



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
AUGUST 16, 2017**

PRESENT:

Allen Klippel, Chair
James Diel, Vice Chair
Jim O'Donnell, Secretary/Treasurer
Greg Frick
Cindy Coronado
Dan Stauder
Madt Mallinckrodt
David Eagleton
Kathy Oughton

ABSENT:

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, August 16, 2017, at Kirkwood City Hall, 139 South Kirkwood Road. City Council Liaison Nancy Luetzow, City Attorney John Hessel, City Planner Jonathan Raiche, Assistant City Planner Amy Lowry, and Administrative Assistant Patti Dodel also attended the meeting.

1. Chairman Allen Klippel called the meeting to order at 7:00 p.m. and noted Mr. Diel was absent but was expected to arrive (arrived at 7:03).
2. Motion was made by Ms. Coronado and seconded by Mr. Eagleton to approve the minutes from the July 19, 2017, meeting. The motion was unanimously approved by the eight members present (Mr. Diel was absent).

Commissioner Diel arrived and joined Commission deliberations.

3. PZ-04-18 SITE PLAN REVIEW - THE DENTAL SUITE, 204 SOUTH CLAY AVENUE

Submitted: 6-30-17 Automatic Recommendation Date: 10-28-17

Petitioner's Agent, Dr. Michelle Kleinheider

(Subcommittee - Mr. O'Donnell and Ms. Oughton)

City Planner Jonathan Raiche stated the petitioner is proposing to remodel and expand the existing building at 204 South Clay Avenue, demolish the existing one-story building at 142 West Madison Avenue, and expand and pave the parking lot for a total of 18 spaces. A condition has been recommended by Staff and incorporated into the subcommittee report to require that a revised landscape plan be submitted switching the large canopy trees with the smaller species in restricted growth areas on the site.

Motion was made by Mr. O'Donnell and seconded by Mr. Frick to approve PZ-4-18, an application for a Site Plan Approval for The Dental Suite at 204 South Clay Avenue in accordance with the associated site plan and Subcommittee Report. Ms. Oughton read the subcommittee report:

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
August 16, 2017**

PETITION NUMBER: PZ-04-18

ACTION REQUESTED: SITE PLAN REVIEW – THE DENTAL SUITE

PROPERTY OWNER: EJD ENTERPRISES LLC

PETITIONER: EJD ENTERPRISES LLC

PETITIONER’S AGENT: DR. MICHELLE KLEINHEIDER

PROPERTY LOCATION: 204 S. CLAY AVENUE

ZONING: B-2 GENERAL BUSINESS DISTRICT

DRAWINGS SUBMITTED: SITE PLAN PACKET (5 SHEETS) PREPARED BY SGA ARCHITECTS, DOERING ENGINEERING, AND LANDESIGN LLC STAMPED “RECEIVED AUGUST 1, 2017, CITY OF KIRKWOOD PUBLIC WORKS DEPARTMENT”

DESCRIPTION OF PROJECT:

The petitioner has submitted a Site Plan for the demolition of one of the existing buildings on-site (addressed as 142 West Madison) to accommodate for a one-story addition to the existing commercial building located at 204 S. Clay Avenue. The Site Plan also includes an expansion and improvement of the existing parking lot on the subject property. The existing commercial building contains a ground-level floor and a lower level floor for a total of approximately 2,400 sf. The proposed addition is an approximately 600 sf extension to the east and will be only one level. The site currently hosts offices for three separate businesses, but is proposed to host one dental practice with the new layout.

The current parking lot is a gravel lot which serves both buildings on the site. The proposed plan includes expansion and improvement of the lot to provide a total of 18 spaces. The entire lot is proposed to be paved with lighting and landscaping included.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated for Mixed Use Development on the Vision 2015 Future Land Use Plan map. The proposed development is considered medical office and is consistent with the policies presented by the Comprehensive Plan. The subject property is zoned B-2 General Business District and is currently occupied by medical and professional

offices. The proposal is for the remaining building to be occupied by a dental practice which is consistent with the permitted uses of this district.

Surrounding land uses and zoning include the following:

To the north: City-owned park, police department, and City Hall zoned B-2.

To the south: Multi-family apartments zoned B-2.

To the east: Various professional offices occupying converted homes zoned B-2.

To the west: Across Clay Avenue, there are residential condominiums zoned R-5, Multiple Family Residential District.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments Received.

