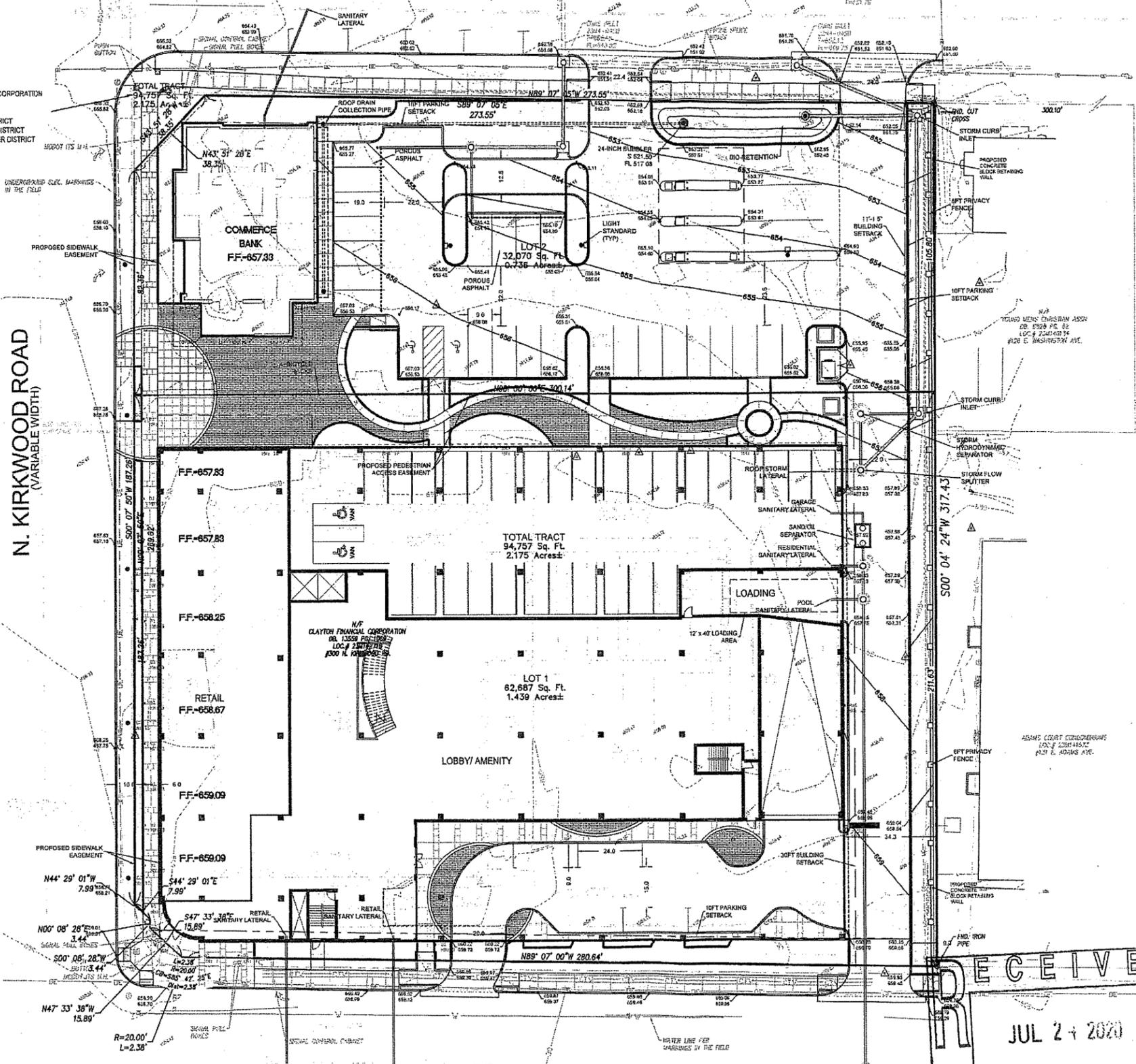
GRAPHIC SCALE



SITE INFORMATION:

- PERTINENT DATA:
 - SITE ACREAGE = 1.439 AC. (LOT 1)
 - OWNER = CLAYTON FINANCIAL CORPORATION
 - LOCATOR No. = 23M142710
 - EX. ZONING = "B2" MIXED USE
 - FIRE DISTRICT = KIRKWOOD FIRE DISTRICT
 - SCHOOL DISTRICT = KIRKWOOD SCHOOL DISTRICT
 - SEWER DISTRICT = METROPOLITAN SEWER DISTRICT
 - WATER SERVICE = KIRKWOOD WATER
 - GAS SERVICE = LACLEGE GAS CO
 - ELECTRIC SERVICE = KIRKWOOD
 - PHONE SERVICE = AT&T
 - STREET ADDRESS = 300 N KIRKWOOD RD
 - ZIP CODE = 63122
 - FIRM PANEL = 29189C008K
- PERTINENT DATA:
 - SITE ACREAGE = 0.735 AC. (LOT 2)
 - OWNER = CLAYTON FINANCIAL CORPORATION
 - LOCATOR No. = 23M142716
 - EX. ZONING = "B2" GENERAL USE
 - FIRE DISTRICT = KIRKWOOD FIRE DISTRICT
 - SCHOOL DISTRICT = KIRKWOOD SCHOOL DISTRICT
 - SEWER DISTRICT = METROPOLITAN SEWER DISTRICT
 - WATER SERVICE = KIRKWOOD WATER
 - GAS SERVICE = LACLEGE GAS CO
 - ELECTRIC SERVICE = KIRKWOOD
 - PHONE SERVICE = AT&T
 - STREET ADDRESS = 350 N KIRKWOOD RD
 - ZIP CODE = 63122
 - FIRM PANEL = 29189C008K

N. KIRKWOOD ROAD
(VARIABLE WIDTH)



ST. LOUIS COUNTY BENCHMARK
BENCHMARK# 18346
N10°25' 21"W = 538.89 FEET
"1" on the southeast corner of 3.5'x4.5' concrete base of flagpole north of the east entrance to Commerce Bank addressed as 600 North Kirkwood Road, roughly 37 feet east of the centerline of Kirkwood Road, 15 feet east of the east curb of Kirkwood Road, and 160 feet more or less north of the centerline of East Adams Avenue.

