

**CITY OF KIRKWOOD**

**PLANNING AND ZONING COMMISSION**

**March 16, 2022**

**PRESENT:** **ABSENT:**

David Eagleton, Secretary/Treasurer Jim Adkins, Chair

Allen Klippel James Diel, Vice Chair

Tom Feiner Ron Evens

Sandy Washington

Mary Lee Salzer-Lutz

Darrell Scott

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, March 16, 2022, at 7:00 p.m. in the City Hall Council Chambers. Planning and Development Services Director Jonathan Raiche, Planner II Amy Lowry, and Administrative Assistant Patti Dodel also attended the meeting.

**1.** Serving as Acting Chair, Secretary/Treasurer David Eagleton called the meeting to order at 7 p.m. and announced that Chair Adkins, Vice Chair Diel, and Commissioner Evens were absent and their absence was excused.

2. Motion was made by Commissioner Salzer-Lutz and seconded by Commissioner Klippel to approve the minutes for the March 2, 2022, meeting as written. The minutes were unanimously approved.

3. **PZ-13-22 REZONE R-4 TO R-MM – 10414 BIG BEND BOULEVARD**

 Submitted: 2-10-2022 Automatic Recommendation: 5-11-2022

 Petitioner, Jacob Crader

 (Subcommittee – Commissioners Adkins, Washington, and Feiner)

Planner II Amy Lowry stated the petitioner is proposing to rezone the 21,293 square foot property from R-4 to R-MM. The single-family residence on the property has been unoccupied for approximately five years. To the immediate east of this property is a four-family building zoned R-4 and to the east of the four-family is the Kings Gate Apartments complex zoned R-5. The Future Land Use Map in the EnVision Kirkwood 2035 Comprehensive Plan identifies this property as Transition Mix Use.

Ms. Lowry stated the purpose of R-MM zoning is to allow for small-scale multi-family residential uses which provide a transition from detached single-family districts and more intense districts, multi-family projects, or commercial districts. This district may also be appropriate along major thoroughfares and at major intersections. Uses allowed in this district include multi-family dwellings, row dwellings, and two-family dwellings. This 0.49 acre site would be limited to six dwelling units. Other considerations for buildings include 8-foot side yard setbacks and 30-foot rear yard setback. The front setback is determined by averaging the setbacks of structures on both sides. The height is limited to 35 feet and 3 stores. Ms. Lowry discussed the nine criteria to be considered in Section 25-17(e)(1) of the Zoning Code and provided a summary of the items that the subcommittee discussed at their on-site meeting on March 7th. The items discussed included the request’s consistency with the Comprehensive Plan, existing surrounding zoning/land-use, and the R-MM purpose; the context of the property being on a busy arterial road (Big Bend Boulevard) which is cited in the R-MM purpose as appropriate for R-MM zoning; and observations that the proposed use would be consistent with the existing multifamily to the east while providing a transition in density to the single-family to the west and south. The subcommittee also noted that the single-family lots to the south are deep lots with the current structures located far from the common property line with the subject site allowing for additional separation.

Commissioner Washington read the underlined sections of the Subcommittee Report recommending approval:

CITY OF KIRKWOOD

**PLANNING AND ZONING COMMISSION**

**SUBCOMMITTEE REPORT**

###### MARCH 16, 2022

***PETITION NUMBER*:** PZ-13-22

***ACTION REQUESTED*:** ZONING MAP AMENDMENT

***APPLICANT*:** JACOB CRADER

***PROPERTY LOCATION*:** 10414 BIG BEND BLVD

***CURRENT ZONING*:** R-4, SINGLE-FAMILY RESIDENTIAL

***PROPOSED ZONING*:** R-MM, MISSING MIDDLE RESIDENTIAL

 **DESCRIPTION OF REQUEST:**

The applicant is requesting that the Zoning Map be amended to change the zoning on his property addressed as 10414 Big Bend Blvd from R-4, Single-Family Residential, to R-MM, Missing Middle Residential. Because this is not a planned district, plans are not required to accompany the request and the applicant has not provided specific development plans with this request.

**COMPREHENSIVE PLAN, LAND USE AND ZONING:**

The property is located in the Transition Mix Use land use category on the EnVision Kirkwood 2035 Future Land Use Map. The Transition Mix Use in the EnVision Kirkwood 2035 Comprehensive Plan is intended to provide a balance between the Downtown and residential neighborhoods north of Big Bend Blvd and the highway-oriented commercial development south of Big Bend Blvd. This land use category provides for a wide-range of development types, including single-family residential, attached residential (Duplexes/Townhomes-/Apartments), and live/work units.

The property is currently zoned R-4, Single-Family Residential. Surrounding land uses and zoning include the following:

To the north: Across Big Bend Blvd, single-family residences zoned R-4.