Water: No Comments.

Engineering: No Comments.

Building/Fire: 1. Demolition permit is required.
2. Fire flow test is required.
3. All applicable IFC and IBC codes shall apply.

City Forester: 1. Tree 19 is a City Right of Way tree and will need to be approved for removal through the Kirkwood Urban Forestry Commission.

2. Shumard Oak (or other LCT species) shall not be planted in restricted grow sites (particularly tee lawns in City R.O.W) less than 8 feet. To accommodate the planting requirements it is recommended to plant these large canopy trees in the areas designed as "lawn" in their landscape plan and plant the hornbeam/serviceberry in the restricted grow spaces.

SITE ELEMENTS ANALYSIS:

PARKING & SITE CIRCULATION:

The proposed plan includes expanding and paving the existing gravel parking lot on the subject site. The proposed parking lot includes 18 total spaces all setback a minimum of 10' from the adjacent right-of-way lines. Although the parking code for the downtown area only requires that the amount of existing parking remain and the new building addition shall meet the parking requirements, the applicant has assessed the site to ensure that parking is provided for the entire remaining building per the parking code. At these calculations, 16 parking spaces are required and 18 are being provided.

The petitioner is proposing to keep the existing driveway on Clay Avenue, but will limit this to an exit-only driveway. There is a 24' wide two-way driveway proposed on Madison Avenue which will be wider and further east when compared to the existing drive on Madison Avenue.

LANDSCAPING/SCREENING

The tree study conducted for the site indicates that the majority of the trees near the eastern property line along with a few other trees on-site are not of a quality that warrants preservation. The proposed landscaping plan includes 2 canopy trees, 1 understory tree, and type C shrubs to meet the requirement for the proposed building addition. The new parking lot landscape requirements are proposed to be met through preserving 3 trees, and planting 8 Canopy trees and numerous type A and B shrubs. The accessory structure is proposed to be screened by 2 evergreen trees and a number of shrubs.

Because the site is surrounded by other non-single family residential uses, there is no required landscape buffer or screening requirement to adjacent sites. The petitioner has indicated that the proposed storage shed will act as the storage area for trash receptacles and understands that any future installation of a trash dumpster will require a trash enclosure.

LIGHTING

The submitted lighting plan indicates four pole-mounted parking lot fixtures. The Zoning Code requires the illumination levels of the site lighting to be a maximum of 0.5 footcandles (fc) at the property line. The proposed lighting plan meets these requirements.

DISCUSSION:

Zoning Matters signs were placed on the property on July 14, 2017. A subcommittee meeting was scheduled, posted, and occurred on July 27th. A list of attendees at that meeting is attached as Exhibit B. During the subcommittee meeting, the petitioner's architect summarized the proposal. Parking, landscaping, and lighting were all discussed. The subcommittee recommended that the petitioner makes an effort to contact the adjacent neighbors of the multi-family building located to the south to provide them with information about the proposal. Staff explained that notices will be sent to property owners prior to the public hearing held at City Council; however, direct contact from the petitioner's agents to neighbors is a good recommendation.

RECOMMENDATION:

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

1. The project shall be constructed and maintained in accordance with the Site Plan Packet (5 Sheets) prepared by SGA Architects, Doering Engineering, and Landesign LLC stamped "Received August 1, 2017, City of Kirkwood Public Works Department", except as noted herein.

2. The existing entrance on Madison Avenue shall be removed and sidewalks, curbs and public right-of-way shall be restored to City Standards.
3. The landscape plan shall meet the requirements of the Zoning Code Section A-1020.
4. The removal of tree #19, a city right-of-way tree, shall be submitted to the Kirkwood Urban Forestry Commission and must be approved for removal prior to being removed.
5. Shumard Oak (or other LCT species) shall not be planted in restricted grow sites (particularly tree lawns in City R.O.W) less than 8 feet wide. To accommodate the planting requirements, it is recommended to plant these large canopy trees in the less restricted areas and plant the hornbeam/serviceberry in the restricted grow spaces. A revised landscape plan showing compliance shall be submitted prior to issuance of any building permits.
6. Any lighting used to illuminate the site shall be designed and oriented in accordance with Zoning Code Section A-1040.
7. A small bike rack that accommodates 3 to 5 bikes shall be placed on the site.
8. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Jim O'Donnell

Kathy Oughton

There being no discussion, the motion to recommend approval of the site plan in accordance with the Subcommittee Report was unanimously approved.