SITE BENCHMARK
ELEV. = 658.79
"1" OUT ON CORN. PAD 18" S. FROM THE SOUTHERN LINE OF E. WASHINGTON AVE AND 7.5' E. OF N. KIRKWOOD ROAD AS SHOWN HEREON.

PREPARED FOR:
COMMERCE BANK
8000 FORSYTH BLVD.
CLAYTON, MO 63105
C/O MR. DENNIS HOELZER

- NOTES:**
- EXISTING TOPOGRAPHY AND BOUNDARY BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
 - SUBJECT PROPERTY LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN AS INDICATED ON FLOOD MAPS 29189C008K, EFFECTIVE DATE OF AUGUST 2, 1995).
 - ALL EXISTING STRUCTURES AND PAVEMENTS THAT ARE TO BE REMOVED FROM THE SITE SHALL BE INDICATED ON CONSTRUCTION DOCUMENTS.
 - GRADING AND DRAINAGE PER CITY OF KIRKWOOD, ST. LOUIS CO. AND M.S.D. STANDARDS AND SPECIFICATIONS.
 - NO SLOPE SHALL EXCEED 3:1 FOR EARTH SLOPES. STEEPER SLOPES SHALL BE QUALIFIED BY A PROFESSIONAL GEOTECHNICAL ENGINEER.
 - TRASH ENCLOSURE SHALL BE CONSTRUCTED TO MATCH BUILDING MATERIAL.
 - CROSS ACCESS EASEMENT SHALL BE RECORDED WITH THE BOUNDARY ADJUSTMENT PLAT.
 - STORMWATER MANAGEMENT AND EROSION CONTROL SHALL BE PER CITY OF KIRKWOOD, ST. LOUIS COUNTY AND MSD REQUIREMENTS.
 - BASIS OF BEARINGS: DB. 10320 FG. 2161.

Lot 1
Part of a tract of land as conveyed to Clayton Financial Corporation by instrument recorded in Book 13559, Page 1069 of the St. Louis County Records, located in Block 11 of The Town (Now City) of Kirkwood, according to the plat thereof recorded in Plat Book 3, Page 57 of the St. Louis City, Missouri, (Formerly County) records being more particularly described as follows:

Commencing at a found cut cross, located at the northwest corner of a tract of land as conveyed to the Young Men's Christian Association by instrument recorded in Book 6528, Page 62 of the above said records, said point also being the northeast corner of above said Clayton Financial Corporation tract, thence along the common line thereof, South 00 degrees 04 minutes 24 seconds West, 105.80 feet to the POINT OF BEGINNING of the herein described Lot; thence continuing along the east line of said Clayton Financial Corporation tract, South 00 degrees 04 minutes 24 seconds West, 211.63 feet to a found iron pipe located at the southeast corner of said Clayton Financial Corporation tract, said point also being located on the north right-of-way line of Adams Avenue, 63 feet wide; thence along said right-of-way line the following courses and distances: North 89 degrees 07 minutes 00 seconds West, 280.64 feet to a point of curvature to the right having a radius of 20.00 feet, an arc length of 2.38 feet and a chord which bears North 85 degrees 42 minutes 25 seconds West, 2.38 feet; North 47 degrees 33 minutes 38 seconds West, 15.89 feet; North 00 degrees 08 minutes 28 seconds East, 3.44 feet and North 44 degrees 29 minutes 01 second West, 7.99 feet to the east right-of-way line of North Kirkwood Road, 72.5 feet wide; thence along said right-of-way line, North 00 degrees 07 minutes 50 seconds East, 187.26 feet; thence departing said right-of-way line, North 90 degrees 00 minutes 00 seconds East, 300.14 feet to the POINT OF BEGINNING.

Containing 62,686.65 square feet or 1.4391 acres, more or less.

Lot 2
Part of a tract of land as conveyed to Clayton Financial Corporation by instrument recorded in Book 13555, Page 1099 of the St. Louis County Records, located in Block 11 of The Town (Now City) of Kirkwood, according to the plat thereof recorded in Plat Book 3, Page 57 of the St. Louis City, Missouri, (Formerly County) records being more particularly described as follows:

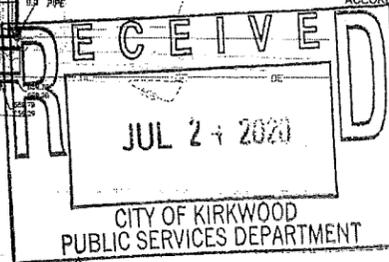
Beginning at found cut cross, located at the northwest corner of a tract of land as conveyed to the Young Men's Christian Association by instrument recorded in Book 6528, Page 62 of the above said records, said point also being the northeast corner of above said Clayton Financial Corporation tract, said point being the POINT OF BEGINNING of the herein described Lot, thence along the common line thereof, South 00 degrees 04 minutes 24 seconds West, 105.80 feet; thence departing said common line, thence North 90 degrees 00 minutes 00 seconds West, 300.14 feet to the east right-of-way line of North Kirkwood Road, 60 feet wide; thence along said right-of-way line, North 00 degrees 07 minutes 50 seconds East, 02.36 feet; thence North 43 degrees 51 minutes 28 seconds East, 38.35 feet to the south right-of-way line of East Washington Avenue, 60 feet wide; thence along said right-of-way line, South 89 degrees 07 minutes 5 seconds East, 273.05 feet to the POINT OF BEGINNING.