To the south: Single-family residences zoned R-4.

To the east: Immediately to the east is a 4-unit apartment building zoned R-4 and a large apartment complex (Kings Gate) zoned R-5 multifamily residential.

To the west: Single-family residences zoned R-4.

The purpose of the R-MM zoning designation is to allow for small-scale multi-family residential uses which provide a transition from detached single-family home districts and more intense districts, multi-family projects, or commercial districts. This district may also be appropriate along major thoroughfares such as Big Bend Blvd and at major intersections. Multi-family dwellings, row houses and 2-family dwellings are among the principally Permitted with Standards land uses in the R-MM zoning district that are not permitted in the R-4 zoning district.

The property is 21,293 sq. ft. (.49 acres) and about 119’ in width. The development standards in the Zoning Code would limit any proposed project to 6 multi-family dwelling units. The subject property contains two legal platted lots that may be developed individually in the future but the entire subject site would still be restricted to the same overall maximum residential density of 6 units. The height would be restricted to 35 feet and 3 stories. The required yard setbacks would be 8 feet on the sides, 30 feet on the rear, and an average of the setbacks of the adjacent properties as per the Zoning Code. The lot coverage is limited to 40%. Along with 2 parking spaces per dwelling unit, a proposed development would also need to meet storm water, landscaping, lighting, and architectural standard requirements.

**DEPARTMENTAL/AGENCY COMMENTS:**

Electric: No comments received.

Water: No comments received

Engineering: No comments received.

Building/Fire: Development of the site will require a full review of the building, use, access, and available water flows.

Forester: No comments received.

**DISCUSSION:**

A Zoning Matters sign was placed on the property on February 25, 2022. The request was introduced at the Planning & Zoning Commission meeting on March 2, 2022. A subcommittee meeting was subsequently held at the property on March 7, 2022. A list of attendees of the subcommittee meeting is shown on Exhibit A. The following is a summary of the discussion from the meeting:

1. The subcommittee discussed the suitability of the R-MM designation consistent with the Comprehensive Plan, existing surrounding zoning and land use, and the R-MM purpose.
2. The subcommittee noted that the property is on a busy arterial road which is cited in the R-MM purpose as an appropriate context for the R-MM zoning.
3. The subcommittee noted that the lot immediately to the east of the subject property, while zoned R-4, contained a 4-unit apartment building and the second lot to the east contained a large apartment complex, and concluded that the requested rezoning and proposed use would be compatible with both existing uses while also providing a transition in density to the adjacent single-family properties to the west and south. The subcommittee noted that the lot to the west of the subject lot is unimproved and the lots immediately to the south are deep lots with the improvements not close to the shared property line.

***RECOMMENDATION:***

The Subcommittee recommends the Zoning Map amendment from R-4 to R-MM be **approved** after finding that the request met the review criteria for a zoning map amendment listed in Section 25-17(e) (1) of the Zoning Code, including, without limitation, Subsection (viii).

Respectfully submitted,

James Adkins Tom Feiner

Motion was made by Commissioner Feiner and seconded by Commissioner Scott to approve PZ-13-22, a Zoning Map Amendment to rezone 10414 Big Bend Boulevard from R-4 to R-MM. The motion was unanimously approved by the six members present (Commissioners Adkins, Diel, and Evens were absent).

**4.** Planning and Development Services Director Jonathan Raiche stated:

* The Ordinance to approve the Special Use Permit for a veterinary clinic in the Woodbine Center was approved by the City Council on March 3.
* The City Council held a public hearing on March 3 for a Zoning Code Text Amendment to add Animal Training as an Accessory Use in single-family residential districts. First reading of the bill is scheduled for March 17.
* Construction fence was installed for the temporary UMB Bank building on the southeast corner of Washington Avenue and Clay Avenue.
* The quarterly report of the EnVision Kirkwood 2035 comprehensive plan will be given in April. The five-year review is forthcoming and volunteers from the Commission are needed to form a subcommittee for that review.
* The three-unit multi-family building that was approved at the southeast corner of Adams Avenue and Clay Avenue has been reviewed by the Architectural Review Board. Due to a change in ownership, the building has been redesigned for four units and the roof elements have been removed.

There being no further business, motion was made by Commissioner Washington and seconded by Commissioner Salzer-Lutz to adjourn at 7:15 p.m. The next meeting will be held on April 6, 2022, at 7 p.m.

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 David Eagleton, Acting Chair

Upon request, these minutes can be made available within three working days in an alternate format, such as CD, by calling 314-822-5822. Minutes can also be downloaded from the City’s website at [www.kirkwoodmo.org](http://www.kirkwoodmo.org), then click on City Clerk, Boards & Commissions, Planning & Zoning Commission.