**4. PZ-05-18 SPECIAL USE PERMIT (OUTDOOR STORAGE) – ALPINE SHOP,
440 NORTH KIRKWOOD ROAD**

Submitted: 6-30-17 Automatic Recommendation Date: 10-28-17

Petitioner's Agent, Russell Hollenbeck

(Subcommittee – Mr. Klippel and Mr. Stauder)

City Planner Jonathan Raiche stated the petitioner is proposing to allow an outdoor storage area in conjunction with a permitted use on the north side of the site. It was explained that after recent discussions with the Alpine Shop regarding a potential storage shed in this area, it came to Staff's attention that this area, which is currently used for outdoor storage, did not have the proper approval for this outdoor use. The petitioner has provided information to enclose the area with an eight-foot high green or black chain link fence with slats and a rolling gate along the western side of the proposed area.

Motion was made by Mr. Eagleton and seconded by Ms. Oughton to approve PZ-5-18, an application for a Special Use Permit for outdoor storage for The Alpine Shop at 440 North Kirkwood Road. Mr. Stauder read the subcommittee report:

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
August 16, 2017**

- PETITION NUMBER:** PZ-05-18
- ACTION REQUESTED:** SPECIAL USE PERMIT (OUTDOOR STORAGE)
- PROPERTY OWNER:** PIONEER LAND, LLC
- PETITIONER:** ALPINE SHOP, LTD.
- PROPERTY LOCATION:** 440 N. KIRKWOOD ROAD
- ZONING:** B-2 GENERAL BUSINESS DISTRICT

DESCRIPTION OF PROJECT:

The petitioner has submitted a request for a Special Use Permit to allow for outdoor storage on the subject site. The proposed area (see Figure 1) is located on the north side of the building in the loading dock area. The area is currently used for outdoor storage by the sporting goods store, Alpine Shop, which occupies the entire commercial building. It was recently brought to Staff’s attention that this outdoor storage area has not received previous approval from the City. To date, Staff is not aware of any complaints regarding the existing outdoor storage. The area currently functions as both a storage area and a loading dock and is occupied partially by storage containers, trailers, and other equipment related to the sale of sporting goods.



FIGURE 1. AERIAL PHOTO

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as General Commercial on the Vision 2015 Future Land Use Plan map. The proposed use is outdoor storage for the permitted use of a sporting goods store and is consistent with the policies presented by the Comprehensive Plan. The subject property is zoned B-2 General Business District.

Surrounding land uses and zoning include the following:

To the north: Financial Institution/Office building zoned B-2 (majority of commercial site) and R-3 Single-family Residential (eastern portion of parking lot).

To the south: Financial institution zoned B-2.

To the east: Single-family homes zoned R-3 Single-family Residential.

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

DEPARTMENTAL/AGENCY COMMENTS:

Electric: No Comments Received.

Water: No Comments.

Engineering: No Comments.

Building/Fire:

1. Type and amount of storage is subject to fire code.
2. A separate fence permit is required. Fencing must be structurally sound and maintained.
3. Any fence must still provide egress from the existing building exit on the northern building wall.
4. A "knox box" to provide access to the Fire Department is required.

City Forester: No Comments

DISCUSSION:

Zoning Matters signs were placed on the property on July 14, 2017. The application was presented at the July 19, 2017 meeting of the Planning & Zoning Commission. A subcommittee meeting was scheduled, posted, and occurred on July 31, 2017. A list of attendees at that meeting is attached as Exhibit B. During the subcommittee meeting, the petitioner explained the store's preference of continuing their outdoor storage activities without a need to provide additional screening, but also provided information that they have collected bids from companies for slatted, chain-link fence in anticipation that the City may require some sort of screening.

The subcommittee discussed whether or not the proposed area should be enclosed and materials for said enclosure. After discussion, the subcommittee agreed on the following:

1. The outdoor storage area shall be limited to the area located on-site which is north of the existing building and a minimum of 25' east of the northwest corner of the existing building.
2. A minimum 8' tall fence shall be provided to enclose the proposed area connecting the existing chain-link fence along the northern property line to the northern wall of the building.
3. The required fence shall be either green or black coated chain-link fence with matching vinyl slats for visual screening.
4. All materials/equipment stored in the outdoor storage area shall be limited to a height of 9' above the existing parking lot surface.