Containing 32,070 square feet or 0.735 acres, more or less

ORIGINAL PROPERTY DESCRIPTION
THE WEST 1/2 OF BLOCK 11 OF THE TOWN (NOW CITY) OF KIRKWOOD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 57 OF THE ST. LOUIS CITY, MISSOURI, (FORMERLY COUNTY) RECORDS;

EXCEPTING THEREFROM THAT PORTION TAKEN FOR WIDENING KIRKWOOD ROAD BY CAUSE NO. 105812 OF THE ST. LOUIS COUNTY CIRCUIT COURT, ALSO EXCEPTING THEREFROM THAT PART CONVEYED TO ST. LOUIS COUNTY, MISSOURI BY DEED RECORDED IN BOOK 7125, PAGE 231;

ALSO LESS AND EXCEPTING THAT PART CONVEYED TO THE CITY OF KIRKWOOD, ACCORDING TO INSTRUMENT RECORDED IN BOOK 22845, PAGE 935



Surveyors Certification
This is to certify to that all the record of Commerce Bank, Stock & Associates Consulting Engineers, Inc. has prepared this Preliminary Plat from an actual field survey and record information. This Preliminary Plat represents the existing and proposed subdivision.
STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
LC 228-D
By: *W. J. Pflieger*
Walter J. Pflieger, Missouri P.L.S. No. 2008-000728

PREPARED BY:
STOCK & ASSOCIATES
Consulting Engineers, Inc.
251 Chestnutfield Business Parkway
St. Louis, MO 63055 FAX (314) 500-9500
e-mail: gualter@stockandassociates.com
www: www.stockandassociates.com

PRELIMINARY PLAT
PART OF BLOCK 11 OF THE TOWN OF KIRKWOOD
300 N. KIRKWOOD RD.
CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI

7/22/20
W. J. Pflieger
WALTER J. PFLIEGER, P.L.S.
NO. P.L.S. # 2008-000728
CERTIFICATE OF AUTHORITY
LC-228-D

| REVISIONS: | |
|------------|-------------------------------------|
| NO. | DESCRIPTION |
| 1. | 7/22/2020 REVISED PER CITY COMMENTS |

| | |
|-----------------------|------------------------|
| DRAWN BY: J.K. | CHECKED BY: W.J.P. |
| DATE: 02/20/2020 | JOB NO: 219-6654 |
| M.S.D. P. # P-XXXX-XX | BASE MAP # XXX-XXX-XX |
| E.L.C. SHEET # XXXXX | WAT. SHEET # XX-XXX-XX |
| M.B.I.R. # MD-XXXXXX | |
| SHEET TITLES | |
| PRELIMINARY PLAT | |
| SHEET NO: 1 OF 1 | |

RESOLUTION 104-2020

A RESOLUTION ACCEPTING THE BID OF T. HILL CONSTRUCTION IN THE NOT TO EXCEED AMOUNT OF \$30,000 (WHICH INCLUDES A CONTINGENCY OF \$2,030) FOR A PUBLIC SIDEWALK RELEVELING PROGRAM AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, pursuant to law, the City obtained bids for a Public Sidewalk Releveling Program, and

WHEREAS, the most responsible bid received was that of T. Hill Construction in the not to exceed amount of \$30,000 (which includes a contingency of \$2,030) and which bid acceptance is approved by the Chief Administrative Officer and recommended by the Director of Procurement and the Director of Public Services, and

WHEREAS, funds are available in Account #301-1401-600.75.12, Project #PW2102.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The bid of T. Hill Construction in the not to exceed amount of \$30,000 (which includes a contingency of \$2,030) for a Public Sidewalk Releveling Program is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into a contract with T. Hill Construction in the not to exceed amount of \$30,000 (which includes a contingency of \$2,030) for a Public Sidewalk Releveling Program.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 9/19/2020

Step #1:

Strategic Plan YES Goal # & Title Goal 5. Invest for the future through public infrastructure. Object...

Background To Issue:

The Engineering Department contracts out repairs and addresses hazard sidewalks throughout the City. The standard practice has been to remove and repour with new concrete. This repair program will repair the sidewalk and address the sidewalk trip hazards in concrete slabs with no cracks by removing the slab, placing a leveling pad of rock, and setting the sidewalk slab to eliminate the trip hazard. There is no mudjacking involved in this repair. There is less disturbance, as no forms are set, no waiting for concrete to set up and the repaired area of sidewalk slab will no longer stand out as a new sidewalk. The engineering department setup a demo in Kirkwood in March 2020 that successfully releveled several pieces of sidewalk on Essex near Mendelssohn Drive. Per current prices to remove and repour sidewalk and the bid received, the price is \$1.96 more to relevel sidewalk. To address cracked or otherwise damaged slabs, the sidewalk replacement program will still be utilized. Bid Advertisements for construction of the Sidewalk Releveling Program were sent to contractors through the Purchasing Department. T Hill Construction submitted the low bid of \$27,970.

Recommendations and Action Requested:

The Engineering Department recommends approval of the contract due to the benefits listed above. Therefore, it is recommended the City Council accept the bid for construction services in the amount of \$27,970 submitted by T Hill Construction plus a contingency amount of \$2,030 for a not to exceed amount of \$30,000.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$30,000.00 Account #: 30114016007512 Project #: PW2102 Budgeted: YES

If YES, Budgeted Amount: \$30,000.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 8/14/2020

Authenticated: bensingwe

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing**

Director's approval).

Approve

Purchasing Director's Comments:

[Empty text box for Purchasing Director's Comments]

BY: David Weidler

Date: 9/9/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.



13662 Resolution Letter.pdf
Adobe Acrobat Document
53.6 KB

File Attachment

File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Budgetary Approval

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

Budget appropriation is available and sufficient for \$30,000 in account 301-1401-600-75-12, Sidewalks, Project PW2102, Sidewalk Improvement to approve the above request.

