

**CITY OF KIRKWOOD**

**PLANNING AND ZONING COMMISSION**

**MEETING MINUTES**

**September 4, 2024**

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| **Members Present** |  | **Members Absent** |
| Jim Adkins, Chair |  | Darrell Scott |
| Tom Feiner, Vice-Chair |  |  |
| Ron Evens, Secretary/Treasurer |  |  |
| Justin Arnold |  |  |
| Karen Coulson |  |  |
| Allen Klippel |  |  |
| Mary Lee Salzer-Lutz |  |  |
| Sandy Washington |  |  |
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Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, September 4 at 7:00 p.m. in the City Hall Council Chambers. Planning and Development Services Director Jonathan Raiche and Planner II Amy Lowry also attended the meeting.

1. Chair Adkins called the meeting to order at 7 p.m. and announced that Commissioner Scott was absent and his absence was excused.
2. Motion was made by Commissioner Feiner and seconded by Commissioner Arnold to approve the minutes for the July 17 meeting as written. The minutes were approved by a vote of 7-0, with Commissioner Washington abstaining.
3. **PZ-06-25 TEXT AMENDMENT FOR PERSONAL & COMMERCIAL SERVICE IN B-2, CENTRAL BUSINESS DISTRICT**

*Presentation*:Amy Lowry, Planner II, provided the Commission with the background for the request. Personal and Commercial Service is a Permitted Use with Standards in the B-2 zoning district. Those standards are then delineated in section 25-36(y).The proposed change in the maximum tenant space from 2000 square feet to 6000 square feet would affect all Personal and Commercial Service uses in the B-2 zoning district. Commissioner Klippel asked for clarification on restaurant tenant size. Commissioner Coulson asked for clarification on the location of B-2 zoning designation and whether the request could be handled by special use. Ms. Lowry replied it could not. In response to Commissioner Evens’s and Feiner’s questions about large gyms and other personal and commercial service uses, Ms. Lowry said that her recollection of the zoning code revision that was approved 2021 was that these uses should occupy smaller footprints in downtown. Commissioner Salzer-Lutz commented that it seemed boutique uses were preferred as opposed to large-scale gyms. In response to Commissioner Arnold’s question, Ms. Lowry said there have been several amendments to the personal and commercial service use. Jonathan Raiche, Planning and Development Services Director, pointed out that pre-2021 many of the uses were special uses and in conversations with P&Z and Council to amend the code, the permitted with standards path was created to assurance that appropriate conditions would be met with approved occupancies. In response to Commissioner Feiner’s inquiry if potential developers or tenants have suggested that the tenant size limitation was too stringent, neither Ms. Lowry nor Mr. Raiche could recall an instance. In response to Commissioner Evens’ question, Ms. Lowry said that the SSM Health physical therapy use, if the space is over 2000 square feet and not occupied by doctors, would be an existing, nonconforming use.

*Petitioner’s Presentation*:Petitioner’s Agent Tyler Stephens of Core10 Architecture said that communities want vibrant storefronts, but retail and personal services need more than 2000 square feet in order to be successful. Mr. Stephens said that the personal services category is the most desired commercial space right now and the best way to fill the space at the Aria project at 132 W. Monroe Avenue. Although a smaller requested amendment would help to lease the space, Mr. Stephens believes that an increase to 6000 square feet will be more beneficial to the City for future projects – without having to change the zoning code repeatedly. He added that there is a big gap between a small fitness facility of 6000 square feet and a Lifetime Fitness facility of 40,000 square feet. Petitioner Mark Mehlman reported to the Commission that he has secured a restaurant tenant at the Aria and is looking at either a high-end hair salon or a Pilates/personal fitness facility for the remaining space, but both potential tenants have indicated the need for more than 2000 square feet. Mr. Mehlman said that he and his broker do not want to divide the remaining tenant space into smaller, more difficult to rent units. Pursuant to Commissioner Klippel’s request for clarification, Mr. Stephens said that the space was 614 square feet over the 2000 square-foot maximum tenant space for a personal service use. In response to Commissioner Feiner’s question, Mr. Raiche confirmed that this location required commercial use on the ground floor. In response to Commissioner Salzer-Lutz’s inquiry, Mr. Mehlman said that 2000 square feet is not going to get a tenant that is going to be successful. Mr. Stephens said that the zoning code is new and maybe that is why the maximum tenant space has not been an issue yet. Mr. Mehlman added that he could not find a tenant looking for less than 2000 square feet. Both Mr. Stephens and Mr. Mehlman requested that the Commission make a decision this evening so that Mr. Mehlman could move forward with securing a lease. Mr. Raiche said that in the B-1 district there were issues with the tenant space and the property owners broke the space into smaller units.

*Discussion and Motion*: Commissioner Coulson indicated that she would like to study the request before making a decision. After discussion in which other Commissioners agreed with Commissioner Coulson, Chair Adkins appointed Commissioners Feiner, Coulson, and Salzer-Lutz to a subcommittee. The subcommittee agreed to meet on Monday, September 9 at 10 a.m. at City Hall.

1. **PZ-07-25 ZONING MAP AMENDMENT (B-1 TO R-5) – 430 S. CLAY AVENUE**

*Presentation*:Ms. Lowry gave the history of the zoning of the property. The city block was rezoned B-4, Planned Commercial, in 1968 from R-5, Multifamily, on a request from Southwestern Bell to construct a division office on the site. At the time, the development standards for B-4 were the “same as B-2”. Southwestern Bell sold the property without developing it and the Woodbine Center was subsequently built on the east side of the block in 1986. On this lot, a single-family house was built in 1942. It was used as a residence until there was an approved request in 1981 to change the B-4 zoning to R-5, multi-family residential, in order to add a third floor studio apartment to what was being used as an existing, non-conforming residential duplex. In 1994, the property was rezoned to B-1 to house a dental practice on the first floor and office space on the second floor. At that time, the Planning and Zoning Commission subcommittee felt that B-1 was more appropriate than B-4 as it was more restrictive for the primarily residential area. The subcommittee noted its opinion that the B-4 zoning to the north of this property on South Clay was inappropriate and the applicant “should not be penalized for zoning mistakes in the past.” Wilson Waggoner, representing the applicant, said that the multifamily zoning is for a proposed townhouse project of eight units that will be condominium platted. There were no questions from the Commission.

*Discussion and Motion*: The Commissioners discussed whether a subcommittee would be appropriate. Chair Adkins stated that he did not believe a subcommittee is necessary for review as the proposed zoning is more restrictive than the current commercial zoning and the Commission recently recommended approval of a more intense rezoning nearby at 119 W. Woodbine Avenue. After Chair Adkins called for motion on PZ-07-25, motion was made by Commissioner Coulson and seconded by Commissioner Arnold to approve the zoning map amendment. Commissioner Coulson added that the project is very exciting as the City needs more housing. Commissioner Feiner agreed that the project makes a lot of sense. The eight members present unanimously approved the motion.

1. **DEVELOPMENT PROJECT UPDATE**

Mr. Raiche gave the Commission updates on development projects, including projects before City Council that have been approved. He reported that Greenbriar Hills Country Club had notified the City that they proposed to apply again to the Commission with an alternative design to address the Commission’s concerns, but the City has not received the application. He said that the applicant for the Kirkwood Apartments project at 300 N. Kirkwood Road has until September 14 to move forward with the project or to restore the lot, and that the construction plans for Little’s Loft at 117 W. Argonne Drive have been received. The City is also awaiting revised plans for the multifamily project at 144 W. Adams. In response to questions regarding a proposed project at 507 and 509 S. Holmes Avenue, Mr. Raiche said that there is an application before the Board of Adjustment for variances on the project. Mr. Raiche also reported that Phase II of the Grant’s Trail extension project has been funded at $3.9 million on an 80/20 matching grant.

There being no further business, motion was made by Commissioner Evens and seconded by Commissioner Salzer-Lutz to adjourn at 8:08 p.m. The next meeting will be held on September 18, 2024 at 7 p.m.

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Jim Adkins, Chair

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Ron Evens, Secretary/Treasurer

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