RECOMMENDATION:

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

1. An outdoor storage area shall be permitted at the property known as 440 N. Kirkwood Road and shall be limited to the area north of the existing building, south of the northern property line, west of the existing loading dock, and a minimum of 25' east of the northwest corner of the existing building.
2. A minimum 8 feet tall fence shall be provided connecting the existing chain-link fence along the northern property line to the northern wall of the existing building to enclose the proposed area. If the existing chain-link fence, understood to be owned by the adjacent property owner, is removed, the petitioner is required to replace said fence at the petitioner's cost.
3. The required new fencing shall be either green or black vinyl-coated chain-link with matching vinyl slats for visual screening.
4. All materials/equipment stored in the approved outdoor storage area shall be limited to a height of 9 feet above the existing parking lot surface. This requirement shall not exclude the ability for tractor trailers or similar trucks to utilize the existing loading docks.
5. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

Allen Klippel

Dan Stauder

After discussion of Janice Slover's (Controller) concern regarding Condition #2, Mr. Frick made a motion to amend Condition #2 of the Subcommittee Report by deleting "If the existing chain-link fence, understood to be owned by the adjacent property owner, is removed, the petitioner is required to replace said fence at the petitioner's cost." The motion was seconded by Mr. Eagleton and failed (In Favor: Diel, Eagleton, Frick, and O'Donnell ; Opposed: Coronado, Klippel, Mallinckrodt, Oughton, and Stauder)

The motion to approve the site Plan passed eight to one with Mr. Diel opposed. Motion was made by Mr. Stauder and seconded by Ms. Coronado to approve the Subcommittee Report as read. The motion was unanimously approved.

5. PZ-06-18 SUBDIVISION WAIVER/BOUNDARY ADJUSTMENT – 1126/1138/1142 FOLGER

Submitted: 7-28-17

Petitioner's Agent, Josh Peterman

City Planner Jonathan Raiche stated that a Boundary Adjustment Plat is usually reviewed and approved by staff; however, this plat requires waivers from the Subdivision Code because the lots do not meet the Zoning Code requirements for width and size. When the houses were constructed in the 1920's and 1930's, they encroached onto the adjacent properties by three to eight feet. The purpose of this proposed boundary adjustment is to remove the current encroachment of the home at 1142 Folger Avenue onto the property at 1138 Folger Avenue.

Kathryn Moore, Real Estate Counsel at McBride and Son Homes stated this would provide for Lots A and B to be equal in size and spread out the non-conformity.

Madelyn Kester, 1142 Folger, stated this was brought to her attention when her neighbor at 1146 contacted her because their property was surveyed.

Chairman Klippel appointed Mr. O'Donnell and Mr. Mallinckrodt to the subcommittee. The Subcommittee will meet at the site on August 23 at 9 a.m.

City Attorney Hessel left the meeting at 7:50.

6. PZ-07-18 AMEND ZONING CODE – CORNER LOT SETBACKS

City Planner Jonathan Raiche stated that the current zoning code requires front yard setbacks on each frontage for corner lots and that, in some instances, the smaller buildable area has led to many variance requests. The Commission analyzed the need to amend the Code in 2013 but had decided at that time there was not a sufficient number of variance cases to study the need to revise the Code and the issue was dropped. Since 2013, the Board of Adjustment has reviewed 39 cases related to setback variances for corner lots.

Chairman Klippel appointed himself and Mr. Frick to the Subcommittee. The Subcommittee will meet at City Hall on August 29 at 8:30 a.m.

7. City Planner Jonathan Raiche stated the EnVision 2035 Comprehensive Plan is being reviewed and edited and will be on the Commission's agenda in September for adoption.

8. City Planner Jonathan Raiche stated the Downtown Master Plan and Parking Study consultant will host a four-day Charrette the week of October 16 in City Hall.

9. Mr. Eagleton made a motion to recommend to the City Council that the City consider adopting NACTO design guidelines to improve safety and security in the City of Kirkwood. The motion was seconded by Mr. Stauder and failed with three members in favor. Several members stated they did not have adequate information to vote in favor; therefore, the item was tabled.

There being no further business, the meeting adjourned at 8:10 p.m. The next regular meeting will be held on September 6 at 7 p.m.

Allen Klippel, Chair

Jim O'Donnell, Secretary/Treasurer

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