BY: Sandra Stephens

Date: 9/9/2020

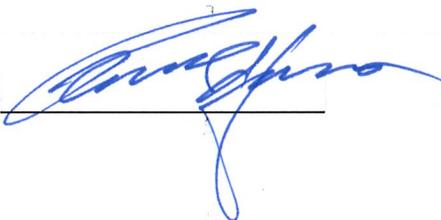
Authenticated: forgyjl

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

[Empty text box for Chief Administrative Officer's Comments]

BY: 

Date: 9-10-20

September 8, 2020

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: Public Sidewalk Releveling Program, Bid # 13662

Sealed bids were publicly opened on July 16, 2020. The bid tabulation is as follows:

| Vendor | 2000 SF Releveling | 200 SF Removal & Replacement |
|----------------------|--------------------|------------------------------|
| T. Hill Construction | \$11.50 / sq. ft. | \$24.85 / sq. ft. |

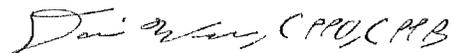
Bid requests were also sent to Holloran Contracting, Krupp Construction, Inc., L. Keeley Construction, Spencer Contracting Co., Stika Concrete Contracting Co., SBC Contracting, Inc., Sweetens Concrete Services, LLC and Trip Busters; however, they did not submit a bid.

The bids were provided to Chris Krueger, City Engineer, for evaluation. It is recommended that the bid be awarded to T. Hill Construction., as their bid for Public Sidewalk Releveling Program is the lowest responsible bid meeting specifications.

Funds are available in account number 301-1401-600.75-12, Project Number PW2102, in the amount of \$100,000.00.

Attached is a request from Chris Krueger, City Engineer, for a resolution authorizing a contract to be issued to T. Hill Construction for services totaling \$27,970.00, with a contingency of \$2,030.00, for a total not to exceed value of \$30,000.00 for Public Sidewalk Releveling Program.

Respectfully,



David Weidler, CPPO, CPPB
Director of Procurement

RESOLUTION 105-2020

A RESOLUTION ACCEPTING THE BID OF LAMKE TRENCHING AND EXCAVATING IN THE NOT TO EXCEED AMOUNT OF \$254,465 (WHICH INCLUDES A CONTINGENCY OF \$23,133) FOR MARSHALL ROAD HIGH PRESSURE REDUCTION AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, pursuant to law, the City obtained bids for Marshall Road High Pressure Reduction, and

WHEREAS, the most responsible bid received was that of Lamke Trenching and Excavating in the not to exceed amount of \$254,465 (which includes a contingency of \$23,133) and which bid acceptance is approved by the Chief Administrative Officer and recommended by the Director of Procurement and the Director of Public Services, and

WHEREAS, funds are available in Account #505-2215-481-75.15, Project #WA2102.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The bid of Lamke Trenching and Excavating in the not to exceed amount of \$254,465 (which includes a contingency of \$23,133) for Marshall Road High Pressure Reduction is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into a contract with Lamke Trenching and Excavating in the not to exceed amount of \$254,465 (which includes a contingency of \$23,133) for Marshall Road High Pressure Reduction.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 9/17/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

In the City's Water Distribution Master Plan there was an area identified having a high water pressure (150 psi) along Marshall Rd. and in the Green Tree Industrial Park. This high pressure, in the past, has contributed to numerous water main breaks and still contributes to water main breaks in the area. These breaks and the associated high pressure also adds to the City's water loss.

The City conducted a detailed study of the this area to determine a safe and effective corrective action to reduce the pressure. The results of this study was to construct a high pressure reducing valve and vault along Marshall Rd. Based on the study, designs, plans and specification were developed and bid proposals sought. The lowest responsible bid was received from Lamke Trenching & Excavating in the amount of \$231,332, with a 10% contingency total contract cost is \$254,465.

Recommendations and Action Requested:

It is recommended that the City Council accept Lamke's proposal in the amount of \$231,332 with a 10% construction contingency for a total contract cost of \$254,465, for the construction of a pressure reducing vault.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$254,465.00 Account #: 50522154817515 Project #: WA2102 Budgeted: YES

If YES, Budgeted Amount: \$1,000,000.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 8/31/2020

Authenticated: bensinwe

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 9/9/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.



13448 Resolution Letter.pdf
Adobe Acrobat Document
58.6 KB

File Attachment

File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Budgetary Approval

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

Budget appropriation is available and sufficient for \$254,465 in account 505-2215-481-75-15, Distribution System Improvement, Project WA2102, Water Main Replacement to approve the above request.

BY: Sandra Stephens

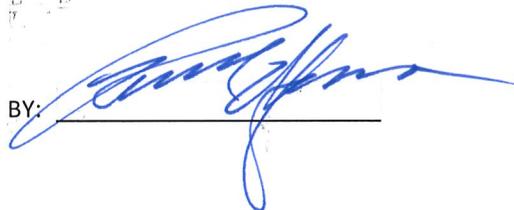
Date: 9/9/2020

Authenticated: forgyjl

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY: 

Date: 9-10-20

September 8, 2020

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: Marshall Road High Pressure Reduction, Bid #13448.

Sealed bids were publicly opened on July 23rd, 2020. The bid tabulation is below for your reference:

Vendor

| | |
|------------------------------|--------------|
| Lamke Trenching & Excavating | \$231,332.00 |
| Bi State Utilities | \$268,047.00 |
| TBG, Inc | \$289,300.00 |

Bid requests were also sent to Above and Below Contracting, ADB Utility Contractors, Bates Utility Company, Bommarito Construction, Enterprise Industrial Construction, Inc, Excel Utility Contractors, LLC, Fred M Luth and Sons, Inc, Gershenson Construction, HD Supply Waterworks LTD, K.J. Unnerstall, Kelp Contracting Inc, Schulte supply, Unnerstall Contracting, XL Contracting, Core & Main, and Drury Contracting.; however they did not submit bids.

The bids were provided to Bill Bensing, Public Services Director, for review. It is recommended that the bid be awarded to Lamke Trenching and Excavating, as their bid is the lowest responsive and responsible bid meeting specifications.

Funding is available in the amount of \$1,000,000 in account number 505-2215-481-75.15, Project Number WA2102.

Attached is a request from Bill Bensing, Public Services Director for a contract to be issued to Lamke Trenching and Excavating for Marshall Road High Pressure Reduction in the amount of \$231,332.00 with a contingency of \$23,133.00 for a total not to exceed value of \$254,465.00.

Respectfully,



David Weidler, CPPO, CPPB
Director of Procurement

RESOLUTION 106-2020

A RESOLUTION AMENDING THE CONTRACT WITH TWM BY INCREASING THE CONTRACT AMOUNT BY \$18,913.35 FOR A NOT TO EXCEED AMOUNT OF \$360,772.35 FOR TRANSPORTATION ENGINEERING SERVICES FOR MANCHESTER ROAD IMPROVEMENT PROJECT ADDITIONAL STREETSCAPE DESIGN AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT.

WHEREAS, the City of Kirkwood awarded Consulting Services for Manchester Road Improvement Project to TWM on May 4, 2017 through Resolution 67-2017, and

WHEREAS, the Director of Public Services recommends an amendment to the contract with TWM for Transportation Engineering Services for Manchester Road Improvement Project Additional Streetscape Design by increasing the contract amount by \$18,913.35 for a not to exceed amount of \$360,772.35, and

WHEREAS, the proposed services include; architectural and structural design costs for a Vertical Gateway Monument that will be located near the eastern City limits of Kirkwood along the north side of Manchester Road and would include the City logo, "Kirkwood", and the year established 1853, and

WHEREAS, funds are available in Account #301-1401-600.75.14, Project #PW2108.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The proposal of TWM by increasing the contract amount by \$18,913.35 for a not to exceed amount of \$360,772.35 for Transportation Engineering Services for Manchester Road Improvement Project Additional Streetscape Design is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into an amended contract with TWM by increasing the contract amount by \$18,913.35 for a not to exceed amount of \$360,772.35 for Transportation Engineering Services for Manchester Road Improvement Project Additional Streetscape Design.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 9/17/2020

Step #1:

Strategic Plan YES Goal # & Title Goal 5. Invest for the future through public infrastructure

Background To Issue:

The City of Kirkwood has entered into an agreement with TWM to provide additional enhancements to MoDOT's Manchester Road Phase 1 project. The proposed supplemental agreement to the original agreement covers architectural and structural design costs for a Vertical Gateway Monument that was not previously included in the original contract. The Vertical Gateway Monument would be located near the eastern City Limits of Kirkwood along the north side of Manchester Road. The Monument would have the City logo, "Kirkwood", and the year Established - 1853 on it. The Monument would be bid and constructed along with the Manchester Road Phase 1 project.

Recommendations and Action Requested:

The Engineering Department recommends approval of the Supplemental Agreement to the Engineering Services Contract with TWM in an amount not to exceed \$18,913.35.

Alternatives Available:

Project:

Does this project have a public information component? Yes No

Cost: \$18,913.35 Account #: 30114016007514 Project #: PW2108 Budgeted: YES

If YES, Budgeted Amount: \$18,913.35 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Christopher Krueger

Date: 9/8/2020

Authenticated: kruegeca

You can attach up to 3 files along with this request.



2020-08-
 19_Manchester_Road_Improvement_Project_DRAFT-
 CA#3_Vertical_Gateway_Monument_Design.pdf
 Adobe Acrobat Document
 1.91 MB

File Attachment

File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

TWM was awarded the agreement for Consulting Services for Manchester Road Improvement Project which was executed on June 27, 2017. The Engineering Department is requesting a contract amendment in the amount of not to exceed \$18,913.35 be added to Contract 12138 increasing the value from not to exceed \$341,859 to not to exceed \$360,772.35.

BY: David Weidler

Date: 9/9/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

File Attachment

File Attachment

File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Budgetary Approval

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

Budget appropriation is available and sufficient for \$18,914 in account 301-1401-600-75-14, Streets, Project PW2108, Manchester-Eng to approve the above request.

BY: Sandra Stephens

Date: 9/9/2020

Authenticated: forgyjl

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

[Empty rectangular box for Chief Administrative Officer's Comments]

BY:



A handwritten signature in blue ink, appearing to read "Paul H. ...", written over a horizontal line.

Date:

9-10-20



DRAFT

Manchester Road Improvement Project – Kirkwood – 160917
Contract Amendment #3 – Additional Streetscape Design

SCOPE OF SERVICES FOR TRANSPORTATION ENGINEERING SERVICES MANCHESTER ROAD IMPROVEMENT PROJECT – ADDITIONAL STREETScape DESIGN

Thouvenot, Wade, and Moerchen, Inc. (CONSULTANT) and the City of Kirkwood (CITY/CLIENT) entered into a professional services contract executed on June 27, 2017, including additional supplemental agreements that followed. This included professional services for the preparation of conceptual, preliminary, right of way, and final plans for the Manchester Road Improvement Project in, St. Louis County, from the eastern city limit of Kirkwood to Kirkwood Road (US-61-67). This project is also designated as MoDOT Job No. J6S1718B. The following Contract Amendment No. 3's Scope of Services describes the tasks to be completed to perform additional streetscaping and structural design work for a Vertical Gateway Monument that was not previously included in the project contract documents.

GENERAL PROJECT SCOPE

The City of Kirkwood, MO, wishes to develop a suite of civic improvements to and around Manchester Road, Route 100, from Kenmore Drive on the east to North Kirkwood Road on the west. These improvements are geared toward enhancing the safety, health and welfare of the City and its residents. The scope of services for the improvements will remain the same as the original contract and subsequent Contract Amendments, with the exception of the following additional scope items identified below.

ADDITIONAL SCOPE OF CONSULTANT SERVICES

The City of Kirkwood desires to construct a Vertical Gateway Monument near the eastern City Limits of Kirkwood along the north side of Manchester Road. Although streetscaping elements were included in this project, architectural and structural design elements, and project coordination for such a monument were not included in the original contract. This Contract Amendment will provide for this work to be included within the project.

I. PROJECT MANAGEMENT

Project Management Services for this project will be the same as the original contract, with the following exceptions:

- a. *Project Coordination.* The CONSULTANT will coordinate the added design elements for the Vertical Gateway Monument with the CITY as well as internally with the consultant design team and its streetscaping subconsultant.
- b. *Quality Control Review* of the newly designed architectural and structural design features will be performed.

V. FINAL DESIGN PHASE

Final Design Services for this project will be the same as the original contract, with the following exceptions:

The Final Design Phase shall include final design of the project as approved in the Right of Way Plans. The CONSULTANT will undertake the following additional tasks in the final development of the plans:

- a. Coordinate design of the Vertical Gateway Monument Streetscape Elements on Manchester Road and incorporate the design into the MoDOT Final Plan Set.
- b. **Vertical Gateway Design:** Produce final design plans for the vertical gateway element near the eastern Kirkwood City Limits on the north side of Manchester Road near Sturgis Drive. Plans, Specifications, and Estimates (PS&E) will be produced for this task.
 - i. **Final Design Plans:** Produce final design plans for the Manchester Road Streetscape, between Kirkwood Road and Woodlawn Avenue intersections. Plans, Specifications and Estimates (PS&E) will be produced for this task.
 - a. Produce final design plans based on comments received from the Client and the City of Kirkwood. A complete set of final design plans for the monument will be produced including Architectural plans for the monument and Structural plans for the footing, specifications and estimates. The final design plans will be produced in AutoCAD (Architectural Design) and MicroStation (Roadway and Structural Elements) files, with the final deliverables in PDF file format. The final design plans will include the following:
 - Vertical Gateway Monument Elevation and Dimension Plans (2 Sheets)
 - Footing Design Plan Sheet (1 Sheet)
 - Structural Details Sheet (1 Sheet)



DRAFT

**Manchester Road Improvement Project – Kirkwood – 160917
Contract Amendment #3 – Additional Streetscape Design**

- b. Specifications: Develop technical specifications of the landscape architecture and urban design elements in an outline format.
- c. Cost Estimates: Produce cost estimates of the landscape architecture and urban design elements.
- d. Quality Control: Conduct a quality control review of the preliminary design plans, specifications and estimates.

VI. BIDDING PHASE

Bidding Services for this project will be the same as the original contract.

VII. EXCLUSIONS TO THIS PROPOSAL

Exclusions to this proposal will be the same as the original contract.

VIII. SCHEDULE

The schedule listed below identifies approximate project milestone dates that by mutual agreement may be adjusted to address changes in review cycles or other issues.

| | |
|--|-------------------|
| City Draft Final PS&E Plan Review Complete | October 5, 2020 |
| Final PS&E Submittal | November 2, 2020 |
| Completion of Contract | December 31, 2021 |

IX. FEE TO COMPLETE SCOPE OF SERVICES

Our services will be provided in accordance with the following:

We will provide the services outlined above at our **Hourly Rates**, as listed in **Exhibit A - Schedule of Fees**, not to exceed:

TWM Total Labor, Overhead & Fixed Fee = **\$9,968.00**

TWM Reimbursable Costs = **\$33.35**

Subcontractors:

Arcturis (Landscape Architect - Streetscape) = **\$8,912.00**

Approximate Additional Fee per Phase:

Final Design Phase = \$18,913.35

Total for Contract Amendment #3 = \$18,913.35

For details of fee, see **Exhibit A – Manhour Breakdown**.

DRAFT

EXHIBIT A - KIRKWOOD, MO. - MANCHESTER ROAD IMPROVEMENTS
MAN-HOUR ESTIMATE BREAKDOWN - CONTRACT AMENDMENT #3

| I. PROJECT MANAGEMENT | <u>Rate</u> | <u>Hours</u> | <u>Cost</u> |
|--|---|-----------------|--------------------|
| Principal, QA/QC | \$165.00 | 2 | \$330.00 |
| Project Manager | \$145.00 | 6 | \$870.00 |
| Project Engineer | \$133.00 | 2 | \$266.00 |
| Structural Engineer | \$128.00 | 2 | \$256.00 |
| II. FINAL DESIGN PHASE | | | |
| Project Manager | \$145.00 | 4 | \$580.00 |
| Project Engineer | \$133.00 | 8 | \$1,064.00 |
| Structural Engineer | \$128.00 | 50 | \$6,400.00 |
| TWM Total Labor, Overhead & Fixed Fee | | 76 | hrs |
| | | | \$9,968.00 |
| <i>Other Direct Costs</i> | Mileage: 58 miles | Rate = \$ 0.575 | \$33.35 |
| | Subconsultant: <u>*Arcturis (Landscape Architect - Streetscape)</u> | | \$8,912.00 |
| | Printing, Postage, and Copies: | | \$0.00 |
| Direct Cost and Subconsultant Subtotal | | | \$8,945.35 |
| TOTAL FOR DESIGN PHASE FOR THOUVENOT, WADE & MOERCHEN, INC. | | | \$18,913.35 |

DRAFT

Engineering Estimate of Staff Time Contract Amendment #3



Local Agency:
Section:
Project:
TWM Project No. :

Kirkwood, MO
N/A
Route 100 - Kirkwood Section, Manchester Road Improvements
T43-160917

TWM Staff Time Estimate

| Basic Scope of Engineering Services | Hours by Classification | | | | | | Total Hours |
|---|-------------------------|------------------|-----------------|------------------|----------------|---------------------|-------------------|
| | Estimated Sheet Count | Principal, QA/QC | Project Manager | Project Engineer | Staff Engineer | Structural Engineer | |
| I. PROJECT MANAGEMENT | | 2 | 6 | 2 | 0 | 2 | 12 |
| A. Client Coordination | | | 2 | | | | |
| B. Internal Team Meetings/Coordination with subconsultant | | | 4 | 2 | | 2 | |
| C. Quality Control Plan | | 2 | | | | | |
| Phase Sub-Total = | | \$330.00 | \$870.00 | \$266.00 | \$0.00 | \$256.00 | \$1,722.00 |
| II. FINAL DESIGN PHASE | | 2 | 0 | 4 | 8 | 2 | 50 |
| A. Roadway Elements for Vertical Gateway Element | | | 4 | 8 | 2 | | |
| B. Structural Elements (Footings and Connection Details) for Vertical Gateway Element | | 2 | | | | 50 | |
| Phase Sub-Total = | | \$0.00 | \$580.00 | \$1,064.00 | \$202.00 | \$6,400.00 | \$8,246.00 |
| Total Hours | | 2 | 10 | 10 | 2 | 52 | 76.0 |
| Hourly Rate (See Schedule of Fees) | | \$165.00 | \$145.00 | \$133.00 | \$101.00 | \$128.00 | |
| Total Classification Cost | | \$330.00 | \$1,450.00 | \$1,330.00 | \$202.00 | \$6,656.00 | \$9,968.00 |
| TOTAL PROJECT ENGINEERING FEE BUDGET | | | | | | | \$9,968.00 |
| Log: Atp | | | | | | | |
| Sec: AB | | | | | | | |

Pre: [unclear]
TWM: [unclear]

I. PROJ
A. Client
B. Intern
C. Qu

II. F
A.
B.

I. PROJ
A. Client
B. Intern
C. Qu

II. F
A.
B.

DRAFT

Kirkwood Streetscape - Gateway Monument
 Fee Estimate

ARCTURIS
Architecture • Planning • Landscape Architecture

Date: 12/11/2019

| Arcturis Task Description | Principal | Project Manager | Project Landscape Architect | Landscape Architect | Total Hours |
|--|-----------|-----------------|-----------------------------|---------------------|-------------------|
| Gateway Monument Design | | | | | |
| 1.1: Coordination of Base Plans | 0.00 | 0.00 | 6.00 | 0.00 | 6.00 |
| 1.2: Concept Development | 0.00 | 4.00 | 30.00 | 0.00 | 34.00 |
| 1.3: Exhibit Production | 0.00 | 4.00 | 18.00 | 0.00 | 22.00 |
| 1.4: Civic Stakeholder Meeting | 0.00 | 6.00 | 8.00 | 0.00 | 14.00 |
| | | | | | 76.00 |
| Total Man Hours | 0.00 | 14.00 | 62.00 | 0.00 | 76.00 |
| Hourly Billing Rate | \$180.00 | \$145.00 | \$95.00 | \$95.00 | |
| Totals | | | | | |
| Sub-Total Costs | \$0.00 | \$2,030.00 | \$5,890.00 | \$0.00 | \$7,920.00 |
| Expenses (travel, plots, etc.) are reimbursable | | | | | \$200.00 |
| Contingency 10% | | | | | \$792.00 |
| Total Arcturis Design Fee | | | | | \$8,912.00 |

RESOLUTION 67-2017

A RESOLUTION ACCEPTING THE PROPOSAL OF TWM IN A NOT TO EXCEED AMOUNT OF \$44,000 TO PROVIDE CONCEPTUAL DESIGN SERVICES WITHIN CITY LIMITS ON MANCHESTER ROAD AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, MoDOT is designing roadway improvements on Manchester Road from Kirkwood Road eastwardly through several communities, and

WHEREAS, MoDOT's planned work is focusing on ADA improvements within this corridor and resurfacing the roadway with asphalt, and

WHEREAS, the Engineering Department is requesting that the City contract with MoDOT's design firm TWM to provide conceptual design services within the City limits on Manchester Road, and

WHEREAS, TWM will provide conceptual improvements to several intersections, different pavement cross-sections, feasibility of enhancing pedestrian/bike facilities and develop various streetscape concepts, and

WHEREAS, funds are available in Account #301-1401-600.75.14, Project #PW1801.

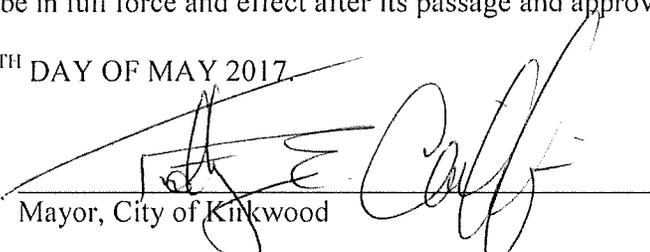
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The proposal of TWM in a not to exceed amount of \$44,000 to provide Conceptual Design Services within the City limits on Manchester Road is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into a contract with TWM in a not to exceed amount of \$44,000 to provide Conceptual Design Services within the City limits on Manchester Road.

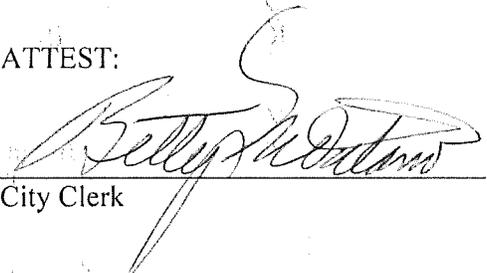
SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2017.



Mayor, City of Kirkwood

ATTEST:



City Clerk

RESOLUTION 8-2018

A RESOLUTION ACCEPTING THE PROPOSAL OF TWM FOR THE NEXT PHASE OF WORK WHICH CONSISTS OF PRELIMINARY DESIGN FOR THE MANCHESTER ROAD IMPROVEMENT SERVICES AND INCREASING THE AUTHORIZED AMOUNT BY \$127,723 FOR A TOTAL AUTHORIZED AMOUNT OF \$171,723.

WHEREAS, the Missouri Department of Transportation (MoDOT) is designing roadway improvements on Manchester Road from Kirkwood Road eastwardly through several communities, and

WHEREAS, the City currently has an agreement with TWM to provide conceptual plans and estimates for enhancements to the project within the city limits, and

WHEREAS, the conceptual plans have been completed and TWM must continue with preliminary design of the enhancements to meet MoDOT's project design and right-of-way acquisition schedule, and

WHEREAS, delays in the design will result in increased costs for the City and overall project delays, and

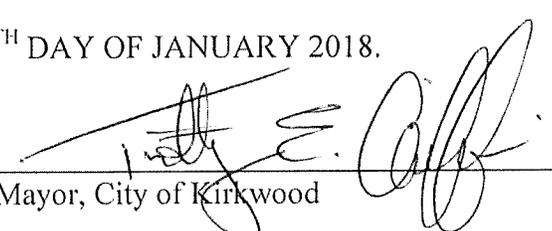
WHEREAS, funds are available in Account #3011401-600.75.14, Project #PW1801.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The proposal of TWM for the next phase of work which consists of preliminary design for the Manchester Road Improvement Services is hereby accepted and approved with an increase in the authorized amount by \$127,723 for a total authorized amount of \$171,723.

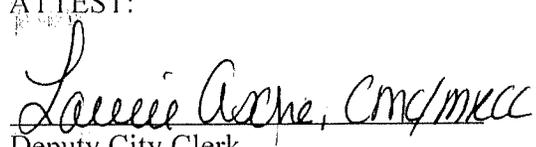
SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF JANUARY 2018.



Mayor, City of Kirkwood

ATTEST:



Deputy City Clerk

RESOLUTION 54-2018

A RESOLUTION AMENDING RESOLUTION 8-2018 BY INCREASING THE CONTRACT AMOUNT WITH TWM FOR RIGHT-OF-WAY DESIGN AND FINAL DESIGN OF THE MANCHESTER ROAD ENHANCEMENTS BY \$170,136 FOR A TOTAL AUTHORIZED AMOUNT OF \$341,859.

WHEREAS, the Missouri Department of Transportation (MoDOT) is designing roadway improvements on Manchester Road from Kirkwood Road eastwardly through several communities, and

WHEREAS, the preliminary plans are near completion and TWM must continue with the Right-of-Way Design and Final Design plans, and

WHEREAS, the Director of Public Services is requesting an amendment of the contract with TWM by \$170,136 for a total authorized amount of \$341,859 for Right-of-Way Design and Final Design of the Manchester Road Enhancements, and

WHEREAS, funds are available in Account #301-1401-600.75.14, Project #PW1801.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The contract with TWM is hereby amended in the total authorized amount of \$341,859 for Right-of-Way Design and Final Design of the Manchester Road Enhancements.

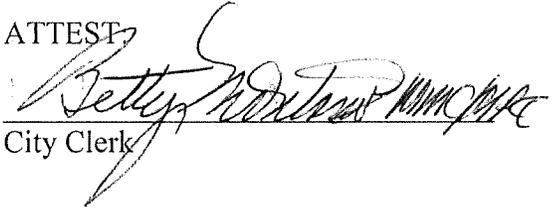
SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 5TH DAY OF APRIL 2018.



Mayor, City of Kirkwood

ATTEST:



City Clerk

RESOLUTION 107-2020

A RESOLUTION REQUESTING THAT ST. LOUIS COUNTY DISTRIBUTE \$47 MILLION OF CARES ACT FUNDS ON A PER CAPITA BASIS TO THE MUNICIPALITIES WITHIN THE COUNTY TO BE USED FOR ELIGIBLE EXPENSES, AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER OF THE CITY OF KIRKWOOD, MISSOURI, TO ACCEPT CARES ACT FUNDING AND EXECUTE A MUNICIPALITY RELIEF PROGRAM FUNDING AGREEMENT, AND CONFIRMING AGREEMENT TO INDEMNIFY AND HOLD HARMLESS ST. LOUIS COUNTY FROM SUCH DISTRIBUTION

WHEREAS, the United States Congress enacted the Coronavirus Aid, Relief and Economic Security Act (the "CARES Act") providing a \$2 trillion economic relief package to provide assistance for American workers, families, and small businesses; to provide assistance to state and local governments; and to preserve jobs for American industry; and

WHEREAS, the State of Missouri received \$1.9 billion from The CARES Act, a portion of which was subsequently distributed in part to Missouri counties proportionally based on population, except those counties that received a direct payment under the CARES Act, along with a recommendation from the Governor that counties that received funds directly from the State of Missouri in turn distribute CARES Act funds to local governments located within their jurisdictions; and

WHEREAS, the US Department of the Treasury distributed funds from the CARES Act proportionally based on 2019 census data directly to certain local governments, including cities and counties with a population greater than 500,000 and to state governments; and

WHEREAS, based on St Louis County's population, which includes the residents of municipalities located in the County, the County received \$173.5 million directly from the United States Treasury designated to cover necessary expenses incurred due to the public health emergency caused by the COVID-19 pandemic; and

WHEREAS, the US Department of the Treasury has issued eligibility guidelines for use of the CARES Act funds which includes, in part, that payroll expenses for public safety may be presumed to be costs for services substantially dedicated to mitigation or responding to the COVID-19 public health emergency from and after the effective date of the CARES Act from March 27, 2020 thru December 30, 2020 (the "Eligibility Period"); and

WHEREAS, the County Executive has allocated \$47 million for distribution to municipalities for use for eligible expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Kirkwood hereby requests a per capita distribution of the above referenced \$47 million allocated by St. Louis County for municipal public safety expenses.

SECTION 2. The Chief Administrative Officer of the City of Kirkwood, Missouri, is hereby authorized to accept Coronavirus Aid, Relief and Economic Security Act (the "CARES Act") funding from and execute a Municipality Relief Program Funding Agreement with St. Louis County, Missouri, for and on behalf of the City of Kirkwood.

SECTION 3. Upon receipt of such funds and to the extent thereof, the City of Kirkwood agrees to indemnify and hold harmless St. Louis County from and against any claims of misuse thereof and repay such funds (or portion thereof) immediately upon notice that the U.S. Treasury Department has made a final determination that such distribution (or portion thereof) was not lawful pursuant to its above referenced guidance or otherwise.

SECTION 4. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk