

MEMO *from the City Clerk's Office*

TO: Mayor and City Council
Russ Hawes

FROM: Laurie Asche, CMC/MRCC

DATE: March 29, 2019

SUBJECT: Substitute Bills 10726 & 10690

UNFINISHED BUSINESS – ITEM 1 – BILL 10726

A substitute bill has been drafted to include amended language for the B-2 Purpose Statement.

The following motion will be required to bring the Substitute Bill on the floor for consideration.

Motion:

"I move to bring Substitute Bill 10726 on the floor for consideration."

NEW BUSINESS – ITEM 1 –BILL 10690

Staff found incorrect phrasing "when approved by the Planning & Zoning Commission or City Council" in the bill. Staff also incorporated changes that were recommended during previous work session. A substitute bill has been drafted to include the changes.

The following motion will be required to bring the Substitute Bill on the floor for consideration.

Motion:

"I move to bring Substitute Bill 10690 on the floor for consideration."

If you have questions, please let me know.

Cc: Georgia Ragland
John Hessel

<p>Laurie Asche, CMC/MRCC City Clerk City of Kirkwood ♦ 139 S. Kirkwood Road ♦ Kirkwood, MO 63122 Phone: (314) 822-5802 ♦ Fax: (314) 822-5863 Email: aschelb@kirkwoodmo.org</p>



KIRKWOOD CITY COUNCIL AGENDA

Kirkwood City Hall
April 4, 2019 – 7:00 p.m.
Posted on March 29, 2019

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. INTRODUCTIONS AND RECOGNITIONS

IV. PRESENTATIONS

V. PUBLIC HEARINGS

1. A request for an amendment to the Special Use Permit to allow Nathaniel Reid Bakery at 11243 and 11245 Manchester Road to expand into the space at 11235 Manchester Road.

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 March 21, 2019 City Council Meeting Minutes
- b) Resolution 47-2019, transferring funds from the Water Distribution System Improvements Account, Project #WA1901, to the Purchased Water account for the purchase of potable water for the Water Department (\$27,000)
- c) Resolution 48-2019, transferring funds from the Pension Account to the Overtime Account for the Street Department (\$4,850)
- d) Resolution 49-2019, accepting the bid of Ford Asphalt Co., for the 2019 Asphalt Street Repairs and authorizing and directing the Mayor to enter into a contract (not to exceed amount of \$65,000)
- e) Resolution 50-2019, accepting the bid of Clark Equipment Co., d/b/a Bobcat Company (pursuant to MoDOT Cooperative Contract) for the purchase of a T595 T4 Bobcat Compact Track Loader for the Street Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$49,274.36)
- f) Resolution 51-2019, accepting the bid of Key Equipment & Supply Co., (pursuant to MoDOT Cooperative Contract) for the purchase of a Elgin Pelican Street Sweeper for the Street Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$225,205)
- g) Resolution 52-2019, accepting the bid of Joe Machens Ford (pursuant to State of Missouri Cooperative Contract) for the purchase of a 2019 Ford Escape for the



WHERE COMMUNITY AND SPIRIT MEET®

Building Commissioner and authorizing and directing the Director of Procurement to issue a Purchase Order (\$19,092)

- h) Resolution 53-2019, accepting the bid of Corrective Asphalt Materials for 2019 Emulsified Maltene Based Rejuvenator and authorizing and directing the Mayor to enter into a contract (not to exceed amount of \$22,468.44)
- i) Resolution 54-2019, accepting the bid of Lou Fusz Ford (pursuant to State of Missouri Cooperative Contract) for the purchase of a 2019 Ford F-150 Responder AWD for the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$35,554.50)
- j) Resolution 55-2019, accepting the bid of Lou Fusz (pursuant to MoDOT Cooperative Contract) for the purchase of a 2019 Jeep Cherokee 4WD/AWD for the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$24,001)
- k) Resolution 56-2019, accepting the bid of Lou Fusz Ford (pursuant to MoDOT Cooperative Contract) for the purchase of a 2020 Ford Explorer AWD for Facilities Operations and authorizing and directing the Director of Procurement to issue a Purchase Order (\$30,369)

VIII.

UNFINISHED BUSINESS

1. Bill 10726, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding the addition of a new Permitted Use Category (Multiple-Family Dwellings) in the B-2, General Business District (***Continued from March 7, 2019***)
2. Bill 10733, adopting the 2015 International Mechanical Code, with modifications, as the Mechanical Code of the City of Kirkwood
3. Bill 10734, adopting the 2015 International Fuel Gas Code, with modifications, as the Fuel Gas Code of the City of Kirkwood
4. Bill 10735, adopting the 2015 International Energy Conservation Code, with modifications, as the Energy Conservation Code of the City of Kirkwood
5. Bill 10736, adopting the 2015 International Plumbing Code, with modifications, as the Plumbing Code of the City of Kirkwood
6. Bill 10737, adopting the 2015 International Private Sewage Disposal Code, with modifications, as the Private Sewage Disposal Code of the City of Kirkwood
7. Bill 10738, adopting the 2015 International Swimming Pool and Spa Code, with modifications, as the Swimming Pool and Spa Code of the City of Kirkwood
8. Bill 10739, adopting the 2015 International Building Code, with modifications, as the Building Code of the City of Kirkwood
9. Bill 10740, adopting the 2015 International Residential Code, with modifications, as the Residential Code of the City of Kirkwood
10. Bill 10741, adopting the 2015 International Existing Building Code, with modifications, as the Existing Building Code of the City of Kirkwood

IX.

NEW BUSINESS

1. Bill 10690, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding Height Requirement in the B-2 Business District (***Continued from January 17, 2019***)
2. Bill 10742, appropriating funds from the Parks & Storm Water Fund Reserves to



WHERE COMMUNITY AND SPIRIT MEET

the Building & Site Improvements Account, Project #PR1912, amending the contract with Geotechnology Inc. for additional Kirkwood Performing Arts Center Geotechnical Services and authorizing and directing the Mayor to enter into an amended contract (in the amount of \$32,004 not to exceed \$108,309)

3. Resolution 29-2019, approving the Site Plan for the property known as 204 S. Clay Avenue subject to certain conditions

X. CONSENT AGENDA ITEMS FOR DISCUSSION (IF ANY)

XI. CITY COUNCIL REPORTS

XII. CHIEF ADMINISTRATIVE OFFICER REPORTS

**Other Items may be added after the publication of the agenda. Please contact the City Clerk's Office at 822-5802 for any additional information that may have been added after the publication of the agenda.*

XIII. CITY ATTORNEY REPORTS

XIV. CITY CLERK REPORTS

1. Report of the April 3, 2019 Planning and Zoning Commission meeting.

**Other Items may be added after the publication of the agenda. Please contact the City Clerk's Office at 822-5802 for any additional information that may have been added after the publication of the agenda.*

XV. MEETING ADJOURNMENT

PLEASE NOTE: The next regular meeting of the Kirkwood City Council will take place at 7:00 p.m. on April 18, 2019.

UPCOMING PUBLIC HEARINGS

April 18, 2019

A request for a Special Use Permit for Rush Bowls to operate a restaurant at 343 South Kirkwood Road, Suite 103

CONTINUED ITEMS

NONE

TABLED ITEMS

Bill 10645, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding Side Yard Setbacks in the R-3 Single Family Residential District

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.

PROCEDURE FOR PUBLIC HEARING

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

A request for an amendment to the Special Use Permit to allow Nathaniel Reid Bakery at 11243 and 11245 Manchester Road to expand into the space at 11235 Manchester 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: Georgia, has anyone completed a card to speak regarding this proposal?

Mayor: Is there anyone in the audience that did not complete a card that wishes to speak regarding this issue? (Please be sure to fill out a card before you leave so your name and address is reflected in the record)

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 **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 **March 12, 2019** edition and ending with the **March 12, 2019** edition, for a total of 1 publications:

03/12/2019

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 in City Hall, 139 South Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m., Thursday, April 4, 2019 to consider the following:

A request for an amendment to the Special Use Permit to allow Nathaniel Reid Bakery at 11243 and 11245 Manchester Road to expand into the space at 11235 Manchester Road.

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.
11714075 County Mar. 12, 2019

Karie Clark

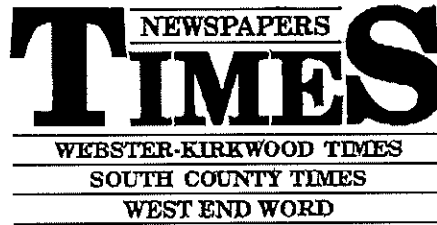
Karie Clark

Subscribed & sworn before me this 12th day of Mar, 2019
(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

City of Kirkwood

Attn: Laurie Asche
City Clerk
139 S. Kirkwood Rd.
Kirkwood, MO 63122

I, Terry Cassidy, verify that the attached Public Hearing
Notice was published in the Webster-Kirkwood Times on
March 15, 2019.


Advertising Consultant



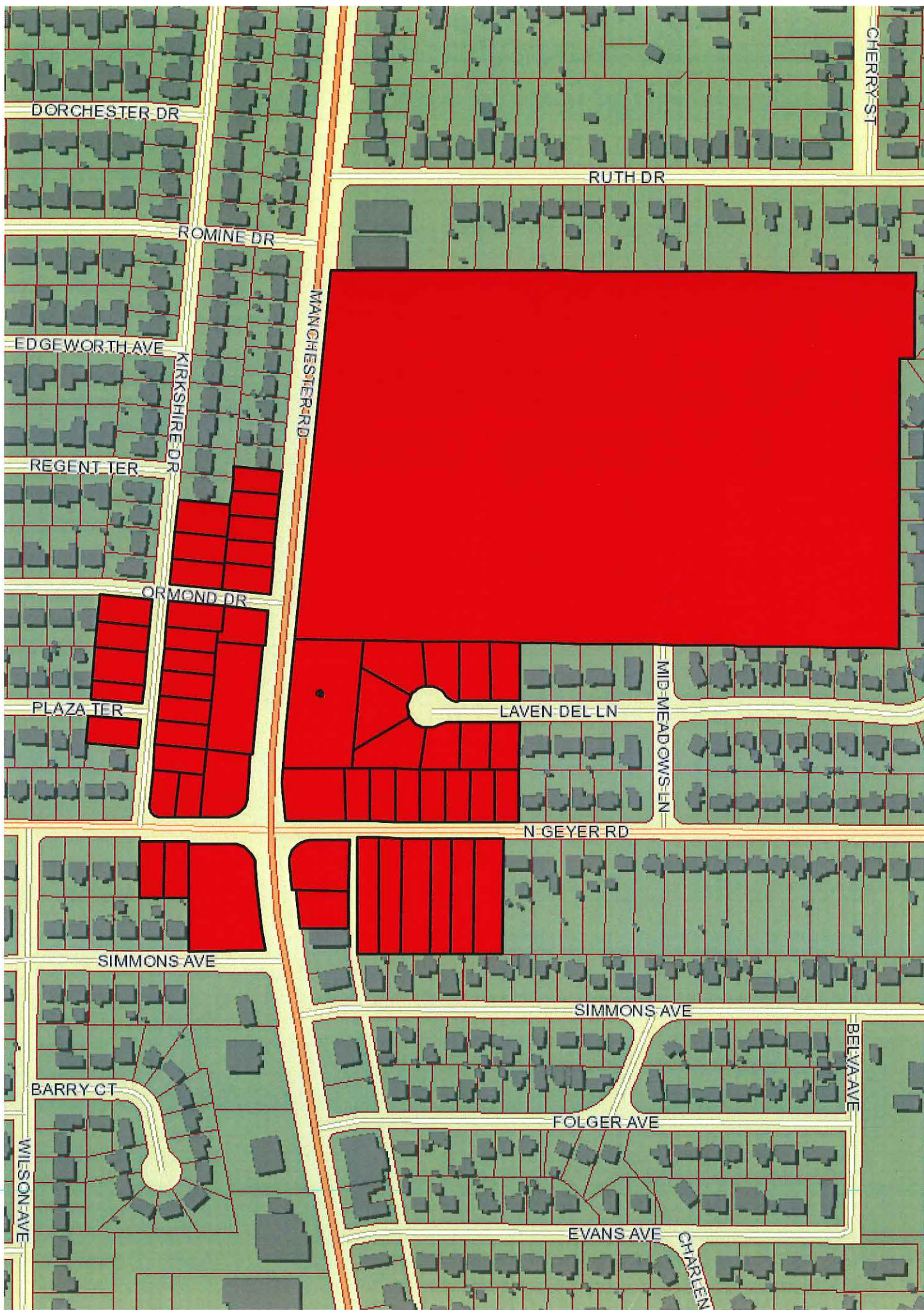
NOTICE OF PUBLIC HEARING
before the City Council
of Kirkwood, MO

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A request for an amendment to the Special Use Permit to allow Nathaniel Reid Bakery at 11243 and 11245 Manchester Road to expand into the space at 11235 Manchester Road.

Betty Montaño, MMC/MPCC, 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.



CHERRY ST

DORCHESTER DR

RUTH DR

ROMINE DR

MANCHESTER RD

EDGEWORTH AVE

KIRKSHIRE DR

REGENT TER

ORMOND DR

PLAZA TER

LAVEN DEL LN

MID MEADOWS LN

N GEYER RD

SIMMONS AVE

SIMMONS AVE

BARRY CT

BELVA AVE

WILSON AVE

FOLGER AVE

EVANS AVE

CHARLEEN

PROPERTY OWNER
1130 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
521 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
527 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
531 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
1185 LAVEN DEL LN
SAINT LOUIS, MO 6312

PROPERTY OWNER
535 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
1125 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
64 SANDWEDGE DR
SAINT CHARLES, MO 63303

PROPERTY OWNER
601 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
1184 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
1122 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
607 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
613 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
106 E WASHINGTON ST
CUBA, MO 65453

PROPERTY OWNER
1129 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1128 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
516 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
1183 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
1188 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
200 HOLLEDER PKWY 101
ROCHESTER, NY 14615

PROPERTY OWNER
220 NORTHWOODS DR
PACIFIC, MO 63069

PROPERTY OWNER
528 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
11149 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
534 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
423 MIRIAM AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
9507 PAGE AVE
SAINT LOUIS, MO 63132

PROPERTY OWNER
517 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
540 KIRKSHIRE DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
112222 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
11817 DOVERHILL DR
SAINT LOUIS, MO 63128

PROPERTY OWNER
11287 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
201 N MAIN ST, STE 300
SAINT CHARLES, MO 63301

PROPERTY OWNER
1115 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1193 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
1192 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
180 N STETSON AVE, STE 3650
CHICAGO, IL 60601

PROPERTY OWNER
1043 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
11310 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
11316 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1136 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
46 SPRINGWATER CT
WENTZVILLE, MO 63385

PROPERTY OWNER
11306 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1048 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1317 MISSOURI AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
11320 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1119 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1116 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
6611 BONNIE RIDGE DR, #101
BALTIMORE, MD 21209

PROPERTY OWNER
1197 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
1139 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
1182 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
1047 N GEYER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
511 KIRKSHIRE DR
SAINT LOUIS, MO 63122

March 7, 2019

Russell B. Hawes
Chief Administrative Officer

At the March 6, 2019, meeting of the Planning and Zoning Commission, the following action was taken:

1. Unanimously recommended approval of an amendment to the Special Use Permit to allow Nathaniel Reid Bakery at 11243 Manchester Road to expand into the space at 11235 Manchester Road.
2. Staff provided updates on development projects recently reviewed by the City Council and provided an update on the upcoming Comprehensive Zoning & Subdivision Code Review project.

The next meeting will be held on March 20, 2019, at 7 p.m.

Respectfully submitted,

Allen Klippel, Chair
Planning and Zoning Commission

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN D. RAICHE, CITY PLANNER *JDR*
SUBJECT: PZ-21-19; 11235 MANCHESTER ROAD –
NATHANIEL REID BAKERY (SUP AMEND –
RESTAURANT)
DATE: FEBRUARY 27, 2019
CC: BILL BENSING, PUBLIC SERVICES DIRECTOR



WHERE COMMUNITY AND SPIRIT MEET ®

PROJECT DESCRIPTION:

The existing restaurant/bakery tenant, Nathaniel Reid Bakery, in the Cambridge Building is requesting a Special Use Permit Amendment to allow an expansion of their restaurant operations into an existing tenant space on the lower level of the same building. The gross square footage of the existing tenant space is approximately 2,000 sf and the expansion is proposed for an additional 784 sf. As referenced in the attached cover letter submitted by the applicant, the expansion space will allow for additional bread dough prep area and storage area for the existing bakery. No cooking activity or equipment is proposed for the additional area.

The current bakery operates under Ordinance 10,297 (attached). This ordinance limits indoor seating to 12 chairs and prohibits outdoor music. The current bakery has hours of operation on Monday through Friday from 7:00am to 6:00pm and on Saturday from 7:00am to 5:00pm. The applicant is not proposing any change to the hours of operation or to the number of employees.

DISCUSSION:

Zoning Matters signs will be placed on the property by March 1st for proper notification of the application. Because there is no increase in seating area for the bakery and no additional employees proposed, there is no additional parking required by the Zoning Code for this proposal. Staff recommends that the conditions of Ordinance 10,297 be carried forward into the new ordinance as conditions noted below.

RECOMMENDATION:

Staff recommends this petition for a Special Use Permit for a Restaurant on the properties known as 11235, 11243, and 11245 Manchester Road be **approved** with the following conditions:

1. The project shall be consistent with the floor plan stamped "received November 2, 2015, City of Kirkwood Public Works Department" and the annotated as-built floor plan stamped "February 22, 2019, City of Kirkwood Public Works Department", except as noted herein.
2. Indoor seating shall be limited to 12 chairs.
3. Outdoor music shall not be permitted.
4. Any new rooftop equipment, air-conditioning units and mechanical equipment related to the project shall be completely screened from view of adjoining properties and right-of-way.
5. The Architectural Review Board shall approval all signs prior to the issuance of a Sign Permit.

BILL
ORDINANCE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AMENDMENT FOR A RESTAURANT (NATHANIEL REID BAKERY) ON THE PROPERTY KNOWN AS 11235, 11243 & 11245 MANCHESTER ROAD SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Nathaniel Reid made application (PZ-21-19) for a special use permit amendment to expand the existing restaurant on the property known 11243 & 11245 Manchester Road into the tenant space known as 11235 Manchester Road; and

WHEREAS, the Planning and Zoning Commission did on the 6th day of March, 2019, by adopting the Staff memo dated February 27, 2019, (attached hereto and incorporated by reference herein), recommend the granting of said Special Use Permit amendment 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 4th day of April, 2019, hold a public hearing with respect to the special use permit amendment 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 amendment 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 amendment for a restaurant is hereby granted on the property known as 11235, 11243, & 11245 Manchester Road subject to the following conditions:

1. A Special Use Permit be granted for a restaurant (bakery) and be limited to the tenant spaces at 11235, 11243, and 11245 Manchester Road.
2. The project shall be consistent with the floor plan stamped "Received November 2, 2015, City of Kirkwood Public Works Department" and the annotated as-built floor plan stamped "February 22, 2019, City of Kirkwood Public Works Department", except as noted herein.
3. Indoor seating shall be limited to 12 chairs.
4. Outdoor music shall not be permitted.
5. Any new rooftop equipment, air-conditioning units and mechanical equipment related to the project shall be completely screened from view of adjoining properties and right-of-way.
6. The Architectural Review Board shall approve all signs prior to the issuance of a Sign Permit.

SECTION 2. The approval of this Special Use Permit Amendment 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 Amendment 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 Amendment herein granted accepts the 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 and subject to revocation of this permit in the event such provisions are not complied with.

SECTION 5. The applicant further agrees by accepting and acting under this Special Use Permit Amendment granted herein that this Ordinance does not grant applicant any special rights, privileges, or immunities

SECTION 6. This Ordinance shall become null and void in the event the petitioner does not obtain a building permit for the construction approved by this Ordinance within one year of the passage of this ordinance.

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

PASSED AND APPROVED THIS ____ day of _____, 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Introduced:

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan Select...

Goal # & Title

Background To Issue:

The owner of the Nathaniel Reid Bakery has applied for an expansion of his existing restaurant/bakery into a tenant space below his current space. The expansion is proposed for additional dry storage, cold storage, and dough prep. The expansion will not increase employees or seating for the restaurant. Additional information is provided in the attached Staff memo.

Recommendations and Action Requested:

The Planning & Zoning Commission unanimously recommended approval of the SUP amendment at their meeting on March 6, 2019. A public hearing is requested along with Council consideration of the recommendation from the P&Z Commission.

Alternatives Available:

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: 3/26/2019

Authenticated: raichejd

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



2019-04-04 PZ-21-19

Ordinance.docx

Microsoft Word Document

20.9 KB



2019-03-06 PZ-21-19 Staff

Memo.pdf

Adobe Acrobat Document

11.4 MB

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



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-29-19

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN D. RAICHE, CITY PLANNER *JDR*
SUBJECT: PZ-21-19; 11235 MANCHESTER ROAD –
NATHANIEL REID BAKERY (SUP AMEND –
RESTAURANT)
DATE: FEBRUARY 27, 2019
CC: BILL BENSING, PUBLIC SERVICES DIRECTOR



WHERE COMMUNITY AND SPIRIT MEET ®

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The current bakery operates under Ordinance 10,297 (attached). This ordinance limits indoor seating to 12 chairs and prohibits outdoor music. The current bakery has hours of operation on Monday through Friday from 7:00am to 6:00pm and on Saturday from 7:00am to 5:00pm. The applicant is not proposing any change to the hours of operation or to the number of employees.

DISCUSSION:

Zoning Matters signs will be placed on the property by March 1st for proper notification of the application. Because there is no increase in seating area for the bakery and no additional employees proposed, there is no additional parking required by the Zoning Code for this proposal. Staff recommends that the conditions of Ordinance 10,297 be carried forward into the new ordinance as conditions noted below.

RECOMMENDATION:

Staff recommends this petition for a Special Use Permit for a Restaurant on the properties known as 11235, 11243, and 11245 Manchester Road be **approved** with the following conditions:

1. The project shall be consistent with the floor plan stamped "received November 2, 2015, City of Kirkwood Public Works Department" and the annotated as-built floor plan stamped "February 22, 2019, City of Kirkwood Public Works Department", except as noted herein.
2. Indoor seating shall be limited to 12 chairs.
3. Outdoor music shall not be permitted.
4. Any new rooftop equipment, air-conditioning units and mechanical equipment related to the project shall be completely screened from view of adjoining properties and right-of-way.
5. The Architectural Review Board shall approval all signs prior to the issuance of a Sign Permit.

Attachments:

Planning & Zoning Application

Applicant Cover Letter dated February 21, 2019

Annotated As-Built Floor Plan stamped February 22, 2019

Ordinance 10,297

CITY OF KIRKWOOD

APPLICATION FOR PLANNING AND ZONING COMMISSION ACTION

DATE: 2/21/19

CASE NUMBER: P2-21-19
 PROJECT ADDRESS: 11235 Manchester Rd 63122
 ZONING DISTRICT: B3 LOT SIZE: _____
 LOCATOR NUMBER: 22N34-0639

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>Restaurant</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: <u>EXPAND TO LOWER LEVEL</u> |
|---|---|

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): Nathaniel Reid Signature: Nathaniel Reid Phone No.: 702-378-6715
 Mailing Address: 11243 Manchester Rd City: Kirkwood State: MO Zip: 63122
 E-mail Address: Nathaniel@nrbakery.com
 Petitioner's Status: ☐ Corporation ☒ Partnership ☐ Individual
 Relationship of Petitioner to Property: ☐ Owner ☒ Tenant ☐ Option Holder (Attach Copy of Contract) ☐ Other

AGENT INFORMATION

Agent's Name: _____ Signature: _____ Phone No.: _____
 Mailing Address: _____ City: _____ State: _____ Zip: _____
 E-mail Address: _____

(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. TIM BOEGEMAN, BAYWOOD REALTY, AGENT FOR HARRY W.
 Name: _____ Name: BOEGEMAN LIVING TRUST
 Signature: _____ Signature: [Signature]
 Address: _____ Address: 8922 Manchester Rd.
 City/State/Zip: _____ City/State/Zip: St. Louis, MO 63144
 Phone: _____ Phone: office: (314) 962-9900 cell: (314) 369-3984

FOR CITY USE ONLY

Date Received: 2-22-19 Total Received: \$ 1000 Agenda Date: 3-6-19
☐ 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-4 or 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

February 21, 2019

Jonathan D. Raiche, AICP
City Planner, City of Kirkwood
139 S. Kirkwood Rd.
Kirkwood, MO 63122

Dear Mr. Raiche,

Nathaniel Reid Bakery is a retail bakery providing breakfast pastries, sandwiches, sweets and non-alcoholic beverages to the Kirkwood community since August 1st 2016. We are located at 11243 and 11245 Manchester Rd. Our business hours are Monday through Friday from 7am until 6pm, Saturday from 7am until 5pm and closed on Sundays. We would like to expand our storage and prep space to meet the demands of our customer base. In order to meet these demands we would like to lease a vacant space (11235 Manchester Rd.) in the Cambridge Building.

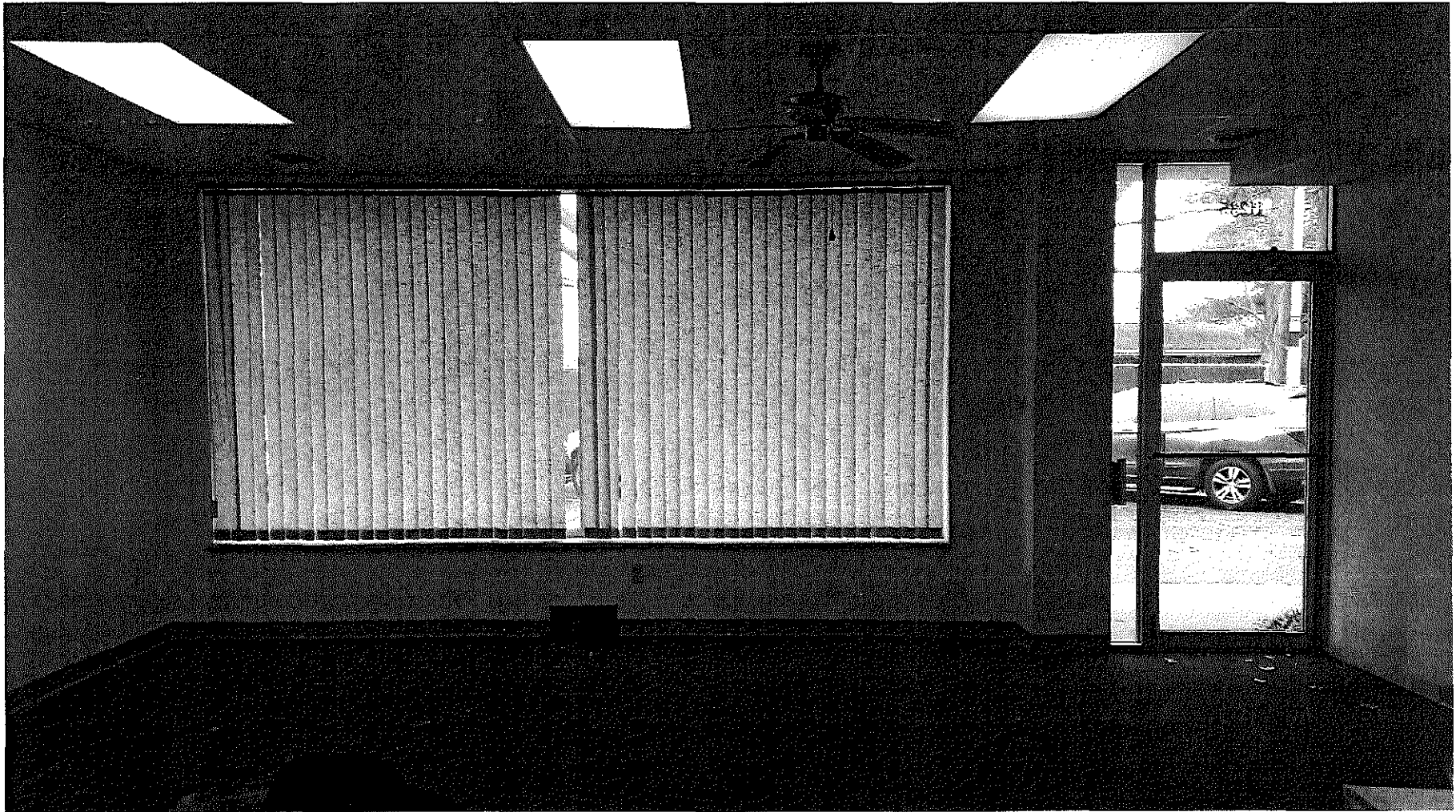
The use of 11235 Manchester road would be for storage and light food prep (no cooking). There would be no access to this space for customers and is strictly for employees only. The items to be stored in this area would be overflow of refrigeration and freezer items from our current space. It would also allow us to have additional paper storage and buy packaging in larger quantities. The light food prep would be used to mix and shape breads.

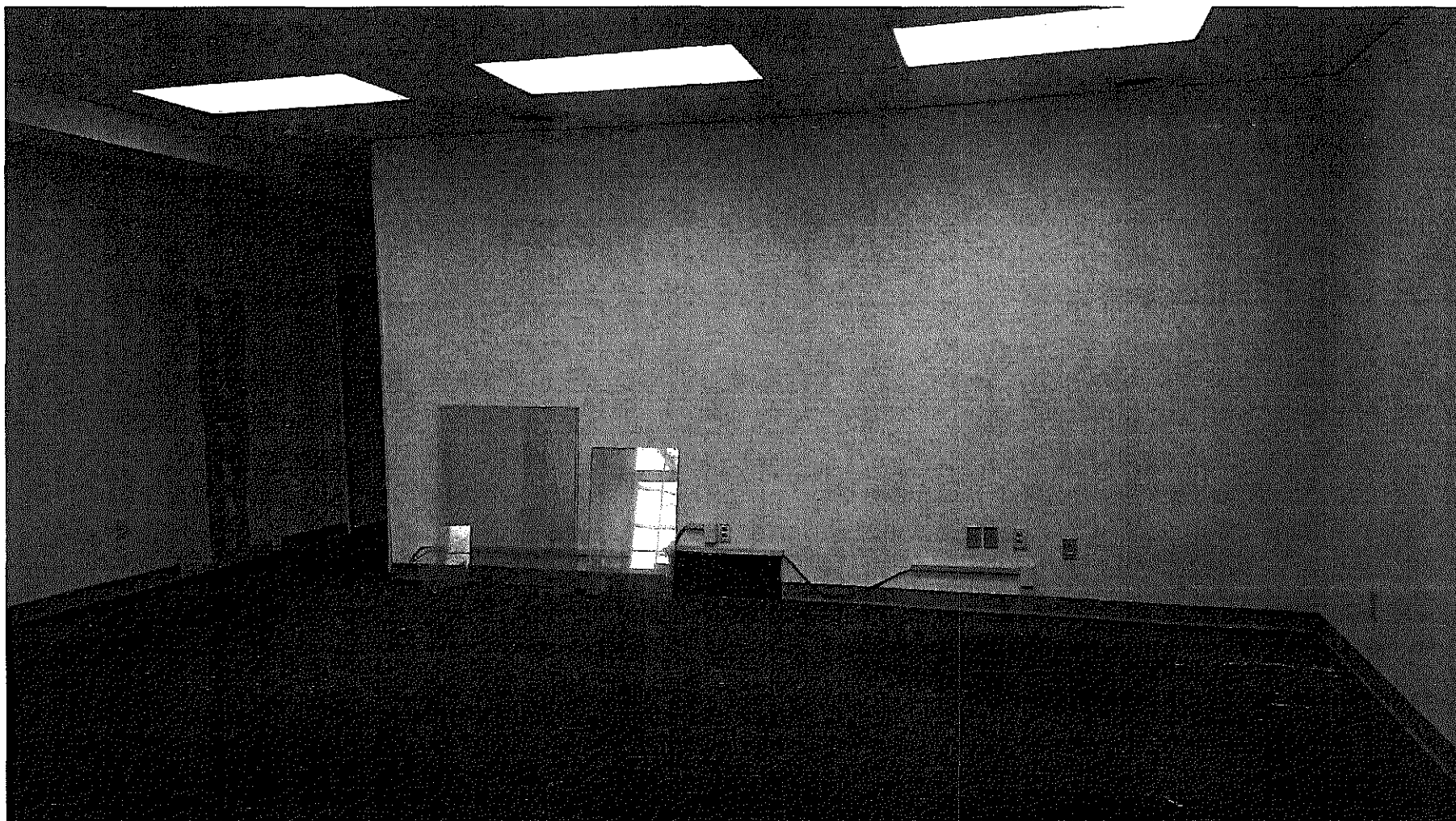
By leasing the additional space, we would not be changing any hours to our current operation. We would not be changing the number of employees working (currently 10 at any time) in our operation, just moving some of their work stations to this new area. We would not have an increase in parking demand either, and would be saving spaces on the parking lot compared to if this unit was leased to a new client. We would not be increasing our retail space or design of the current bakery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathaniel Reid', written in a cursive style.

Nathaniel Reid





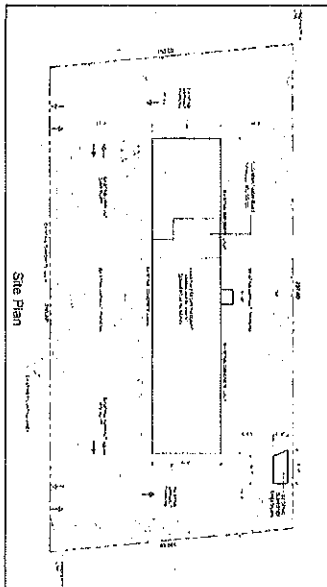


THE CAMBRIDGE BUILDING

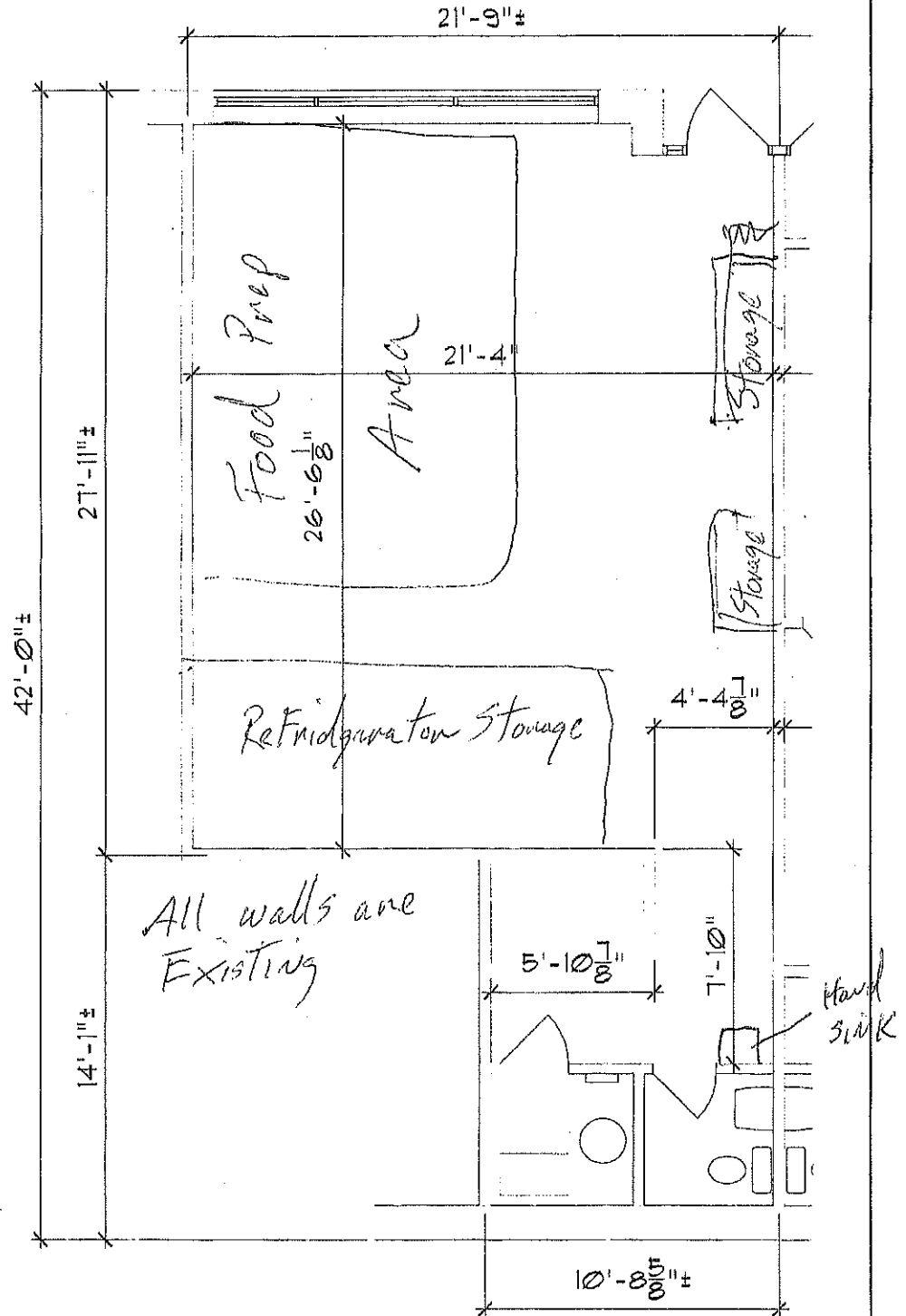
11215 - 11247 Manchester Road, Kirkwood, MO 63122

Quick Reference Data:

- * Approx. 784 Square Feet
- * Conveniently located just west of Geyer Road
- * Convenient parking
- * Great mix of co-tenants!



Baywood Rlty & Constr Corp.
8922 Manchester Rd, St. Louis, MO 63144
Contact: Tim Boegeman (314)962-9900x4



As-Built Floor Plan | 11235 Manchester Road, Kirkwood, MO 63122

Property owner and management make no representations as to the suitability or viability of the Premises or its infrastructure for any use. Building as built takes precedence over this plan as drawn. Field verification of all aspects is necessary prior to reliance on this plan. This plan may not be to scale.

BILL 10448A

ORDINANCE 10297

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT (REIDS PASTRY & CHOCOLATE, LLC) ON THE PROPERTY KNOWN AS 11243 & 11245 MANCHESTER ROAD SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Nathaniel Reid made application (PZ-04-16) for a special use permit for a restaurant on the property known 11243 & 11245 Manchester Road; and

WHEREAS, the Planning and Zoning Commission did on the 7th day of October, 2015, by adopting the subcommittee report dated October 7, 2015, (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 5th day of November, 2015, hold a public hearing with respect to the special use permit 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 and site plan approval 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 for a restaurant (bakery) is hereby granted on the property known as 11243 & 11245 Manchester Road subject to the following conditions:

1. The project shall be consistent with the floor plan stamped "Received November 2, 2015, City of Kirkwood Public Works Department", except as noted herein.
2. Indoor seating shall be limited to 12 chairs.
3. Outdoor music shall not be permitted.
4. Any new rooftop equipment, air-conditioning units and mechanical equipment related to the project shall be completely screened from view of adjoining properties and right-of-way.
5. The Architectural Review Board shall approve all signs prior to the issuance of a Sign Permit.

SECTION 2. The approval of this Special Use Permit and Site Plan Approval 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 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 and subject to revocation of this permit in the event such provisions are not complied with.


SECTION 5. The applicant further agrees by accepting and acting under this Special Use Permit and Site Plan Approval herein granted that this Ordinance does not grant applicant any special rights, privileges, or immunities

SECTION 6. This Ordinance shall become null and void in the event the petitioner does not obtain a building permit for the construction approved by this Ordinance within one year of the passage of this ordinance.

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.

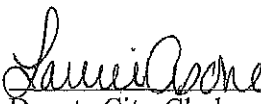
SECTION 8. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2015.



Mayor, City of Kirkwood

ATTEST:



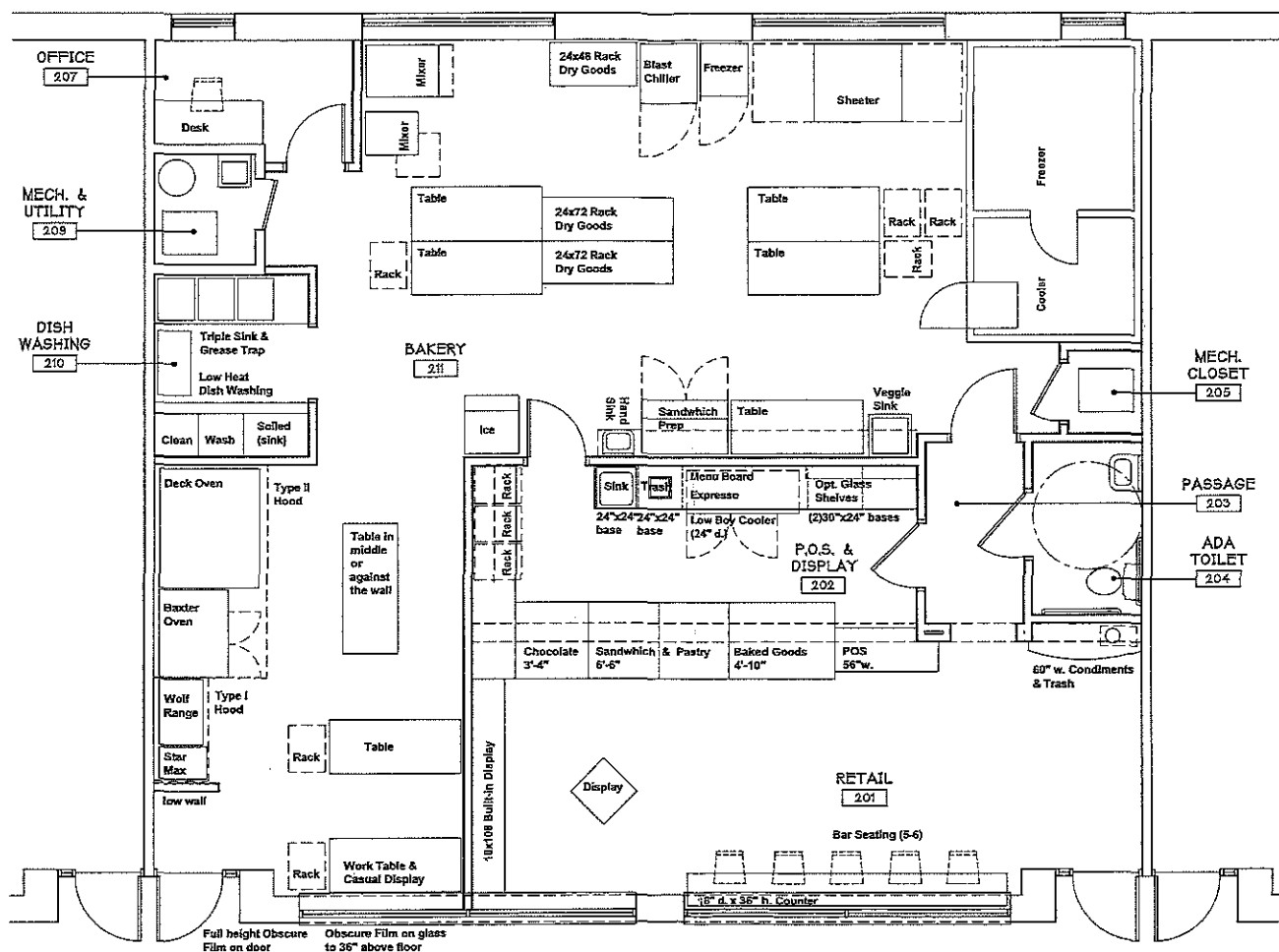
Deputy City Clerk

Public Hearing: November 5, 2015

1st Reading: November 5, 2015

2nd Reading: November 19, 2015

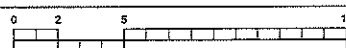
RECEIVED
NOV 02 2015
CITY OF KIRKWOOD
PUBLIC WORKS DEPARTMENT



1
A2.1

BAKERY FLOOR PLAN - REVISED (designed occupant load of 15)

3/16" = 1'-0"



EXISTING WALLS
NEW WALLS

Preliminary
Not For
Construction

Ann Stahl, AIA
7428 Warner Ave
St. Louis, MO 63117
314.775.3888
MO License A-2011002772

Date
9.17.15

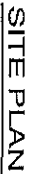
Issue 1.0
Special Use Permit
Revised 10.30.15

Tenant Build-Out for
Baywood Realty & Construction Company
A Bakery
11245 Manchester Road
Kirkwood, Missouri 63122
Saint Louis County

sheet no.

A2.1

A POTENTIAL NEW BAKERY
11234 & 11245 MANCHESTER ROAD
KIRKWOOD, MO 63122



SCALE 1/15-14



NORTH

(4) TOTAL EXISTING ACCESSIBLE PARKING SPACES

A POTENTIAL NEW BAKERY

11234 & 11245 MANCHESTER ROAD
KIRKWOOD, MO 63122

Property owner and management make no representations as to the suitability or viability of the Premises or its infrastructure for any use. Bidding as built takes precedence over this plan as drawn. Field verification of all aspects is necessary prior to reliance on this plan. This plan may not be to scale.

Drawn By:	TTB
Date:	6/7/15
Project No.	1576
Revision:	0
Sheet Title:	Site Plan (for Parking)
Sheet No.	

A-1

9

THE CONSENT AGENDA IS ATTACHED

- a) Approval of the March 21, 2019 City Council Meeting Minutes
- b) Resolution 47-2019, transferring funds from the Water Distribution System Improvements Account, Project #WA1901, to the Purchased Water account for the purchase of potable water for the Water Department (\$27,000)
- c) Resolution 48-2019, transferring funds from the Pension Account to the Overtime Account for the Street Department (\$4,850)
- d) Resolution 49-2019, accepting the bid of Ford Asphalt Co., for the 2019 Asphalt Street Repairs and authorizing and directing the Mayor to enter into a contract (not to exceed amount of \$65,000)
- e) Resolution 50-2019, accepting the bid of Clark Equipment Co., d/b/a Bobcat Company (pursuant to MoDOT Cooperative Contract) for the purchase of a T595 T4 Bobcat Compact Track Loader for the Street Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$49,274.36)
- f) Resolution 51-2019, accepting the bid of Key Equipment & Supply Co., (pursuant to MoDOT Cooperative Contract) for the purchase of a Elgin Pelican Street Sweeper for the Street Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$225,205)
- g) Resolution 52-2019, accepting the bid of Joe Machens Ford (pursuant to State of Missouri Cooperative Contract) for the purchase of a 2019 Ford Escape for the Building Commissioner and authorizing and directing the Director of Procurement to issue a Purchase Order (\$19,092)
- h) Resolution 53-2019, accepting the bid of Corrective Asphalt Materials for 2019 Emulsified Maltene Based Rejuvenator and authorizing and directing the Mayor to enter into a contract (not to exceed amount of \$22,468.44)
- i) Resolution 54-2019, accepting the bid of Lou Fusz Ford (pursuant to State of Missouri Cooperative Contract) for the purchase of a 2019 Ford F-150 Responder AWD for the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$35,554.50)
- j) Resolution 55-2019, accepting the bid of Lou Fusz (pursuant to MoDOT Cooperative Contract) for the purchase of a 2019 Jeep Cherokee 4WD/AWD for the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order (\$24,001)
- k) Resolution 56-2019, accepting the bid of Lou Fusz Ford (pursuant to MoDOT Cooperative Contract) for the purchase of a 2020 Ford Explorer AWD for Facilities Operations and authorizing and directing the Director of Procurement to issue a Purchase Order (\$30,369)



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**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
MARCH 21, 2019
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, March 21, 2019, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor Griffin, Council Members Duwe, Edman, Luetzow, Ward, Wurtz, and Zimmer. Also in attendance were Assistant Chief Administrative Officer Georgia Ragland, City Clerk Laurie Asche, Deputy City Clerk Fredrick Doss, and City Attorney John Hessel.

**INTRODUCTIONS AND RECOGNITIONS
NONE**

PRESENTATIONS

1. Human Rights Commission Vice-Chair Bob Boyd presented the 2018 Human Rights Commission Annual Report.
2. Assistant Chief Administrative Officer Georgia Ragland presented the Missouri Arbor Award of Excellence awarded to the City of Kirkwood by the Missouri Department of Conservation.

**PUBLIC HEARINGS
NONE**

PUBLIC COMMENTS

1. Andrew Grow, 9 Modoc Trail, stated that he works for a medical supply company that is currently applying for two medical marijuana dispensaries in Missouri and questioned if Kirkwood would embrace the industry.
2. Ryan Roe, 444 Alice Avenue, questioned when the tabled Bill 10645, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding Side Yard Setbacks in the R-3 Single Family Residential District will be brought back up for discussion.

CONSENT AGENDA

Motion was made by Council Member Ward and seconded by Council Member Wurtz to approve the Consent Agenda. The Consent Agenda was unanimously approved.

- a) Approval of the March 7, 2019 City Council Meeting Minutes



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- b) Resolution 34-2019, authorizing and directing the Mayor to enter into an agreement with Lewis Rice LLC for legal services to be rendered for the period of April 1, 2019 through March 31, 2021
- c) Resolution 35-2019, transferring funds from the Distribution System Account, Project #WA1901, to the Other Professional Services Account for the Water Department (\$23,700)
- d) Resolution 36-2019, transferring funds from the Machinery & Equipment Account, Projects #WA1910 and #WA1903, to the Electric Charge Pump Station Account for the Water Department (\$11,500)
- e) Resolution 37-2019, accepting the rate-based agreement with the Webster-Kirkwood Times for City departments to post notices and for publications of the City's monthly newsletter
- f) Resolution 38-2019, approving the annual license agreement for ESRI Software Licenses for the MIS Department (\$18,939)
- g) Resolution 39-2019, accepting the proposal of Marquette Associates, Inc. for Consulting Services for the Deferred Compensation Plan and authorizing and directing the Mayor to enter into a contract (\$10,000 per year)
- h) Resolution 40-2019, accepting the bid of Fletcher-Reinhardt Co. for 34.5kv 900A Group-Operated Loadbreak Switches for the Electric Department and authorizing the issuance of a Purchase Order (\$22,470)
- i) Resolution 41-2019, authorizing an agreement between the City of Kirkwood and AT&T Wireless (pursuant to Federal FirstNet Program Cooperative Contract) for cellular service, equipment and plans for the City of Kirkwood
- j) Resolution 42-2019, accepting the bid of Fred Weber for hot mix asphaltic concrete and authorizing and directing the Mayor to enter into a contract (at rates proposed)
- k) Resolution 43-2019, amending the contract with Frontenac Engineering for modification to curb inlets at the Train Station (increase by \$19,910 for a not to exceed amount of \$35,830)
- l) Resolution 44-2019, accepting the proposal of Spectrum Business for Kirkwood Internet and Phone Services for a term of 36 months and authorizing and directing the Mayor to enter into a contract (at the rates proposed)
- m) Resolution 46-2019, appointing Verneda Carrier to the Human Rights Commission for a term to June 2020 and Alvin Reid to the Park Board for a term to June 2020

UNFINISHED BUSINESS

Bill 10729, amending the Kirkwood Code of Ordinances, Chapter 2, Article VII. "Boards and Commissions", Division 7. "Kirkwood Arts Commission", Section 2-574.



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WHERE COMMUNITY AND SPIRIT MEET™

"Created; composition" and Section 2-575. "Terms; removal; vacancies; quorum; no compensation", was brought before the council.

Roll Call:

Mayor Griffin	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10571.

Bill 10730, adopting and approving the Operating and Capital Budget for the City of Kirkwood for the fiscal year April 1, 2019 through March 31, 2020, and appropriating such sums as are set forth herein for all departments and the account therein specified, for all expenditures of the City of such year, which appropriations total \$87,532,700, Capital Projects of \$8,728,483, and appropriating the sum of \$566,000 for payment of principal, interest and bank fees for General Obligation Bonded Indebtedness from the Debt Service Fund; and reappropriating \$32,328,386 for previously approved projects that will be incomplete as of March 31, 2019, was brought before the council.

Roll Call:

Mayor Griffin	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10572.

Bill 10731, approving the budget of the Special Business District for fiscal year April 1, 2019 through March 31, 2020, was brought before the council.



WHERE COMMUNITY AND SPIRIT MEET

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Roll Call:

Mayor Griffin	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10573.

Bill 10732, amending the Kirkwood Municipal Code of Ordinances, Chapter 23, Section 23-142 "Water Rates (a) and (d)" to increase water rates and meter charges, was brought before the council.

Roll Call:

Mayor Griffin	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10574.

NEW BUSINESS

Bill 10733, adopting the 2015 International Mechanical Code, with modifications, as the Mechanical Code of the City of Kirkwood, regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions to, use or maintenance of mechanical systems in the City of Kirkwood; providing for the issuance of permits and collection of fees therefore; and repealing the existing Mechanical Code, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Duwe to accept the bill for first reading approval. A discussion took place.

The bill received first reading approval and was held over.



WHERE COMMUNITY AND SPIRIT MEET

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Bill 10734, adopting the 2015 International Fuel Gas Code, with modifications, as the Fuel Gas Code of the City of Kirkwood, regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions to, use or maintenance of fuel gas systems in the City of Kirkwood; providing for the issuance of permits and collection of fees, was brought before the council. Motion was made by Council Member Luetzow and seconded by Council Member Edman to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10735, adopting the 2015 International Energy Conservation Code, with modifications, as the Energy Conservation Code of the City of Kirkwood, regulating and governing energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems in the City of Kirkwood; providing for the issuance of permits and collection of fees, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Wurtz to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10736, adopting the 2015 International Plumbing Code, with modifications, as the Plumbing Code of the City of Kirkwood, regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions to, use or maintenance of plumbing systems in the City of Kirkwood; providing for the issuance of permits and collection of fees; and repealing the existing Plumbing Code, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Edman to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10737, adopting the 2015 International Private Sewage Disposal Code, with modifications, as the Private Sewage Disposal Code of the City of Kirkwood, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of individual sewage systems in the City of Kirkwood; providing for the issuance of permits and collection of fees, was brought before the council. Motion was made by Council Member Wurtz and seconded by Council Member Duwe to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10738, adopting the 2015 International Swimming Pool and Spa Code, with modifications, as the Swimming Pool and Spa Code of the City of Kirkwood, regulating



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the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions to, use or maintenance of swimming pools and spas in the City of Kirkwood; providing for the issuance of permits and collection of fees, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Edman to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10739, adopting the 2015 International Building Code, with modifications, as the City of Kirkwood Building Code, establishing minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, quality of materials, erection, location, relocation, replacement, maintenance and use of all buildings and structures; providing for the issuance of permits and collection of fees; and repealing the existing Building Code, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Wurtz to accept the bill for first reading approval. A discussion took place.

The bill received first reading approval and was held over.

Bill 10740, adopting the 2015 International Residential Code for one- and two-family dwellings, including Appendix A – “Sizing and Capacity of Gas Piping”; Appendix B – “Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances Listed for Use with Type B Vents”; Appendix C – “Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems”; Appendix E – “Manufactured Housing Used as Dwellings”; Appendix F – “Radon Control Methods”; Appendix G – “Piping Standards for Various Applications”; Appendix H – “Patio Covers”; Appendix I – “Private Sewage Disposal”; Appendix J – “Existing Buildings and Structures”; Appendix K – “Sound Transmission”; Appendix M – Home Day Care – R-3 Occupancy”; Appendix P – “Sizing of Water Pipe”; as published by the International Code Council, with modifications, as the Residential Code of the City of Kirkwood establishing minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, quality of materials, erection, location, relocation, replacement, maintenance and use of all buildings and structures; providing for the issuance of permits and collection of fees; and repealing the existing Residential Code, was brought before the council. Motion was made by Council Member Wurtz and seconded by Council Member Zimmer to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10741, adopting the 2015 International Existing Building Code, with modifications, as the Existing Building Code of the City of Kirkwood, regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided in the City of Kirkwood;

City of Kirkwood – Council Meeting Minutes

March 21, 2019



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providing for the issuance of permits and collection of fees therefore, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Ward to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Resolution 45-2019, accepting the proposal of Development Strategies in the amount not to exceed \$131,879 (which includes a contingency of \$11,989) for Comprehensive Update for Zoning and Subdivision Codes and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Wurtz to accept the Resolution as read.

Roll Call:

Mayor Griffin	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"

CONSENT AGENDA ITEMS FOR DISCUSSION NONE

CITY COUNCIL REPORTS

Mayor Griffin stated that he will ask for Bill 10690, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding Height Requirement in the B-2 Business District, which was continued to April 4, 2019 to be tabled at the beginning of the April 4th meeting.

Mayor Griffin reminded everyone of the Public Information Meeting regarding the proposed City/County Merger will be on Tuesday, March 26, 2019 at 7:00 p.m. at the Reim Theatre.

Council Member Duwe questioned when the tabled Bill 10645, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding Side Yard Setbacks in the R-3 Single Family Residential District will be brought back up for discussion.

Council Member Ward reported that he attended the Better Together public information meeting in Des Peres.



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

Council Member Luetzow congratulated Director of Electric Mark Petty and the Kirkwood Electric Department on the Public Service Commission's (PSC) unanimous 5-0 decision voted to approve a transmission line, dubbed the Grain Belt Express Clean Line (GBX).

Council Member Zimmer reported that he attended the McEntee sign dedication.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes had nothing to report.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.

CITY CLERK REPORT

Ms. Asche read the report of the March 20, 2019 Planning and Zoning Commission meeting. The following action took place:

1. After a presentation to subdivide the Kirkwood United Church of Christ property at 1525 and 1603 Dougherty Ferry Road into two lots, the Commission recommended approval.
2. After a presentation for a request for a Special Use Permit for Rush Bowls to operate a restaurant in Suite 103 of 343 South Kirkwood Road, the Commission recommended approval. A public hearing will be scheduled.
3. Staff provided updates on development projects recently reviewed by the City Council.
4. Staff provided an update on the upcoming Comprehensive Zoning & Subdivision Code Review project. A Subcommittee consisting of Commissioners Drewel, Mallinckrodt, and Eagleton was appointed to serve on the Steering Committee
5. Staff provided information to the Commission on the various application processes that involve review by the Commission.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:41 p.m. The next regular council meeting is scheduled for April 4, 2019, at 7:00 p.m.

Laurie Asche, CMC/MRCC
City Clerk

Approved:

RESOLUTION 47-2019

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$27,000 FROM THE WATER DISTRIBUTION SYSTEM IMPROVEMENTS ACCOUNT, PROJECT #WA1901, TO THE PURCHASED WATER ACCOUNT FOR THE PURCHASE OF POTABLE WATER FOR THE WATER DEPARTMENT.

WHEREAS, the Water Department is requesting a transfer of funds due to increased water purchase due to weather, and

WHEREAS, funds in the amount of \$27,000 need to be transferred from Account #505-2215-481.75.15 (Water Distribution System Improvements), Project #WA1901, to Account #505-2214-481.41.02 (Purchased Water).

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

SECTION 1, Funds in the amount of \$27,000 are hereby transferred from Account #505-2215-481.75.15 (Water Distribution System Improvements), Project #WA1901, to Account #505-2214-481.41.02 (Purchased Water).

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

This request is to increase the Water account that is used to purchase water from Missouri American Water. This past summers weather increased our water purchase 2.23%.

Recommendations and Action Requested:

It is recommended that the City Council authorize the transfer of \$27,000 from account 505-2215-481.75-15 WA1901 to account 505-2214-481.41-02 for the purchase of additional potable water.

Alternatives Available:

Cost: \$27,000.00 Account #: 50522144814102 Project #: Budgeted: NO

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


Department Head Comments:

BY: Bill Bensing

Date: 3/22/2019

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: 3/26/2019

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**).

Transfer of Funds

From Account # or Fund Name: 505-2215-481.75-15 WA1901, Water Distribution System Improvements

To Account # or Fund Name: 505-2214-481.41-02, Purchased Water

Finance Director's Comments:

Budgetary appropriations in the amount of \$27,000 is available in account 505-2215-481-75-15, Water Distribution System Improvements project WA1902 to transfer into account 505-2214-481-41-02, Purchased Water.

BY: John Adams

Date: 3/26/2019

Authenticated: stephesf

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

☐ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19

RESOLUTION 48-2019

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$4,850 FROM THE PENSION ACCOUNT TO THE OVERTIME ACCOUNT FOR THE STREET DEPARTMENT.

WHEREAS, the Street Department exceeded its overtime budget due to numerous call outs due to snow and ice events, and

WHEREAS, funds in the amount of \$4,850 need to be transferred from Account #101-1402-431.23.02 (Pension) to Account #101-1402-431.11.05 (Overtime).

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

SECTION 1. Funds in the amount of \$4,850 are hereby transferred from Account #101-1402-431.23.02 (Pension) to Account #101-1402-431.11.05 (Overtime).

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

This past Winter the Street Division exceeded its overtime budget due to the numerous call outs due to snow and ice events. Therefore the Division is requesting a budget transfer to balance the overtime account.

Recommendations and Action Requested:

It is recommended that the City Council authorized the transfer of \$4,850 from account no. 101-1402-431.23-02 to account no. 101-1402-431.11-05 to balance the Street Division's overtime account.

Alternatives Available:

Cost: \$4,850.00

Account #: 10114024311105

Project #:

Budgeted: NO

If YES, Budgeted Amount:

If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 3/26/2019

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).**

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**).

Budgetary Approval

From Account # or Fund Name: 101-1402-431.23-02, Pension

To Account # or Fund Name: 101-1402-431.11-05, Overtime

Finance Director's Comments:

Budgetary appropriation is sufficient in account 101-1402-431-23-02, Pension to transfer to account 101-1402-431-11-05, Overtime in the amount of \$4,850. Current year-to-date transfer total into 101-1402-431-11-05 is \$6,500 and with the current request will be \$11,350 which exceed the \$10,000 threshold.

BY: John Adams

Date: 3/26/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY:



Date:

3-29-19

RESOLUTION 49-2019

A RESOLUTION ACCEPTING THE BID OF FORD ASPHALT CO., IN THE NOT TO EXCEED AMOUNT OF \$65,000 (WHICH INCLUDES A CONTINGENCY OF \$10,171) FOR THE 2019 ASPHALT STREET REPAIRS AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, pursuant to law, the City obtained bids for the 2019 Asphalt Street Repairs, and

WHEREAS, the most responsible bid received was that of Ford Asphalt Co., in the not to exceed amount of \$65,000 (which includes a contingency of \$10,171) 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 #301-1401-600.75.14, Project #PW2001.

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

SECTION 1. The bid of Ford Asphalt Co., in the not to exceed amount of \$65,000 (which includes a contingency of \$10,171) for the 2019 Asphalt Street Repairs is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into a contract with Ford Asphalt Co., in the not to exceed amount of \$65,000 (which includes a contingency of \$10,171) for the 2019 Asphalt Street Repairs.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan YES

Goal # & Title Goal 5. Invest for the future through infrastructure. Objective C.2

Background To Issue:

The Engineering Department staff has identified asphalt streets in the northwest maintenance district to receive surface treatments in fiscal year 2020. In preparation for surface treatments these streets require localized full depth and surface repairs. The Engineering Department will utilize up to \$65,000 of funds for this project. Bids for construction were sought through the Procurement Department. Ford Asphalt Co., Inc. submitted the low bid \$54,829.00

Recommendations and Action Requested:

It is recommend the City Council accept the bid submitted by Ford Asphalt Co, Inc. for construction services and authorize an additional amount of \$10,171 contingency for a total contract amount of \$65,000.

Alternatives Available:

Cost: \$65,000.00 Account #: 30114016007514 Project #: PW2001 Budgeted: YES

If YES, Budgeted Amount: \$2,200,000.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Ted Dunkmann

Date: 3/26/2019

Authenticated: dunkmatj

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: 3/26/2019

Authenticated: weidledc

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



13004 Resolution Letter.pdf
Adobe Acrobat Document
188 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: 301-1401-600-75-14, Streets Project PW...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available for the asphalt surface treatments for \$65,000 as requested above in account 301-1401-600-75-14, Streets, Projects PW2001.

BY: John Adams

Date: 3/27/2019

Authenticated: stephesf

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



Approve



Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19

March 26th, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: 2019 Asphalt Street Repairs, Bid # 13004

Sealed bids were publicly opened on March 25th, 2019. The bid tabulation is as follows:

<u>Vendor</u>	<u>Total Base Bid</u>
Ford Asphalt Co., Inc.	\$54,829.00
Spencer Contracting	\$63,531.50
Leritz Contracting	\$70,740.00
Byrne & Jones Construction	\$190,730.00

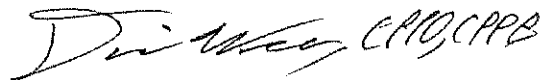
Bid requests were also sent ADB Companies, Construct Connect, Gershenson, K. Jacobs, Krupp, N.B. West Contracting and Pace Construction Company; however they did not submit bids.

The bids were provided to Ted Dunkmann, City Engineer, for review. It is recommended that the bid be awarded to Ford Asphalt Co., Inc. as their bid of \$54,829.00 is the lowest responsive and responsible bid meeting specifications.

Funds are available in account number 301-1401-600.75-14; project number PW2001, in the amount of \$2,200,000.00.

Attached is a request from Ted Dunkmann, City Engineer, for a resolution authorizing a contract to be issued to Ford Asphalt Co., Inc. in the amount of \$54,829.00 with a contingency of \$10,171.00 for a total not to exceed value of \$65,000.00 for the 2019 Asphalt Street Repairs.

Respectfully,

A handwritten signature in dark ink, appearing to read "David Weidler", followed by the printed text "CPPO, CPPB".

David Weidler, CPPO, CPPB
Procurement Director

RESOLUTION 50-2019

A RESOLUTION ACCEPTING THE BID OF CLARK EQUIPMENT CO., d/b/a BOBCAT COMPANY IN THE AMOUNT OF \$49,274.36 (PURSUANT TO MoDOT COOPERATIVE CONTRACT) FOR THE PURCHASE OF A T595 T4 BOBCAT COMPACT TRACK LOADER FOR THE STREET DEPARTMENT AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PROCUREMENT TO ISSUE A PURCHASE ORDER.

WHEREAS, the City may purchase items and services that have been competitively bid and awarded by MoDOT Cooperative Contract, and

WHEREAS, staff recommends that the City purchase of a T595 T4 Bobcat Compact Track Loader for the Street Department from Clark Equipment Co., d/b/a Bobcat Company under MoDOT Cooperative Contract #IFB605CO17001093 in the amount of \$49,274.36, and

WHEREAS, funds are available in Account #301-1401-600.75.06, Project #ST2003.

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

SECTION 1. The Director of Procurement is hereby authorized and directed to issue a Purchase Order in the amount of \$49,274.36 to Clark Equipment Co., d/b/a Bobcat Company under MoDOT Cooperative Contract #IFB605CO17001093 for the purchase of a T595 T4 Bobcat Compact Track Loader for the Street Department.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

In the FY20 budget, the Street Division is requesting the replacement of a skid steer. The existing skid steer has exceeded the replacement criteria of 15 with a current score of 38.02 established by Fleet Services. This piece of equipment is proposed to be purchase through the Missouri Department of Transportation cooperative contract.

Recommendations and Action Requested:

It is recommended that the City Council accept the proposal from Clark Equipment Co. in the amount of \$49,274.36 for the purchase of a Bobcat skid steer.

Alternatives Available:

Cost: \$49,274.36 Account #: 30114016007506 Project #: ST2003 Budgeted: YES
If YES, Budgeted Amount: \$49,500.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 3/11/2019

Authenticated: bensinwe

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



2-Kirkwood, City - T595 - HMM-
10090.docx
Microsoft Word Document
28.9 KB

📎 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: 3/26/2019

Authenticated: weidledc

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



12995 Resolution Letter.pdf
Adobe Acrobat Document
165 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:

Budgetary appropriation is available for above requested acquisition of the Bobcat Skid Steer for \$49,500 under account 301-1401-600-75-06, Rolling Stock, Project ST2003

BY: John Adams

Date: 3/27/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19



Bobcat

Product Quotation

Quotation Number: HMM-10090

Date: 2019-03-26 10:50:16

Customer Name/Address:	Bobcat Delivering Dealer	ORDER TO BE PLACED WITH: Contract Holder/Manufacturer
CITY OF KIRKWOOD Attn: CHRISTOPHER J WENOM SR. 345 SO FILLMORE AVE wenomcj@kirkwoodmo.org KIRKWOOD, MO 63122 Phone: (314) 822-5830 Fax: (314) 984-5990	Bobcat of St. Louis, Valley Park, MO 401 WEST OUTER RD VALLEY PARK MO 63088-2031 Phone: (636) 225-2900 Fax: (636) 225-8866	Clark Equipment Co dba Bobcat Company 250 E Beaton Dr, PO Box 6000 West Fargo, ND 58078 Phone: 701-241-8719 Fax: 855.608.0681 Contact: Heather Messmer Heather.Messmer@doosan.com

Description	Part No	Qty	Price Ea.	Total
T595 T4 Bobcat Compact Track Loader	M0249	1	\$38,591.00	\$38,591.00

74.0 HP Tier 4 Turbo Diesel Engine
Auxiliary Hydraulics: Variable Flow
Backup Alarm
Bob-Tach
Bobcat Interlock Control System (BICS)
Controls: Bobcat Standard
Cylinder Cushioning - Lift, Tilt
Engine/Hydraulic Systems Shutdown
Glow Plugs (Automatically Activated)
Horn
Instrumentation: Engine Temperature & Fuel
Gauges, Hourmeter, RPM and Warning Lights
Lift Arm Support

Lift Path: Vertical
Lights, Front & Rear
Operator Cab

- Includes: Adjustable Suspension Seat, Top & Rear Windows, Parking Brake, Seat Bar & Seat Belt
- Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471
- Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts)

Parking Brake: Spring Applied, Pressure Released (SAPR)

Solid Mounted Carriage with 4 Rollers

Tracks: Rubber, 12.6" Wide

Warranty: 2 years, or 2000 hours whichever occurs first

Factory Installed	A91 Option Package	M0249-P01-A91	1	\$6,834.80	\$6,834.80
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Cab enclosure with Heat and AC
High Flow Hydraulics
Two Speed Travel
Sound Reduction
Hydraulic Bucket Positioning
Power Bob-Tach

Deluxe Instrument Panel
Keyless Start
Attachment Control Kit
Cab Accessories Package
3-Point Seat Belt

Attachments	16" Rubber Track	M0249-R09-C02	1	\$1,005.90	\$1,005.90
	Reversing Fan	M0249-R32-C02	1	\$346.50	\$346.50
	Automatic Ride Control	M0249-R33-C02	1	\$416.50	\$416.50
	Telematics US	M0249-R51-C02	1	\$0.00	\$0.00
	74" C/I Heavy Duty Bucket	6732305	1	\$1,110.36	\$1,110.36
	--- Bolt-On Cutting Edge, 74"	6718007	1	\$182.62	\$182.62
	--- Bolt-On Side Cutting Edge Kit-C/I Heavy Duty	6732415	1	\$168.53	\$168.53
	4K Heavy Duty Pallet Fork Frame	7294305	1	\$300.20	\$300.20
	--- 48" 4K Heavy Duty Pallet Fork Teeth	6540182	1	\$224.20	\$224.20

Total of Items Quoted	\$49,180.61
Dealer Assembly Charges	\$93.75
Quote Total - US dollars	\$49,274.36

Notes:

***Prices off Missouri Contract# IFB605CO17001093. Contract Expires: June 27th, 2017 through May 31st 2019**

***Terms Net 30 Days. Credit cards accepted.**

***FOB: Destination within the 48 Contiguous States.**

***Delivery: 60 to 90 days or less from ARO.**

***State Sales Taxes apply. IF Tax Exempt, please provide Tax Exempt Certificate with order.**

***TID# 38-0425350**

***Orders Must be Placed With: Clark Equipment Company dba Bobcat Company, Govt Sales, 250 E Beaton Drive, PO Box 6000, West Fargo, ND 58078.**

Prices & Specifications are subject to change. Please call before placing an order. Applies to factory ordered units only.

ORDER ACCEPTED BY:

SIGNATURE

DATED

PRINT NAME AND TITLE

PURCHASE ORDER #

SHIP TO ADDRESS: _____

BILL TO ADDRESS (if different than Ship To): _____



March 26th, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: Compact Track Loader / Skid Steer, Bid #12995.

Vendor:

Clark Equipment Co., d/b/a Bobcat Company

MoDOT Contract #IFB605CO17001093

T595 T4 Bobcat Compact Track Loader

Unit Price

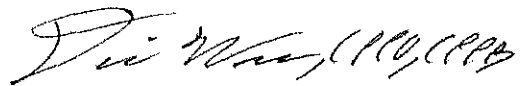
\$49,274.36

The City of Kirkwood may use cooperative contracts that are competitively bid. MoDOT competitively bid T595 T4 Bobcat Compact Track Loader and Clark Equipment Co., d/b/a Bobcat Company was the lowest responsible and responsive bid. The MoDOT contract number is #IFB605CO17001093.

Funds are available in account 301-1401-600.75-06, in the amount of \$49,500.00, project number ST2003.

Attached is a request from Bill Bensing, Public Services Director, for a resolution authorizing a purchase order in the amount of \$49,274.36 to be issued to Clark Equipment Co., d/b/a Bobcat Company for the purchase of a T595 T4 Bobcat Compact Track Loader.

Respectfully,

A handwritten signature in black ink, appearing to read "David Weidler", with some additional scribbles to the right.

David Weidler, CPPO, CPPB
Procurement Director

RESOLUTION 51-2019

A RESOLUTION ACCEPTING THE BID OF KEY EQUIPMENT & SUPPLY CO., IN THE AMOUNT OF \$225,205 (PURSUANT TO MoDOT COOPERATIVE CONTRACT) FOR THE PURCHASE OF A ELGIN PELICAN STREET SWEEPER FOR THE STREET DEPARTMENT AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PROCUREMENT TO ISSUE A PURCHASE ORDER.

WHEREAS, the City may purchase items and services that have been competitively bid and awarded by MoDOT Cooperative Contract, and

WHEREAS, staff recommends that the City purchase of a Elgin Pelican Street Sweeper for the Street Department from Key Equipment & Supply Co., under MoDOT Cooperative Contract #3-160513TV in the amount of \$225,205, and

WHEREAS, funds are available in Account #301-1401-600.75.06, Project #ST2002.

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

SECTION 1. The Director of Procurement is hereby authorized and directed to issue a Purchase Order in the amount of \$225,205 to Key Equipment & Supply Co., under MoDOT Cooperative Contract #3-160513TV for the purchase of a Elgin Pelican Street Sweeper for the Street Department.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

In the FY20 budget, the Street Division is requesting the Replacement of the street sweeper. The existing sweeper has exceeded the replacement criteria of 15 with a current score of 18.81 established by Fleet Services. This piece of equipment is proposed to be purchased through MoDot's cooperative purchasing agreement.

Recommendations and Action Requested:

It is recommended that the City Council accept the proposal from Key Equipment & Supply Co. in the amount of \$225,205 for the purchase of an Elgin Pelican street sweeper.

Alternatives Available:

Cost: \$225,205.00 Account #: 30114016007506 Project #: ST2002 Budgeted: YES

If YES, Budgeted Amount: \$235,000.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 3/11/2019

Authenticated: bensinwe

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



2019ElginPelicanKirkwoodMoD
OTProposal.pdf
Adobe Acrobat Document
184 KB

 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: 3/26/2019

Authenticated: weidledc

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



13056 Resolution Letter.pdf
Adobe Acrobat Document
152 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: 301-1401-600-75-06, Rolling Stock Prj ST...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available to acquire the above requested street sweeper in the amount of \$225,205 in account 301-1401-600-75-06, Rolling Stock project ST2002.

BY: John Adams

Date: 3/27/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19



Corporate Office
P.O. Box 2007
Maryland Heights, MO 63043
314-298-8330

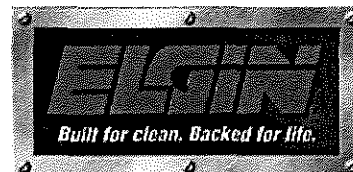
Branch Office
P.O. Box 11035
Kansas City, KS 66111
913-371-8260

Branch Office
P.O. Box 692109
Tulsa, OK 74169
918-809-8011



March 11, 2019

City of Kirkwood
Attn: Mr. Christopher Wenom, Fleet Director
Mr. Mike Johnson, Street Supervisor
139 S. Kirkwood Rd.
Kirkwood, MO 63122



RE: Elgin Pelican
MoDOT Contract #: 3-160513TV

Guys,

On behalf of the employees at Key Equipment & Supply Co., I would like to thank you and the City of Kirkwood for the opportunity to propose an Elgin Pelican street sweeper. This proposal price is based on MoDOT contract pricing. This machine was designed with specific enhancements to gain productivity and reliability. Key Equipment & Supply Co. is proud to provide the safest, durable, and most dependable street sweepers available today.

Key Equipment & Supply Co. has been in business since 1962. Since our inception, we have been the authorized dealer of Elgin Sweeper Company. Fifty-five years of selling and servicing Elgin's across Missouri, Illinois and Kansas has taught us many valuable lessons about the street sweeping industry.

Elgin Pelican Product Description:

Dual steer & gutter brooms, hydraulically driven, Tier 4F JD 4045TF low emission diesel engine, hydrostatic drive and steering, chassis and wheels powder coated standard white.

Standard Features:

- Air cleaner, two-stage, dry type with restriction indicator
- Air Conditioner
- Alternator, 120 amp
- Anti Siphon water fill
- Automatic engine shutdown (oil pressure/engine temperature)
- Automatic pickup in reverse
- B20 biodiesel compatible
- Back up alarm, electric
- Battery, maintenance free
- Brakes, power
- Broom, main, hydraulically suspended
- Broom, main, in cab pressure control
- Broom, main, prefab, disposable
- Broom, side broom, hydraulically suspended
- Broom, side broom, in cab pressure control
- Broom Measurement Ruler

- Bumper pads, front jack
- Coolant recovery system
- Doors, see through glass, prop-able
- Electronic Throttle
- Engine, hour meter
- Gauges & Warning lights: engine oil temperature engine, oil pressure, fuel level, speedometer & odometer w/trip set
- Fenders, over front wheels
- Flushing system for hopper/conveyor
- Fuel tank, 35 gallons
- Fuel Water separator with indicator light
- Heater, pressurizer with filtered air, defroster
- Hose, hydrant fill, 16' 8" with coupling
- Light, spotlight, adjustable, one per side broom
- Lights, 2 combination, tail/stop lights
- Lights, headlights, multiple beam
- Lights, low water light
- Low Hydraulic Warning
- Main broom controls in cab
- Manuals, operator and parts
- Mirror, inside rear view
- Mirrors, outside, front mounted 6 inch fish eyes
- Mirrors, outside, front post mounted, west coast type, one each side
- Parking brake with interlock
- Rear Camera & in cab monitor
- Return to sweep feature
- Seat Belts (both sides for dual)
- Seats, extra wide cordura suspension seats with arm rests
- Signals, self-canceling directional with hazard switch
- Sprung guide wheel, heavy duty
- Steering wheel, tilt and telescoping
- Sun visors
- Tachometer, diesel engine
- Tires, tubeless radials
- Tow loops, four
- Water tank, fill gauge
- Water tank, molded polyethylene: 220 gallon total nominal capacity
- Wheels, dual guide
- Wheels painted grey
- Window, opening front opera
- Windshield washer
- Windshield wipers with intermittent setting
- Windshield, tinted
- Sweeper Painted Standard White
- Red Logo
- 1 Year Parts and Labor Warranty

MoDOT Enhancements Include:

AM/FM/CD Play & 2 Map lite
 Conveyor lower roller cleanout
 Main broom odometer/hour meter
 Mirrors heated & motorized
 (1) LED strobe on cab w/guard
 LED stop, tail, turn

Spare drive wheel
 Spare guide wheel
 Paint sweeper yellow (in lieu of standard white)
 Heavy-Duty dual limb guards
 Hydraulic oil level & temp shutdown
 RH SB tilt w/ indicator
 LH SB tilt w/ indicator
 Robert Shaw auto lube – NP Dual
 Pelican NP service manual

2019 Elgin Pelican with MoDOT Enhancements:

\$ 219,695.00

Main broom odometer/hour meter	\$ 200.00
(1) LED strobe on cab w/guard	\$ 600.00
Spare drive wheel	\$ 500.00
Spare guide wheel	\$ 450.00
Paint Sweeper Yellow (ilo of std. white)	\$ 350.00
Total Deductions	-\$ 2,100.00

Additional Productivity Enhancements:

(2) LED strobes w/guard & (4) roof mounted sweep flashers	\$ 2,215.00
(2) LED rear floods & backup lights	\$ 765.00
License plate holder – Front & rear	\$ 205.00
Left hand side camera	\$ 530.00
Spare drive wheel & tire (16 ply)	\$ 1,170.00
Spare guide wheel & tire (16 ply)	\$ 945.00
Premium radiator/heater hoses	\$ 280.00
Total Additional Enhancements:	\$ 6,110.00

Sweeper Decal/Wrap:

\$ 1,500.00

Total Price Delivered to the City of Kirkwood:

\$ 225,205.00

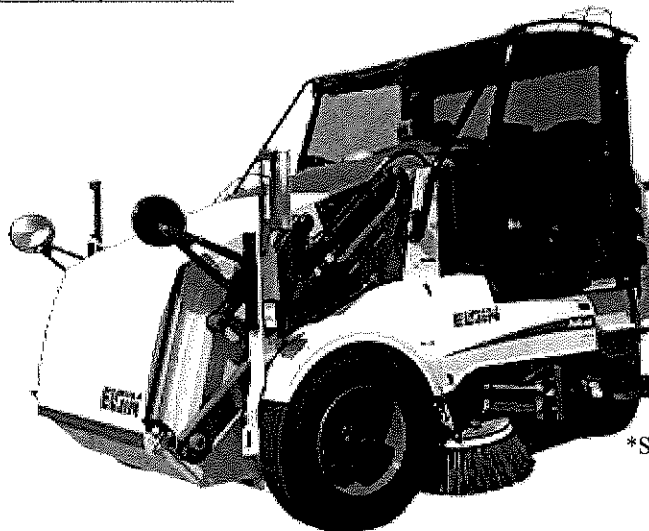
Freight, Delivery, and Free Lifetime Training included in pricing

Thank you again for your consideration of Key Equipment & Supply Co. and Elgin Sweeper Co. I look forward to reviewing this proposal with you. I am still working on getting color swatches for you and will send them once I receive them. If you have any questions, or would like additional information, please don't hesitate to contact me at (314) 616-9617 or zac@keyequipment.com.

Respectfully,

Zac Scheetz

Zac Scheetz
 Territory Manager
 Key Equipment & Supply Co.



*Sample Photo

March 26th, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: Elgin Pelican Street Sweeper, Bid #13056.

Vendor:

Key Equipment & Supply Co.

MoDOT Contract #3-160513TV

Elgin Pelican

Unit Price

\$225,205.00

The City of Kirkwood may use cooperative contracts that are competitively bid. MoDOT competitively bid Elgin Pelican and Key Equipment & Supply Co. was the lowest responsible and responsive bid. The MoDOT contract number is 3-160513TV.

Funds are available in account 301-1401-600.75-06, in the amount of \$235,000.00, project number ST2002.

Attached is a request from Bill Bensing, Public Services Director, for a resolution authorizing a purchase order in the amount of \$225,205.00 to be issued to Key Equipment & Supply Co. for the purchase of an Elgin Pelican Street Sweeper.

Respectfully,

A handwritten signature in dark ink, appearing to read "David Weidler", followed by the printed text "CPPO/CPPB".

David Weidler, CPPO, CPPB
Procurement Director

RESOLUTION 52-2019

A RESOLUTION ACCEPTING THE BID OF JOE MACHENS FORD IN THE AMOUNT OF \$19,092 (PURSUANT TO STATE OF MISSOURI COOPERATIVE CONTRACT) FOR THE PURCHASE OF A 2019 FORD ESCAPE FOR THE BUILDING COMMISSIONER AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PROCUREMENT TO ISSUE A PURCHASE ORDER.

WHEREAS, the City may purchase items and services that have been competitively bid and awarded by State of Missouri Cooperative Contract, and

WHEREAS, staff recommends that the City purchase of a 2019 Ford Escape from Joe Machens Ford under State of Missouri Cooperative Contract #IFB605CO19000723 in the amount of \$19,092, and

WHEREAS, funds are available in Account #301-1702-600.75.06, Project #BC2001.

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

SECTION 1. The Director of Procurement is hereby authorized and directed to issue a Purchase Order in the amount of \$19,092 to Joe Machens Ford under State of Missouri Cooperative Contract #IFB605CO19000723 for the purchase of a 2019 Ford Escape for the Building Commissioner.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

In the FY20 budget the Building Commissioner's Office is requesting the replacement of vehicle no. 5753. This vehicle is used daily in carrying out building and home inspections. 5753 has exceeded the replacement criteria of 15 with a score of 19.95 established by Fleet Services.

Recommendations and Action Requested:

It is recommended that the City Council accept the proposal from Joe Machen's Ford in the amount of \$19,092 for the procurement of a vehicle for the Building Commissioner's Office.

Alternatives Available:

Cost: \$19,092.00 Account #: 30117026007506 Project #: BC2001 Budgeted: YES

If YES, Budgeted Amount: \$23,500.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 3/13/2019

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: 3/26/2019

Authenticated: weidledc

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



12988 Resolution Letter.pdf
Adobe Acrobat Document
159 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: 301-1702-600-75-06, Rolling Stock Prj BC...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available for the acquisition of a vehicle in the amount of \$19,092 for the building commissioner's office in account 301-1702-600-75-06, Rolling stock project BC2001.

BY: John Adams

Date: 3/27/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY:

Date: 3-29-19

March 26th, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: 2019 Ford Escape, Bid # 12988

<u>Vendor – Joe Machens Ford</u>	<u>Unit Price</u>
2019 Ford Escape, FWD – White in color	\$18,742.00
Bluetooth Capability	STD
Additional Key Set	\$350.00

Total Vehicle Cost	\$19,092.00
---------------------------	--------------------

The City of Kirkwood may use cooperative contracts that are competitively bid. The State of Missouri competitively bid a 2019 Ford Escape and Joe Machens Ford was the lowest responsible and responsive bid. The State of Missouri contract number is IFB605CO19000723.

Funds are available in account 301-1702-600.75-06, in the amount of \$23,500.00, project number BC2001.

Attached is a request from Bill Bensing, Public Services Director, for a resolution authorizing a purchase order in the amount of \$19,092.00 to be issued to Joe Machens Ford for the purchase of a 2019 Ford Escape for Building Commissioner.

Respectfully,



David Weidler, CPPO, CPPB
Procurement Director

RESOLUTION 53-2019

A RESOLUTION ACCEPTING THE BID OF CORRECTIVE ASPHALT MATERIALS IN THE NOT TO EXCEED AMOUNT OF \$22,468.44 (WHICH INCLUDES A CONTINGENCY OF \$2,042.58) FOR 2019 EMULSIFIED MALTENE BASED REJUVENATOR AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, pursuant to law, the City obtained bids for 2019 Emulsified Maltene Based Rejuvenator, and

WHEREAS, the most responsible bid received was that of Corrective Asphalt Materials in the not to exceed amount of \$22,468.44 (which includes a contingency of \$2,042.58) 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 #301-1401-600.75.14, Project #PW2001.

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

SECTION 1. The bid of Corrective Asphalt Materials in the not to exceed amount of \$22,468.44 (which includes a contingency of \$2,042.58) for 2019 Emulsified Maltene Based Rejuvenator is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into a contract with Corrective Asphalt Materials in the not to exceed amount of \$22,468.44 (which includes a contingency of \$2,042.58) for 2019 Emulsified Maltene Based Rejuvenator.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan YES

Goal # & Title Goal #5 Invest for the future through public infrastructure

Background To Issue:

The Engineering Department has selected asphalt streets overlayed in FY18 to receive an asphalt rejuvenator. The project includes the application of an emulsified maltene based rejuvenator to the surface of asphalt streets. Bid advertisements for construction of the project were sent to contractor's through the Procurement Department. Corrective Asphalt Materials, LLC submitted a low bid of \$20,425.86

Recommendations and Action Requested:

It is recommended the City Council accept the bid submitted by Corrective Asphalt Materials, LLC for construction services and authorize an additional amount of \$2,042.58 contingency for a total contract amount of \$22,468.44.

Alternatives Available:

Cost: \$22,468.44 Account #: 30114016007514 Project #: PW2001 Budgeted: YES

If YES, Budgeted Amount: \$2,200,000.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Ted Dunkmann

Date: 3/25/2019

Authenticated: dunkmatj

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: 3/26/2019

Authenticated: weidledc

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



13019 Resolution Letter.pdf
Adobe Acrobat Document
174 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: 301-1401-600-75-14, Streets Project PW...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available for asphalt rejuvenator as requested above in account 301-1401-600-75-14, Streets, Project PW2001 for \$22,469.

BY: John Adams

Date: 3/27/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19

March 26th, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: 2019 Emulsified Maltene Based Rejuvenator, Bid #13019

Sealed bids were publicly opened on March 22nd, 2019. The bid tabulation is as follows:

<u>Vendor</u>	<u>Total</u>
Corrective Asphalt Materials	\$20,425.86

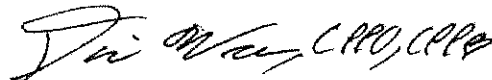
Bid requests were also sent to Missouri Petroleum Products and Byrne and Jones Construction; however they did not submit bids.

The bids were provided to Ted Dunkmann, City Engineer, for review. It is recommended that the bid be awarded to Corrective Asphalt Materials, as their bid of \$20,425.86 is the lowest responsible bid meeting specifications.

Funding is available in account number 301-1401-600.75-14, project number PW2001, in the amount of \$2,200,000.00.

Attached is a request from Ted Dunkmann, City Engineer, for a resolution authorizing a contract to be issued to Corrective Asphalt Materials in the amount of \$20,425.86 with a contingency of \$2,042.58 for a total not to exceed value of \$22,468.44 for 2019 Emulsified Maltene Based Rejuvenator.

Respectfully,



David Weidler, CPPO, CPPB
Procurement Director

RESOLUTION 54-2019

A RESOLUTION ACCEPTING THE BID OF LOU FUSZ FORD IN THE AMOUNT OF \$35,554.50 (PURSUANT TO STATE OF MISSOURI COOPERATIVE CONTRACT) FOR THE PURCHASE OF A 2019 FORD F-150 RESPONDER AWD FOR THE POLICE DEPARTMENT AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PROCUREMENT TO ISSUE A PURCHASE ORDER.

WHEREAS, the City may purchase items and services that have been competitively bid and awarded by State of Missouri Cooperative Contract, and

WHEREAS, staff recommends that the City purchase of a 2019 Ford F-150 Responder AWD from Lou Fusz Ford under State of Missouri Cooperative Contract #CC190367002 in the amount of \$35,554.50, and

WHEREAS, funds are available in Account #301-1201-600.75.06, Project #PD2002.

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

SECTION 1. The Director of Procurement is hereby authorized and directed to issue a Purchase Order in the amount of \$35,554.50 to Lou Fusz Ford under State of Missouri Cooperative Contract #CC190367002 for the purchase of a 2019 Ford F-150 Responder AWD for the Police Department.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan Select... Goal # & Title

Background To Issue:

The Police Department has budgeted in FY 2019/20 for the purchase of a 2019 Ford F-150 Patrol vehicle, which will replace a model year 2002 marked pickup. The new vehicle is specifically designed for Patrol and Traffic functions, and provides additional functionality for barricades, etc. because of the open bed.

Recommendations and Action Requested:

The Police Department is requesting Council approval for the purchase from Lou Fusz Ford of one 2019 Ford F-150 Responder 4WD police vehicle, under State of Missouri contract CC190367002 .

Alternatives Available:

Not purchase the vehicle.

Cost: \$35,554.50 Account #: 30112016007506 Project #: PD2002 Budgeted: YES

If YES, Budgeted Amount: \$176,300.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Brian Murphy

Date: 3/12/2019

Authenticated: folluojd

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



Model Year 2019 Patrol
Vehicles (1).pdf
Adobe Acrobat Document
503 KB

 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: 3/28/2019

Authenticated: weidledc

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



13059 Resolution Letter.pdf
Adobe Acrobat Document
174 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: 301-1201-600-75-06, Rolling Stock Prj PD...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available for the purchase of 2019 Ford F-150 in the amount of \$35,554.50 in account 301-1201-600-75-06, Rolling Stock Project PD2002.

BY: John Adams

Date: 3/28/2019

Authenticated: stephesf

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



Approve



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date: 3-29-19

March 28, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: 2019 Ford F-150 Responder AWD, Bid # 13059

<u>Vendor – Lou Fusz Ford</u>	<u>Unit Price</u>
2019 Ford F-150 Responder AWD – Blue Jeans	\$33,537.00
Line 47/18B Black Platform Running Boards	275.00
Line 49/96W Spray-in Bedliner	595.00
Line 43 Dealer Prep	1,095.00
Line 48 Delivery Costs, \$1.50 per mile	52.50

Total Vehicle Cost **\$35,554.50**

The City of Kirkwood may use cooperative contracts that are competitively bid. The State of Missouri competitively bid 2019 Ford F-150 Responder AWD and Lou Fusz Ford was the lowest responsible and responsive bid. The state contract number is CC190367002.

Funds are available in account number 301-1201-600-75.06, project number PD2002, in the amount of \$176,300.00.

Attached is a request from John Folluo, Police Captain, for a resolution authorizing a purchase order in the amount of \$35,554.50 to be issued to Lou Fusz Ford for the purchase of a 2019 Ford F-150 Responder AWD for the Police Department.

Respectfully,



David Weidler, CPPO, CPPB
Director of Procurement

RESOLUTION 55-2019

A RESOLUTION ACCEPTING THE BID OF LOU FUSZ IN THE AMOUNT OF \$24,001 (PURSUANT TO STATE OF MISSOURI COOPERATIVE CONTRACT) FOR THE PURCHASE OF A 2019 JEEP CHEROKEE 4WD/AWD FOR THE POLICE DEPARTMENT AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PROCUREMENT TO ISSUE A PURCHASE ORDER.

WHEREAS, the City may purchase items and services that have been competitively bid and awarded by State of Missouri Cooperative Contract, and

WHEREAS, staff recommends that the City purchase of a 2019 Jeep Cherokee 4WD/AWD from Lou Fusz under State of Missouri Cooperative Contract #IFB605CO19000723 in the amount of \$24,001, and

WHEREAS, funds are available in Account #301-1201-600.75.06, Project #PD2002.

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

SECTION 1. The Director of Procurement is hereby authorized and directed to issue a Purchase Order in the amount of \$24,001 to Lou Fusz under State of Missouri Cooperative Contract #IFB605CO19000723 for the purchase of a 2019 Jeep Cherokee 4WD/AWD for the Police Department.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

The Police Department has budgeted in FY 2019/20 for the purchase of a 2019 Jeep Cherokee unmarked vehicle to replace an unmarked vehicle nearing 100,000 miles.

Recommendations and Action Requested:

The Police Department is requesting Council approval of the purchase from Lou Fusz of one 2019 Jeep Cherokee 4WD vehicle for \$24,001.00, under MoDOT contract IFB605CO19000723.

Alternatives Available:

Not purchase the vehicle.

Cost: \$24,001.00 Account #: 30112016007506 Project #: PD2002 Budgeted: YES

If YES, Budgeted Amount: \$176,300.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Brian Murphy

Date: 3/20/2019

Authenticated: folluojd

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



Light Duty Vehicle
IFB605CO19000723 Awarded
Bid Tabulation.xlsx
Microsoft Excel Worksheet
203 KB

📎 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: 3/28/2019

Authenticated: weidledc

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



13071 Resolution Letter.pdf
Adobe Acrobat Document
180 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: 301-1201-600-75-06, Rolling Stock Prj PD...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available for the purchase of 2019 Jeep Cherokee in the amount of \$24,001 in account 301-1201-600-75-06, Rolling Stock Project PD2002.

BY: John Adams

Date: 3/28/2019

Authenticated: stephesf

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



Approve



Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19

March 28, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: 2019 Jeep Cherokee 4WD/AWD, Bid # 13071

<u>Vendor – Lou Fusz</u>	<u>Unit Price</u>
2019 Jeep Cherokee 4WD/AWD	\$ 20,836.00
LDF OP1 4WD/AWD in lieu of 2WD	\$ 1,285.00
LDF OP2 Alternate Gas Engine	\$ 1,285.00
LDF OP3 Additional Key Set	\$ 595.00

Color: Lt. Brownstone-Pearl Coat

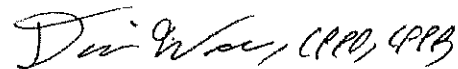
Total Vehicle Cost **\$24,001.00**

The City of Kirkwood may use cooperative contracts that are competitively bid. The Missouri Highways and Transportation Commission (MHTC) and Missouri Dept. of Transportation (MoDOT) competitively bid 2019 Jeep Cherokee 4WD/AWD and Lou Fusz was the lowest responsible and responsive bid. The state contract number is IFB605CO19000723.

Funds are available in account number 301-1201-600-75.06, project number PD2002, in the amount of \$176,300.00.

Attached is a request from John Folluo, Police Captain, for a resolution authorizing a purchase order in the amount of \$24,001.00 to be issued to Lou Fusz for the purchase of a 2019 Jeep Cherokee 4WD/AWD for the Police Department.

Respectfully,



David Weidler, CPPO, CPPB
Director of Procurement

RESOLUTION 56-2019

A RESOLUTION ACCEPTING THE BID OF LOU FUSZ FORD IN THE AMOUNT OF \$30,369 (PURSUANT TO MoDOT COOPERATIVE CONTRACT) FOR THE PURCHASE OF A 2020 FORD EXPLORER AWD FOR FACILITIES OPERATIONS AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PROCUREMENT TO ISSUE A PURCHASE ORDER.

WHEREAS, the City may purchase items and services that have been competitively bid and awarded by MoDOT Cooperative Contract, and

WHEREAS, staff recommends that the City purchase of a 2020 Ford Explorer AWD from Lou Fusz Ford under MoDOT Cooperative Contract #IFB605CO19000723 in the amount of \$30,369, and

WHEREAS, funds are available in Account #301-1704-600.75.06, Project #FO2002.

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

SECTION 1. The Director of Procurement is hereby authorized and directed to issue a Purchase Order in the amount of \$30,369 to Lou Fusz Ford under MoDOT Cooperative Contract #IFB605CO19000723 for the purchase of a 2020 Ford Explorer AWD for Facilities Operations.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

Facilities Operations has budgeted in FY 20 for the purchase of a 2020 Ford Explorer AWD to replace vehicle 5800 a 2012 Tahoe which has exceeded its replacement schedule set forth by the Fleet Director.

Recommendations and Action Requested:

Facilities Operations is requesting Council approval of the purchase from Lou Fusz Ford of one 202 Ford Explorer AWD vehicle in the amount of \$30,369.00, under MoDOT contract IFB605CO19000723.

Alternatives Available:

Do not replace vehicle which would result in increased maintenance costs and reduced ROI.

Cost: \$30,369.00 Account #: 30117046007506 Project #: FO2002 Budgeted: YES

If YES, Budgeted Amount: \$32,500.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: David Weidler

Date: 3/28/2019

Authenticated: weidledc

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: 3/28/2019

Authenticated: weidledc

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



12993 Resolution Letter.pdf
Adobe Acrobat Document
172 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: 301-1704-600-75-06, Rolling Stock, Prj F...

To Account # or Fund Name:

Finance Director's Comments:

Budgetary appropriation is available for the purchase of 2020 Ford Explorer in the amount of \$30,369 in account 301-1704-600-75-06, Rolling Stock Project FO2002.

BY: John Adams

Date: 3/28/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19

March 28, 2019

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: 2020 Ford Explorer AWD, Bid # 12993

<u>Vendor – Lou Fusz Ford</u>	<u>Unit Price</u>
2020 Ford Explorer AWD	\$29,874.00
LDG OP4 Additional Key Set	495.00

Color: Silver Spruce

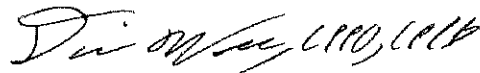
Total Vehicle Cost **\$30,369.00**

The City of Kirkwood may use cooperative contracts that are competitively bid. The Missouri Highways and Transportation Commission (MHTC) and Missouri Dept. of Transportation (MoDOT) competitively bid 2020 Ford Explorer AWD and Lou Fusz Ford was the lowest responsible and responsive bid. The state contract number is IFB605CO19000723.

Funds are available in account number 301-1704-600.75-06, project number FO2002, in the amount of \$32,500.00.

Attached is a request from David Weidler, Director of Procurement, for a resolution authorizing a purchase order in the amount of \$30,369.00 to be issued to Lou Fusz Ford for the purchase of a 2020 Ford Explorer AWD for Facilities Operations.

Respectfully,



David Weidler, CPPO, CPPB
Director of Procurement

BILL 10726

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, REGARDING THE ADDITION OF A NEW PERMITTED USE CATEGORY (MULTIPLE-FAMILY DWELLINGS) IN THE B-2, GENERAL BUSINESS DISTRICT.

WHEREAS, Savoy Investments, LLC made application (PZ-16-19) for a text amendment to the Zoning Code related to the addition of a new permitted use category (Multiple-family dwellings) in the B-2 District; and

WHEREAS, the Planning and Zoning Commission did on the 2nd day of January, 2019, by adopting the subcommittee report dated January 2, 2019, (attached hereto and incorporated by reference herein), recommend the approval of said Zoning Code text amendment; and

WHEREAS, on the 7th day of February, 2019, 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 including a new permitted use category in Section A-510.2 with the following language:

Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan

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 _____, 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Ordinance

Place On The Agenda Of: 2/7/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

Savoy Investments LLC has applied for a text amendment to the zoning code to allow for multi-family development in certain areas of Downtown Kirkwood according to the Framework Plan in the Downtown Master Plan. This request was initiated in conjunction with the request for Site Plan approval related to a multi-family building on the property at 204 S. Clay. A separate legislation request for that item, including a separate resolution, has been prepared.

Recommendations and Action Requested:

The Planning & Zoning Commission unanimously recommended approval of the proposed text amendment. Consideration by the City Council is requested.

Alternatives Available:

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: 1/30/2019

Authenticated: raichejd

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



2019-02-07 PZ-16-19
TextAmend Ordinance.doc
Microsoft Word 97 - 2003
Document
29.0 KB



2019-01-02 PZ-16-19 Report
Final Signed.pdf
Adobe Acrobat Document
8.90 MB

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

☐ Diasapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-1-19

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 2, 2019**

PETITION NUMBER: PZ-16-19

ACTION REQUESTED: ZONING CODE TEXT AMENDMENT AND SITE PLAN REVIEW

PROPERTY OWNER: SAVOY INVESTMENTS LLC (UNDER CONTRACT)

APPLICANT: SAVOY INVESTMENTS LLC

APPLICANT'S AGENT: AMANDA NORRIS & TYLER STEPHENS – CORE 10 ARCHITECTURE

PROPERTY LOCATION: 204 SOUTH CLAY AVENUE

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

DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY CORE 10 ARCHITECTURE AND DOERING ENGINEERING STAMPED "RECEIVED DECEMBER 17, 2018, CITY OF KIRKWOOD PUBLIC WORKS DEPARTMENT"

DESCRIPTION OF PROJECT:

The applicant is requesting two separate actions for this project which will require two separate recommendations by the subcommittee. The first request is for a text amendment in the B-2, General Business District regulations regarding permitted uses. Currently, the B-2 District only allows residential uses as part of a mixed-use development. The only district that currently allows for multi-family development is the R-5 District which is not limited to the downtown area. The applicant has chosen to request an amendment to the B-2 District to allow multi-family development that would have regulations more similar to the B-2 District than the existing R-5 District. The proposed text amendment language makes reference to the City's Downtown Master Plan & Parking Study (Downtown Plan). The Framework Plan portion of the Downtown Plan provides guidance on where commercial development should be required and suggested within Downtown Kirkwood (see Exhibit A). This text amendment would allow multi-family residential in areas that are not designated as required or recommended commercial properties. The proposal also specifies a minimum lot size of 1,200 square feet per unit which is currently used for mixed-use development in the B-2 District. The proposed language is included below and would be added into Section A-510.2 in the appropriate alphabetical location:

"Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan"

The second item for consideration is a Site Plan Review for a 14-unit condominium development. The existing property contains two buildings including one home that has been converted to a commercial business and one other commercial building. The proposed plan would demolish the existing buildings and place a four-story building with an underground parking garage that provides 28 parking spaces. The underground parking garage is proposed to be accessed via a two-way drive lane from Madison Avenue.

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. Attached Residential (Duplexes/Townhomes/Garden Apartments) is listed in this land use category as an appropriate development type. The EnVision Kirkwood 2035 plan does not contain a land use category specifically for multi-family development, but rather, identifies that multi-family development could be appropriate within various land use categories. Multi-family developments have typically been approved near major intersections or as a transition between single-family uses and commercial uses which includes the perimeter of Downtown Kirkwood.

The subject property is currently zoned B-2, General Business District (Central Business District). Although a text amendment to allow for multi-family development within this district is proposed, the property is not being requested to be rezoned.

Surrounding land uses and zoning include the following:

To the north: Across Madison Avenue, there is a City Park, the Police Station and City Hall which are zoned B-2.

To the south: Directly to the south there are two multi-family building that are currently zoned B-2.

To the east: Directly adjacent to the subject site is a residential home that has been converted to a business and operates as an office building.

To the west: Across Clay Avenue, there is a condominium development zoned R-5.

DEPARTMENTAL/AGENCY COMMENTS:

Electric:

1. Provide an electrical distribution plan.
2. Conduit is required to connect to the west side of Clay Ave.
3. Provide electrical load sheets.
4. Address the concern related to flooding of the transformer during a heavy rain event.

Water: Final construction plans will need to show the proposed water lines and receive Fire & Water approval.

Engineering:

1. MSD approval is required.
2. Provide minimum 5' wide exposed aggregate ADA compliant sidewalks along Madison and Clay. Include reconstructing with perpendicular curb ramps at intersection. Will require reconfiguring curb openings.
3. Lower elevation of sidewalk along Madison.
4. Provide more detail on entrance construction. Shared entrance maintenance agreement needed for approach in the ROW.
5. Permanent wall easement necessary if geogrid or wall footings extend beyond property line.
6. Temporary easements required from neighboring property owners for work required on neighboring properties prior to issuance of permit.
7. Provide fence at top of wall with 30" or greater of grade change.
8. Construction of retaining wall may impact neighboring garage. Geotech investigation and shoring plan required.
9. Downspouts shall not discharge across public sidewalks or through curbs.
10. Reconstruct abandoned curb cuts.

- Building/Fire: 1. A flow test is required.
 2. Maintain adequate Fire Department Access.
- Forester: 1. Provide more species variety for street frontage trees.
 2. Frontage trees planted in the right-of-way will be more susceptible to damage/removal from utility work.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is 4 stories and approximately 49'6" tall which exceeds the maximum height of 40' for a non-mixed use project in the B-2 District. A modification has been requested for this and is included in the recommendation portion of this report. The building is proposed to have 14 total units with 4 units on each of the first three floors and 2 units on the fourth floor. The unit density is proposed at 1,178 sf of lot area per unit which is slightly below the proposed 1,200 sf per unit that is part of their proposed text amendment. This deviation from the requirement is also included as a modification request.

The proposed setbacks listed on the plans (4' from Clay Avenue and 16'4" from Madison Avenue) are measured to the setback of the first floor and exclude the parking structure which is primarily underground. The portion of the parking structure that protrudes past the first floor will be utilized as a wrap-around front porch feature along Madison and Clay Avenues. The fourth story is proposed to step-back further and provides an approximate setback of 27' from Madison Avenue and 25' from Clay Avenue. According to the Zoning Code; however, the parking structure must also meet the setback requirements. The proposed setbacks when measuring to the parking structure walls are approximately 4' from Clay Avenue and 5' from Madison Avenue. The required setbacks are based on averaging adjacent properties and are calculated to be 16'9" on Clay Avenue and 29'4" on Madison Avenue. A modification has been requested for this item and is included in the recommendation portion of this report.

The applicant is proposing new 6' wide, exposed aggregate sidewalks which provide a benefit for pedestrian circulation above and beyond the 5' wide sidewalks that Staff required.

Landscaping

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way. While the Zoning Code does not explicitly state that trees cannot be provided in the right-of-way, Staff has identified the additional potential for conflict with utilities when trees are planted in the right-of-way. The proposed location provides a positive tree-lined aesthetic for the development, but if a tree is removed or damaged by a utility company during work not related to the proposed private development, the developer would not be required to replace the tree. This is not against the code, but something of which to be aware.

The developer has chosen not to provide an irrigation plan as required by code. This requirement has been placed as a condition of approval prior to approval by the City Council.

In addition to the required plantings, the applicant has proposed 4 understory trees, 8 evergreen trees, and various shrubs around the building that are provided above and beyond the Zoning Code's requirements.

Site Access & Parking

The site is proposed to be accessed from a two-way drive from Madison Avenue located along the eastern property line. The drive will decline in grade to provide access to the underground parking structure. The access drive is proposed to be 20' wide which is narrower than the 22' width required by the Zoning Code for a two-way drive and requires a modification. Due to the fact that the drive is not needed for maneuverability for parking spaces, Staff does not have a concern with this modification.

The proposed parking structure will provide 28 spaces for the 14 units. The Zoning Code requires 2 ¼ spaces per unit (units above 1,500 sf) plus 1 space for every 3 units for visitors. This would result in a requirement of 36 spaces. This code requirement is according to the code when the application was submitted; however, it is worth noting that the City Council will hold a final vote on December 20th for amending the requirement to 1.5 spaces per unit for multi-family development in Downtown. Due to the timing of the submittal, a modification is required for this item. A second modification is also needed for the size of proposed parking spaces which are required to be 9'x 19'. The applicant is proposing all spaces to be 9'x 18' which they feel is adequate for parking for the condo unit owners.

Modifications

The proposed Site Plan requires 7 modifications and/or variances from the current Zoning Code. A comparison of the proposed and required items is as follows:

<u>Topic</u>	<u>Required</u>	<u>Provided</u>	<u>Difference</u>
Unit Density	1,200 sf/unit	1,178 sf/unit	22 sf/unit
Building Height	40'	49'6"	9'6"
Front Setback (Clay)	16'9"	4'	12'9"
Front Setback (Madison)	29'4"	5'	24'4"
Parking Spaces	36 spaces	28 spaces	8 spaces
Driveway Width	22' wide	20' wide	2'
Parking Stall Dimension	9' x 19'	9' x 18'	1' length

As previously mentioned, the developer is providing the following benefits that help achieve the objectives listed in Section A-220.2 as part of the justification for the above modification requests:

1. Additional landscaping around the building and along the southern property line.
2. Six foot wide public sidewalks adjacent to the site to promote pedestrian circulation.
3. Decreasing site access to one access point from Madison Avenue to increase pedestrian and vehicular safety.

DISCUSSION:

Zoning Matters signs were placed on the property on November 29, 2018. The request was introduced at the Planning & Zoning Commission meeting on December 5, 2018. An on-site subcommittee meeting was subsequently held on December 17th. A list of attendees of the subcommittee meeting can be seen in Exhibit C. The overall proposal was discussed at the subcommittee meeting with attention given to the modifications being requested and the justification for those modifications.

The subcommittee finds that the justification provided and the circumstances of the modifications requested provide for a better development than might otherwise be realized. The subcommittee has included a recommendation for approval of the requested modifications in the recommendation section of this report.

RECOMMENDATION:

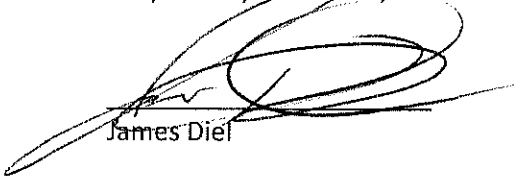
The Subcommittee recommends that Section A-510.2 of the Zoning Code be amended to include the following permitted use category:

"Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan"

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. Based upon the justification submitted per Section 220.2, the following modifications shall be approved:
 - a. Unit density from 1,200 sf/unit to 1,178 sf/unit,
 - b. Building height from 40' to 49'6",
 - c. Front setback on Clay Avenue from 16'9" to 4',
 - d. Front setback on Madison Avenue from 29'4" to 5',
 - e. Number of required parking spaces from 36 to 28
 - f. Required driveway width from 22' to 20', and
 - g. A minimum parking stall dimension from 9'x 19' to 9'x 18'.
3. If flooding concerns for the electrical transformer cannot be addressed in its current location and the transformer is required to be moved, any landscaping that is displaced by the relocation to higher ground must be relocated on-site and not replaced.
4. A fence must be installed on top of the retaining wall where there is 30" or greater of grade change.
5. If a tree which is planted in the public right-of-way is removed or damaged by a utility company during work not related to the proposed development, the tree must be replaced by the property owner(s) with other aesthetic landscaping.
6. A tree study and tree preservation plan that included appropriate protection for trees on neighboring properties shall be provided prior to issuance of any permit.
7. An irrigation plan must be provided prior to approval by the City Council.
8. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and must be replaced with a 6' wide exposed aggregate sidewalk.
9. A consolidation plat shall be required with easements as required by the City prior to issuance of permits.
10. All Departmental/Agency requests and comments must be provided or otherwise satisfied prior to issuance of permits.
11. The applicant shall comply with all standard conditions as listed in Exhibit B.

Respectfully submitted,



James Diehl

Wanda Drewel

**EXHIBIT A
DOWNTOWN MASTER PLAN & PARKING STUDY EXCERPT**

See also A-Grid and B-Grid diagram
on page 127

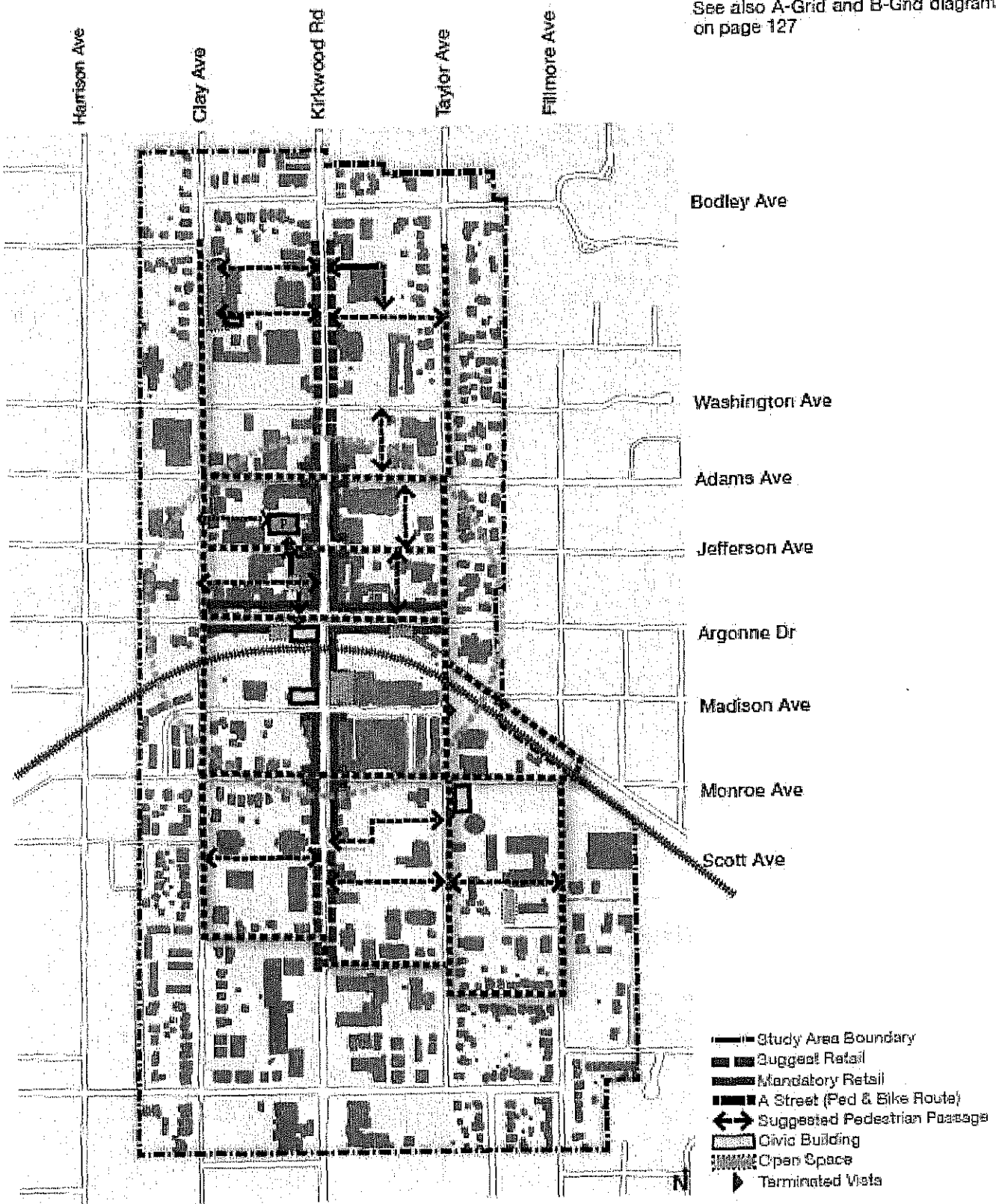


EXHIBIT B
STANDARD CONDITIONS

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 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 C
Subcommittee Meeting Attendees
December 17, 2018

P&Z Subcommittee Meeting

Project:

PZ-16-19

Date:

12/17/18

Location:

2045 S. Clay

Name	Organization
JAMES DILL	PZ
Andy Reel	Kirkwood Water
Jen Sullivan	Kirkwood water
Clarence Patterson	Kirkwood Water
Dean Lesinski	Savoy
Amanda Norris	Core 10
John Pennington	Savoy
TYLER STEPHENS	CORE 10
Jonathan Rieck	City

PROCEDURE FOR PUBLIC HEARING

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

A request for Zoning Code text amendment and Site Plan approval for a 14-unit condominium building at 204 South Clay Avenue

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: Georgia, has anyone completed a card to speak regarding this proposal?

Mayor: Is there anyone in the audience that did not complete a card that wishes to speak regarding this issue? (Please be sure to fill out a card before you leave so your name and address is reflected in the record)

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 **Chanel Jones** 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 **January 09, 2019** edition and ending with the **January 09, 2019** edition, for a total of 1 publications:

01/09/2019

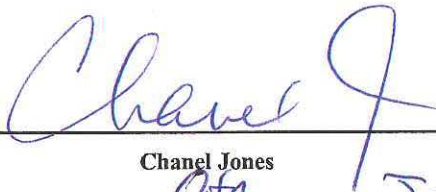
CITY OF KIRKWOOD NOTICE OF PUBLIC HEARING Before the City Council of Kirkwood, Missouri

The Council of the City of Kirkwood will hold a public hearing in City Hall, 139 South Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m., Thursday, February 7, 2019 to consider the following:

1. A request to rezone 11204 through 11224 Big Bend Boulevard from R-3 to R-5 and for a Site Plan approval to develop a 48-unit apartment building.
2. A request for Zoning Code text amendment and Site Plan approval for a 14-unit condominium building at 204 South Clay Avenue.
3. A request to rezone 345 South Fillmore Avenue, 210 East Monroe Avenue, and 212 South Taylor Avenue from I-1 to B-2.

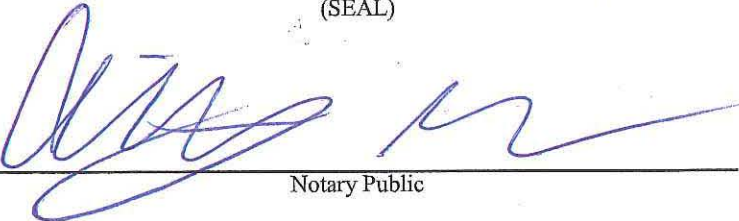
Laurie Asche, CMC/MRCC
City Clerk

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.
11674436 County Jan. 9, 2019



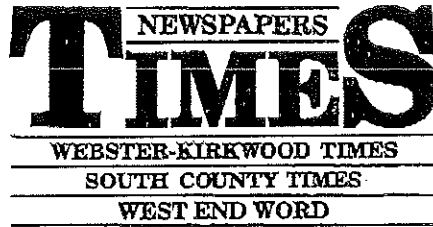
Chanel Jones

Subscribed & sworn before me this 9th day of Jan, 2019
(SEAL)



Notary Public

CHRISTINE BEEM
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis City
My Commission Expires: January 25, 2022
Commission Number: 18401969



AFFIDAVIT OF PUBLICATION

City of Kirkwood

Attn: ~~Betty Montano~~ / Laurie Asche
City Clerk
139 S. Kirkwood Rd.
Kirkwood, MO 63122

I, Terry Cassidy, verify that the attached Public Hearing
Notice was published in the Webster-Kirkwood Times on

January 11, 2019

Terry Cassidy
Advertising Consultant



**NOTICE OF
PUBLIC HEARING**
before the City Council
City of Kirkwood, MO

The Council of the City of Kirkwood will hold a public hearing in City Hall, 139 South Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m., Thursday, February 7, 2019 to consider the following:

- 1. A request to rezone 11204 through 11224 Big Bend Boulevard from R-3 to R-5 and for a Site Plan approval to develop a 48-unit apartment building.***
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- 3. A request to rezone 345 South Fillmore Avenue, 210 East Monroe Avenue, and 212 South Taylor Avenue from I-1 to B-2.***

Laurie Asche, CMC/MRCC
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PROPERTY OWNER
PO BOX 642
COLUMBIA, MO 65205

PROPERTY OWNER
1167 COLONNADE CTR
SAINT LOUIS, MO 63131

PROPERTY OWNER
215 MONTCLAY CT 215-2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
6389 N QUAIL HOLLOW RD
SUITE 101
MEMPHIS, TN 38120

PROPERTY OWNER
209 MONTCLAY CT 209-2E
SAINT LOUIS, MO 63122

PROPERTY OWNER
212 W MONROE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
220 W MONROE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
11565 NEW LONDON DR
SAINT LOUIS, MO 63141

PROPERTY OWNER
20 ALLEN AVE
SUITE 400
SAINT LOUIS, MO 63119

PROPERTY OWNER
124 W MONROE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
128 W MONROE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
130 W MONROE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
41 BOPP LN
SAINT LOUIS, MO 63132

PROPERTY OWNER
2109 WESTVIEW AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
15959 QUIET OAK RD
CHESTERFIELD, MO 63017

PROPERTY OWNER
203 MONTCLAY CT 203-2E
SAINT LOUIS, MO 63122

PROPERTY OWNER
221 MONTCLAY CT 221-2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
202 W MONROE AVE
SAINT LOUIS, MO 63122

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

PROPERTY OWNER
207 MONTCLAY CT 2E
SAINT LOUIS, MO 63122

PROPERTY OWNER
1286 OAKSHIRE LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
209 MONTCLAY CT 209-2W
SAINT LOUIS, MO 63122

PROPERTY OWNER
209 MONTCLAY CT ONE WEST
SAINT LOUIS, MO 63122

PROPERTY OWNER
405 N HARRISON ST
SAINT LOUIS, MO 63122

PROPERTY OWNER
9624 HIDDEN VALLEY DR
SAINT LOUIS, MO 63127

PROPERTY OWNER
8001 NATURAL BRIDGE RD
SAINT LOUIS, MO 63121

PROPERTY OWNER
PO BOX 29560
SAINT LOUIS, MO 63126

PROPERTY OWNER
PO BOX 220471
SAINT LOUIS, MO 63122

PROPERTY OWNER
217 MONTCLAY CT 2N
SAINT LOUIS, MO 63122

PROPERTY OWNER
1501 LOCUST ST 509
SAINT LOUIS, MO 63103

PROPERTY OWNER
108 W ADAMS AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
PO BOX 270111
SAINT LOUIS, MO 63127

PROPERTY OWNER
323 REARDON DR
SAINT LOUIS, MO 63122

PROPERTY OWNER
131 W MONROE AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
441 W MADISON AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
9595 E KALIL DR
SCOTTSDALE, AZ 85260

PROPERTY OWNER
221 MONTCLAY CT UNIT 1S
SAINT LOUIS, MO 63122

PROPERTY OWNER
830 MALULANI ST
KIHEI, HI 96753

PROPERTY OWNER
8412 RUTLEDGE RD
DITTMER, MO 63023

PROPERTY OWNER
203 MONTCLAY CT #1W
SAINT LOUIS, MO 63122

PROPERTY OWNER
1433 CITRUS AVE
CHICO, CA 95926

PROPERTY OWNER
1276 WARDFIELD RD
ROBERTSVILLE, MO 63072

PROPERTY OWNER
217 MONTCLAY CT UNIT 217-2S
SAINT LOUIS, MO 63122

PROPERTY OWNER
221 MONTCLAY CT UNIT 2211N
SAINT LOUIS, MO 63122

PROPERTY OWNER
118 WATER ST
APT 121
DES MOINES, IA 50309

PROPERTY OWNER
1391 LARK AVE
SAINT LOUIS, MO 63122

PROPERTY OWNER
12710 DUNDEE LN
NAPLES, FL 34120

PROPERTY OWNER
528 LINWOOD BLVD
SAINT LOUIS, MO 63122

PROPERTY OWNER
120 W MADISON
SAINT LOUIS, MO 63122

PROPERTY OWNER
130 W MADISON
SAINT LOUIS, MO 63122

PROPERTY OWNER
908 BLACK TWIG LN
SAIN LOUIS, MO 63122

PROPERTY OWNER
P.O. BOX 220526
SAINT LOUIS, MO 63122



WHERE COMMUNITY AND SPIRIT MEET

January 3, 2019

Russell B. Hawes
Chief Administrative Officer

At the January 2, 2019, meeting of the Planning and Zoning Commission, the following action was taken:

1. Recommended approval of a Community Unit Plan to develop an eight-lot subdivision on 4.7 acres at 425 Emmerson Avenue and 2040 Boaz Avenue.
2. Recommended approval of rezoning 11204 through 11224 Big Bend Boulevard from R-3 to R-5; however, recommended denial of the site plan to develop a 48-unit apartment building.
3. Unanimously recommended approval of amending the Zoning Code and the Site Plan for a 14-unit condominium building at 204 South Clay Avenue.
4. After a presentation, the Commission recommended approval of multiple subdivision waiver requests to allow the Kirkwood United Church of Christ at 1603 Dougherty Ferry Road to be on a lot less than the required three acres and for smaller side yard setbacks than required.
5. After a presentation for a site plan for Crown Castle to replace the 80-foot tall cellular tower with a 95-foot tall tower at 12309 Old Big Bend Road, Commissioners Diel and Frick were appointed to the Subcommittee; and a meeting was scheduled at the site for January 9 at 8 a.m.
6. After a presentation for a site plan to construct a multi-tenant office building at 10727 through 10741 Big Bend Road and 126 Prospect Avenue, Commissioners Mallinckrodt and Adkins were appointed to the Subcommittee; and a meeting was scheduled at the site for January 8 at 7:30 a.m.
7. After a presentation, the Commission recommended approval of rezoning 345 South Fillmore Avenue (Public Works facility), 210 East Monroe Avenue (Performing Arts center) and 212 South Taylor Avenue (Purchasing and Electric facility) from I-1 to B-2.

The next meeting will be held on January 16, 2019, at 7 p.m.

Respectfully submitted,

Allen Klippel, Chair
Planning and Zoning Commission

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 2, 2019**

PETITION NUMBER: PZ-16-19

ACTION REQUESTED: ZONING CODE TEXT AMENDMENT AND SITE PLAN REVIEW

PROPERTY OWNER: SAVOY INVESTMENTS LLC (UNDER CONTRACT)

APPLICANT: SAVOY INVESTMENTS LLC

APPLICANT'S AGENT: AMANDA NORRIS & TYLER STEPHENS – CORE 10 ARCHITECTURE

PROPERTY LOCATION: 204 SOUTH CLAY AVENUE

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

DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY CORE 10 ARCHITECTURE AND DOERING ENGINEERING STAMPED "RECEIVED DECEMBER 17, 2018, CITY OF KIRKWOOD PUBLIC WORKS DEPARTMENT"

DESCRIPTION OF PROJECT:

The applicant is requesting two separate actions for this project which will require two separate recommendations by the subcommittee. The first request is for a text amendment in the B-2, General Business District regulations regarding permitted uses. Currently, the B-2 District only allows residential uses as part of a mixed-use development. The only district that currently allows for multi-family development is the R-5 District which is not limited to the downtown area. The applicant has chosen to request an amendment to the B-2 District to allow multi-family development that would have regulations more similar to the B-2 District than the existing R-5 District. The proposed text amendment language makes reference to the City's Downtown Master Plan & Parking Study (Downtown Plan). The Framework Plan portion of the Downtown Plan provides guidance on where commercial development should be required and suggested within Downtown Kirkwood (see Exhibit A). This text amendment would allow multi-family residential in areas that are not designated as required or recommended commercial properties. The proposal also specifies a minimum lot size of 1,200 square feet per unit which is currently used for mixed-use development in the B-2 District. The proposed language is included below and would be added into Section A-510.2 in the appropriate alphabetical location:

"Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan"

The second item for consideration is a Site Plan Review for a 14-unit condominium development. The existing property contains two buildings including one home that has been converted to a commercial business and one other commercial building. The proposed plan would demolish the existing buildings and place a four-story building with an underground parking garage that provides 28 parking spaces. The underground parking garage is proposed to be accessed via a two-way drive lane from Madison Avenue.

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. Attached Residential (Duplexes/Townhomes/Garden Apartments) is listed in this land use category as an appropriate development type. The EnVision Kirkwood 2035 plan does not contain a land use category specifically for multi-family development, but rather, identifies that multi-family development could be appropriate within various land use categories. Multi-family developments have typically been approved near major intersections or as a transition between single-family uses and commercial uses which includes the perimeter of Downtown Kirkwood.

The subject property is currently zoned B-2, General Business District (Central Business District). Although a text amendment to allow for multi-family development within this district is proposed, the property is not being requested to be rezoned.

Surrounding land uses and zoning include the following:

To the north: Across Madison Avenue, there is a City Park, the Police Station and City Hall which are zoned B-2.

To the south: Directly to the south there are two multi-family building that are currently zoned B-2.

To the east: Directly adjacent to the subject site is a residential home that has been converted to a business and operates as an office building.

To the west: Across Clay Avenue, there is a condominium development zoned R-5.

DEPARTMENTAL/AGENCY COMMENTS:

Electric: 1. Provide an electrical distribution plan.
2. Conduit is required to connect to the west side of Clay Ave.
3. Provide electrical load sheets.
4. Address the concern related to flooding of the transformer during a heavy rain event.

Water: Final construction plans will need to show the proposed water lines and receive Fire & Water approval.

Engineering: 1. MSD approval is required.
2. Provide minimum 5' wide exposed aggregate ADA compliant sidewalks along Madison and Clay. Include reconstructing with perpendicular curb ramps at intersection. Will require reconfiguring curb openings.
3. Lower elevation of sidewalk along Madison.
4. Provide more detail on entrance construction. Shared entrance maintenance agreement needed for approach in the ROW.
5. Permanent wall easement necessary if geogrid or wall footings extend beyond property line.
6. Temporary easements required from neighboring property owners for work required on neighboring properties prior to issuance of permit.
7. Provide fence at top of wall with 30" or greater of grade change.
8. Construction of retaining wall may impact neighboring garage. Geotech investigation and shoring plan required.
9. Downspouts shall not discharge across public sidewalks or through curbs.
10. Reconstruct abandoned curb cuts.

- Building/Fire: 1. A flow test is required.
 2. Maintain adequate Fire Department Access.
- Forester: 1. Provide more species variety for street frontage trees.
 2. Frontage trees planted in the right-of-way will be more susceptible to damage/removal from utility work.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is 4 stories and approximately 49'6" tall which exceeds the maximum height of 40' for a non-mixed use project in the B-2 District. A modification has been requested for this and is included in the recommendation portion of this report. The building is proposed to have 14 total units with 4 units on each of the first three floors and 2 units on the fourth floor. The unit density is proposed at 1,178 sf of lot area per unit which is slightly below the proposed 1,200 sf per unit that is part of their proposed text amendment. This deviation from the requirement is also included as a modification request.

The proposed setbacks listed on the plans (4' from Clay Avenue and 16'4" from Madison Avenue) are measured to the setback of the first floor and exclude the parking structure which is primarily underground. The portion of the parking structure that protrudes past the first floor will be utilized as a wrap-around front porch feature along Madison and Clay Avenues. The fourth story is proposed to step-back further and provides an approximate setback of 27' from Madison Avenue and 25' from Clay Avenue. According to the Zoning Code; however, the parking structure must also meet the setback requirements. The proposed setbacks when measuring to the parking structure walls are approximately 4' from Clay Avenue and 5' from Madison Avenue. The required setbacks are based on averaging adjacent properties and are calculated to be 16'9" on Clay Avenue and 29'4" on Madison Avenue. A modification has been requested for this item and is included in the recommendation portion of this report:

The applicant is proposing new 6' wide, exposed aggregate sidewalks which provide a benefit for pedestrian circulation above and beyond the 5' wide sidewalks that Staff required.

Landscaping

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way. While the Zoning Code does not explicitly state that trees cannot be provided in the right-of-way, Staff has identified the additional potential for conflict with utilities when trees are planted in the right-of-way. The proposed location provides a positive tree-lined aesthetic for the development, but if a tree is removed or damaged by a utility company during work not related to the proposed private development, the developer would not be required to replace the tree. This is not against the code, but something of which to be aware.

The developer has chosen not to provide an irrigation plan as required by code. This requirement has been placed as a condition of approval prior to approval by the City Council.

In addition to the required plantings, the applicant has proposed 4 understory trees, 8 evergreen trees, and various shrubs around the building that are provided above and beyond the Zoning Code's requirements.

Site Access & Parking

The site is proposed to be accessed from a two-way drive from Madison Avenue located along the eastern property line. The drive will decline in grade to provide access to the underground parking structure. The access drive is proposed to be 20' wide which is narrower than the 22' width required by the Zoning Code for a two-way drive and requires a modification. Due to the fact that the drive is not needed for maneuverability for parking spaces, Staff does not have a concern with this modification.

The proposed parking structure will provide 28 spaces for the 14 units. The Zoning Code requires 2 ¼ spaces per unit (units above 1,500 sf) plus 1 space for every 3 units for visitors. This would result in a requirement of 36 spaces. This code requirement is according to the code when the application was submitted; however, it is worth noting that the City Council will hold a final vote on December 20th for amending the requirement to 1.5 spaces per unit for multi-family development in Downtown. Due to the timing of the submittal, a modification is required for this item. A second modification is also needed for the size of proposed parking spaces which are required to be 9'x 19'. The applicant is proposing all spaces to be 9'x 18' which they feel is adequate for parking for the condo unit owners.

Modifications

The proposed Site Plan requires 7 modifications and/or variances from the current Zoning Code. A comparison of the proposed and required items is as follows:

<u>Topic</u>	<u>Required</u>	<u>Provided</u>	<u>Difference</u>
Unit Density	1,200 sf/unit	1,178 sf/unit	22 sf/unit
Building Height	40'	49'6"	9'6"
Front Setback (Clay)	16'9"	4'	12'9"
Front Setback (Madison)	29'4"	5'	24'4"
Parking Spaces	36 spaces	28 spaces	8 spaces
Driveway Width	22' wide	20' wide	2'
Parking Stall Dimension	9' x 19'	9' x 18'	1' length

As previously mentioned, the developer is providing the following benefits that help achieve the objectives listed in Section A-220.2 as part of the justification for the above modification requests:

1. Additional landscaping around the building and along the southern property line.
2. Six foot wide public sidewalks adjacent to the site to promote pedestrian circulation.
3. Decreasing site access to one access point from Madison Avenue to increase pedestrian and vehicular safety.

DISCUSSION:

Zoning Matters signs were placed on the property on November 29, 2018. The request was introduced at the Planning & Zoning Commission meeting on December 5, 2018. An on-site subcommittee meeting was subsequently held on December 17th. A list of attendees of the subcommittee meeting can be seen in Exhibit C. The overall proposal was discussed at the subcommittee meeting with attention given to the modifications being requested and the justification for those modifications.

The subcommittee finds that the justification provided and the circumstances of the modifications requested provide for a better development than might otherwise be realized. The subcommittee has included a recommendation for approval of the requested modifications in the recommendation section of this report.

RECOMMENDATION:

The Subcommittee recommends that Section A-510.2 of the Zoning Code be amended to include the following permitted use category:

"Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan"

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. Based upon the justification submitted per Section 220.2, the following modifications shall be approved:
 - a. Unit density from 1,200 sf/unit to 1,178 sf/unit,
 - b. Building height from 40' to 49'6",
 - c. Front setback on Clay Avenue from 16'9" to 4',
 - d. Front setback on Madison Avenue from 29'4" to 5',
 - e. Number of required parking spaces from 36 to 28
 - f. Required driveway width from 22' to 20', and
 - g. A minimum parking stall dimension from 9'x 19' to 9'x 18'.
3. If flooding concerns for the electrical transformer cannot be addressed in its current location and the transformer is required to be moved, any landscaping that is displaced by the relocation to higher ground must be relocated on-site and not replaced.
4. A fence must be installed on top of the retaining wall where there is 30" or greater of grade change.
5. If a tree which is planted in the public right-of-way is removed or damaged by a utility company during work not related to the proposed development, the tree must be replaced by the property owner(s) with other aesthetic landscaping.
6. A tree study and tree preservation plan that included appropriate protection for trees on neighboring properties shall be provided prior to issuance of any permit.
7. An irrigation plan must be provided prior to approval by the City Council.
8. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and must be replaced with a 6' wide exposed aggregate sidewalk.
9. A consolidation plat shall be required with easements as required by the City prior to issuance of permits.
10. All Departmental/Agency requests and comments must be provided or otherwise satisfied prior to issuance of permits.
11. The applicant shall comply with all standard conditions as listed in Exhibit B.

Respectfully submitted,



James Diel

Wanda Drewel

EXHIBIT A DOWNTOWN MASTER PLAN & PARKING STUDY EXCERPT

See also A-Grid and B-Grid diagram on page 127

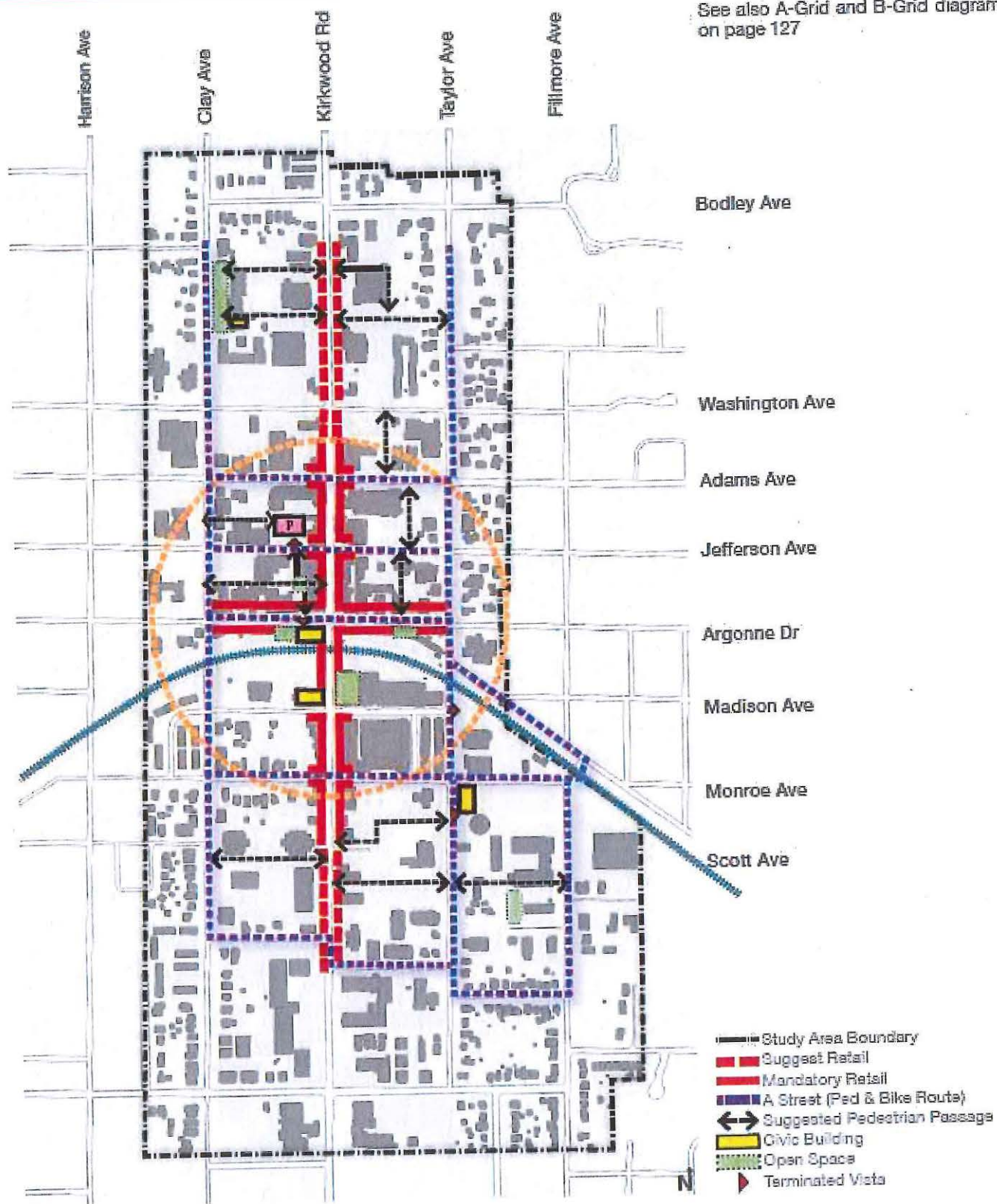


EXHIBIT B
STANDARD CONDITIONS

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 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 C
Subcommittee Meeting Attendees
December 17, 2018

P&Z Subcommittee Meeting

Project:

PZ-16-19

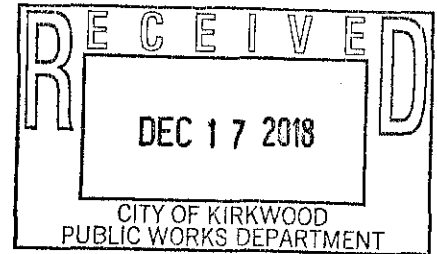
Date:

12/17/18

Location:

204 S. Clay

Name	Organization
JAMES DICK	PZ
Andy Rie	KIRKWOOD WATER
Jen Sullivan	Kirkwood water
Clarence Patterson	Kirkwood Water
Drew Lesinski	Savoy
Amanda Norris	Core 10
John Pennington	Savoy
TYLER STEPHENS	CORE 10
Jonathan Rieck	City



Memo

Date: December 17, 2018
To: City of Kirkwood, Planning and Development
Jonathan Raiche, Planner
Re: Responses to Review Comments
PZ-16-19; 204 S. CLAY AVE. (CODE AMEND IN B2 AND SITE PLAN)

Jonathan-

This letter and associated attachments provide response to review comments received from Kirkwood via email and attachments following the initial submittal on November 16, 2018. The original item reference is followed by our response in bold and/or action taken.

General Comments/Site Plan:

1. Per Section 220.2, provide specific and measurable ways in which the modification requests are off-set by one or more of the eight criteria. Consideration should be given to providing wider public sidewalks and bicycle parking facilities.
 - a. **See attached revised cover letter dated December 3, 2018.**
2. Revise the utility providers on the Cover Sheet to Kirkwood Electric and Kirkwood Water.
 - a. **See attached revised Civil Plans.**
3. Revise the "Existing Use" listed on Sheet 1 of the Civil Plans.
 - a. **Unclear of what note is referenced. See attached revised Civil Plans.**
4. Revise the cover letter and Sheet A0.0 to reference the current height requirement of 40'. A modification will be needed if the separate City-initiated code amendment does not get approved.
 - a. **See attached revised sheet A0.0 and revised cover letter dated December 3, 2018.**
5. The cover letter references a 15' setback from Madison, but the plans indicate an approximate setback of 7'. The parking structure must meet the required structure setbacks unless a modification or variance is granted.
 - a. **See attached revised sheet A1.0 and revised cover letter dated December 3, 2018.**
 - b.
6. Show the front yard setbacks required by the Zoning Code on the Site Plan and list them on Sheet A0.0. This will require providing information averaging the front yard setbacks of all adjacent properties within 200'.
 - a. **See attached revised sheets A0.0 and A1.0 and revised cover letter dated December 3, 2018.**

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314.726.4858 CORE10architecture.com

7. The proposed parking stalls are 8'x19', but sheet A0.0 states that they are 9'x19' as the code requires. A modification is required for the current design of 8'x19'.
 - a. **See attached revised sheet A0.0 and A1.1. Proposed parking stalls are 9'x18'. Also see attached revised cover letter dated December 3, 2018.**
8. The proposed building does not meet the 1/2 story definition of the Zoning Code. Revise the plans to reference the proposed 4 story building height.
 - a. **See attached revised sheet A0.0 and revised cover letter dated December 3, 2018.**
9. Revise the site area on the Civil Plan which states 15,000 sf. The property is 110'x150' and the legal description lists it at 16,497 sf.
 - a. **See attached revised Civil Plans.**

Lighting Plan

1. No lighting plan was provided; however, Section 1040.5(1) required a minimum lighting level for internal pedestrian sidewalks. A lighting plan for the proposed internal sidewalk shall be provided.
 - a. **See attached sheet LT1.0**
2. Provide lighting fixture cut sheets for proposed fixtures. All fixtures shall be full cut-off.
 - a. **See attached fixture cut sheets.**
3. Note, an as-built lighting plan will be required prior to a final occupancy permit being issued.
 - a. **To be submitted at a future date.**

Landscape:

1. A Tree Study and Tree Preservation Plan are required.
 - a. **Prior discussions had not indicated a need for a tree study and preservation plan at this property. One has not been provided.**
2. An irrigation plan for all landscaped areas is required.
 - a. **Irrigation is not included.**
3. Provide the sf calculations for proposed open space and perimeter landscape buffer area.
 - a. **See attached revised sheet L1.0. Proposed open space = 2,834 sf. Proposed landscape buffer area = 1,050 sf.**
4. Per 1020.5(1), 4 street trees are required along Madison but only 3 are provided. Likewise, 6 street trees are required along Clay and only 4 are provided.
 - a. **See attached revised sheet L1.0**

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5. Street trees not obstructed by overhead lines shall be a species that is designated as medium or large in the City's Tree List. Trident Maple is considered a small tree and does not meet this requirement.
 - a. **See attached revised sheets L1.0 and L1.1. Trident Maple replaced with American Yellowwood**

Kirkwood Electric:

1. Provide an electrical distribution plan for the development.
 - a. **Electrical distribution has not been determined at this time pending further design.**
2. The developer will be required to provide the primary conduit to the existing distribution system. Existing source for this project is on the west side of South Clay and requires conduit to be installed under South Clay.
 - a. **Electrical coordination forthcoming.**
3. Provide load sheets for proper sizing of Kirkwood Electric's portion of the electrical system.
 - a. **The project has not been fully designed. Load sheets for sizing will be provided in the future.**
4. Kirkwood Electric is concerned that the transformer and conduits might be subjected to flooding during a heavy rain event. Provide information on how this will be addressed.
 - a. **There will be an adjacent trench drain to handle drainage at this end of the driveway area at the garage entrance.**

Engineering:

1. MSD approval required.
 - a. **MSD approval will be confirmed at a future date.**
2. Provide minimum 5' wide exposed aggregate ADA compliant sidewalks along Madison and Clay. Include reconstructing with perpendicular curb ramps at intersection. Will require reconfiguring curb openings.
 - a. **See attached revised Civil Plans.**
3. Lower elevation of sidewalk along Madison.
 - a. **See attached revised Civil Plans.**
4. Provide more detail on entrance construction. Shared maintenance agreed to approach in the ROW.
 - a. **See attached revised Civil Plans. Entrance detail has been provided.**

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5. Permanent wall easement necessary if geogrid or wall footings extend beyond property line.
 - a. **Conversations have been started with neighbors regarding potential easements.**
 - b. **See attached revised Civil Plans.**
6. Temporary easements required from neighboring property owners for work required on neighboring properties prior to issuance of permit.
 - a. **Conversations have been started with neighbors regarding temporary construction easements.**
7. Provide Fence at top of wall with 30" of greater grade change.
 - a. **See attached revised sheet A1.0**
8. Construction of retaining wall may impact neighboring garage. Geotech investigation and shoring plan required.
 - a. **To be submitted at later date pending further exploration and studies.**
9. Downspouts shall not discharge across public sidewalks or through curbs.
 - a. **Downspouts have been shown connecting to existing storm sewer. See attached revised Civil plan.**
10. Reconstruct abandoned curb cuts.
 - a. **Note has been added to attached revised civil plans.**

Fire Department:

1. Fire flow test required to determine adequate flow for the proposed project.
 - a. **To be performed at a future date.**
2. Maintain adequate Fire Department Access.
 - a. **Access will be maintained.**

Forestry:

1. Street frontage trees should be planted on private property to avoid conflicts with current and future utility work
 - a. **Street trees remain in tree lawn next to street to follow pattern of existing street and neighboring properties.**
2. More variety (not all maples) should be provided for street frontage trees.
 - a. **See attached revised sheets L1.0 and L1.1 for species.**



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If there are any further comments or questions regarding these responses, please contact Amanda Norris at 314.726.4858, anorris@core10architecture.com.

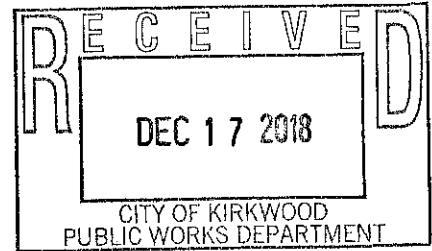
Thank you,

A handwritten signature in black ink, appearing to read 'Amanda Norris', with a long horizontal line extending from the end of the signature.

Amanda Partyka Norris, AIA
Lead Architect
Core10 Architecture



December 3, 2018



Jonathan Raiche
City of Kirkwood
139 South Kirkwood Rd

Planning and Zoning Submittal

Madison and Clay Condominiums
Project Number: 204 S. Clay

Dear Jonathan,

We are pleased to submit our application and submittal for the Planning and Zoning Site Plan Review on the Madison and Clay Condominium project. This site is a combination of 2 existing office buildings at the southwest corner of Clay and Madison. Following the success of the previous project, just east of this location, the goal is to replicate that general structure to meet the increased demand for high quality for-sale housing in the downtown Kirkwood area. We are proposing a similar structure in mass and height that will complement the existing building, while providing architectural variety on the street.

The project consists of a new 14-unit, 4 story residential structure with a secure underground parking garage, dedicated to the residents, and composed of 28 spaces for a 2 to 1 ratio of residential parking. The building will be designed as an urban structure, emphasizing a strong street façade with ample glass and recessed exterior balconies at each unit. We are proposing the development to transition from surrounding commercial structures by sitting back off the street with a surrounding front porch out to the sidewalk in order to provide a residential feel. This will allow the building to maintain the important pedestrian street edge, while providing visual relief and separation from the street for the ground floor units. Additionally, the site will be landscaped with regular street trees to provide a beautiful street presence, complementing the porches.

As these lots are currently in the B-2, downtown master plan district, we are also submitting a proposed text amendment to the B-2 district allowing for multi-family as a permitted use. Pursuant to the recently adopted Downtown Master Plan, this project will provide for the identified "missing middle" housing component in downtown. These smaller, multi-family structures help bridge the gap between large scale developments along Kirkwood Road and the surrounding single-family neighborhoods on the edge of downtown. The removal of a retail component for required mixed-use is justified on streets such as Madison Avenue which are not identified by the Master Plan Framework Plan as "suggested or mandatory retail". This requirement for mixed-use in all downtown residential projects will continue to be a hinderance for development going forward and therefore we are proposing the following text amendment to bring the zoning code in alignment with the newly adopted master plan.

Michael Byrd, AIA CSI

Tyler Stephens, AIA

Proposed Text Amendment to B-2 General Business District (Central Business District)

510.2

Permitted uses. Except for a mixed-use development, a building or premises shall be used only for the following purposes and shall adhere to the minimum lot area where specified.

[Ord. No. 10361, 10-20-2016]

Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan

Within the B-2 district we are requesting modifications on the following requirements:

Density

We are requesting a modification to this new density requirement of 1,178sf/unit in lieu of the required 1,200. This slight adjustment is the result of the lot size which is 303sf short of compliance. Meeting proposed height and setback requirements identified in the downtown master plan, we feel this slight modification is justified.

Drive Aisle Width and Parking Stall Length

We are requesting a modification of 20' from the required 22' for the drive way aisle width and a modification of 9' x 18' from the required 9' x 19' for the parking stall size. This is a sufficiently standard drive way width where no parking aligns it and allows for more landscaping setback off Clay on the opposite side. The below grade parking aisles maintain the 22' requirement. Likewise, the 9'x18' parking stall dimensions are sufficiently standard and additionally are all contained in the private garage off the 22' drive aisle width.

Front Yard Setback

Recent text amendments have also been submitted to eliminate front yard setbacks in the downtown framework plan. This proposal will comply by providing small setbacks, appropriate for residential character. However, if that language is not adopted by council, we would request front yard setbacks of 15' on Madison and 4' on Clay in lieu of the required 29'-4" +/-' and 16'-9" +/-' respectively. (Required setbacks as listed are based on field verification of average existing setback within 200' of affected property). This will allow the structure to better fit the context of the downtown streets as identified in the Master Plan. The main building footprint and massing of the first floor reflects these proposed setbacks and continues to step back from there at the corners and higher floors. The garage/porches extend outward to the sidewalk to hold the street edge in a similar manner to the single-family residences where a porch extends beyond the house setback proper.

Guest Parking

Recent text amendments have also been submitted to reduce parking requirements in the downtown framework plan. This proposal would comply with that parking study in addition to matching the previous development to the east

where 2 spaces per unit is considered appropriate for the market. Should that language not be adopted, we would request a modification of 2 parking spaces per unit from the required 2 1/4 with additional guest parking. In addition to justification from the master plan, there is a public lot within 300 feet of and street parking is provided on both streets for this corner lot.

Building Height – Pending City-initiated Code amendment

The City is currently proposing an amendment to the definition of building height. If that is not adopted for any reason, this development would request a modification to the building height. The current zoning defines a 40' height except for Mixed Use which allows up to 60'. The previous project to the east was approved with a height of 56'-5". That new building set at 56'-5" is of similar use and configuration to the one proposed in this development. This new development sets a lower overall height at 49'-6".

The following outlines some of the measurable ways that the above modifications are offset per the criteria established in Section 220.2.:

Landscaping

Additional site trees and a side yard landscape buffer are being provided above the required amount of street trees and landscaping.

Neighborhood Quality

As discussed above, the development addresses the "missing middle" setting up a transition from commercial to single-family residential. This will help maintain a density and cohesive transition from downtown to perimeter residential streets.

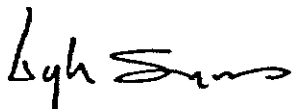
Utilities

Infrastructure is being reduced to service to one building in lieu of multiple buildings.

Traffic Circulation

Traffic is reduced to one site access point. Bicycle storage is provided within the building for its occupants and the surrounding street sidewalks are being increased to 6 feet in width to improve the pedestrian pathway.

Culminating the good work in the recently adopted downtown master plan, these adjustments to the current zoning code will continue the process of implementing that plan for successful development in downtown Kirkwood into the future. The community has embraced and praised our recently completed development on Madison to the east of this location and we feel there is room in the market to repeat that success. We are pleased to partner with the city in this way for the continuation of good growth. We ask for the city's approval and support of such efforts.



Tyler Stephens, AIA
Principal
CORE10 Architecture, Inc.

John Pennington
Savoy Properties

MADISON AND CLAY CONDOMINIUMS

KIRKWOOD, MISSOURI

PROJECT INDEX:

1. DESCRIPTION OF PROJECT

THE PROPOSED RESIDENTIAL DEVELOPMENT IS LOCATED ON THE CORNER OF MADISON AND CLAY AVENUE, THE CURRENT SITE OF 2 EXISTING OFFICE BUILDINGS. THE PROJECT CONSISTS OF A NEW 14 UNIT 3 1/2 STORY RESIDENTIAL STRUCTURE WITH A SECURE UNDERGROUND PARKING GARAGE, DEDICATED TO THE RESIDENTS, AND COMPOSED OF 28 PARKING SPACES. RESIDENTIAL UNITS RANGE IN SIZE FROM 1,740 NSF TO 2,400 NSF.

THE BUILDING STRUCTURE WILL CONSIST OF POURED-IN-PLACE CONCRETE FOUNDATIONS AND PAN DECK WITH WOOD FRAMING AND BRICK VENEER ON UPPER FLOORS. THE LOWER LEVELS SHALL SERVE AS THE PARKING GARAGE.

2. FLOOR AREA RATIO

TOTAL BUILDING (WITHOUT GARAGE)	31,771 GSF
TOTAL LOT AREA	16,497 GSF
TOTAL PROJECT F.A.R.	1.92

3. SITE DESCRIPTION

ZONING DISTRICT: B2 MIXED USED
SITE AREA: 16,497 GSF
DENSITY: 1,178 SF/UNIT
MIN. REQ'D: 1,200 SF/UNIT

4. SETBACK

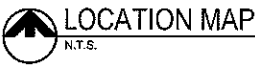
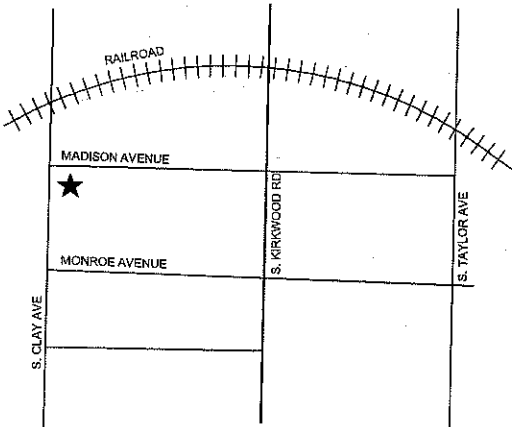
FRONT YARD (CLAY) PROPOSED: 4'-0"
FRONT YARD (CLAY) AVERAGE EXISTING: 16'-9"
FRONT YARD (MADISON) PROPOSED: 16'-4"
FRONT YARD (MADISON) AVERAGE EXISTING: 29'-4"
REAR YARD PROPOSED: 25'-0"
REAR YARD REQUIRED: 0'-0"
HEIGHT: ALLOW - 4 STORIES (60' MIXED USE; 40' ALL OTHERS) /
ACTUAL - 4 STORIES (49'-6")

5. PARKING PROVIDED

RESIDENTIAL:
2 SPACES PER UNIT (14 UNITS) = 28 SPACES
2 SPACES DESIGNATED AS HANDICAP SPACE
STALL DIMENSION = 9'-0" x 18'-0"
MIN. STALL DIMENSION = 9'-0" x 19'-0"

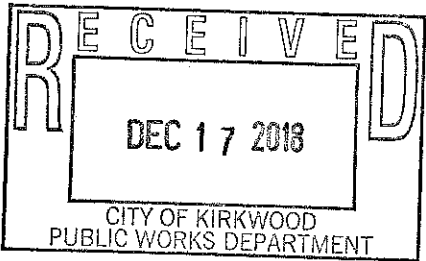
6. BUILDING AREAS

LOWER LEVEL/ PARKING GARAGE:	10,733 GSF
RESIDENTIAL LEVELS/ FIRST FLOOR:	8,556 GSF
SECOND FLOOR:	8,556 GSF
THIRD FLOOR:	8,556 GSF
UPPER THIRD FLOOR:	8,104 GSF
TOTAL	31,771 GSF
TOTAL BUILDING AREA:	42,504 GSF



SHEET INDEX

NUMBER	TITLE
A0.0	COVER SHEET
C1 OF 1	SITE PLAN IMPROVEMENTS
A0.1	EXISTING CONDITIONS
A1.0	SITE PLAN
A2.0	FIRST FLOOR PLANS
A4.0	EAST & WEST ELEVATIONS
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE SPECIFICATIONS
LT1.0	LIGHTING PLAN



SAVOY INVESTMENTS, LLC.

1750 S. BENTWOOD BLVD. SUITE 600
SAINT LOUIS, MISSOURI 63144



AMANDA PARTIKA NORRIS - ARCHITECT
MOD A-2008008178
STATE OF MISSOURI
ARCHITECTURAL CORPORATION
ORIGINAL CERTIFICATE LICENSE NO. 000639

DRAWING TITLE
COVER SHEET

PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO



DATE	REVISIONS
17 DEC 2013	
PROJECT NO.	18061
SHEET NO.	
A0.0	

ALL LOCAL CODES SHALL PREVAIL.
CONTRACTOR TO VERIFY ALL
DIMENSIONS AND EXISTING CONDITIONS
BEFORE CONSTRUCTION BEGINS.
DRAWN BY: CHECKED BY:



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

SITE PLAN

A TRACT OF LAND BEING PART OF BLOCK 32 OF THE TOWN OF
KIRKWOOD, ST. LOUIS COUNTY MISSOURI

- ADDITIONAL NOTES:
1. MSD APPROVAL IS REQUIRED
 2. ALL ENTRANCES SHALL BE CONCRETE PER ST. LOUIS COUNTY SPECIFICATIONS.
 3. NO MORE THAN 1 CFS WILL BE ALLOWED TO DISCHARGE ACROSS AND ENTRANCE OF PUBLIC SIDEWALK.
 4. ALL ABANDONED CURB SHALL BE RECONSTRUCTED.
 5. DOWNSPOUTS SHALL NOT DISCHARGE ACROSS PUBLIC SIDEWALKS OR THRU CURBS

BENCHMARK

ELEVATIONS WERE DETERMINED USING THE MODOT VRS NETWORK OF CONTINUOUSLY OPERATING REFERENCE STATIONS FOR 1983 EAST ZONE.

SITE BENCHMARK:
O.I.P. SOUTHWEST CORNER OF THE SITE ELEV: 856.52

FLOOD MAP

FEMA MAP # 29189C0308K, EFFECTIVE DATE FEBRUARY 4, 2015
SUBJECT PROPERTY NOT WITHIN FLOOD ZONES.



LOC. # 24M431044

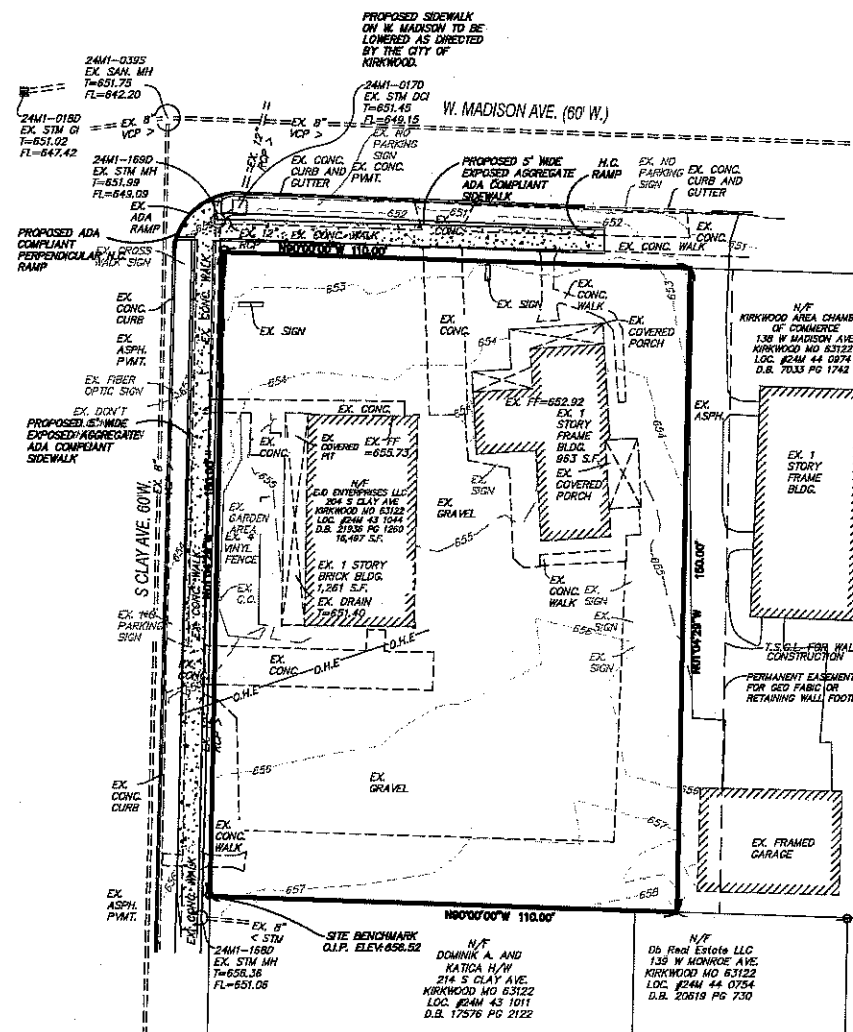
LOCATION MAP
(NOT TO SCALE)

PERTINENT INFORMATION:

1. SEWER DISTRICT: M.S.D.
2. ELECTRIC: CITY OF KIRKWOOD
3. GAS: LACLEDE GAS
4. PHONE: ATT
5. WATER: MISSOURI-AMERICAN WATER COMPANY
6. SCHOOL DISTRICT: KIRKWOOD R-7
7. FIRE DISTRICT: KIRKWOOD FIRE PROTECTION DISTRICT
8. SOURCE OF TOPO: AVAILABLE INFORMATION

NOTES:

1. ALL SEWER CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWER AND DRAINAGE FACILITIES, 2008.
2. ALL SIDEWALKS TO BE CONSTRUCTED TO CITY OF KIRKWOOD ADA STANDARDS.
3. ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO THE CITY OF KIRKWOOD STANDARDS.
4. ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH THE CITY OF KIRKWOOD AND MSD STANDARDS.
5. NO SLOPE SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT WHICH HAS BEEN ACCEPTED/APPROVED BY THE CITY OF KIRKWOOD.
6. STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SWIRLS ARE NOT ADEQUATE DISCHARGE POINTS.
7. A LAND DISTURBANCE PERMIT MAY BE REQUIRED. THE PLAN APPROVAL IS NOT TO BE CONSIDERED AS APPROVAL OF A LAND DISTURBANCE PERMIT.
8. A MAJOR LAND DISTURBANCE PERMIT MAY BE REQUIRED.
9. SIDEWALKS ALONG THE ACCESSIBLE ROUTE SHALL NOT HAVE A SLOPE EXCEEDING 1:20. SLOPES GREATER THAN 1:20 MUST BE DESIGNED AS A RAMP.
10. TRAFFIC CONTROL SIGNALS TO BE IN ACCORDANCE TO THE CITY OF KIRKWOOD.
11. IRRIGATION PLAN TO BE PROVIDED FOR NEW PLANTING AREAS. (SEE SEPARATE LANDSCAPING PLAN)
12. LIGHT FIXTURES WHICH ARE LESS THAN 20' FROM THE PROPERTY LINE MUST BE MOUNTED AT 10' OR LESS. (SEE SEPARATE LIGHTING PLAN)
13. EXISTING USE: RETAIL FLOWER SHOP
14. EXHIBIT A
STANDARD CONDITIONS
1. A PERFORMANCE GUARANTEE IN THE FORM OF A CASH DEPOSIT LETTER OF CREDIT IN AN AMOUNT APPROVED BY THE PUBLIC SERVICES DEPARTMENT AND A 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 AN ST. LOUIS AREA BANK.
2. STORM WATER MANAGEMENT PLANS SHALL BE SUBMITTED TO METROPOLITAN SEWER DISTRICT (MSD) AND CITY FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A FOUNDATION LETTER 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. THE LANDSCAPE PLAN SHALL MEET THE REQUIREMENTS OF THE ZONING CODE SECTION A-1020.
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 ORDINANCE 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 BY 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 FENCES SHALL BE LOCKED DURING NON-WORKING HOURS.
9. NO PARKING OF CONSTRUCTION TRAILERS, MATERIAL STORAGE, EQUIPMENT STORAGE OR CONSTRUCTION EQUIPMENT IS AUTHORIZED ON 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.



EXISTING CONDITIONS

OWNER:

EJD ENTERPRISES LLC
204 S. CLAY AVENUE
KIRKWOOD, MO 63122

PREPARED FOR:

SAVOY PROPERTIES
MR. JOHN PENNINGTON
1034 S. BRENTWOOD BLVD.
BRENTWOOD, MO 63117
(314) 909-8400

AREA OF TRACT = 16,497 S.F. (0.38 ACRE)
DISTURBED AREA = 16,497 S.F. (0.38 ACRE)
LESS THAN 1.0 ACRE THEREFORE NO
PROPOSED WATER QUALITY

DIFFERENTIAL RUN-OFF CALCULATIONS

EXISTING:
IMPERVIOUS = (0.22 AC.) (3.54 CFS/AC.) = 0.78 CFS
PERVIOUS = (0.16 AC.) (1.70 CFS/AC.) = 0.27 CFS
TOTAL = 1.05 CFS

PROPOSED:
IMPERVIOUS = (0.32 AC.) (3.54 CFS/AC.) = 1.14 CFS
PERVIOUS = (0.06 AC.) (1.7 CFS/AC.) = 0.10 CFS
TOTAL = 1.24 CFS

DIFFERENTIAL RUN-OFF = 1.24 CFS - 1.05 CFS = 0.19 CFS
LESS THAN 2 CFS, THEREFORE NO PROPOSED DETENTION

CITY CONTACT INFORMATION:
JACK SCHENCK, JR. (BUILDING COMMISSIONER)
KIRKWOOD CITY HALL
139 S. KIRKWOOD ROAD
KIRKWOOD, MO 63122

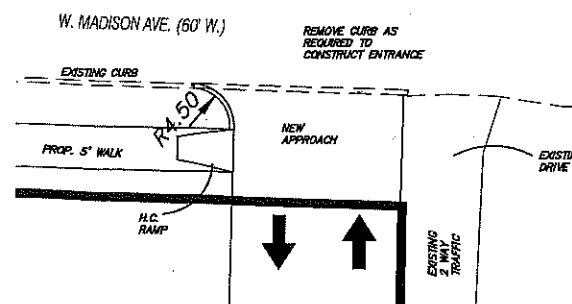
PH: 314.822.5814
HRS: 8:00 A.M. TO 5:00 P.M.

RUSSELL TODD (PLAN REVIEWER)
KIRKWOOD CITY HALL
139 S. KIRKWOOD ROAD
KIRKWOOD, MO 63122

PH: 314.822.5817
HRS: 8:00 A.M. TO 5:00 P.M.

KIRKWOOD FIRE DEPARTMENT:
LEO MEYER (FIRE MARSHAL)
KIRKWOOD FIRE DEPARTMENT
KIRKWOOD, MISSOURI 63122
PH: 314.822.5864

PROPOSED CONDITIONS



ENTRANCE DETAIL
SCALE: 1"=20'

Commit	Revised
PER CITY OF KIRKWOOD COMMENTS	12/06/2018
PER CITY OF KIRKWOOD COMMENTS	12/17/2018

Engineered By:
DOERING
ENGINEERING
CIVIL ENGINEERING • PLANNING • SURVEYING

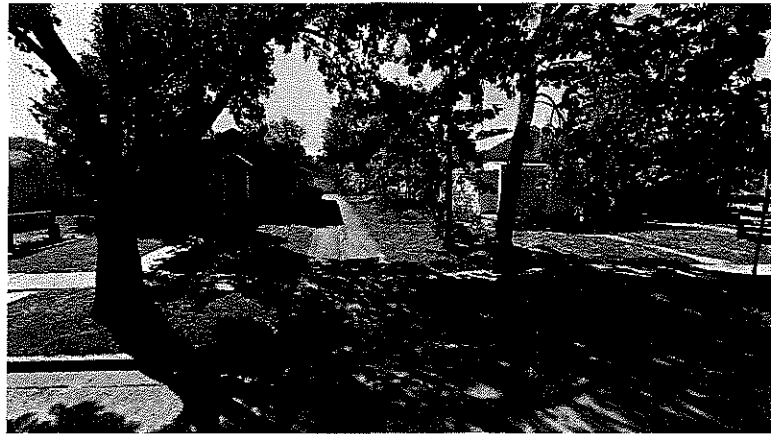
STATE OF MISSOURI
JACK A. DOERING
12/17/2018
MO. EXPIRATION DATE: DECEMBER 31, 2018
IL. EXPIRATION DATE: APRIL 30, 2019
MO. CORPORATE LICENSE NO. 001347
IL. CORPORATE LICENSE NO. 184.003095

SITE PLAN
OF IMPROVEMENTS
204 S. CLAY AVE.
KIRKWOOD, MISSOURI 63122

Date: 11/1/18
Project Number: 18149
File Name: 18149 TOP
Drawn By: JAB
Check By: JAB
1



1 ADJACENT PROPERTY (EAST)
A0.1 N.T.S.



2 PROPOSED SITE
A0.1 N.T.S.



3 PROPOSED SITE
A0.1 N.T.S.



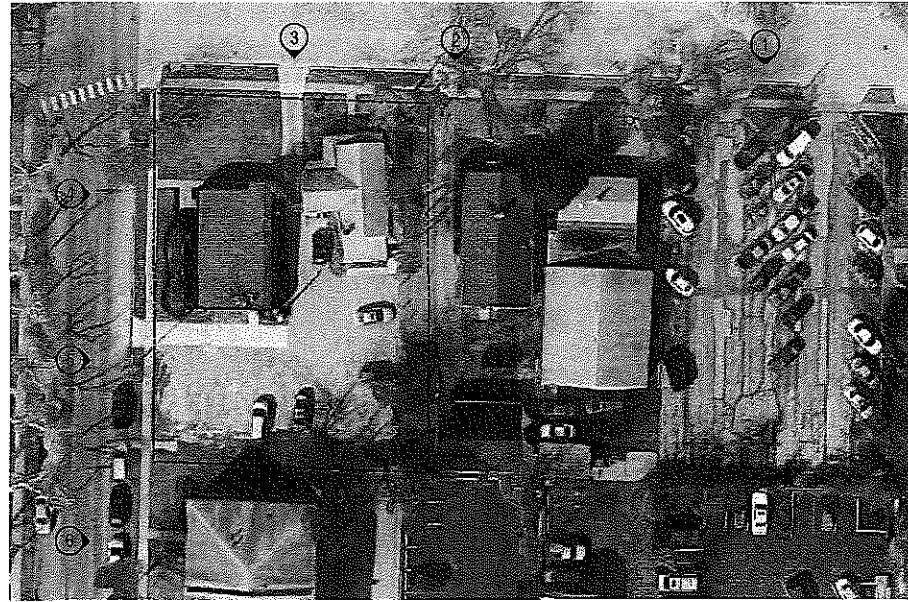
4 PROPOSED SITE
A0.1 N.T.S.



5 PROPOSED SITE
A0.1 N.T.S.



6 ADJACENT PROPERTY (SOUTH)
A0.1 N.T.S.



AERIAL SITE PLAN
N.T.S.

SAVOY INVESTMENTS, LLC.

1750 S. BENTWOOD BLVD. SUITE 600
SAINT LOUIS, MISSOURI 63144



AMANDA PARTHYKA NORRIS - ARCHITECT
MO# A-2008031918
STATE OF MISSOURI
ARCHITECTURAL CORPORATION
ORIGINAL CERTIFICATE LICENSE NO. 000439

DRAWING TITLE
EXISTING CONDITIONS

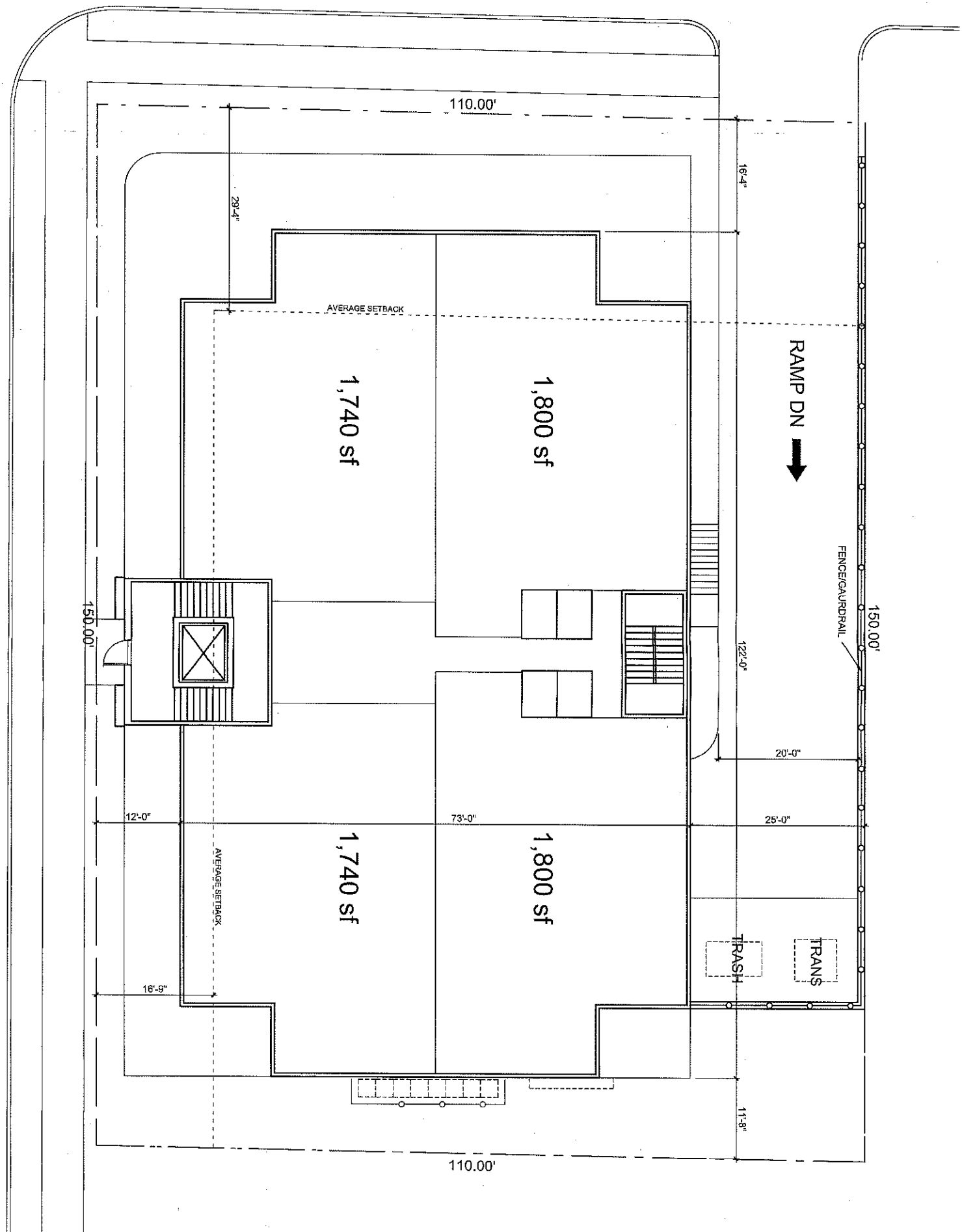
PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO




DATE REVISIONS
17 DEC 2018
PROJECT NO. 18061

SHEET NO. A0.1
ALL LOCAL CODES SHALL PREVAIL.
CONTRACTOR TO VERIFY ALL
DIMENSIONS AND EXISTING CONDITIONS
BEFORE CONSTRUCTION BEGINS.
DRAWN BY: CHECKED BY:

MADISON



CLAY

 SITE PLAN
1/8" = 1'-0"

SAVOY INVESTMENTS, LLC.

1750 S. BRENTWOOD BLVD., SUITE 600
SAINT LOUIS, MISSOURI 63144



AMANDA PATRICIA ARCHER, ARCHITECT
STATE OF MISSOURI
ARCHITECTURAL COMMISSION
ORIGINAL CERTIFICATE LICENSE NO. 000639

DRAWING TITLE
SITE PLAN

PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO

core10
ARCHITECTURE
Dream · Design · Deliver
4501 Lindell Blvd., Suite 10
Saint Louis, Missouri 63108
314.726.4858 COREtoarchitecture.com

DATE REVISIONS

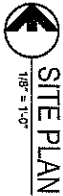
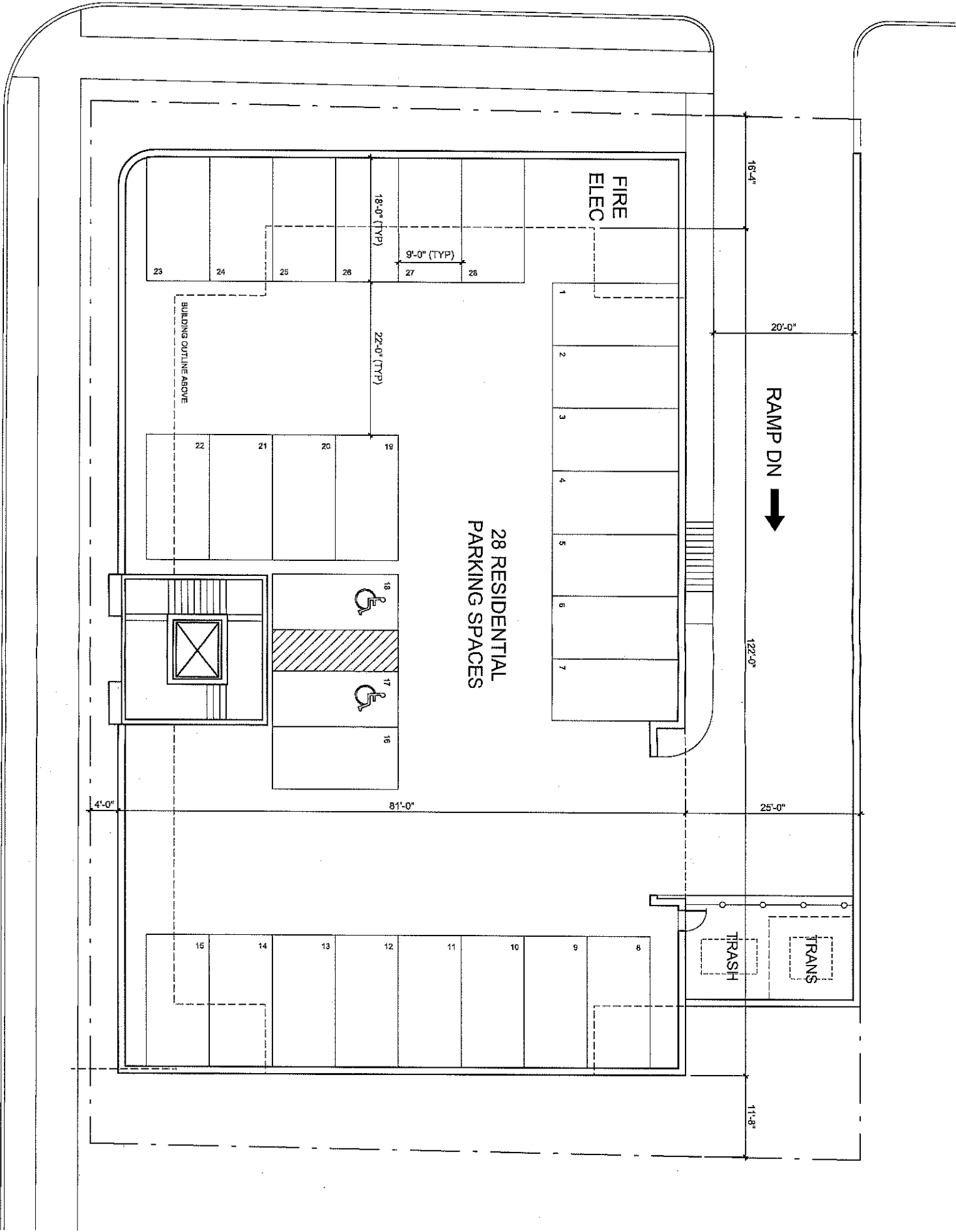
SHEET NO. 1
DATE 17 DEC 2018
PROJECT NO. 18061

A1.0

ALL LOCAL CODES SHALL BE FULLY
COMPLIANT WITH THE LATEST EDITION
OF THE INTERNATIONAL BUILDING
CODE (IBC) AND ALL APPLICABLE
ORDINANCES.
CIRCLED BY:

MADISON

CLAY



CLAY

SAVOY INVESTMENTS, LLC.

1750 S. BRENTWOOD BLVD, SUITE 600
SAINT LOUIS, MISSOURI 63144



AMANDA PARFITT, ARCHITECT
NO. 19118
STATE OF MISSOURI
ARCHITECT
ORIGINAL CERTIFICATE NO. 00069

DRAWING TITLE
GARAGE PLAN

PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO

core10
ARCHITECTURE
Dream - Design - Deliver

4501 Lindell Blvd, Suite 1a
Saint Louis, Missouri 63108
314.726.4858 CORE10architecture.com

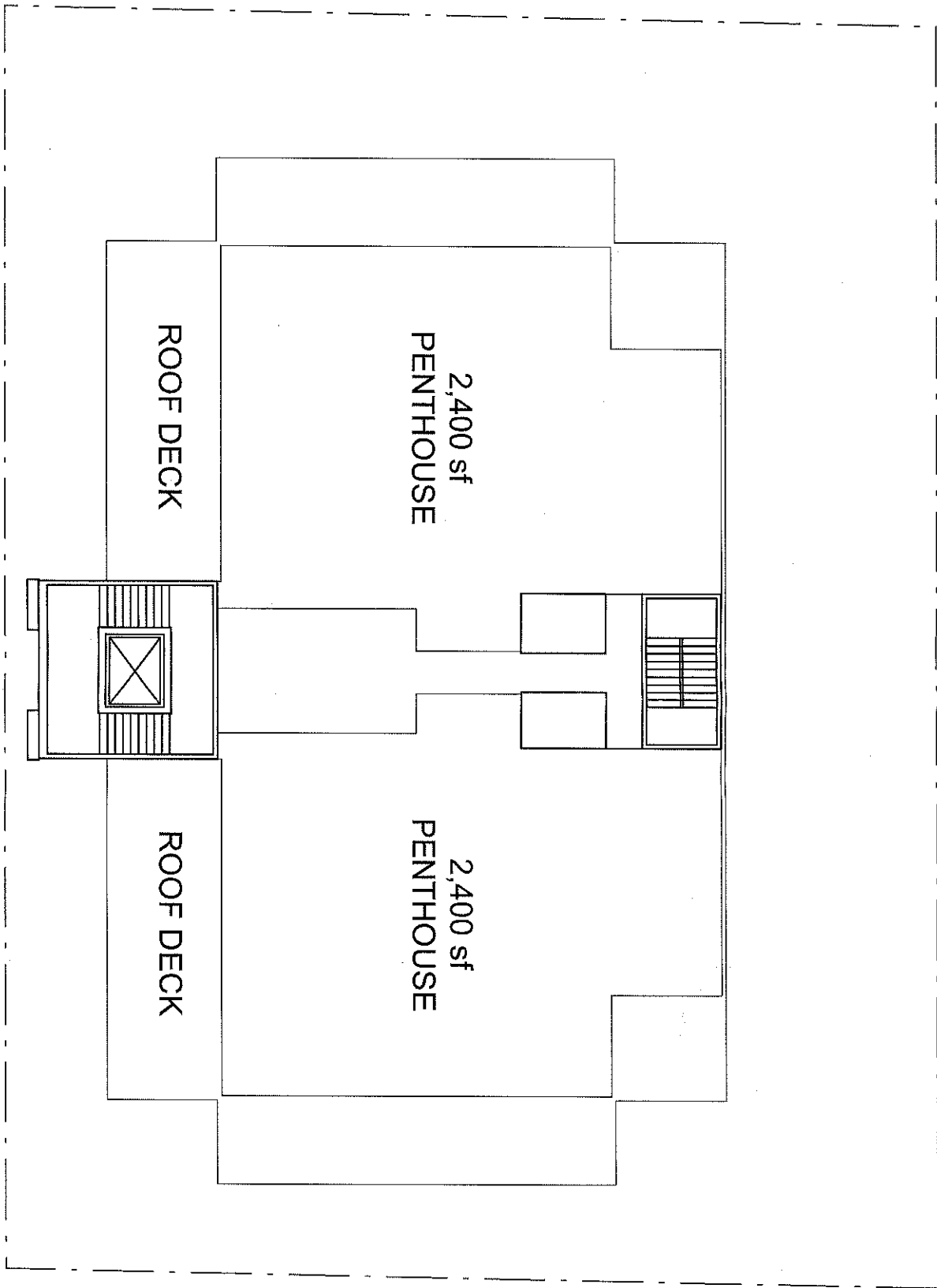
DATE: 17 DEC 2018

PROJECT NO.: 18061

SHEET NO.

A1.1

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



 **FIRST FLOOR PLAN**
1/8" = 1'-0"

SAVOY INVESTMENTS, LLC.

1750 S. BRENTWOOD BLVD, SUITE 600
SAINT LOUIS, MISSOURI 63144



AMANDA PARFETTA ANDREWS - ARCHITECT
NO. A-20000198
STATE OF MISSOURI
ARCHITECTURAL CORPORATION
ORIGINAL CERTIFICATE NO. 0000029

DRAWING TITLE
FIRST FLOOR PLAN

PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO

core10
ARCHITECTURE
Dream - Design - Build

4501 Lindell Blvd, Suite 1a
Saint Louis, Missouri 63108
314.726.4858 CORE10architecture.com

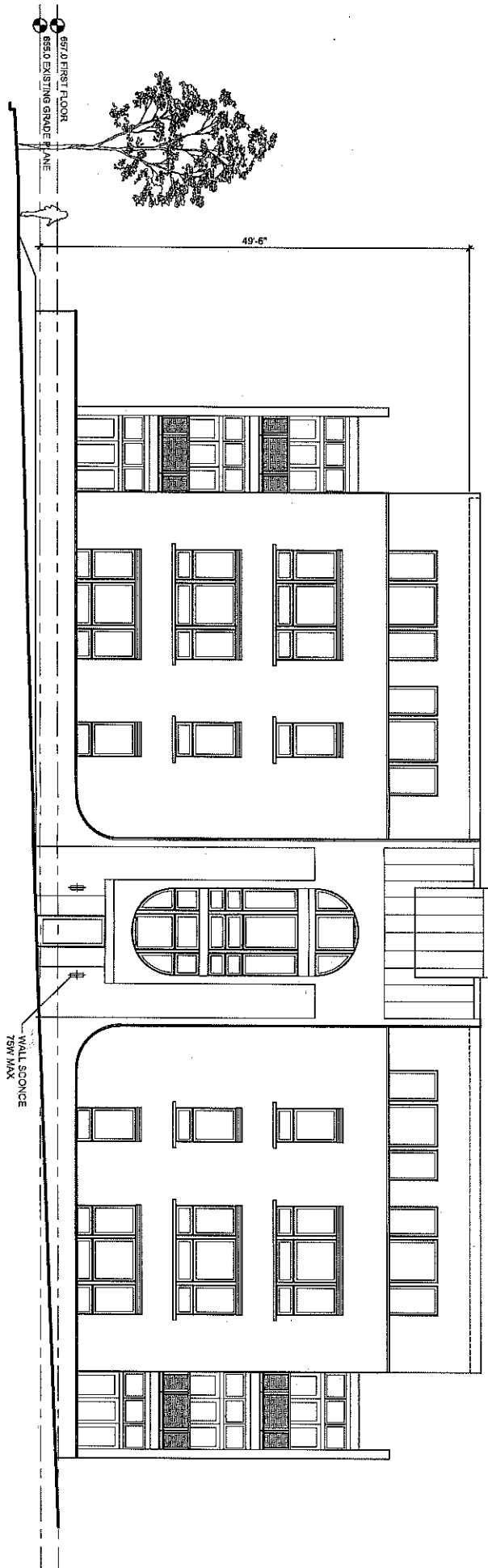
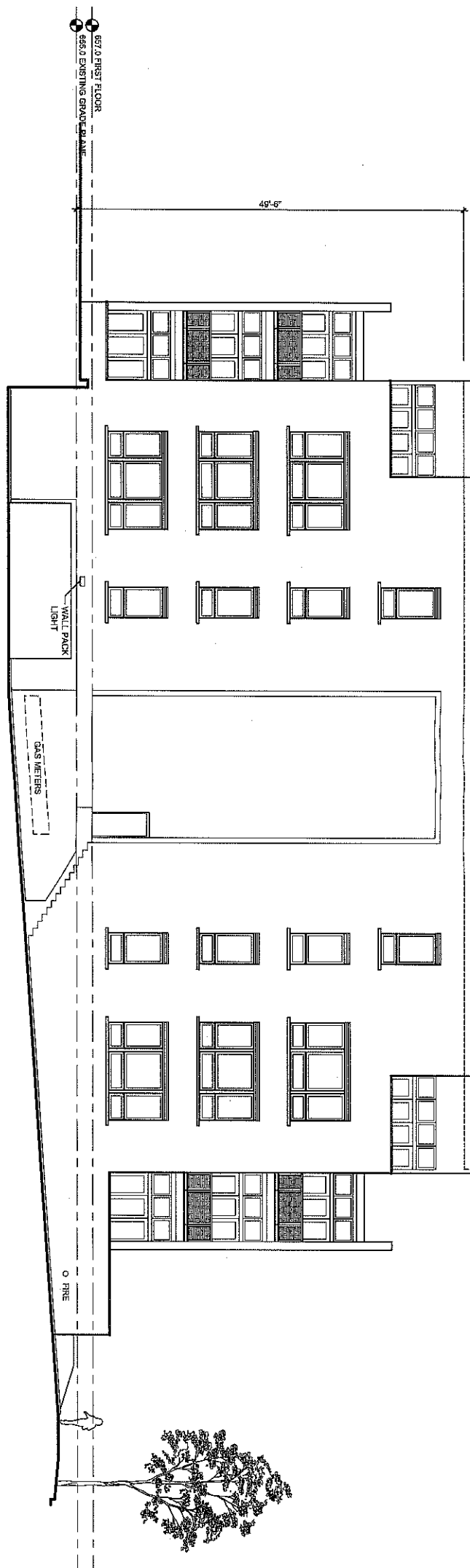
DATE: 17 DEC 2018

PROJECT NO.: 18061

SHEET NO.

A2.0

ALL LOCAL CODES SHALL PREVAIL.
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL CODE BOOK (IMC) AND THE INTERNATIONAL PLUMBING AND MECHANICAL CODE BOOK (IPMC).
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ELECTRICAL CODE BOOK (IEC) AND THE INTERNATIONAL FIRE ALARM AND NOTIFICATION CODE BOOK (IFAN).
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SMOKE AND EXHAUST CODE BOOK (ISEC) AND THE INTERNATIONAL VENTILATION AND MECHANICAL EXHAUST CODE BOOK (IVMEC).
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ENERGY EFFICIENCY CODE BOOK (IEEC) AND THE INTERNATIONAL ENERGY EFFICIENCY CODE BOOK (IEEC).



SAVOY INVESTMENTS, LLC.



AMANDA PARTIKA NOBES - ARCHITECT
MO# A-20080008176
STATE OF MISSOURI
ARCHITECTURAL CORPORATION
ORIGINAL CERTIFICATE/LICENSE NO. 000639

DRAWING TITLE
EAST & WEST ELEVATIONS

PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO



DATE	REVISIONS

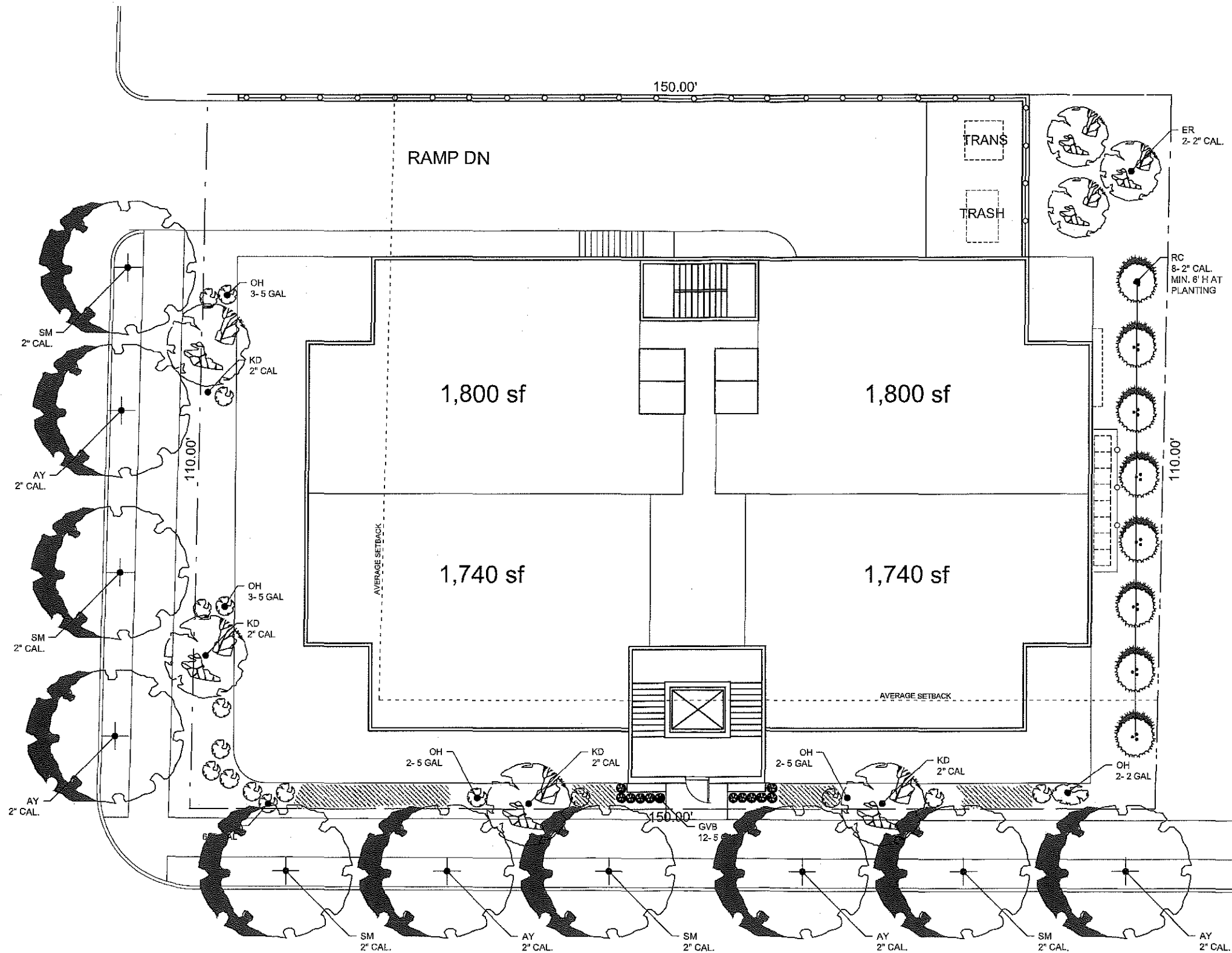
• • • •

SHEET NO.

A4.0

ALL LOCAL CODES SHALL PREVALENT.
CONTRACTOR TO FIELD VERIFY ALL
DIMENSIONS AND DISTANCES CONCERNING
BEFORE CONSTRUCTION BEGINS.
DRAWN BY: CHECKED BY:

MADISON



CLAY

LANDSCAPE PLAN
1/8" = 1'-0"

SHEET NOTES:

- 2 EXISTING TREES LOCATED AT THE SIDE OF THE LOT ALONG MADISON ARE TO BE REMOVED.
- NEW TREES TO BE PLANTED IN ACCORDANCE WITH THE TREE SCHEDULE ON SHEET L1.1
- LANDSCAPE BUFFER: 1,050 SF
- OPEN SPACE CALCULATION: 2,894 SF

SAVOY INVESTMENTS, LLC.

1750 S. BRENTWOOD BLVD, SUITE 400
SAINT LOUIS, MISSOURI 63144



AMANDA PARFITEA NORRIS - ARCHITECT
MICH. A-200000118
STATE OF MISSOURI
ARCHITECTURAL CORPORATION
ORIGINAL CERTIFICATE/LICENSE NO. 000639

DRAWING TITLE
LANDSCAPE PLAN

PROJECT TITLE
MADISON AND CLAY CONDOMINIUMS
CLAY AVENUE
KIRKWOOD, MO



DATE	REVISIONS
17 DEC 2018	18061

SHEET NO.
L1.0

CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS BEFORE CONSTRUCTION BEGINS.
DRAWN BY: CHECKED BY:

GENERAL:

GENERAL:

1. ALL NATURAL VEGETATION SHALL BE MAINTAINED WHERE IT DOES NOT INTERFERE WITH THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROTECT EXISTING TREES AND PLANTS FROM THE PROJECT. STRUCTURES OR REVISIONS FROM PLANT DAMAGE DUE TO EQUIPMENT USAGE, CONTRACTOR OR SIGNALL, AT ALL TIMES PROTECT ALL MATERIALS AND WORK AGAINST INJURY TO THE LANDSCAPE.
2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH OTHERS SHIP RELATED WORK BEING PERFORMED BY OTHER CONTRACTORS. REFERS TO ARCHITECTURAL DRAWINGS FOR PARTISHER UNDERGROUND PARKING, STRUCTURES AND UTILITIES MUST BE CONSIDERED APPROXIMATE ONLY. THESE MAY BE CHANGED NOT PRESENTLY KNOWN OR SHOWN. IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL LANDSCAPE PLANTS TO BE PLANTED IN THE EXISTENCE OF AND EXACT LOCATION OF THE ADJACENT PLANT MATERIALS. IT SHALL BE THE SAME RELATIONSHIP TO SPACED AS WAS GROWN IN NATURAL CONDITIONS. ALL PLANTING THERE SHALL BE PLANTING OF PLANTS, PLANT PRODUCTION TO WITHIN 12" OF TRUNK OF TREES OR SHRUBS PLANTED WITHIN THE AREA.
3. IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF THE DRAWINGS PRIOR TO COMMENCEMENT OF WORK.
4. REPORT ALL DISCREPANCIES FOUND WITH REFERENCE TO EXISTING CONDITIONS OR PROPOSED DESIGN TO THE LANDSCAPE ARCHITECT PRIOR TO THE BEGINNING OF THE PROJECT.
5. THE ARCHITECT OR THE OWNER'S REPRESENTATIVE OR LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE MATERIAL. LIST IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL QUANTITIES AND CONDITIONS PRIOR TO INSTALLATION OF THIS PLANT, AND SUSTAINING TYPES, OR SIZE OF PLANT MATERIALS WILL BE ACCEPTED.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PLANT MATERIALS. THESE PLANTS OTHERWISE NOTED IN PLANT SCHEDULE.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PLANT MATERIALS. THESE PLANTS OTHERWISE NOTED IN PLANT SCHEDULE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PLANT MATERIALS. THESE PLANTS OTHERWISE NOTED IN PLANT SCHEDULE.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PLANT MATERIALS. THESE PLANTS OTHERWISE NOTED IN PLANT SCHEDULE.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PLANT MATERIALS. THESE PLANTS OTHERWISE NOTED IN PLANT SCHEDULE.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PLANT MATERIALS. THESE PLANTS OTHERWISE NOTED IN PLANT SCHEDULE.

INSURANCE:

1. THE LANDSCAPE CONTRACTOR SHALL SUBMIT CERTIFICATES OF INSURANCE FOR WORKMAN'S COMPENSATION AND GENERAL LIABILITY.

MULCH:

1. ALL MUDCH TO BE SHREDDED HANDWORK BARK MUDCH A 3' DEPTH AFTER CORRECTION, UNLESS OTHERWISE NOTED. BARK SHALL BE A LEAF AND FREE OF ALL FOREIGN MATERIALS, INCLUDING WEEDS, MOUL, DELTERIOUS MATERIALS, ETC.
2. NO PLASTIC SHEETING OR FILTER FABRIC SHALL BE PLACED BENEATH SHREDDED BARK MUDCH BEDS. MRFAP FABRIC SHALL BE USED BENEATH GRAVEL MUDCH BEDS.
3. EDGE ALL BEDS WITH SPADE CUT EDGE UNLESS OTHERWISE NOTED.

MAINTENANCE

1. LANDSCAPE CONTRACTOR SHALL PROVIDE A SEPARATE PROPOSAL TO MAINTAIN ALL PLANTS, SHRUBS, GRASS/COVER, PERENNIALS AND ANNUALS FOR A PERIOD OF 12 MONTHS AFTER ACCEPTANCE.
2. CONTRACTOR SHALL ENSURE THAT ONLY COMPETENT AND TRAINED PERSONNEL SHALL PROVIDE SUCH SERVICES AND THAT SUCH SERVICES PROVIDED IN A THIRTY MANNER.

TOPSD:

- [illegible]

MISC. MATERIAL

1. PROVIDE STAKES AND DEADMEN OF SOUND, NEW HARDWOOD, FREE OF KNOTS/HOLE AND DEFECTS.
2. TREE WRAP TAPE SHALL BE 4" MINIMUM, DESIGNED TO PREVENT BORER DAMAGE AND WINTER FREEZING. ADDITIONALLY, ONLY 3-PLY TYING MATERIAL SHALL BE USED.

1000

1. THE TYPE LAMIN ARES SHALL BE UNCONDITIONALLY WARRANTED FOR A FISCAL PERIOD OF 90 DAYS FROM DATE OF FINAL ACCEPTANCE. BUILT RASBAS MORE THAN ONE SQUARE FOOT PER AN 80 SQUARE FEET SHALL BE REPLACED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S OWN EXPENSE.
3. ALL SOIL SHALL BE PLACED AT A MAXIMUM OF 24 HOURS AFTER HARVESTING.
4. RECONSTRUCTION EXISTING LAMIN ARES DAMAGED BY CONTRACTORS OPERATIONS INCLUDING EQUIPMENT/MATERIAL STORAGE AND MOVEMENT OF VEHICLES.

WARRANTY:

1. ALL PLANT MATERIAL (EXCLUDING ORGANIC COPIES, PERENNIALS AND TREES) MUST BE PLANTED IN THE GARDEN WITHIN 12 MONTHS AFTER THE DATE OF PURCHASE.
2. ANY PLANT MATERIAL, FOUND TO BE DEFECTIVE, SHALL BE REMOVED WITHIN 30 DAYS OF NOTIFICATION OR IN GROWTH SEASON, RETURNED TO THE BEST FOR THAT PLANT.
3. ONLY ONE REPLACEMENT PER YEAR FOR SHRUB SHALL BE REQUIRED AT THE DISCRETION OF THE GARDEN.
4. PLANT ESTABLISHMENT PERIOD, UNLESS LOSS IS DUE TO FLOODING OR DRY WINTER HAZARD, SHALL BE 12 MONTHS.
5. PLANT ESTABLISHMENT PERIOD SHALL BE IN EFFECT ONLY IF THE PLANT HAS BEEN MOVED THREE TIMES. PLANT ESTABLISHMENT PERIOD SHALL COMMENCE ON THE DATE OF PLANTING AND 100% COMPLETION.

1. A PRE-CONSTRUCTION MEETING SHALL BE HELD ON-SITE TO EXPLAIN

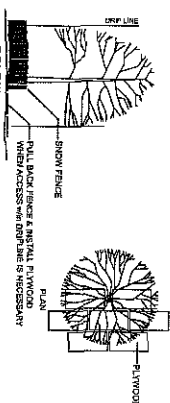
1. PROTECTION. PROTECTING SHALL OCCUR IN A SEQUENTIAL MANNER. THESE PROTECTIVE MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THE PRESERVATION MEASURES.
2. THE PROTECTIVE MEASURES SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR REPRESENTATIVES AND THE CITY REPRESENTATIVES SHALL HAVE ALL LOCATIONS FOR THESE PRESERVATION MEASURES INSTALLED FOR THEIR PROTECTION.
3. PRESERVATION MEASURES HAVE NOT BEEN COMPLETED.
4. THE BEGINNING OF THESE PRESERVATION MEASURES SHALL BE AS FOLLOWS:
 - 4.1. NOT PROHIBITING TRAFFIC
 - 4.2. NOT PROHIBITING TRUCKS
 - 4.3. TRUCK WASHING AND CHEMICAL TREATMENTS
 - 4.4. SEWATION SYSTEMS INSTALLED
 - 4.5. CONSTRUCTION SUPERVISION
5. THE PROTECTIVE FENCING SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR FOR THE DURATION OF CONSTRUCTION AND APPROVED BY THE CITY REPRESENTATIVES.
6. THE CITY SHALL CONSTRUCT FENCING FOR REMOVAL.
7. ACCESS TO REQUESTED PRESERVATION AREAS BY CONSTRUCTION EQUIPMENT SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THE PRESERVATION MEASURES. ACCESS SHALL BE PROTECTED WITH TEMPORARY BARRIERS. TEMPORARY BARRIERS SHALL BE PROTECTED WITH TEMPORARY BARRIERS WITH THE PRIOR APPROVAL OF THE CITY INSPECTOR.
8. ALL DESIGNATED WALKWAYS SHALL BE PROTECTED WITH TEMPORARY BARRIERS.
9. REMOVAL OF TREES, SHRUBS OR UNDERGROWTH FROM PROTECTED AREAS SHALL BE PERFORMED ON WHEN NECESSARY AND WITH HAND TOOLS. A TREE SHALL BE REMOVED IF IT IS DEAD OR DANGEROUS TO THE PUBLIC OR IT CAN BE SAVED BY A STRICTLY PROHIBITED.
10. FOR CONSTRUCTION COMPETITION ALL TEMPORARY BARRIERS FENCING, SIGNS, ETC. SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR AND ALL REMOVED FENCING SHALL BE INSTALLED ALONG THE COASTLINE AND DISTURBANCE LIMITS OF THE SITE.
11. THE CITY SHALL CONSTRUCT FENCING ALONG THE COASTLINE OF ALL CRITICAL ROOT ZONES OF SAVES AND IMPACTED TREES WITHIN THE DISTURBANCE AREAS.

COMMON NAME / BOT.

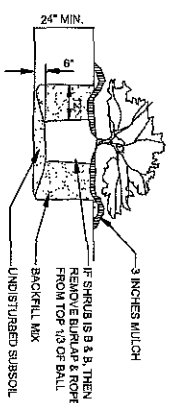
	QTY	COMMON NAME / BOTANICAL NAME	SIZE
EVERGREEN TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
RD	B	Pink Cedar / Juniperus virginiana Taylor	3' Cal.
SHRUBS	QTY	COMMON NAME / BOTANICAL NAME	SIZE
OVH	B	Giant Yellow Broomed / Flammula Yell. Vivant	5 gal
FLOWERING PLANT	QTY	COMMON NAME / BOTANICAL NAME	SIZE
CH	1B	Catalpa bignonioides / Flamboyant Queenston	2 Gal.
GROUND COVERS	QTY	COMMON NAME / BOTANICAL NAME	SIZE
	1520 sq ft	Dwarf Spirea	2.25' @ 12' x 6'

2.1.5

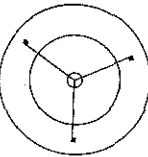
NOTE: PROTECT ALL EXISTING TREES TO REMAIN. AS SHOWN IN DETAIL ABOVE
BELOW DRIP LINES (SHOWN APPROXIMATE ON PLANTING PLAN).



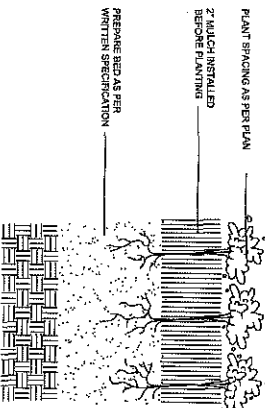
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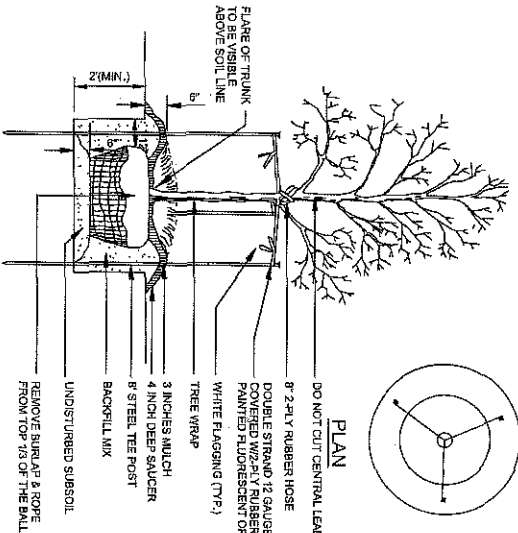
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N.T.S.



N.T.S.



SUBSTITUTE BILL 10726

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, REGARDING THE ADDITION OF A NEW PERMITTED USE CATEGORY (MULTIPLE-FAMILY DWELLINGS) IN THE B-2, GENERAL BUSINESS DISTRICT.

WHEREAS, Savoy Investments, LLC made application (PZ-16-19) for a text amendment to the Zoning Code related to the addition of a new permitted use category (Multiple-family dwellings) in the B-2 District; and

WHEREAS, the Planning and Zoning Commission did on the 2nd day of January, 2019, by adopting the subcommittee report dated January 2, 2019, (attached hereto and incorporated by reference herein), recommend the approval of said Zoning Code text amendment; and

WHEREAS, on the 7th day of February, 2019, 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 including a new permitted use category in Section A-510.2 with the following language:

Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan

SECTION 2. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by removing and replacing the first sentence in Section A-510.1 with the following language:

Purpose. This district seeks to encourage a mixed-use district with commercial services, retail facilities, and residential uses that complement each other and attract individuals from outside the district.

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 _____, 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Public Hearing:

1ST Reading:

2nd Reading:

BILL 10733

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE, WITH MODIFICATIONS, AS THE MECHANICAL CODE OF THE CITY OF KIRKWOOD, REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITIONS TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND REPEALING THE EXISTING MECHANICAL CODE.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the Building Codes and recommends adoption of the 2015 Mechanical Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to update the Mechanical Code,

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

SECTION 1. That Section 5-4 of the Kirkwood Code of Ordinances is hereby deleted and the following inserted in lieu thereof:

“SECTION 5.4 MECHANICAL CODE: The provisions of the “2015 International Mechanical Code” as modified, is hereby adopted as the City's Mechanical Code. See separate publication and adopting modification ordinance on file in the office of the city clerk.

SECTION 2. That a certain document, which is on file in the office of the city clerk of the City of Kirkwood, Missouri, being marked and designated as “2015 International Mechanical Code” as published by the International Code Council, is hereby adopted as the mechanical code of the City of Kirkwood, Missouri. For the control of buildings and structures as herein provided; and each and all of the regulations of the “2015 International Mechanical Code”, are hereby referred to, adopted and made apart hereof, as if fully set out in this ordinance.

SECTION 3. That throughout the “2015 International Mechanical Code”, wherever the term “jurisdiction” is used, it is deemed to mean City of Kirkwood, and wherever the expression “code official” is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the "2015 International Mechanical Code", is amended by additions, deletions and changes including the changing of articles, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

Chapter 1 Scope and Administration

Section 101.1 – Amended to read as follows; Title: These regulations shall be known as the Mechanical Code of the City of Kirkwood. Hereinafter referred to as "this Code".

Section 106.1.1 Annual Permit - Delete in its entirety and add: Integrated Permits: The code official may issue integrated building, plumbing; electrical and/or mechanical permits on a single permit application.

Section 106.1.2 Annual permit records- Delete in its entirety and add: Applicant Responsibility: The integrated permit applicant shall be responsible for the return to the code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit must be by special application and shall result in the assessment of a transfer fee as specified.

Section 106.5.2 - Fees: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section 106.5.3 - Delete in its entirety

Section 108.4 – Delete in its entirety and add: Violation Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served a stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 108.5 - Amend last sentence of Stop Work Orders to read "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood."

Section 109.1 – Amended to read as follows; Appeals: The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Section 109.2 through Section 109.6.2: Delete in their entirety

Chapter 3 General Regulations

Section 303.6.1 is added to read as follows; Location. Mechanical equipment, air conditioning condensing units or other mechanical units located outdoors shall be placed as close to the foundation wall as possible or as approved by the code official. Geothermal borings and associated piping shall be a minimum of 5'-0" from any side or rear property line. Equipment shall be properly screened as required and approved by the City of Kirkwood zoning code or the Architectural Review Board.

Section 307.2.2 and Table 307.2.2 is amended to read as follows; Section 307.2.2 Drain pipe materials and sizes. Components of the condensate disposal shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polyethylene, ABS, CPVC, PVC, or polyethylene pipe or tubing. Components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the International Plumbing Code relative to the material type. Condensate waste and drain line size shall not be less than 1 inch (25.4 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2

Table 307.2.2 amended to read as follows;
Condensate drain sizing

TABLE 307.2.2 CONDENSATE DRAIN SIZING	
EQUIPMENT CAPACITY	MINIMUM CONDENSATE PIPE DIAMETER (inch)
Up to 20 tons of refrigeration	1 inch
Over 20 tons to 40 tons of refrigeration	1 inch
Over 40 tons to 90 tons of refrigeration	1 1/4 inch
Over 90 tons to 125 tons of refrigeration	1 1/2 inch
Over 125 tons to 250 tons of refrigeration	2 inch

For SI: 1 inch = 25.4 mm, 1 ton of capacity = 3.517 kW.

Chapter 4 Ventilation

Section 404.1 Enclosed parking garages. Delete in its entirety and add: Where mechanical ventilation systems for enclosed parking garages operate intermittently, such operation shall be automatic by means of carbon monoxide detectors applied in conjunction with nitrogen dioxide detectors. The detectors shall be installed in accordance with their manufactures' recommendations. The mechanical ventilation system shall have means to operate the system manually from a remote device. The location and installation shall be approved by the fire code official.

Chapter 5 Exhaust System

Section 504.4.1 added to read as follows; Multiple dryers: Multiple domestic dryers shall not be connected to a single exhaust system.

Exception: Multiple domestic dryers may be connected to a single exhaust system designed by a registered design professional..

Section 505.2 – Delete in its entirety and add: Makeup Air Required: Exhaust hood systems capable of exhausting in excess of 600 cfm shall be provided with makeup air at a rate approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Section 507.2 is added to read as follows; Type 1 hoods- Exception 2: The installation of a domestic cooking appliance in a commercial building that is capable of producing grease or smoke, which is primarily intended for warming purposes and the Building and Fire Official believes to be minimal, said installation must comply with Section 505 and be protected by a listed automatic range top fire suppression system or comply with

Section 509. This exception does not apply to Use Group or Occupancy Types A, E, and I for their primary cooking operations.

Chapter 9 Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment

Section 901.4 is added to read as follows; Shutoff Valves: Shutoff valves shall be installed serving decorative gas-fired appliances and shall be installed in the following manner: A combination safety pilot valve with integral shutoff shall be located in the firebox at the appliance connection. A secondary shut-off valve shall be located in the fuel-gas pipe serving only that appliance. Access shall be provided to both shutoff valves.

Section 901.4.2 is added to read as follows; Piping into a Masonry Firebox: Above ground gas piping serving an appliance installed in a masonry firebox shall be installed as required by the fuel gas code. A high temperature seal is required on the inside of the firebox and a waterproof seal is required on the outside if exposed to weather.

SECTION 5. Nothing in this ordinance or in the Mechanical Code hereby adopted shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the "International Mechanical Code 2015" or of the amendments to the "International Mechanical Code 2015" for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same even though such portions so held to be unconstitutional had not been included therein.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor, City of Kirkwood, Missouri

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Mechanical Code to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



completed ordinance 2015
IMC mechanical code.docx
Microsoft Word Document
23.5 KB

File Attachment



completed ordinance 2015
IFGC fuel and gas code.docx
Microsoft Word Document
17.8 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.



Completed ordinance 2015
IECC energy code.doc.docx
Microsoft Word Document
17.5 KB

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



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-15-19

BILL 10734

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL FUEL GAS CODE, WITH MODIFICATIONS, AS THE FUEL GAS CODE OF THE CITY OF KIRKWOOD, REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITIONS TO, USE OR MAINTENANCE OF FUEL GAS SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption of the "2015 International Fuel Gas Code" with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to adopt the International Fuel Gas code.

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

SECTION 1. That Kirkwood Code of Ordinances is hereby amended by inserting Section 5-6(a) as follows:

"Section 5-4(b) Fuel Gas Code: The provisions of the "2015 International Fuel Gas Code" as modified, is hereby adopted as the City of Kirkwood Fuel Gas Code. See separate publication and adopting modification ordinance on file in the office of the City Clerk."

SECTION 2. That a certain document, which is on file in the office of the City Clerk, being marked and designated as the "2015 International Fuel Gas Code", as published by the International Code Council, Inc., be and is hereby adopted as the Fuel Gas Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the "2015 International Fuel Gas Code", are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the "2015 International Fuel Gas Code", wherever the term "jurisdiction" is used, it is deemed to mean City of Kirkwood, and wherever the expression "Code Official" is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the "2015 International Fuel Gas Code" is amended by additions, deletions and changes including articles, chapters, sections, subsections, and subsection

titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Chapter 1 Scope and Administration.

Section 101.1 – Amended to read as follows; Title: These regulations shall be known as the Fuel Gas Code of the City of Kirkwood, hereinafter referred to as “this Code”.

106.1.1 Annual permit. Delete in its entirety and add: Integrated Permits. The code official may issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application.

106.1.2 Annual permit records- Delete in its entirety and add: Applicant Responsibility: The integrated permit applicant shall be responsible for the return to the code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit must be by special application and shall result in the assessment of a transfer fee as specified.

Section 106.6.2 Amended to read as follows; Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

106.6.3 – Delete in its entirety

108.4 – Amend to read as follows; Violations Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served s stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

108.5 - Amend last sentence of Stop Work Orders to read “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood”.

Section 109.1 is amended to read as follows: Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the building code.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

109.2 – through - 109.6.2 - Delete in their entirety

SECTION 5. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy or any character be lost, impaired, or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the “2015 International Fuel Gas Code” is for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor, City of Kirkwood, Missouri

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Mechanical Code to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



completed ordinance 2015
IMC mechanical code.docx
Microsoft Word Document
23.5 KB

File Attachment



completed ordinance 2015
IFGC fuel and gas code.docx
Microsoft Word Document
17.8 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.



Completed ordinance 2015
IECC energy code.doc.docx
Microsoft Word Document
17.5 KB

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



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-15-19

BILL 10735

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, WITH MODIFICATIONS, AS THE ENERGY CONSERVATION CODE OF THE CITY OF KIRKWOOD, REGULATING AND GOVERNING ENERGY-EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY-EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption of the 2015 International Energy Conservation Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to adopt the Energy Conservation Code.

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

SECTION 1. That Kirkwood Code of Ordinances is hereby amended by inserting Section 5-6(e) as follows:

"Section 5-6(e) Energy Conservation Code: The provisions of the "2015 Energy Conservation Code" as modified, is hereby adopted as the City of Kirkwood Energy Conservation Code. See separate publication and adopting modification ordinance on file in the office of the City Clerk."

SECTION 2. That a certain document, which is on file in the office of the City Clerk, being marked and designated as the 2015 Energy Conservation Code, as published by the International Code Council, Inc., be and is hereby adopted as the Energy Conservation Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the 2015 Energy Conservation Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the 2015 International Energy Conservation Code, wherever the term "jurisdiction" is used, it is deemed to mean City of Kirkwood, and wherever the expression "Code Official" is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the 2015 International Energy Conservation Code is amended by additions, deletions and changes including articles, chapters, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Section C101.1 – Amended to read as follows; Title: These regulations shall be known as the Energy Conservation Code of the City of Kirkwood, hereinafter referred to as “this Code”.

Section C101.5 is amended to read as follows; Compliance. Residential buildings shall meet the provisions of the Kirkwood residential code, chapter 11, Energy Efficiency.

Section C101.5.1 Delete in its entirety

Section C107. 2 Amended to read as follows; Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section C107.5 – Delete in its entirety

Section C108.4 – is amended to read as follows; Failure to comply. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood”.

Section C109.1 Amended to read as follows: Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Sections 109.2 and– 109.3 - Delete in their entirety

SECTION 5. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy or any character be lost, impaired, or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the 2015 International Energy Conservation Code is for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Mechanical Code to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



completed ordinance 2015
IMC mechanical code.docx
Microsoft Word Document
23.5 KB

File Attachment



completed ordinance 2015
IFGC fuel and gas code.docx
Microsoft Word Document
17.8 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.



Completed ordinance 2015
IECC energy code.doc.docx
Microsoft Word Document
17.5 KB

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



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-15-19

BILL 10736

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PLUMBING CODE, WITH MODIFICATIONS, AS THE PLUMBING CODE OF THE CITY OF KIRKWOOD, REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITIONS TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING THE EXISTING PLUMBING CODE.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption of the 2015 International Plumbing Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Works Department to update the Plumbing Code.

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

SECTION 1. That Section 5-6 of the Kirkwood Code of Ordinances is hereby deleted and the following inserted in lieu thereof:

SECTION 5-6 PLUMBING CODE: The provisions of the "2015 International Plumbing Code" as modified, is hereby adopted as the City's Plumbing Code. See separate publication and adopting modification ordinance on file in the office of the city clerk.

SECTION 2. That a certain document, which is on file in the office of the City Clerk of the City of Kirkwood, Missouri, being marked and designated as "2015 International Plumbing Code", as published by the Building Officials and Code Administrators International, and the International Conference of Building Officials be and is hereby adopted as the Plumbing Code of the City of Kirkwood, Missouri. For the control of buildings and structures as herein provided; and each and all of the regulations of the 2015 International Plumbing Code are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance.

SECTION 3. That throughout the 2015 International Plumbing Code, wherever the term "jurisdiction" is used, it is deemed to mean City of Kirkwood, and wherever the expression "Code Official" is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the 2015 International Plumbing Code is amended by additions, deletions and changes including of articles, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Chapter 1 Scope and Administration.

Section 101.1 is amended to read as follows; Title: These regulations shall be known as the Plumbing Code of the City of Kirkwood, hereinafter referred to as "this Code".

Section 106.1.1 and Section 106.1.2 are deleted in entirety

Section 106.1.1 added to read as follows; Permits: Permits are only to be issued to a licensed plumber and drain layer: Permits to do plumbing or drain laying work shall be issued only to plumbers or drain layers who have been licensed in accordance with Section 111 of this Code.

Section 106.1.2 – added to read as follows; Integrated Permits: The code official may issue integrated building, plumbing; electrical and/or mechanical permits on a single permit application.

Section 106.1.3 – added to read as follows; Applicant Responsibility: The integrated permit applicant shall be responsible for the return to the Code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit must be by special application and shall result in the assessment of a transfer fee.

Section 106.6.2 – is amended to read as follows; Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section 108.4 – is amended to read as follows; Violation Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served s stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who

maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 108.5 – Amend the last sentence of Stop Work Orders to read “Any person who shall continue any work in or about the building, structure or property after having been served with a stop work order, except such work as is directed by the code official to remove a violation or unsafe condition, shall be liable to a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood”.

Section 109.1 is amended to read as follows; Application for Appeal. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Delete in their entirety sections **Section 109.2** through **Section 109.7**

SECTION 111 – added to read as follows; **LICENSING OF PLUMBING CONTRACTORS**

Section 111.1 – added to read as follows; St. Louis City or County Plumbing or Drain laying License Required: Any person or contractor wishing to enter into the plumbing or drain laying contracting business within the City of Kirkwood, Missouri, shall first be duly examined and successfully licensed as a plumber or drain layer in St. Louis City or County, Missouri.

Section 111.2 – added to read as follows; **City of Kirkwood Contractor’s License Required:** All Contractors shall obtain a license under the provisions of Chapter 13, Division 2 of the Kirkwood Code of Ordinances.

Exception: The owner of a one or two family residence who resides in the dwelling unit can apply and secure a plumbing permit to perform installation and repairs outlined in this plumbing code.

Section 111.3 – added to read as follows; Any firm or corporation in the business of plumbing or drain laying work shall employ a duly licensed supervisor, under the provisions of this Code, who shall be responsible for installations made by said firm or corporation.

Section 111.4 – added to read as follows; No persons having obtained a license under the provision of this Code shall allow his/her name to be used by another person either for the purpose of obtaining permits, or for doing business or work under the license. Every person licensed shall notify the office of plumbing inspection of the address of

his/her place of business and the name under which such business is carried on, and shall give immediate notice to the office of plumbing inspection of any change in either.

Section 111.5 – added to read as follows; A license or registration issued under this ordinance is assigned to the person named in said license. No license or registration certification or the rights, duties and privileges attendant thereto, shall be assigned or transferred to another person, company or partnership. When the duties and privileges of a license are to be exercised within a company or partnership, all of the principals or partners of that company or partnership must be registered with the Board thirty (30) days prior to exercising the rights and privileges of the license.

Chapter 3 General Regulations.

Section 305.4 –is amended to read as follows; Freezing. Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperatures unless adequate provision is taken to protect such pipes from freezing by insulation or heat or both as approved by the code official. Exterior water supply system piping shall be installed not less than 36 inches (915 mm) below grade.

Section 305.4.1 is amended to read as follows; Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than 30 inches (762 mm) below finished grade at the point of septic connection. Building sewers shall be installed not less than 30 inches (762 mm) below grade.

Section [M] 314.2.2 and [M] Table 314.2.2 is amended to read as follows:

Section [M] 314.2.2 Drain pipe materials and sizes. Components of the condensate disposal shall be cast iron, galvanized steel, copper, crossed-linked polyethylene, polyethylene, ABS, CPVC, PVC, or polyethylene pipe or tubing. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the International Plumbing Code relative to the material type. Condensate waste and drain line size shall not be less than 1 inch (25.4 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 314.2.2

Table [M] 314.2.2
Condensate drain sizing

[M] TABLE 314.2.2 CONDENSATE DRAIN SIZING	
EQUIPMENT CAPACITY	MINIMUM CONDENSATE PIPE DIAMETER (inch)

Up to 40 tons of refrigeration	1 inch
Over 40 tons to 90 tons of refrigeration	1 ¹ / ₄ inch
Over 90 tons to 125 tons of refrigeration	1 ¹ / ₂ inch
Over 125 tons to 250 tons of refrigeration	2 inch

For SI: 1 inch = 25.4 mm, 1 ton of capacity = 3.517 kW.

Chapter 4 Fixtures, Faucets and Fixture Fittings

Section 412.5 added to read as follows; Floor drains in a garage shall not connect to a sanitary sewer line or system.

Chapter 5 Water Heaters

Section 507.1 amended to read as follows; Pan size and drain. The pan shall be not less than 1 ½ inches (38mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank, water heater or condensate producing appliance. The pan shall be drained by an indirect pipe having a diameter of not less than 1 inch (25.4mm). Piping for safety pan drains shall be of those materials listed in table 605.4.

Chapter 6 Water Supply and Distribution

Section 603.1 amended to read as follows; Size of water service pipe: The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required by this Code. The water service pipe shall not be less than 1 inch (25.4 mm) in diameter.

Chapter 7 Sanitary Drainage

Section 701.2.1 – added to read as follows; New Building Sewer Required for New Building or Structure: A new primary structure or building shall be provided with a new building sewer from the building to the public sewer, if available, or to the septic tank connection.

Section 701.2.2 – added to read as follows; Public Sewer Systems Available: A public sewer system shall be considered available to a structure or building when a public sewer main is located with 300 feet of the property line of the building or structure.

Section 701.2.3 – added to read as follows; Individual Sewage Disposal Systems prohibited: Individual sewage disposal systems shall be prohibited except for single family residents which are located on lots greater than one acre in area and such lot is greater than 300 feet from a public sewer and shall conform to the requirements of the International Private Sewage Disposal Code listed in the referenced standards.

Section 701.2.4 – added to read as follows; Minimum size building sewer: The gravity building sewer shall not be less than 6 inches (153mm) in size.

TABLE 702.3 is amended to read as follows:

Table 702.3 BUILDING SEWER PIPE

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301
Concrete pipe	ASTM C 14; ASTM C 76; CSA A257.1M; CSA A257.2M
Copper or copper-alloy tubing (Type K or L)	ASTM B 75; ASTM B 88; ASTM B 251
Polyethylene (PE) plastic pipe (SDR-PR)	ASTM F 714
Polyvinyl chloride (PVC) plastic pipe in IPS diameters, including Schedule 40, DR 22 (PS 200) and DR 24 (PS 140); with a solid, cellular core or composite wall	ASTM D 2665; ASTM F 891; ASTM F 1488
Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters, including PS 25, PS 50, PS 100, PS 140 and PS 200; with a solid, cellular core or composite wall	ASTM F 891; ASTM F 1488; ASTM D 3034; CSA B182.2; CSA B182.4
Polyvinyl chloride (PVC) plastic pipe with a 3.25-inch O.D. and a solid, cellular core or composite wall	ASTM D 2949, ASTM F 1488
Polyvinylidene fluoride (PVDF) plastic pipe	ASTM F 1673; CSA B181.3
Stainless steel drainage systems, Types 304 and 316L	ASME A112.3.1
Vitrified clay pipe	ASTM C 4; ASTM C 700

Section 705.11.2 –is amended to read as follows: Solvent cementing. Joint surfaces shall be clean and free from moisture. Clear primer that conforms to ASTM F 656 shall be applied to joints above grade (earth). Purple primer that conforms to ASTM F 656 shall be applied to joints below grade (earth). Solvent cement clear in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2, or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cemented joints shall be permitted above or below ground.

Section 708.1 is amended to read as follows; Cleanouts required. Cleanouts shall be provided for drainage piping in accordance with Sections 708.1.1 through 708.11. A yard vent / cleanout shall be installed in other than commercial installations, including repair and replacement.

Section 708.1.5.1 – amended to read as follows; Clean out Size: Cleanouts shall be the same size as the piping served by the cleanout. A minimum of one full size 6-inch tee clean out shall be installed between the building exterior wall and the MSD connection for residential buildings.

Section 903.1 is amended to read as follows: Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 12 inches (305 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate 7 feet (2134 mm) above the roof.

Chapter 9 Vents

Section 918.5 is amended to read as follows: Access and ventilation. Access shall be provided to all air admittance valves. Such valves shall be installed in a location that allows air to enter the valve. The air admittance valve shall not be installed within a wall cavity.

Chapter 11 Storm Drainage

Section 1102.2 is amended to read as follows: Disposal. Rainwater from roofs and storm water from paved areas, yards, courts and courtyards shall conform to the requirements of the City of Kirkwood “Infill Development Storm Water Management” ordinance.

SECTION 5. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy or any character be lost, impaired, or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the 2015 International Plumbing Code is for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining

portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Plumbing Codes to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



completed ordinance 2015 IPC
plumbing code.doc
Microsoft Word 97 - 2003
Document
71.0 KB



completed ordinance 2015
IPSDC private sewage disposal
code.docx
Microsoft Word Document
22.1 KB



completed ordinance 2015
ISPSC swimming pool and spa
code.docx
Microsoft Word Document
17.6 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.



Completed ordinance 2015
IECC energy code.doc.docx
Microsoft Word Document
17.5 KB



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:

3-15-17

BILL 10737

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE, WITH MODIFICATIONS, AS THE PRIVATE SEWAGE DISPOSAL CODE OF THE CITY OF KIRKWOOD, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF INDIVIDUAL SEWAGE SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the Building Codes and recommends adoption of the 2015 International Private Sewage Disposal Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to adopt the Private Sewage Disposal Code.

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

SECTION 1. That Kirkwood Code of Ordinances is hereby amended by inserting Section 5-6(a) as follows:

"Section 5-6(a) Private Sewage Disposal Code: The provisions of the "2015 International Private Sewage Disposal Code" as modified, is hereby adopted as the City of Kirkwood Private Sewage Disposal Code. See separate publication and adopting modification ordinance on file in the office of the City Clerk.

SECTION 2. That a certain document, which is on file in the office of the City Clerk, being marked and designated as the "2015 International Private Sewage Disposal Code", as published by the International Code Council, Inc., be and is hereby adopted as the Private Sewage Disposal Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the "2015 International Private Sewage Disposal Code", are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the "2015 International Private Sewage Disposal Code", wherever the term "jurisdiction" is used, it is deemed to mean City of Kirkwood, and wherever the expression "Code Official" is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the "2015 International Private Sewage Disposal Code" is amended by additions, deletions and changes including of articles, chapters, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Chapter 1 Scope and Administration

Section 101.1 – Amended to read as follows; Title: These regulations shall be known as the Private Sewage Disposal Code of the City of Kirkwood, hereinafter referred to the "this Code".

Section 101.3 Amended to read as follows; Public Sewer Connection. A public sewer system shall be considered available to a structure or building when a public sewer main is located within 300 feet of the property line of the building or structure.

Section 101.3.1 Added to read as follows; Individual Sewage Disposal System Prohibited. Individual sewage disposal systems shall be prohibited except for single family residences which are located on lots greater than one acre in area and such lot is greater than 300 feet from a public sewer.

Section 101.3.2 Added to read as follows; Individual Sewage Disposal System Permitted. Individual sewage disposal systems shall be permitted only under the following condition:

1. Single family dwellings on lots one acre or larger and,
2. Property is not within 300 feet of a public sanitary sewer and,
3. The plans and construction documents for the individual disposal system shall be sealed by a professional engineer and,
4. The soil absorption system shall be at least 10 feet from all property lines and,
5. The system satisfies the requirements of the 2015 International Private Sewage Disposal Code.

Delete in its entirety 106.1.1 Annual Permits and 106.1.2 Annual permit records.

Section 106.1.1 is added to read as follows; License required. Permits to be issued only to licensed plumbers and drain layers who have been licensed in accordance with section 111 of this code.

Section 106.1.2 is added to read as follows; Integrated permits. A private sewage disposal system permit shall not be part of an integrated permit. The issuance of this permit shall specifically for the system only on a single permit application.

Section 106.1.3 is added to read as follows; Applicant responsibility. The integrated permit applicant shall be responsible for the return to the code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit, must by special application and shall result in the assessment of a transfer fee as specified.

Section 106.4 Amended to read as follows; Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Delete in its entirety 106.4.2 and 106.4.3

Section 108.4 – Amend to read as follows; Violation Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served s stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 108.5 - Amend last sentence of Stop Work Orders to read “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood”.

Section 109.1 is amended to read as follows: Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code , Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Sections 109.2 – through – Section 109.7 - Delete in their entirety

Section 111 –added to read as follows; LICENSING OF PLUMBING CONTRACTORS

Section 111.1 – added to read as follows; St. Louis City or County Plumbing or Drain laying License Required: Any person or contractor wishing to enter into the plumbing or drain laying contracting business within the City of Kirkwood, Missouri, shall first be

duly examined and successfully licensed as a plumber or drain layer in St. Louis City or County, Missouri.

Section 111.2 – added to read as follows; City of Kirkwood Contractor's License Required: All Contractors shall obtain a license under the provisions of Chapter 13, Division 2 of the Kirkwood Code of Ordinances.

Exception: The owner of a one or two family residence who resides in the dwelling unit can apply and secure a plumbing permit to perform installation and repairs outlined in this plumbing code.

Section 111.3 – added to read as follows; Any firm or corporation in the business of plumbing or drain laying work shall employ a duly licensed supervisor, under the provisions of this Code, who shall be responsible for installations made by said firm or corporation.

Section 111.4 – added to read as follows; No persons having obtained a license under the provision of this Code shall allow his/her name to be used by another person either for the purpose of obtaining permits, or for doing business or work under the license. Every person licensed shall notify the office of plumbing inspection of the address of his/her place of business and the name under which such business is carried on, and shall give immediate notice to the office of plumbing inspection of any change in either.

Section 111.5 – added to read as follows; A license or registration issued under this ordinance is assigned to the person named in said license. No license or registration certification or the rights, duties and privileges attendant thereto, shall be assigned or transferred to another person, company or partnership. When the duties and privileges of a license are to be exercised within a company or partnership, all of the principals or partners of that company or partnership must be registered with the Board thirty (30) days prior to exercising the rights and privileges of the license.

Chapter 5 Materials

Section 501.3 – added to read as follows; Minimum size building sewer: The gravity building sewer shall not be less than 6 inches (153 mm) in size.

Section 501.4 –is amended to read as follows; Freezing. Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperatures unless adequate provision is to protect such pipes from freezing by insulation or heat or both as approved by the code official.

Sewer depth: Building sewers shall be installed not less than 30 inches (762 mm) below finished grade.

Section 505.10.2 –is amended to read as follows: Solvent cementing. Joint surfaces shall be clean and free from moisture. Clear primer that conforms to ASTM F 656 shall be applied to joints above grade (earth). Purple primer that conforms to ASTM F 656 shall be applied to joints below grade (earth). Solvent cement clear in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2, or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cemented joints shall be permitted above or below ground.

SECTION 5. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy or any character be lost, impaired, or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the 2015 International Private Sewage Disposal Code is for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title :

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Plumbing Codes to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



completed ordinance 2015 IPC
plumbing code.doc
Microsoft Word 97 - 2003
Document
71.0 KB



completed ordinance 2015
IPSDC private sewage disposal
code.docx
Microsoft Word Document
22.1 KB



completed ordinance 2015
ISPSC swimming pool and spa
code.docx
Microsoft Word Document
17.6 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.



Completed ordinance 2015
IECC energy code.doc.docx
Microsoft Word Document
17.5 KB

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 ☐ Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-15-19

BILL 10738

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE, WITH MODIFICATIONS, AS THE SWIMMING POOL AND SPA CODE OF THE CITY OF KIRKWOOD, REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITIONS TO, USE OR MAINTENANCE OF SWIMMING POOLS AND SPAS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption of the 2015 International Swimming Pool and Spa Code with modification, and

WHEREAS, the Chief of Administrative Officer has approved the recommendation of the Public Services Department to adopt the Swimming Pool and Spa code.

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

SECTION 1. That Kirkwood Code of Ordinances is hereby amended by inserting Section 5-6(b) as follows:

“Section 5-6(b) Swimming Pool and Spa Code: The provisions of the “2015 Swimming Pool and Spa Code” as modified, is hereby adopted as the City of Kirkwood Swimming Pool and Spa Code. See separate publication and adopting modification ordinance on file in the office of the City Clerk.”

SECTION 2. That a certain document, which is on file in the office of the City Clerk, being marked and designated as the 2015 Swimming Pool and Spa Code, as published by the International Code Council, Inc., be and is hereby adopted as the Swimming Pool and Spa Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the 2015 Swimming Pool and Spa Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the 2015 International Swimming Pool and Spa Code, wherever the term "jurisdiction" is used, it is deemed to mean City of Kirkwood, and wherever the expression "Code Official" is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the 2015 International Swimming Pool and Spa Code is amended by additions, deletions and changes including of articles, chapters, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Chapter 1 Scope and Administration

Section 101.1 – Amended to read as follows; Title: These regulations shall be known as the Swimming Pool and Spa Code of the City of Kirkwood, hereinafter referred to the "this Code".

Section 105.6.2 Amended to read as follows; Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section 105.6.3 – Delete in its entirety

Section 107.4 – Amend to read as follows; Violations Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served s stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 107.5 - Amend last sentence of Stop Work Orders to read "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood".

Section 108.1 is amended to read as follows: Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code , Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Sections 108.2 – through - 108.7 - Delete in their entirety

SECTION 5. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy or any character be lost, impaired, or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the 2015 International Swimming Pool and Spa Code is for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Plumbing Codes to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



completed ordinance 2015 IPC
plumbing code.doc
Microsoft Word 97 - 2003
Document
71.0 KB



completed ordinance 2015
IPSDC private sewage disposal
code.docx
Microsoft Word Document
22.1 KB



completed ordinance 2015
ISPSC swimming pool and spa
code.docx
Microsoft Word Document
17.6 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.



Completed ordinance 2015
IECC energy code.doc.docx
Microsoft Word Document
17.5 KB



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



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-15-19

BILL 10739

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL BUILDING CODE WITH MODIFICATIONS AS THE CITY OF KIRKWOOD BUILDING CODE, ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, QUALITY OF MATERIALS, ERECTION, LOCATION, RELOCATION, REPLACEMENT, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES; AND REPEALING THE EXISTING BUILDING CODE.

WHEREAS, the ISO has recommended the City update its Building Codes,

WHEREAS, the Building Commissioner's Office reviewed the Building Codes and recommends adoption of the 2015 International Building Code with modification, and

WHEREAS, the Chief Administrative officer has approved the recommendation of the Public Services Department to update the Building Code.

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

SECTION 1. That Section 5-2(a) of the Kirkwood Code of Ordinance is hereby deleted and the following inserted in lieu thereof:

(a) Adoption of International Building Code: The provisions of the "2015 International Building Code" as modified, is hereby adopted as the City of Kirkwood Building Code. See separate publication and adopting modification ordinance on file in the office of the City Clerk.

SECTION 2. That a certain document, which is on file in the office of the City Clerk, being marked and designated as the 2015 International Building Code, as published by the International Code Council, Inc., and is hereby adopted as the Building Code of the City of Kirkwood, Missouri, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the 2015 International Building Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the 2015 International Building Code, wherever the terms "Name of Jurisdiction" or "Local Jurisdiction" appear, it shall be deemed to mean the City of Kirkwood, Missouri. Likewise, wherever the term "Department of Building Inspection" appears, it shall be deemed to mean City of Kirkwood Building Commissioner's Office. Wherever the "Code" appears, it shall mean the 2015 International Building Code.

SECTION 4. The 2015 International Building Code is amended by the following provisions. Each chapter, section, subsection or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Chapter 1 Scope and Administration

Section 101.1 – amended to read as follows; Title: These regulations shall be known as the Building Code of the City of Kirkwood herein referred to as "This code". When the phrase "this code" is used throughout, it shall mean the appropriate "City of Kirkwood code".

Section 102.2.1 – added to read as follows; Compliance. Compliance with Kirkwood codes and ordinances: Subject to the provisions of this code, neither the granting of a permit, nor approval of construction documents, nor inspections made by the code official, or the code officials authorized representative, during the erection, movement, or demolition of a building or structure, or any alteration of addition thereto, shall in anyway relieve the owner or tenant of such building, structure of property from complying with the requirements of this code and all "City of Kirkwood ordinances".

Section 102.7 - added to read as follows; Matters not provided for. Any requirements that are essential for the structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the code official.

Section 103.1 – amended to read as follows; Creation of Building Department. The Kirkwood Building Department is hereby created and the official in charge shall be the Building Commissioner of the City of Kirkwood or his duly authorized representative.

Section 104.1.1 – added to read as follows; Disasters. In the event of a disaster, such as wind storm, tornado, flood, fire, earthquake, bomb blast, or explosion, the code official is hereby authorized to enter and inspect structures in the affected areas, subject to constitutional restrictions or unreasonable search and seizure. If the code official determines, after inspection, that a structure is unfit, he shall declare it a public nuisance, cause a report to be prepared and notify the affected parties in accordance with this code. When, in the sole opinion of the code official, there is imminent danger

due to an unsafe condition, the code official shall take emergency measures in accordance with this code.

Section 104.2 – amended to read as follows; Applications and Permits: The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, change of occupancy, and inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Section 104.2.1 – amended to read as follows; Building Evaluation. The code official is authorized to require an existing building to be investigated and evaluated by a registered design professional to determine the existence of any potential nonconformance with the provisions of this code.

Section 104.6.1 – added to read as follows; Interference with Code Official. No person shall hinder, obstruct, resist, or fail to provide entry at reasonable times or otherwise interfere with the code official in the performance of his official duties.

Section 104.12 – added to read as follows; Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

Section 105.1 – amended to read as follows; Required: Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or install or alter a ground level paved parking lot other than those lots serving a single-family dwelling, or establish a new or relocated lot line that affects an existing structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section 105.1.1 amended to read as follows; Flood or Earthquake Damage. Flood or earthquake damage repair permit required: It shall be unlawful to repair a structure when such repair is due to flood or earthquake without first registering and filing an application with the code official in writing and obtaining a Flood or Earthquake Damage Repair Permit. Flood or Earthquake Damage Repair Permits shall be issued at no cost if applied for within 90 days after the end of a flood or earthquake, where such date is determined by the code official, and shall authorize the work indicated therein to be completed within one year of the date of issuance. For the purpose of this section, the cost of flood or earthquake damage repair shall be defined in accordance with the Federal Emergency Management Agency (FEMA) regulations and definitions.

Section 105.1.2 amended to read as follows; Reroofing: Permits are required for the recovering or replacement of an existing roof covering when either of the following conditions apply.

1. Permits are required for reroofing of roofs with a slope of less than 4:12. Plans and specifications are only required when reroofing a slope less than $\frac{1}{4}$ unit vertical in 12 units horizontal.
2. Permits, plans and specifications are required for all structural changes in a roof covering system regardless of the roof slope.

Section 105.1.3 – added to read as follows; Temporary Buildings and Structures. No temporary building or structure, either mobile or stationary, shall be erected, operated, used or maintained for any purpose without first obtaining a temporary structures permit. All temporary buildings and structures shall meet the requirements of chapter 31 Special Construction in the Kirkwood building code.

Section 105.1.3.1 – added to read as follows; “Demolition Permit”: Demolition work shall start within thirty (30) days after issuance of a demolition permit and shall be completed within sixty (60) of such issuance date. The code official may, after receiving a written request from the applicant, extend the permit for one or more additional thirty (30) day period if, in his opinion, conditions such as weather may have prevented the completion of the work within the time allotted.

The Building Commissioner may establish a deposit in an amount set forth in the Chapter 5 Article VI “Various City Fees” of the Kirkwood Code of Ordinances to guarantee completion and site restoration including grading, seeding/strawing and/or sodding is completed in a reasonable time.

- (1) The performance guarantee shall be provided to the City before the issuance of the demolition permit.
- (2) Failure to complete the work and restore the site including grading, seeding/strawing and/or sodding and abate any code violations thereon, shall result in the performance guarantee being forfeited to the City of Kirkwood. The forfeiting of the performance guarantee does not relieve the developer or any other responsible party from completing all work and site restoration and the City assumes no responsibility to complete such improvements.
- (3) The City may perform the site restoration and deduct the cost for such work plus administrative fee from the deposit.

Exception: Performance guarantees are not required for demolitions in an approved subdivision that has been reviewed by Planning and Zoning Commission and there is a valid performance guarantee on file with the City.

Section 105.2 is amended to read as follows; Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authority for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Accessory buildings top use group R-3 (one or two family dwellings) not greater than 120 square feet in area and not greater than 12 feet in height and the building or structure does not contain any plumbing or electrical fixtures or devices. The building shall meet all zoning district requirements including but not limited to set back lines, lot coverage and etc.
2. Retaining walls, garden walls, planter boxes less than 24 inches in height.
3. Roof covering replacement when done with like material, including replacement of 25% or less of the roof sheathing on roofs with a slope of 4:12 or greater or gutter repair or replacement unless required by section 105.1.2.
4. Walks, patios or other paving within property lines. NOTE: Sidewalks on public right-of-ways or easements, driveways, parking areas, and turnarounds require a permit. (The zoning code prohibits parking spaces in front of the building, therefore paving for this purpose is prohibited.) (Driveways shall be paved in accordance with the Kirkwood Code of Ordinances.)
5. Painting, interior or exterior, and wallpapering.
6. Siding, exterior, new or replacement metal, wood or vinyl installed over existing walls, soffits, fascia boards, overhangs, with no change to the size or location of existing wall openings.
7. Window and door replacement or repair in an existing opening without modifications to the size or location of the wall opening.
8. Storm window or storm door installation or replacement without modifications to the size or location of the wall opening.
9. Tuck-pointing
10. Portable or moveable cases, counters, partitions not over 69 inches in height.
11. Swings and other playground equipment for private use. Note: The equipment shall meet all zoning district requirements including but not limited to set back lines, lot coverage and etc.

Electrical:

1. Repairs and maintenance. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment or temporary lighting, to approved permanently installed receptacles.
2. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

Gas:

1. Portable heating, cooking or clothes dryer appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliances
2. Portable ventilation devices
3. Portable cooling devices.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code .
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section 105.6.1 – added to read as follows; Revocation For Lack Of Occupancy Permit. The code official shall be authorized to revoke any permit for any project which an occupancy permit has not been issued after one year of issuance of said building permit.

Section 105.8 – added to read as follows; Additional Approval Requirements; Prior to issuing any permit, approvals shall be obtained from the following agencies when applicable: The St. Louis County Department of Highways and Traffic, the St. Louis County Department of Health, Metropolitan St. Louis Sewer District (MSD), Missouri Department of Transportation (MoDot), Missouri Department of Natural Resources (DNR), and the City of Kirkwood- Department of Public Services Engineering Office. The code official may issue a partial permit in accordance with Section 105.3.3 when clearances pertaining to the scope of the work are required from the applicable reviewing department/agencies listed above. The holder of such partial permit shall proceed at the owner's risk without assurance that outstanding reviewing department/agency final approvals can be obtained or that a permit for the entire structure be granted.

Section 105.9 – added to read as follows; “Sewage Disposal”: A building permit shall not be issued until an acceptable method of sewage disposal has been approved.

Section 105.10 – added to read as follows; “Addendums to Permits”: Once a permit is issued, all addendums submitted as an amendment to the approved construction documents shall be charged an additional review fee.

Section 105.11 – added to read as follows; “Integrated Permits”: The code official may issue integrated building, plumbing; electrical and/or mechanical permits on a single permit application.

Section 105.12 – added to read as follows; “Applicant Responsibility”: The integrated permit applicant shall be responsible for the return to the code official copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate sub-contractor.

Section 105.13 – added to read as follows; Investigation Fee For Work Performed Without A Permit. Whenever any work for which a permit required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit is issued. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. Payment of the investigation fee shall not exempt any person from compliance with all the provisions of this code nor from any penalty prescribed by law.

Section 105.14 – added to read as follows; Duty to Request Final Inspection. Upon completion of the work described in the permit application, the permit holder shall request and obtain a final inspection before any occupancy of the structure except as provided in Section 110.3 of this code. Failure of the permit holder to request and obtain a final inspection before occupancy will constitute a violation of this code.

Section 107.1 – amended to read as follows; General – Submittal Documents. The application for permit shall be accompanied by not less than three sets of construction documents. The construction documents and site plans for new construction, alteration, repairs, expansion, addition or modification for structures shall be prepared by a registered design professional. All construction documents and site plans shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri. All construction documents submitted with an application for a building permit shall bear an original embossed or wet ink seal, the date and original ink signature of the registered design professional for each discipline on the front sheet of each discipline within each set of construction documents; or, on the cover sheet of each set of construction documents. In addition, all other sheets of the construction documents other than specifications or calculations shall bear the original embossed, wet ink, or mechanically reproduced seals of the registered

design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear an original seal and signature of the registered design professional. Such changes shall be clearly indicated. The construction documents shall include the name and address of the design professional and shall be signed, sealed, and dated by the registered design professional.

Exception:

1. Tenant finishes minor in scope and approved by the code official.

Section 107.2.7 is added to read as follows; Site Protection Requirements. Site protection shall comply with Chapter 33- Safeguards During Construction of this code.

Section 107.6 – is added to read as follows; “Special Professional Services”: When applications are filed for unusual designs, seismic design or a magnitude of construction which require construction review or inspection services beyond the capacity of the code official’s staff, the code official may require the owner to retain a properly qualified registered design professional to perform the services necessary for code compliance. The code official may request and authorize a design professional to make inspections and keep daily records and submit reports as required. Upon completion the design professional shall file a final report endorsed with his/her signature and seal indicating inspections that were performed and listing pertinent deviations for the building code and approved construction documents. All costs and fees related to the performance of special professional serviced shall be the responsibility of the owner.

Section 107.6.1 – is added to read as follows; Elevations Certified: Any building being erected or constructed in a flood plain shall provide an elevation certificate by a Registered Engineer or Land Surveyor, licensed by the State of Missouri, before final approval of foundation, building must also comply with Kirkwood City Flood Plain Ordinances.”

Section 109.2 is amended to read as follows; Schedule of permit fees. Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section 109.4 is amended to read as follows; Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits shall be subject to a 100 percent increase of the usual total permit fee in addition to the required permit fees.

Section 110.3.4 –is amended to read as follows; Frame and masonry inspection. The Inspection of framing and masonry construction shall be made after the boundary survey verifying the location of the structure per the approved plans is submitted and approved. This inspection is conducted after the completion of the roof, masonry; framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical inspections are approved.

Section 110.7 – is added to read as follows; **Additional Inspections:** In addition to the required inspections specified above, the code official may make other inspections, which in his judgment are reasonably necessary to enforce this code and the Zoning and Land Disturbance codes. The code official shall have the authority to inspect any construction work to verify compliance with this code and to properly enforce the rules promulgated pursuant to this code. These inspections may include, but are not limited to, examinations to determine whether zoning and land disturbance code requirements are being met and may include all other phases of building construction including concrete forms, back fill, masonry, floors, floor slabs and site grading and other land disturbance or site development work.

Section 111.1 – is amended to read as follows: **Use and Occupancy:** No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of the Building Code for such division or group of occupancy. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use, except work exempt from permits under section 105.2.

Section 111.1.1 – is amended to read as follows: **Change of Occupant or Tenant:** A change of occupant or tenant shall not be made to any structure or portion thereof without the approval of the code official and the issuance of an associated certificate of occupancy. Prior to issuance of the certificate of occupancy, the code official shall verify that:

- a. The structure containing the new occupant or tenant complies with applicable provisions of this code regarding maintenance of all equipment, systems, devices and safeguards required by this code for the applicable use and occupancy classification of the new occupant or tenant as well as applicable provisions of Property maintenance Code and the Zoning Ordinance; and
- b. Where the proposed change of occupancy or tenant also involves a change of use and occupancy classification as defined by this code, a permit application has been filed as prescribed by Section 105 of the Building Code and the structure shall meet the applicable requirements of this code with regard to the newly proposed use and occupancy classification.

Section 111.2 – is amended to read as follows; **Certificate Issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the City of Kirkwood, the building official shall issue a Certificate of Occupancy.

Section 111.3 – is amended to read as follows; **Conditional Occupancy:** The building official is authorized to issue a Conditional Certificate of Occupancy before the

completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the Conditional Certificate of Occupancy is valid.

Section 113.1 is amended to read as follows; Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Section 113.2 and 113.3 delete in their entirety

Section 114.4 – is amended to read as follows; Violations, Penalties. Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served a stop work order, except for such work that person, firm or corporation has been directed to perform or remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes or assists in any violations of this code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor, punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 115.3 – is amended to read as follows; **Unlawful** Continuance. Any person who shall continue any work in or about a structure after having been served with a stop work order, except such work as he/she is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 116.1 – is amended to read as follows; Purpose and scope. It is the purpose of this article to provide a just, equitable and practicable method for the repairing, vacation or demolition of buildings or structures which may endanger the life, limb, health, property, safety or welfare of the occupants of such buildings or to the general public, and this article shall apply to all unsafe structures, as herein defined, which are now in existence or which may hereafter exist in the City of Kirkwood, Missouri.

Section 116.2 – is amended to read as follows; **Unsafe** structures defined: All buildings or structures which have any or all of the following defects shall be deemed “unsafe structures”

Section 116.2.1 – is added to read as follows; Those whose interior walls or other vertical structural members lift, lean, or buckle to such an extent that a plumb line passing through the center gravity falls outside the middle third of its base.

Section 116.2.2 – is added to read as follows; Those which, exclusive of the foundation, show thirty-three percent (33%) or more of damage or deterioration of the supporting members, or fifty percent (50%) of damage or deterioration of the non-supporting enclosing or outside walls or covering.

Section 116.2.3 – is added to read as follows; Those which have improperly distributed loads upon the floor or roofs, or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purposes used.

Section 116.2.4 – is added to read as follows; Those which have been damaged by fire, wind or other causes or as to become dangerous to life, safety, or the general health and welfare of the occupants or the people of the City of Kirkwood, Missouri.

Section 116.2.5 – is added to read as follows; Those which are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness, disease, or as injury to the health, safety or welfare of those occupying such building.

Section 116.2.6 – is added to read as follows; Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live herein.

Section 116.2.7 – is added to read as follows; Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.

Section 116.2.8 – is added to read as follows; Those which have parts thereof which are so attached that they may fall or injure members of the public or property.

Section 116.2.9 – is added to read as follows; Those which because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this city.

Section 116.2.10 – is added to read as follows; Those structures which are partially constructed and the construction activities have been abandoned for a period of six months or longer.

Section 116.2.11 – is added to read as follows; Those which contain an illegal or improper occupancy.

Section 116.2.12 – is added to read as follows; Those which have inadequate maintenance.

Section 116.2.13 –is added to read as follows; hose which are vacant structures that are not secured against entry.

Section 116.2.14 – is added to read as follows; Those which have an unstable foundation.

Section 116.2.15 – is added to read as follows; Those which are partially or completely collapsed.

Section 116.2.16 – is added to read as follows; Those which contain unsafe equipment or material.

Section 116.3 – is amended to read as follows; Unsafe structures declared a public nuisance: All “unsafe structures,” within the terms of Section of this article, are hereby declared to be public nuisances and shall be repaired, vacated or demolished as provided herein.

Section 116.4 – is amended to read as follows; **Standards** for repair, vacation or demolition: The following standard shall be followed in substance by the building commissioner in ordering repair, vacation or demolition of any “unsafe structure”:

Section 116.4.1 – is added to read as follows; if the “unsafe structure” can reasonably be repaired so that it will no longer exist in violation of the terms of this article, it shall be ordered repaired.

Section 116.4.2 – is added to read as follows; If the “unsafe structure” is in such condition as to make it dangerous to the health, safety or general welfare of its occupants, it shall be ordered to be vacated and repaired.

Section 116.4.3 – is added to read as follows; in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this article, it shall be demolished.

Section 116.4.4 – is added to read as follows; In all cases where an “unsafe structure” is a fire hazard existing or erected in violation of the terms of this article or any ordinance of this city or statute of the State of Missouri, it shall be repaired or demolished.

Section 116.5 – is amended to read as follows; Duties of building commissioner; procedure and notice: The building commissioner shall have the duty under this article to:

Section 116.5.1 – is added to read as follows; Inspect, or cause to be inspected, as often as may be necessary, all residential, institutional, assembly, commercial, industrial, garage, special or miscellaneous occupancy buildings for the purpose of determining whether any conditions exist which render such places as “unsafe structures” when he/she has reasonable grounds to believe that any such building is dangerous.

Section 116.5.2 – is added to read as follows; Inspect any building, wall or structure about which complaints are filed by any person to the effect that violation of this article, and the building commissioner shall determine if there are reasonable grounds to believe that such building is unsafe.

Section 116.5.3 – is added to read as follows; Inspect any building, wall or structure reported by fire or police departments of this city as probably existing in violation of this article.

Section 116.5.4 – is added to read as follows; Notify in writing, either by personal services or by certified mail, return receipt requested, or if service cannot be had by either of those modes of service (it) may be had by publication in a newspaper qualified to public legal notices for two (2) successive weeks, the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of St. Louis County of any building found by him be an “unsafe structure” within the standards set forth in Section 119.2 of this article.

The notice required shall state that: (1) the owner must vacate, vacate and repair, or vacate and demolish such building in accordance with the terms of the notice and this article; (2) the occupant or lessee must vacate said structure or have it repaired in accordance with the notice; (3) the mortgagee, agent or other persons having an interest in said structure as shown by the land records of the recorder of deeds of the county wherein the land is located, may, at his/her own risk, repair, vacate or demolish or have such work done; provided, that any person notified under this subsection to repair, vacate or demolish any structures shall be given such reasonable time not exceeding thirty (30) days to commence the required work unless in the judgment of the building commissioner it is determined to be necessary to extend such time to commence the work.

Section 116.5.5 – is added to read as follows; The notice provided for in this section shall state a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure an “unsafe structure” and an order requiring the designated work to commenced within the time or extension thereof, provided for in the above subsection.

Section 116.5.6 - is added to read as follows; In the event the owner does not commence the work as required herein and pursuant to the notice set forth in Section 119.5.4, the building commissioner shall give additional notice to those persons, in the manner specified herein, that he/she shall conduct a hearing upon the matter. Such notice shall specify that a hearing shall be held at the place specified therein, that any party may be represented by counsel and that all parties shall have an opportunity to be heard. Such notice must be mailed at least twenty-one (21) days prior to such hearing.

Section 116.5.7 – is added to read as follows; After the hearing, if the evidence supports the finding that the building or structure is unsafe or detrimental to the health,

safety or welfare of the residents, as defined herein, the building commissioner shall issue an order, making specific findings of fact based upon competent and substantial evidence ordering the building or structure to be vacated, repaired, or demolished and removed.

Section 116.5.8 – is added to read as follows; Upon the issuance of an order, as set forth in subsection 119.5.7 above, the building commissioner shall notify the affected parties of their rights to appeal such decision to the board of Building Appeals within 30 days of the issuance of the Order.

Section 116.6 – is added to read as follows; Duties of the Board of Building Appeals: Any owner, occupant, lessee, mortgage agent, or other person having an interest in the property may, within thirty days from the issuance of the Order of the Building Commissioner, appeal the decisions of the Building Commissioner. Such appeal shall be in accordance with the procedures set forth in Article IV of the Kirkwood Code of Ordinances, Section 5-65 through 5-68.

Section 116.7 – is added to read as follows; If the owner, occupant, mortgagee or lessee fails to comply with a final order of demolition, as provided herein, within thirty (30) days, the building commissioner shall cause the building or structure to be repaired, vacated or demolished, and shall certify the charge for such repair, vacation or demolition to the City Clerk as a special assessment, represented by a special tax bill, against the real property affected; said tax bill shall be a lien upon said property and be enforced to the same extent and in the same manner as all the special tax bills. Except as provided in Subsection 119.7.1, at the request of the taxpayer, this special tax bill may be paid in installments over a period of not more than ten (10) years; said assessment shall bear interest at the rate of eight (8) percent per annum until paid.

Section 116.7.1 – is added to read as follows; As to damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, if any order is issued by the building commissioner or his designee, as provided in this section, and a special tax bill or assessment is issued against the property, it shall be deemed a personal debt against the property owner as well as a tax lien on the property until paid. If there are proceeds of any insurance policy based upon a covered claim payment in excess of 50% of the face value of the policy covering a building or structure and the proceeds of such policy are made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, the insurer shall withhold from the covered claim payment up to ten percent of the covered claim payment, and shall pay such moneys to the city to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this section.

The City shall release the proceeds and any interest which has accrued on such received proceeds to the insured or as the terms of the policy and endorsements thereto provide within thirty days after receipt of such insurance moneys, unless the city has instituted legal proceedings, under the provisions of this section. If the city has proceeded under the provisions of this section, all moneys in excess of that necessary to comply with the

provisions of this section for the removal of the building or structure, less salvage value, shall be paid to the insured.

This subsection shall not make the city or county a party to any insurance contract, and the insurer is not liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

Section 116.8 – is added to read as follows; Appeal: Any owner, occupant, lessee, mortgagee, agent or any other person having an interest in an “unsafe structure” as shown by the land records of the recorder of deeds of the county wherein the land is located, may, within thirty (30) days from the order of the Board of Building Appeals, appeal such decision pursuant to the procedures established in Chapter 536 of the Revised Statutes of Missouri.

Section 116.9 – is added to read as follows; Emergencies: In case where it reasonably appears that there is immediate danger to the health, life or safety of any person unless an “unsafe structure” as defined herein is immediately repaired, vacated or demolished, the building commissioner may cause the immediate boarding up of all openings, or otherwise take such action as may be necessary to prevent hazardous conditions, including the vacation of such unsafe structures. The costs of such emergency boarding up, repair, vacation or demolition of such unsafe structure shall be collected in the same manner as provided in Section 115.7, of this article.

Section 116.10 – is added to read as follows; Violations: disregarding or removing notices or orders: The owner, occupant or lessee in possession of any unsafe structure who shall fail to comply with a final order to repair, vacate or demolish said structure given pursuant to this section, shall be guilty of a misdemeanor and upon conviction shall be punishable as set forth in Section 114 of this article.

Chapter 2 Definitions

202. – is added to read as follows; to the following definitions:

STRUCTURES. That which is built or constructed or a portion thereof. Whenever the term “structure” appears in this code it shall be deemed to mean both structures and buildings.

WORKMANSHIP. Work executed in a skilled manner by an individual to impart quality to anything in the process of being made, produced, constructed, altered, repaired, installed, or assembled.

Chapter 5 General Building Heights and Areas

Table 508.4 is amended to read as follows;

TABLE 508.4 REQUIRED SEPARATION OF OCCUPANCIES (HOURS)

OCCUPANCY	A, E	I-1 ^a , I-3, I-4		I-2	R ^a		F-2, S-2 ^b , U		B ^o , F-1, M, S-1	H-1		H-2		H-3, H-4		H-5				
	S	N	S	N	S	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS			
A, E	N	N	1	2	2	NP	1	2	N	1	1	2	NP	NP	3	4	2	3	2	NP
I-1 ^a , I-3, I-4	—	—	N	N	2	NP	1	NP	1	2	1	2	NP	NP	3	NP	2	NP	2	NP
I-2	—	—	—	—	N	N	2	NP	2	NP	2	NP	NP	NP	3	NP	2	NP	2	NP
R ^a	—	—	—	—	—	N	N	1 ^c	2 ^c	1	2	NP	NP	NP	3	NP	2	NP	2	NP
F-2, S-2 ^b , U	—	—	—	—	—	—	—	N	N	1	2	NP	NP	NP	3	4	2	3	2	NP
B ^o , F-1, M, S-1	—	—	—	—	—	—	—	—	—	N	1	NP	NP	NP	2	3	1	2	1	NP
H-1	—	—	—	—	—	—	—	—	—	—	—	N	NP	NP	NP	NP	NP	NP	NP	NP
H-2	—	—	—	—	—	—	—	—	—	—	—	—	—	N	NP	1	NP	1	NP	NP
H-3, H-4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1 ^d	NP	1	NP	NP
H-5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	N	NP

S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

NS = Buildings not equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

N = No separation requirement.

NP = Not permitted.

a See Section 420.

b. The required separation from areas used only for private or pleasure vehicles shall be reduced by 1 hour but not to less than 1 hour.

c. See Section 406.3.4.

d. Separation is not required between occupancies of the same classification.

e. See Section 422.2 for ambulatory care facilities.

CHAPTER 10 Means of Egress.

Section 1013.2.1 – is added to read as follows; R-2 and R-3 Occupancies. The requirements of 1011 shall apply to R-2 and R-3 occupancies utilized for a residential care facility.

Section 1013.2.2 – is added to read as follows; R-2 and R-3 Occupancies used for a residential care facility. The requirements of 1008 shall apply to R-2 and R-3 occupancies utilized for a residential care facility.

Section 1015.9 – is added to read as follows; Retaining walls: Guards shall be provided where retaining walls with differences in grade level on either side of the wall in excess of thirty (30) inches (762mm), are located closer than 2 feet (610 mm) to a walk, improved path, parking lot or driveway on the high side of the retaining wall.

CHAPTER 15 Roof Assemblies and Rooftop Structures.

Section 1510.1 - is amended to read as follows; General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. Structural calculations are required when the roof structure supporting elements result in a five percent (5%) or more increase in force in any of the roof structure supporting elements in accordance with Section 3403.2, unless the increased force on the structural element is still in compliance with the code for new structures. The calculations shall include verification of the prevention of ponding instability.

Exception:

Re-roofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 unit's horizontal (2-percent slope) in Section 1507 for roofs that provide positive roof drainage.

Chapter 16 Structural Design.

Section 1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Kirkwood" dated February 4, 2015 as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be a part of this Section.

CHAPTER 23 Wood.

Section 2304.11.3 – is added to read as follows; Roof framing. Every roof girder, truss or joist and beams shall be anchored to its supporting member and top plate of the wall with an approved mechanical device, (commonly referred to as a hurricane clip) or other approved method to resist vertical uplift of the roof.

CHAPTER 31 Special Construction.

Section 3102.1 – Is amended to read as follows; General: The provisions of this section shall apply to air-supported, air-inflated, membrane-covered cable and membrane-covered frame structures, collectively known as membrane structures, erected for a period of 90 days or longer. Those erected for a shorter period of time shall comply with the Kirkwood Fire Code. Membrane structures covering water storage facilities, water clarifiers, water treatment plants, sewage treatment plants, greenhouses and similar facilities not used for human occupancy, are required to meet only the requirements of Sections 3102.3.1 and 3102.7

Section 3103.1 – Is amended to read as follows; General: The provisions of this section shall apply to all types of temporary structures that are to remain at a location for a limited period of time. Temporary structures such as membrane structures, trailers, food stands, portable buildings, greenhouses and unoccupied display structures may be erected and remain in place for the duration of a specific event or season. The duration of the event or season shall not exceed a six-month period except as otherwise provided in this section. Membrane structures erected for a period of 90 days or longer shall comply with Section 3102 of this code. All other structures erected for a period of more than six months shall comply with all applicable sections of this code for permanent buildings and structures. In addition to the requirements of this section, special amusement buildings and structures shall also comply with Section 411 of this code.

Exceptions:

1. The following types of buildings and structures may be erected for a period of up to one year:
 - a. Unoccupied display structures
 - b. Subdivision sales offices
 - c. Unoccupied trailers or portable buildings used only to house equipment for monitoring air quality, soil and/or water contamination clean-up operations, or other similar uses related to the betterment of public safety, health, and welfare.
2. Temporary structures occupied as classrooms may be erected for a maximum of 10 months.

Section 3103.1.2 – is amended to read as follows; Permit required. No temporary structure shall be erected, operated or maintained for any purpose without obtaining a temporary structure permit.

Exceptions:

1. Tents used exclusively for recreational camping purposes, not greater than 120 sq. ft. in area.

Section 3103.1.3 – is added to read as follows; Permit fees as prescribed by Kirkwood ordinance

Section 3103.2 – is amended to read as follows; Construction Documents: A permit application and construction documents shall be submitted for each installation of a temporary structure. The construction documents shall include a site plan indicating the location of the temporary structure and information delineating the means of egress and the occupant load.

Section 3103.2.1 – is added to read as follows; Inspection Fees. In addition to the permit fees the required number of extra monthly inspections necessary shall be determined and the fee paid at the time of permit issue.

Section 3103.2.2 – Is added to read as follows; Extension of Permits. The Board of Appeals may grant permit extensions for temporary structures used for unoccupied sales display purposes and for air-supported structures.

The code official may grant permit extensions of up to one-year periods for all types of structures and occupancies allowed by this code.

The code official may grant permit extensions for six-month periods on temporary structures that are used while awaiting completion of construction of a permanent building on the same site (such as temporary offices, clinics, or classrooms) provided that the temporary structure is removed within thirty (30) days after the occupancy permit for the permanent building is granted. Fees for a permit extension shall be in accordance with Kirkwood ordinances.

Section 3103.2.3 – Is added to read as follows; Multiple Permits Prohibited: Not more than one temporary structure permit shall be issued for the same structure at the same location, within a twelve-month period.

Section 3103.2.4 – Is added to read as follows; Termination of Approval: The code official is hereby authorized to terminate approval for cause and to order the demolition or removal of any such temporary structure at his discretion, or as directed by a decision of the Board of Appeals.

Section 3103.2.5 – Is added to read as follows; Other Approvals: The code official shall require the applicant to obtain the approval of the local fire code official prior to the issuance of any temporary structure permit.

Section 3103.2.6 – Is added to read as follows; Bond: The code official may, in the exercise of discretion, require a permit applicant to post a perpetual performance bond, prior to issuance of the permit, to guarantee removal of the structure upon expiration of the permit or as directed by the code official and/or the Board of Appeals. The amount of the bond shall be set by the code official based on the provisions of Kirkwood ordinances.

Section 3103.2.7 – Is added to read as follows; Design Features: All temporary structures shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to insure the public health, safety and general welfare.

Section 3103.2.8 – Is added to read as follows; Setback from the Street: All temporary structures shall be located a minimum of 15 feet from the street right-of-way.

Section 3103.2.9 – Is added to read as follows; Flame-resistant Treatment: Before a permit is granted, the owner or agent shall file with the code official a certificate executed by an approved testing laboratory, certifying that the tents, canopies, and membrane structures and their appurtenances, sidewalks, drops, and tarpaulins, bunting, shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner and meet the requirements for flame resistance as determined in

accordance with NFPA 701, and that such flame resistance is effective for the period specified by the permit.

Section 3103.2.10 – Is added to read as follows; Label: Membrane structures, tents or canopies shall have a permanently affixed label bearing the identification of size and fabric or material type.

Section 3103.2.11 – Is added to read as follows; Certification: An affidavit or affirmation shall be submitted to the code official and a copy retained on the premises on which the tent or sir-supported structure is located. The affidavit shall attest to the following information relative to the flame resistance of the fabric:

1. Names and address of the owners of the tent, canopy or air-supported structure.
2. Date the fabric was last treated with flame-resistant solution.
2. Trade name of kind of chemical used in treatment
3. Name of person or firm treating the material
4. Name of testing agency and test standard by which the fabric was tested.

Section 3103.2.12 – Is added to read as follows; Anchorage: All temporary structures shall be anchored to the ground to resist the wind loads prescribed by section 1609 of this code. At the discretion of the code official, the anchorage system shall be designed by a registered design professional.

Section 3103.2.13 – Is added to read as follows; Monthly Inspections: All temporary structures that serve food shall be inspected monthly by the Departments of Health and Building Dept. to verify that the scope and the menu of the food service facility remains consistent with the permitted activity.

Section 3103.4 – Is added to read as follows; Permitted Uses: Temporary structure permits shall only be issued for the following types of structures and occupancies:

1. Membrane structures erected for a period of less than 90 days.
2. Unoccupied display structures.
3. Outdoor sales facilities.
4. Structures to be occupied on a seasonal basis only, such as fruit stands, greenhouses, sno-cone stands, special amusement buildings, etc.
5. Temporary structures to be used while awaiting completion of construction of a permanent building on the same site such as temporary offices, clinics, or classrooms.
6. Subdivision sales offices.
7. Trailers to be used as temporary shelter or operations center in an emergency due to a disaster such as a flood, earthquake, or a tornado.
8. Entertainment or assembly uses.
9. Unoccupied trailers or portable buildings used only to house equipment.

Section 3107.1 – is amended to read as follows; General. Signs shall be designed, constructed, and maintained in accordance with this code and the Kirkwood Sign ordinance.

SECTION 3112 added to read as follows; ANTENNAS

Section 3112.1 - added to read as follows; Permits not required: A building permit is not required for roof installation of antenna structures not more than 12 feet (3658 mm) in height for private reception. Such a structure shall not be erected so as to injure the roof covering, and when removed from the roof, the roof covering shall be repaired to maintain weather and water tightness. The installation of any antenna structure mounted on the roof of a building shall not be erected nearer to the lot line than the total height of the antenna structure above the roof, nor shall such structure be erected near electric power lines or encroach upon any street or other public space.

Section 3112.2 - added to read as follows; Permits Required: Approval shall be secured for all roof-mounted antenna structures more than 12 feet (3658 mm) in height above the roof. The application shall be accompanied by detailed drawings of the structure and methods of anchorage. All connections to the roof structure shall be properly flashed to maintain water tightness.

Section 3112.3 - added to read as follows; Dish Antennas: An antenna consisting of a radiation element, which transmits or receives radiation signals generated as electrical, light or sound energy, and supported by a structure with or without a reflective component to the radiating dish, usually in a circular shape with a parabolic curve design constructed of a solid or open mesh surface, shall be known as a dish antenna.

Section 3112.3.1 – added to read as follows; Permits: The approval of the code official shall be secured for all dish antenna structures more than 2 feet (610 mm) in diameter erected on the roof of or attached to any building or structure. A permit is not required for “dish” type antennas not more than 2 feet (610 mm) in diameter erected and maintained on the roof of any building.

Section 3112.3.2 - added to read as follows; Structural Provisions: Dish antennas larger than 2 feet (610 mm) in diameter shall be subject to the structural provisions of Sections 1608 and 1609. The snow load provisions of Section 1608 shall not apply where the antenna has a heater to melt falling snow.

Chapter 33 SAFEGUARDS DURING CONSTRUCTION

Section 3301.3 added to read as follows; Site Protection. Prior to commencement of any permitted work, the following safeguards shall be installed as required by the City of Kirkwood:

- (1) Siltation and/or Erosion control (approval of City Engineer) materials shall be in accordance with city policy

- (2) Site protective fencing (minimum 3 feet in height (per city policy)
- (3) Tree protection fencing and signage per Kirkwood Tree Ordinance
- (4) Sidewalk barricades and/or warning signage
- (5) Screening of portable restrooms (per city policy)

SECTION 5. Nothing in this ordinance or in the code hereby adopted shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited herein.

SECTION 6. If any section, subsection provision, sentence, clause or phrase of this ordinance or of the 2015 International Building Code, Second Printing, is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City Of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF .

Mayor

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Building Codes to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



Completed ordinance 2015 IBC
building code.docx
Microsoft Word Document
54.5 KB



completed ordinance 2015 IRC
residential code.docx
Microsoft Word Document
54.6 KB



Completed ordinance 2015
IEBC existing building
code.docx
Microsoft Word Document
27.5 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 ☐ Diasapprove

Chief Administrative Officer's Comments:

BY:



Date:

3-15-19

BILL 10740

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS, INCLUDING APPENDIX A- "SIZING AND CAPACITY OF GAS PIPING"; APPENDIX B- "SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS"; APPENDIX C- "EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS"; APPENDIX E- "MANUFACTURED HOUSING USED AS DWELLINGS"; APPENDIX F- "RADON CONTROL METHODS"; APPENDIX G- "PIPING STANDARDS FOR VARIOUS APPLICATIONS"; APPENDIX H- "PATIO COVERS"; APPENDIX I- "PRIVATE SEWAGE DISPOSAL"; APPENDIX J- "EXISTING BUILDINGS AND STRUCTURES"; APPENDIX K- "SOUND TRANSMISSION"; APPENDIX M- "HOME DAY CARE- R-3 OCCUPANCY"; APPENDIX-P "SIZING OF WATER PIPE SIZING", AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH MODIFICATIONS, AS THE RESIDENTIAL CODE OF THE CITY OF KIRKWOOD ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, QUALITY OF MATERIALS, ERECTION, LOCATION, RELOCATION, REPLACEMENT, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES; AND REPEALING THE EXISTING RESIDENTIAL CODE.

WHEREAS, the ISO has recommended the City update its Building Codes and,

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption with modification, and

WHEREAS, the Chief Administrative officer has approved the recommendation of the Public Services Department in updating the Building Code.

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

SECTION 1. That Section 5-2 (b) of the Kirkwood Code of Ordinance is hereby amended by inserting a new subsection (b) herein and renumbering subsection (b) to (c) as follows:

(b) Adoption of International Residential Code: The provisions of the "2015 International Residential Building Code" as modified, is hereby adopted as the City of Kirkwood Residential Building Code. See separate publication and adopting modification ordinance on file in the office of the City Clerk.

SECTION 2. That a certain document, which is on file in the office of the City Clerk, being marked and designated as the 2015 International Residential Code, as published by the International Code Council, Inc., be and is hereby adopted as the Residential Building Code of the City of Kirkwood, Missouri, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the 2015 International Residential Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the 2015 International Residential Code, wherever the terms "Name of Jurisdiction" or "Local Jurisdiction" appear, it shall be deemed to mean the City of Kirkwood, Missouri, wherever the term "Department of Building Inspection" appears, it shall be deemed to mean Building Commissioner's Office, and wherever the term "Building Official" appears, it shall be deemed to mean Building Commissioner and wherever the term "Code" appears, it shall mean the 2015 International Building Code.

SECTION 4. The 2015 Residential Building Code is amended by the following provisions. Each section, subsection or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

Chapter 1 Scope and Administration

Section R101.1 is amended to read as follows; **TITLE.** These provisions shall be known as the Residential Code for One-and Two-Family Dwellings of the City of Kirkwood, and shall be cited as such and will be referred to herein as "this code".

Section R102.2.1 – is added to read as follows; Compliance with Kirkwood codes and ordinances. Subject to the provisions of this code, neither the granting of a permit, nor approval of construction documents, nor inspections made by the code official, or the code officials authorized representative, during the erection, movement, or demolition of a building or structure, or any alteration of addition thereto, shall in anyway relieve the owner or tenant of such building, structure or property from complying with the requirements of this code and all "City of Kirkwood ordinances".

Section R102.7.1 – is amended to read as follows; Requirements. An alteration to any structure shall conform to the code requirements for a new structure and shall not result in an increase in hazard to the occupants. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure except as specified in Sections 3404.3 through 3404.7.

Section R102.7.2 – is added to read as follows; Damaged Structures. If a structure is damaged by fire or any other cause, the renovation shall be considered an alteration and comply with Sections 102.7.3 through 102.7.6.

Section R102.7.3 – is added to read as follows; Alterations Exceeding 50 Percent. If alterations or repairs are to be made within any period of twelve (12) months, costing in excess of fifty percent (50%) of the physical value of the structure, the requirements of this code for new structures shall apply. At the discretion of the Code Official, alterations required to resist earthquake loads may be phased as renovations to different portions of a structure occur.

Section R102.7.4 – is added to read as follows; Damages Exceeding 50 Percent. If the structure is damaged by fire or any other cause to an extent in excess of fifty percent (50%) of the physical value of the structure before the damage was incurred, this code's requirements for new structures shall apply.

Section R102.7.5 – is added to read as follows; Alterations Under 50 Percent. If the cost of alterations or repairs to be made within any period of twelve (12) consecutive months, is between five and fifty percent (5%-50%) of the physical value of the structure, the Code Official shall determine to what degree the portions so altered or repaired shall be made to conform to the requirements for new structures to insure the safety, health and general welfare of the occupants and the public.

Section R102.7.6 – is added to read as follows; Alterations Under 5 Percent. If the cost of alterations or repairs to be made within twelve (12) consecutive months is five percent (5%) or less of the physical value of the structure, the Code Official shall permit the restoration of the structure to its condition previous to damage or deterioration with the same kind of materials as those of which the structure was previously constructed; provided that such construction does not endanger the general safety and public welfare and complies with the provisions for existing roofs.

Section R102.7.7 – is added to read as follows; Physical Value: In applying the provisions of this section, the physical value of the structure shall be determined by the Code Official based on the current Building Valuation Data Report.

Section R102.8 – is added to read as follows; Matters not provided for. Any requirements that are essential for the structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the code official.

Section R103.1 is amended to read as follows; The Kirkwood Building Department is hereby created and the official in charge thereof shall be known as the Building Commissioner.

Section R104.1.1 – is added to read as follows; Disasters. In the event of a disaster, such as wind storm, tornado, flood, fire, earthquake, bomb blast, or explosion, the code official is hereby authorized to enter and inspect structures in the affected areas, subject to constitutional restrictions or unreasonable search and seizure. If the code official determines, after inspection, that a structure is unfit, he shall declare it a public nuisance, cause a report to be prepared and notify the affected parties in accordance with this code. When, in the sole opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall take emergency measures in accordance with this code.

Section R104.2 – is amended to read as follows; Applications and Permits: The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings and structures, change of occupancy and inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Section R104.2.1 – is added to read as follows; Building Evaluation. The code official is authorized to require an existing building to be investigated and evaluated by a registered design professional to determine the existence of any potential nonconformance with the provisions of this code.

Section R104.6.1 – is added to read as follows; Interference with Code Official. No person shall hinder, obstruct, resist, or fail to provide entry at reasonable times or otherwise interfere with the code official in the performance of his official duties.

Section 104.12 – is added to read as follows; Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

Section R105.1 – is amended to read as follows; Required: Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or install or alter a ground level paved parking lot other than those lots serving a single-family dwelling, or establish a new or relocated lot line that affects an existing structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section R105.1.1 is added to read as follows; Flood or Earthquake Damage. Flood or earthquake damage repair permit required: It shall be unlawful to repair a structure when such repair is due to flood or earthquake without first registering and filing an application with the code official in writing and obtaining a Flood or Earthquake Damage Repair Permit. Flood or Earthquake Damage Repair Permits shall be issued at no cost if applied for within 90 days after the end of a flood or earthquake, where such date is determined by the code official, and shall authorize the work indicated therein to be completed within one year of the date of issuance. For the purpose of this section, the cost of flood or earthquake damage repair shall be defined in accordance with the Federal Emergency Management Agency (FEMA) regulations and definitions.

Section R105.1.2 is added to read as follows; Reroofing. Permits are required for the recovering or replacement of an existing roof covering when either of the following conditions apply:

1. Permits are required for reroofing of roofs with a slope of less than 4:12. Plans and specifications are only required when reroofing a slope less than ¼ unit vertical in 12 units horizontal.
2. Permits, plans and specifications are required for all structural changes in a roof covering system regardless of the roof slope.

Section R105.1.3 – is added to read as follows; Temporary Buildings and Structures. No temporary building or structure, either mobile or stationary, shall be erected, operated, used or maintained for any purpose without first obtaining a temporary structures permit. All temporary buildings and structures shall meet the requirements of chapter 31, Special Construction in the Kirkwood building code.

Section R105.1.3.1 – is added to read as follows; “Demolition Permit”: Demolition work shall start within thirty (30) days after issuance of a demolition permit and shall be completed within sixty (60) of such issuance date. The code official may, after receiving a written request from the applicant, extend the permit for one or more additional thirty (30) day period if, in his opinion, conditions such as weather may have prevented the completion of the work within the time allotted.

The Building Commissioner may establish a deposit in an amount set forth in the Chapter 5 Article VI “Various City Fees” of the Kirkwood Code of Ordinances to guarantee completion and site restoration including grading, seeding/strawing and/or sodding is completed in a reasonable time.

- (1) The performance guarantee shall be provided to the City before the issuance of the demolition permit.
- (2) Failure to complete the work and restore the site including grading, seeding/strawing and/or sodding and abate any code violations thereon, shall result in the performance guarantee being forfeited to the City of Kirkwood. The forfeiting of the performance guarantee does not relieve The developer or any other responsible party from completing all work and site restoration and the City assumes no responsibility to complete such improvements.
- (3) The City may perform the site restoration and deduct the cost for such work plus administrative fee from the deposit.

Exception: Performance guarantees are not required for demolitions in an approved subdivision that has been reviewed by Planning and Zoning Commission and there is a valid performance guarantee on file with the City.

Section R105.2 is amended to read as follows; Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authority for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Accessory buildings in use group R-3 (one or two family dwellings) not greater than 120 square feet in area and not greater than 12 feet in height and the building or structure does not contain any plumbing or electrical fixtures or devices. The building shall meet all zoning district requirements including but not limited to set back lines, lot coverage, etc.
2. Retaining walls, garden walls, planter boxes less than 24 inches in height.
3. Roof covering replacement when done with like material, including replacement of 25% or less of the roof sheathing on roofs with a slope of 4:12 or greater or gutter repair or replacement unless required by section 105.1.2.
4. Walks, patios or other paving within property lines. NOTE: Sidewalks on public right-of-ways or easements, driveways, parking areas, and turnarounds require a permit. (The zoning code prohibits parking spaces in front of the building, therefore paving for this purpose is prohibited.) Driveways shall be paved in accordance with the Kirkwood Code of Ordinances.
5. Painting, interior or exterior, and wallpapering.
6. Siding, exterior, new or replacement metal, wood or vinyl installed over existing walls, soffits, fascia boards, overhangs, with no change to the size or location of existing wall openings.
7. Window and door replacement or repair in an existing opening without modifications to the size or location of the wall opening.
8. Storm window or storm door installation or replacement without modifications to the size or location of the wall opening.
9. Tuck-pointing
10. Portable or moveable cases, counters, pre-manufactured partitions not over 5 feet 9 inches (1753 mm) in height.
11. Swings and other playground equipment for private use. Note: The equipment shall meet all zoning district requirements including but not limited to set back lines, lot coverage, etc.

Electrical:

1. Repairs and maintenance. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment or temporary lighting, to approved permanently installed receptacles.
2. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

Gas:

1. Portable heating, cooking or clothes dryer appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliances
2. Portable ventilation devices
3. Portable cooling devices.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code .
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section R105.3.3 – is added to read as follows; Authorization To Proceed. The code official may authorize the commencement of construction prior to issuance of a building permit when it can be shown that: a) the project is in compliance with the applicable regulations of the City of Kirkwood for that portion of the work to be performed; and b) the applicant agrees to proceed at his own risk without assurance that outstanding reviewing department agency final approvals may be obtained or that a permit for the entire structure will be granted. All necessary inspections shall be performed as required by this code.

Section R105.6.1 – is added to read as follows; Revocation For Lack Of Occupancy Permit. The code official shall be authorized to revoke any permit for any project which an occupancy permit has not been issued after one year of issuance of said building permit.

Section R105.10 – is added to read as follows; “Additional Approval Requirements”: Prior to issuing any permit, approvals shall be obtained from the following agencies when applicable: The St. Louis County Department of Highways and Traffic, the St. Louis County Department of Health, Metropolitan St. Louis Sewer District (MSD), Missouri Department of Transportation (MoDot), Missouri Department of Natural Resources (DNR), and the City of Kirkwood Department of Public Works Engineering Office. The code official may issue a partial permit in accordance with Section 105.3.3 when clearances pertaining to the scope of the work are required from the applicable reviewing department/agencies listed above. The holder of such partial permit shall proceed at the owner’s risk without assurance that outstanding reviewing department/agency final approvals can be obtained or that a permit for the entire structure is granted.

Section R105.11 – is added to read as follows; Sewage Disposal: A building permit shall not be issued until an acceptable method of sewage disposal has been approved and complies with the City of Kirkwood plumbing code.

Section R105.12 – is added to read as follows; Addendums to Permits: Once a permit is issued, all addendums submitted as an amendment to the approved construction documents shall be charged an additional review fee.

Section R105.13 – is added to read as follows; Integrated Permits: The code official may issue integrated building, plumbing; electrical and/or mechanical permits on a single permit application.

Section R105.14 – is added to read as follows; Applicant Responsibility: The integrated permit applicant shall be responsible for the return to the code official copies of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate sub-contractor.

Section R105.15 – is added to read as follows; Investigation Fee for Work Performed without a Permit. Whenever any work for which a permit required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit is issued. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. Payment of the investigation fee shall not exempt any person from compliance with all the provisions of this code nor from any penalty prescribed by law.

Section R105.16 – is added to read as follows; Duty to Request Final Inspection. Upon completion of the work described in the permit application, the permit holder shall request and obtain a final inspection before any occupancy of the structure except as provided in Section 110.3 of this code. Failure of the permit holder to request and obtain a final inspection before occupancy will constitute a violation of this code.

Section R106.1 – is amended to read as follows; Submittal Documents. The application for permit shall be accompanied by not less than three sets of construction documents. The construction documents and site plans for new construction, alteration, repairs, expansion, addition or modification for structures shall be prepared by a registered design professional. All construction documents and site plans shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri. All construction documents submitted with an application for a building permit shall bear an original embossed or wet ink seal, the date and original ink signature of the registered design professional for each discipline on the front sheet of each discipline within each set of construction documents; or, on the cover sheet of each set of construction documents. In addition, all other sheets of the construction documents other than specifications or calculations shall bear the original embossed, wet ink, or mechanically reproduced seals of the registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear an original seal and signature of the registered design professional. Such changes shall be clearly indicated. The construction documents shall include the name and address of the design professional and shall be signed, sealed, and dated by the registered design professional.

Exception:

1. Miscellaneous structures accessory to one – and two-family dwellings and townhouses, such as room addition, carports, garages, sheds and other similar structures as approved by the code official.

Section R106.2.1 – is added to read as follows; Site Plan Review.

Under authority of Section A-22 of the Kirkwood Zoning Code, the Director of Public Services shall review all site plans for construction requiring a building permit.

Section R106.2.2 - is added to read as follows; Review Criteria.

The Director of Public Services shall review all site plans in accordance with the applicable provisions of the Building Code, Zoning Code and Code of Ordinances of the City of Kirkwood.

Section R106.2.3 is added to read as follows; Site Plan Review Application and Review required for New Single-Family Residences

Add: Prior to issuing a building permit for new single-family residences, an application for a site plan review shall be submitted and approved by the Director of Public Services. The site plan review application shall include a site plan drawn to scale with the signature and original seal of an architect, engineer or surveyor licensed in the State of Missouri containing the following information. The Director of Public Services may waive or modify the information required as site condition warrant in his/her discretion.

1. Boundary survey signed and sealed by a licensed surveyor;
2. Size and Location of all proposed and existing structures on the site;
3. Distance of all proposed and existing buildings from lot lines;
4. First floor elevation of all existing and proposed buildings;

5. Infill Residential Finished First Floor Height and Grade At Center of Foundation;
6. Zoning setback lines;
7. Driveway layout including all parking areas;
8. Site topography with two-foot contour intervals and spot/grade elevations;
9. Existing street grades and proposed finished grades of lot;
10. Infill Development Storm Water Management Plan;
11. Easements, existing and/or proposed;
12. Abutting rights-of-way;
13. Existing and proposed landscaping;
14. Kirkwood Tree Ordinance compliance.

Section R106.2.4 is added to read as follows; Required Public Improvements

Add: The Director of Public Services may require the following items as a condition of the site plan approval for new single-family residences:

1. Existing sidewalks repaired to City standards
2. Installation of accessible curb ramps
3. Installation of new sidewalks
4. Repair of existing curbs
5. Installation of new concrete curbs
6. Staked boundary survey
7. Consolidation plat of the property
8. Landscaping along street frontage and yard areas of the site
9. Repair or installation of driveways to City standards
10. Storm water drainage facilities
11. Existing significant trees to be saved

Section R106.2.5 is added to read as follows; Performance Guarantees

Add: The Public Services Director shall require a performance guarantee in the form of a cash deposit to insure compliance with the conditions of approval and site restoration including the requirements for drives, walks, utilities, parking, public improvements, landscaping, screening, significant trees, and other items.

- (1) The performance guarantee prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood shall be provided to the City before the issuance of the permit authorizing the project or activity.
- (2) The Public Services Director may require the value of trees to be reserved to be included in the performance guarantee. Should the designated trees be lost due to the willful action or neglect of the developer, the developer shall provide landscaping and trees in the site area equal to the performance guarantee amount or forfeit the amount to the General Revenues of the City of Kirkwood. The dollar value of the tree(s) shall be based on data contained in the International Society of Arboriculture's "Guide for Tree Appraisal".

- (3) Failure to satisfy the conditions of the site plan review approval shall result in the performance guarantee being forfeited to the City of Kirkwood. The forfeiting of the performance guarantee does not relieve the developer or any other responsible party from completing all work and site restoration and the City assumes no responsibility to to complete such improvements.

Exception: Single-family residences which are in an approved subdivision that has been reviewed by Planning and Zoning Commission and there is a valid Performance Guarantee on file with the City.

Section R106.2.6 is added to read as follows; Site Protection Requirements. Site protection shall comply with Chapter 33- "Safeguards During Construction" of the adopted 2015 Kirkwood Building Code.

Section R106.6 – is added to read as follows; Special Professional Services: When applications are filed for unusual designs, seismic design or a magnitude of construction which require construction review or inspection services beyond the capacity of the code official's staff, the code official may require the owner to retain a properly qualified registered design professional to perform the services necessary for code compliance. The code official may request and authorize a design professional to make inspections and keep daily records and submit reports as required. Upon completion the design professional shall file a final report endorsed with his/her signature and seal indicating inspections that were performed and listing pertinent deviations for the building code and approved construction documents. All costs and fees related to the performance of special professional serviced shall be the responsibility of the owner.

Section R106.6.1 – is added to read as follows; Elevations Certified: Any building being erected or constructed in a special flood hazard area shall provide an elevation certificate by a Registered Engineer or Land Surveyor, licensed by the State of Missouri, before final approval of foundation, building must also comply with Kirkwood City Flood Plain Ordinances.

Section R108.2 is amended to read as follows; Schedule of permit fees. Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section R108.6 is amended to read as follows; Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits shall be subject to a 100 percent (100%) of the usual total permit fee in addition to the required permit fees.

Section R109.1.4 is amended to read as follows; Frame and masonry inspection. The Inspection of framing and masonry construction shall be made after the boundary survey verifying the location and height of foundation/Finished First Floor is submitted and approved. This inspection is conducted after the completion of the roof, masonry; framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical inspections are approved.

Section R110.1 – is amended to read as follows; Use and Occupancy: No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of the Building Code for such division or group of occupancy. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use, except work exempt from permits under section 105.2.

Section R110.2 – is amended to read as follows; Change of Occupant or Tenant: A change of occupant or tenant shall not be made to any structure or portion thereof without the approval of the code official and the issuance of an associated certificate of occupancy. Prior to issuance of the certificate of occupancy, the code official shall verify that:

- a. The structure containing the new occupant or tenant complies with applicable provisions of this code regarding maintenance of all equipment, systems, devices and safeguards required by this code for the applicable use and occupancy classification of the new occupant or tenant as well as applicable provisions of Property maintenance Code and the Zoning Ordinance; and
- b. Where the proposed change of occupancy or tenant also involves a change of use and occupancy classification as defined by this code, a permit application has been filed as prescribed by Section 105 of the Building Code and the structure shall meet the applicable requirements of this code with regard to the newly proposed use and occupancy classification.

Section R110.3 – is amended to read as follows; Certificate Issued: After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the City of Kirkwood, the building official shall issue a Certificate of Occupancy.

Section R110.4 – is amended to read as follows; Conditional Occupancy: The building official is authorized to issue a Conditional Certificate of Occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the Conditional Certificate of Occupancy is valid.

Section R110.5 delete in its entirety

Section R112.1 is amended to read as follows: Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Sections R112.2 through R112.4 delete in their entirety

Section R113.4 – is amended to read as follows; Violation Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served s stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section R115 is added to read as follows; Unsafe Structures and Equipment.

Shall comply with the requirements of the Kirkwood Building Code, Chapter 1 Scope and Administration, section 116 Unsafe Structures and Equipment.

Section R115.2 – is amended to read as follows; Unlawful Continuance. Any person who shall continue any work in or about a structure after having been served with a stop work order, except such work as he/she is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Chapter 2 Definitions

Section R202 – delete in its entirety; “Manufactured Homes”

Section R202 – is amended to read as follows; Height, Building, see Kirkwood Zoning Ordinances.

TABLE R301.2 (1) is amended to read as follows:
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design		Seismic Design Category f	Subject to damage From			Winter Design Temp e	Ice Barrier Underlayment Required h	Flood Hazards g	Air Freezing Index i	Mean Annual Temp j
	Speed (mph) d	Topographic Effects k		Weathering a	Frost Line Depth b	Termite c					
20 PSF	115 MPH	NO	C	Severe	30 Inches	Moderate to Heavy	2° F	NO	02/04/15	1500 Days	54° F

Section R302.2 – is amended to read as follows; Townhouses;

Item 2: Where a fire sprinkler system in accordance with section P2904 is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263, or the common wall shall be two independent 1-hour fire-resistance-rated UL listed wall assemblies.

Section R302.15 is added to read as follows; Fireplace and Chimney Enclosure. All prefabricated “wood burning” fire place and metal chimneys shall be enclosed in a fire resistant enclosure with one layer of ½ type-x inch gypsum board or equivalent, starting from the supporting floor to the underside of the roof sheathing.

Exception: A fireplace and chimney chase located on an exterior wall of a structure need only be separated by lining the walls between the chimney chase and the exterior wall of the structure as specified in this section.

Section R306.5 is added to read as follows; Required. Every dwelling shall provide one outside frost-proof hose bib. Hose bibs shall be protected from backflow in accordance with the Plumbing Code.

Section R310.6 is amended to read as follows; Alteration of existing basements. Unfinished areas of basement, converted to sleeping rooms or habitable spaces shall have emergency escape and rescue openings.

Exception: When alterations of the basement are for habitable space, other than sleeping rooms, emergency escape and rescue openings are not required when all rooms and spaces are equipped with smoke detection devices per section R 314 of the Kirkwood Residential Code.

Section R311.3 – is added to exceptions to read as follows; #2. openings protected by a guardrail shall not be required to have an exterior landing.”

Section R312.2.2 – Delete in its entirety

Section R313.1 – is amended to read as follows; Townhouse automatic fire sprinkler systems: Effective January 1, 2012, an automatic residential fire sprinkler system shall be installed in townhouses of more than four attached dwelling units.

Exception: An Automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

Section R313.2 – is amended to read as follows; One and two family dwellings automatic fire systems: A builder of single family dwellings or residences or multi-unit dwellings of four or fewer units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling, residence or unit. No purchaser of such a single-family dwelling, residence or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased in accordance with the requirements of Section 67.281, RSMo Supp 2009.

Section R317.1.4 – is added to read as follows; Posts, poles and columns supporting permanent structures and exposed to the weather, shall not be embedded in concrete or earth.

Chapter 4 Foundations

Section R403.1 is amended by adding the following table; Minimum Size (Footings)

Table R403.1(4)
Minimum Width of Concrete, Precast, or Masonry Footings (inches)
for Light-Frame Construction with Pre-Fabricated Roof Trusses^{a,b,c}

	Load-Bearing Value of Soil (psf)			
	1500	2000	3000	≥4000
Conventional light-frame construction with pre-fabricated trusses				
1 story	12	12	12	12
2 story	15	12	12	12
3 story	23	17	12	12
4-inch brick veneer over light frame or 8-inch hollow concrete masonry				
1 story	12	12	12	12
2 story	21	16	12	12
3 story	32	24	16	12
8-inch solid or fully grouted masonry				
1 story	16	12	12	12
2 story	29	21	14	12
3 story	42	32	21	16

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kPa

- Spread footings shall be same thickness as the wall (minimum of 8 inches).
- Where minimum footing width is 12 inches, use of a single wythe of solid or fully grouted 12-inch nominal concrete masonry units is permitted.
- Snow Load or Roof Live Load shall not exceed 20 psf. If load exceeds 20 psf, designs must be completed by a licensed design professional.

Section R405.2.3 – is amended to read as follows; Drainage system. A sump pit is required to be installed and shall comply with Chapter 33 of this code. The discharge shall be installed in compliance with the Infill Development Storm Water Management ordinance.

Section 602.7 table is added to read as follows;

Table R602.7.5 is amended to read as follows; Supports for Headers

Maximum Header Span (feet)	Ultimate Design Wind Speed and Exposure Category	
	<140mph, Exposure B or <130mph, Exposure C	≤115mph, Exposure B ^b
4	1	1
6	2	1
8	2	1
10	3	2
12	3	2
14	3	2
16	4	2
18	4	2

- For header spans between those given above, use the minimum number of full-height studs associated with the larger header span.
- The tabulated minimum number of full-height studs is applicable where jack studs are provided to support the header at each end in accordance with Table R602.7.(1). Where a framing anchor is used to support the header in lieu of a jack stud in accordance with footnote “d” of Table R602.7.(1), the minimum number of full-height studs at each end of a header shall be in accordance with requirements for wind speed <140mph, Exposure B.

Chapter 8 Roof-Ceiling Construction

Section R801.2.1 – is added to read as follows; Minimum thickness of all wood roof structural panels shall be nominal ½ inch.

Section R801.3 – is amended to read as follows; Roof drainage. All dwellings and structures shall have a controlled method (gutter and downspout system) of water disposal from roof(s) that will collect and discharge roof drainage away from the foundation walls to an approved discharge per the Infill Development Storm Water Management ordinance.

Section R802.11.1.3 – is added to read as follows; Roof framing. Every roof girder, truss or joist and beams shall be anchored to its supporting member and top plate of the wall with an approved mechanical device, (commonly referred to as a hurricane clip) or other approved method to resist vertical uplift of the roof.

Chapter 11 Energy Efficiency

N1101.4 (R102.1.1) Above code programs -- shall be amended by deleting the following sentence, "The requirements identified as "mandatory" in this chapter, as applicable, shall be met."

Table N1102.1.2 (R402.1.2) is amended to read as follows;

TABLE N1102.1.2 (R402.1.2)
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT a

Climate Zone	Fenestration U-Factor b	Skylight b U-factor	Glazed Fenestration SHGC b,e	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-value i	Floor R-Value	Basement Wall R-Value c	Slab R-Value And Depth d	Crawl Space Wall R-Value c
1	NR	0.75	0.25	30	13	¾	13	0	0	0
2	0.40	0.65	0.25	38	13	4/6	13	0	0	0
3	0.35	0.65	0.25	38	13	8/13	19	5/13 f	0	5/13
4 except Marine	0.35	0.55	0.40	38	13	8/13	19	10/13 j	10, 2ft	10/13 0 k
5 and Marine 4	0.32	0.55	NR	49	20 or 13+5 h	13/17	30 g	15/19	10, 2ft	15/19
6	0.32	0.55	NR	49	20 or 13+5 h	15/20	30 g	15/19	10, 4ft	15/19
7 and 8	0.32	0.55	NR	49	20 or 13+5 h	19/21	30 g	15/19	10, 4ft	15/19

- R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
- The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- "15/19" means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R 13 cavity insulation on the interior wall plus R-5 continuous insulation on the interior or exterior of the home. "10/13" means R-10 continuous insulation on the interior or exterior of the home. Or R-13 insulation cavity insulation on the interior of the basement wall.
- R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.
- There are no SHGC requirements in the Marine Zone.
- Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.10 and Table N1101.10.
- Or insulation sufficient to fill the framing cavity, R-19 minimum.
- The first value is cavity insulation; the value is continuous insulation, so "13/5" means R-13 cavity insulation plus R-5 continuous insulation.
- The second R-value applies when more than half the insulation is on the interior.
- Unfinished basements may have a total of 20% of the total basement wall area exposed above the outside finished grade/ground level as un-insulated concrete foundation walls. The foundation wall area above the outside grade/ground level that may be un-insulated is determined by the formula 0.20 times the basement wall height of all walls (including insulated exterior frame walls for walkout basements and walls common to both basement and attached garages) times the perimeter of these basement walls. Exposed foundation wall area above the outside finished grade/ground level exceeding 20% of the total basement wall area shall be insulated with R-5 insulation. When required in unfinished areas, the basement foundation wall insulation shall extend down to the basement floor slab or to a minimum of 24 inches below the outside finished grade when the grade is above the floor slab elevation.
- Naturally vented crawl space wall R-value may be 0.

Section N1102.2.4 – Access hatches and doors is amended by deleting the following, "weatherstripped and"

Chapter 11 Energy Efficiency

N1101.4 (R102.1.1) Above code programs – shall be amended by deleting the following sentence, “The requirements identified as “mandatory” in this chapter, as applicable, shall be met.”

Table N1102.1.2 (R402.1.2) is amended to read as follows;

TABLE N1102.1.2 (R402.1.2)
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT ^a

Climate Zone	Fenestration U-Factor ^b	Skylight ^b U-factor	Glazed Fenestration SHGC ^{b,e}	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-value ⁱ	Floor R-Value	Basement Wall R-Value ^c	Slab R-Value And Depth ^d	Crawl Space Wall R-Value ^c
1	NR	0.75	0.25	30	13	¾	13	0	0	0
2	0.40	0.65	0.25	38	13	4/6	13	0	0	0
3	0.35	0.65	0.25	38	13	8/13	19	5/13 ^f	0	5/13
4 except Marine	0.35	0.55	0.40	38	13	8/13	19	10/13 ^j	10, 2ft	10/13 ^k
5 and Marine 4	0.32	0.55	NR	49	20 or 13+5 ^h	13/17	30 ^g	15/19	10, 2ft	15/19
6	0.32	0.55	NR	49	20 or 13+5 ^h	15/20	30 ^g	15/19	10, 4ft	15/19
7 and 8	0.32	0.55	NR	49	20 or 13+5 ^h	19/21	30 ^g	15/19	10, 4ft	15/19

- R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
- The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- “15/19” means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. “15/19” shall be permitted to be met with R 13 cavity insulation on the interior wall plus R-5 continuous insulation on the interior or exterior of the home. “10/13” means R-10 continuous insulation on the interior or exterior of the home. Or R-13 insulation cavity insulation on the interior of the basement wall.
- R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.
- There are no SHGC requirements in the Marine Zone.
- Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.10 and Table N1101.10.
- Or insulation sufficient to fill the framing cavity, R-19 minimum.
- The first value is cavity insulation; the value is continuous insulation, so “13/5” means R-13 cavity insulation plus R-5 continuous insulation.
- The second R-value applies when more than half the insulation is on the interior.
- Unfinished basements may have a total of 20% of the total basement wall area exposed above the outside finished grade/ground level as un-insulated concrete foundation walls. The foundation wall area above the outside grade/ground level that may be un-insulated is determined by the formula 0.20 times the basement wall height of all walls (including insulated exterior frame walls for walkout basements and walls common to both basement and attached garages) times the perimeter of these basement walls. Exposed foundation wall area above the outside finished grade/ground level exceeding 20% of the total basement wall area shall be insulated with R-5 insulation. When required in unfinished areas, the basement foundation wall insulation shall extend down to the basement floor slab or to a minimum of 24 inches below the outside finished grade when the grade is above the floor slab elevation.
- Naturally vented crawl space wall R-value may be 0.

Section N1102.2.4 – Access hatches and doors is amended by deleting the following, “weatherstripped and”

Section N1102.4 (R402.4) is amended to read as follows; Air leakage. The *building thermal envelope* may be designed and constructed to limit air leakage in accordance with the requirements of Sections R1102.4.1 through R1102.4.4.”

Section N1102.4.1.2 (R402.4.1.2) is amended to read as follows; Testing. Any building or dwelling unit may be tested and verified as having an air leakage rate not exceeding five air changes per hour in Climate Zone 4”

Table N1102.4.1.1 (402.4.1.1) – delete in its entirety

Section N1103 (R403) and **N1104 (R404)** delete in their entirety;

Chapter 13 General Mechanical System Requirements

Section M1305.1.4.1 – is amended to read as follows; Ground clearance. *Equipment* and *appliances* supported from the ground shall be level and firmly supported on a concrete slab or other *approved* material extending not less than 2 inches (50.8 mm) above the adjoining ground. Such support shall be in accordance with the manufacturer’s installation instructions. *Appliances* suspended from the floor shall have a clearance of not less than 6 inches (152 mm) from the ground.

Section M1305.1.4.3 – is amended to read as follows; Electrical requirements. A luminaire controlled by a switch located at the required passageway opening and a receptacle outlet shall be installed at or near the *appliance* location in accordance with Chapter 39. Exposed lamps shall be protected from damage by location or lamp guards.

Exception: Basements

Chapter 15 Exhaust Systems

Section M1503.4 – is amended to read as follows; Makeup air required: Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Chapter 16 Duct Systems

Section M1602.2 - is amended by the following; Return air openings. #2 is amended in its entirety and #3 is amended to delete the word “closet”.

Chapter 24 Fuel Gas

Section G2408.4 (305.7) – is amended to read as follows; Ground clearance. *Equipment* and *appliances* supported from the ground shall be level and firmly supported on a concrete slab or other *approved* material extending not less than 2 inches (50.8 mm) above the adjoining ground. Such support shall be in accordance with the manufacturer’s installation instructions. *Appliances* suspended from the floor shall have a clearance of not less than 6 inches (152 mm) from the ground.

Section G2415.3 (404.3) is amended to read as follows; Prohibited locations. *Piping* shall not be installed in or through a ducted supply, return or exhaust, or a clothes chute, *chimney* or gas vent, dumbwaiter or elevator shaft. *Piping* installed downstream of the *point of delivery* shall not extend through any townhouse unit other than the unit served by such *piping*.

Exception: Or installed as approved by the Authority Having Jurisdiction (AHJ), such as Ameren or Spire.

Section G2442.4 (618.4) (8)(3) Exception is added to read as follows; Prohibited sources. Outdoor or return air for forced-air heating and cooling systems shall not be taken from the following locations:.....

3. Where a closet is provided with a supply register, taking return air from the closet shall not be prohibited.

Chapter 27 Plumbing Fixtures

Section P2603.5.1 is amended to read as follows; Sewer Depth. Installations shall meet the requirements of the Kirkwood plumbing code.

Section P2719.1.1 – is added to read as follows; Required floor drain. A floor drain shall be installed within 15 feet of and in the same room as the heating/cooling system(s) or hot water heater(s). The floor drain installations shall comply with the Plumbing Code.

Exception: When the water heater(s) or condensate producing appliance is installed and meets the requirements of the Kirkwood plumbing code, sections 504.7, 504.7.1 and 504.7.2

Section P2719.1 – is added to read as follows; Garage Floor drains. Floor drains in a garage shall not connect to a sanitary sewer line unless installed in compliance with the City of Kirkwood plumbing code

Chapter 30 Sanitary Drainage

Section P3001.4 is added to read as follows; Individual Sewage Disposal System Permitted. Individual sewage disposal systems shall be permitted only under the following condition:

1. Single family dwellings on lots one acre or larger and,
2. Property is not within 300 feet of a public sanitary sewer and,
3. The plans and construction documents for the individual disposal system shall be sealed by a professional engineer and,
4. The soil absorption system shall be at least 10 feet from all property lines and,
5. The system satisfies the requirements of the 2015 International Private Sewage Disposal Code.

Chapter 31 Vents

Section P3103.1 is amended to read as follows; Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 12 inches (305 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate 7 feet (2134 mm) above the roof.

Chapter 36 Services

Section E3601.8 – is amended to read as follows; Split-Buss Electrical Service: When any work within the structure requires a building or electrical permit; If a split-bus panel exist, said panel shall be replaced or made compliant with the Kirkwood Electric Code as adopted and approved by the City of Kirkwood.

Exception: permits for foundation repair/drainage, or minor repairs determined by the code official.

Chapter 39 Power and Lighting Distribution

Section E3902.16 – is amended to read as follows; Arc-fault circuit-interrupter protection. Branch circuits that supply 120-volt, single phase, 15- and 20-ampere outlets installed in bedrooms shall be protected by any of following: [210.12(A)]...... including items 1-6 and exception.

Section E3902.17 – Exception is amended to read as follows, “AFCI protection shall not be required where the extension of the existing conductors is not more than 30 feet (9.5m) in length and does not include any additional outlets or devices.[210.12(B) Exception]”

Section E4002.14 – Delete in its entirety

SECTION 5. Nothing in this ordinance or in the code hereby adopted shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited herein.

SECTION 6. If any section, subsection provision, sentence, clause or phrase of this ordinance or of the 2015 International Residential Code, Second Printing, is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City Of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF 2019.

Mayor, City Of Kirkwood

ATTEST:

City Clerk

1st Reading:

2nd Reading:

BILL 10741

ORDINANCE

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL EXISTING BUILDING CODE, WITH MODIFICATIONS, AS THE EXISTING BUILDING CODE OF THE CITY OF KIRKWOOD, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS, AS HEREIN PROVIDED IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE;

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the Building Codes and recommends adoption of the 2015 International Existing Building Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to update the Existing Building Code,

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

SECTION 1. That Section 5-2 (c) of the Kirkwood Code of Ordinances is hereby deleted and the following inserted in lieu thereof:

“SECTION 5.2 (c) EXISTING BUILDING CODE: The provisions of the “2015 International Existing Building Code” as modified, is hereby adopted as the City's Existing Building Code. See separate publication and adopting modification ordinance on file in the office of the city clerk.”

SECTION 2. That a certain document, which is on file in the office of the city clerk of the City of Kirkwood, Missouri, being marked and designated as “2015 International Existing Building Code” as published by the International Code Council, is hereby adopted as the mechanical code of the City of Kirkwood, Missouri. For the control of buildings and structures as herein provided; and each and all of the regulations of the 2015 Existing Building Code, are hereby referred to, adopted and made apart hereof, as if fully set out in this ordinance.

SECTION 3. That throughout the “2015 International Existing Building Code”, wherever the term “jurisdiction” is used, it is deemed to mean City of Kirkwood, and wherever the expression “code official” is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the “2015 International Existing Building Code”, is amended by additions, deletions and changes including the changing of articles, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

Chapter 1 Scope and Administration

Section 101.1 – Amended to read as follows; Title: These regulations shall be known as the Mechanical Code of the City of Kirkwood. Hereinafter referred to as “this Code”.

Section 101.4.3 – is added to read as follows; Damaged Structures: If a structure is damaged by high wind, fire, or flood, the renovation shall be considered an alteration and comply with Sections 403.1.2 through 403.1.6

Section 101.4.4- is added to read as follows; Alterations Exceeding 50 Percent: If alterations or repairs are to be made within any period of twelve (12) consecutive months, costing in excess of fifty percent (50%) of the physical value of the structure, the requirements of this code for new structures shall apply. At the discretion of the Code Official, alterations required to resist earthquake loads may be phased as renovations to different portions of a structure occur.

Section 101.4.5 – is added to read as follows; Damages Exceeding 50 Percent: If the structure is damaged by fire or any other cause to an extent in excess of fifty percent (50%) of the physical value of the structure before the damage was incurred, this code’s requirements for new structures shall apply

Section 101.4.6 – is added to read as follows; Alterations Under 50 Percent: If the cost of alterations or repairs to be made within any period of twelve (12) consecutive months, is between five and fifty percent (5% - 50%) of the physical value of the structure, the Code Official shall determine to what degree the portions so altered or repaired shall be made to conform to the requirements for new structures to insure the safety, health and general welfare of the occupants and the public.

Section 101.4.7 – is added to read as follows; Alterations Under 5 Percent.: If the cost of alterations or repairs to be made within twelve (12) consecutive months is five (5%) or less of the physical value of the structure, the Code Official shall permit the restoration of the structure to its condition previous to damage or deterioration with the same kind of materials as those of which the structure was previously constructed; provided that such construction does not endanger the general safety and public welfare and maintains the life safety provisions of the code.

Section 101.4.8 – is added to read as follows; Physical Value: In applying the provisions of this section, the physical value of the structure shall be determined by the Code Official.

Section 103.1 – amended to read as follows; Creation of Building Department. The Kirkwood Building Department is hereby created and the official in charge shall be the Building Commissioner of the City of Kirkwood or his duly authorized representative.

Section 105.1.1 Annual Permit - Delete in its entirety and add: Integrated Permits. The code official for the building code may issue integrated building; plumbing, electrical and/or mechanical permits on a single permit application.

Section 105.1.2 Annual permit records- Delete in its entirety and add: Applicant Responsibility. The integrated permit applicant shall be responsible for the return to the code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit must be by special application and shall result in the assessment of a transfer fee as specified.

Section 108.2 – is amended to read as follows; Fees. Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section 108.6 - delete in its entirety

Section 112.1 – Amended to read as follows; Appeals: The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used.

Section 112.2 through Section 112.3: delete in their entirety

Section 113.4 – Delete in its entirety and add: Violation Penalties. Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served a stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a

violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 114.3 - amend last sentence of Stop Work Orders to read "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood."

Section 115.1 – is amended to read as follows; **Purpose** and scope. It is the purpose of this article to provide a just, equitable and practicable method for the repairing, vacation or demolition of buildings or structures which may endanger the life, limb, health, property, safety or welfare of the occupants of such buildings or to the general public, and this article shall apply to all unsafe structures, as herein defined, which are now in existence or which may hereafter exist in the City of Kirkwood, Missouri.

Section 115.2 – is amended to read as follows; **Unsafe** structures defined: All buildings or structures which have any or all of the following defects shall be deemed "unsafe structures"

Section 115.2.1 – is added to read as follows; Those whose interior walls or other vertical structural members lift, lean, or buckle to such an extent that a plumb line passing through the center gravity falls outside the middle third of its base.

Section 115.2.2 – is added to read as follows; Those which, exclusive of the foundation, show thirty-three percent (33%) or more of damage or deterioration of the supporting members, or fifty percent (50%) of damage or deterioration of the non-supporting enclosing or outside walls or covering.

Section 115.2.3 – is added to read as follows; Those which have improperly distributed loads upon the floor or roofs, or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purposes used.

Section 115.2.4 – is added to read as follows; Those which have been damaged by fire, wind or other causes or as to become dangerous to life, safety, or the general health and welfare of the occupants or the people of the City of Kirkwood, Missouri.

Section 115.2.5 – is added to read as follows; Those which are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness, disease, or as injury to the health, safety or welfare of those occupying such building.

Section 115.2.6 – is added to read as follows; Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live herein.

Section 115.2.7 – is added to read as follows; Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.

Section 115.2.8 – is added to read as follows; Those which have parts thereof which are so attached that they may fall or injure members of the public or property.

Section 115.2.9 – is added to read as follows; Those which because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this city.

Section 115.2.10 – is added to read as follows; Those structures which are partially constructed and the construction activities have been abandoned for a period of six months or longer.

Section 115.2.11 – is added to read as follows; Those which contain an illegal or improper occupancy.

Section 115.2.12 – is added to read as follows; Those which have inadequate maintenance.

Section 115.2.13 – is added to read as follows; Those which are vacant structures that are not secured against entry.

Section 115.2.14 – is added to read as follows; Those which have an unstable foundation.

Section 115.2.15 – is added to read as follows; Those which are partially or completely collapsed.

Section 115.2.16 – is added to read as follows; Those which contain unsafe equipment or material.

Section 115.3 – is amended to read as follows; Unsafe structures declared a public nuisance: All “unsafe structures,” within the terms of Section of this article, are hereby declared to be public nuisances and shall be repaired, vacated or demolished as provided herein.

Section 115.4 – is amended to read as follows; Standards for repair, vacation or demolition: The following standard shall be followed in substance by the building commissioner in ordering repair, vacation or demolition of any “unsafe structure”:

Section 115.4.1 – is added to read as follows; If the “unsafe structure” can reasonably be repaired so that it will no longer exist in violation of the terms of this article, it shall be ordered repaired.

Section 115.4.2 – is added to read as follows; If the “unsafe structure” is in such condition as to make it dangerous to the health, safety or general welfare of its occupants, it shall be ordered to be vacated and repaired.

Section 115.4.3 – is added to read as follows; In all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this article, it shall be demolished.

Section 115.4.4 – is added to read as follows; In all cases where an “unsafe structure” is a fire hazard existing or erected in violation of the terms of this article or any ordinance of this city or statute of the State of Missouri, it shall be repaired or demolished.

Section 115.5 – is amended to read as follows; Duties of building commissioner; procedure and notice: The building commissioner shall have the duty under this article to:

Section 115.5.1 – is added to read as follows; Inspect, or cause to be inspected, as often as may be necessary, all residential, institutional, assembly, commercial, industrial, garage, special or miscellaneous occupancy buildings for the purpose of determining whether any conditions exist which render such places as “unsafe structures” when he/she has reasonable grounds to believe that any such building is dangerous.

Section 115.5.2 – is added to read as follows; Inspect any building, wall or structure about which complaints are filed by any person to the effect that violation of this article, and the building commissioner shall determine if there are reasonable grounds to believe that such building is unsafe.

Section 115.5.3 – is added to read as follows; Inspect any building, wall or structure reported by fire or police departments of this city as probably existing in violation of this article.

Section 115.5.4 – is added to read as follows; Notify in writing, either by personal services or by certified mail, return receipt requested, or if service cannot be had by either of those modes of service (it) may be had by publication in a newspaper qualified to public legal notices for two (2) successive weeks, the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of St. Louis County of any building found by him be an “unsafe structure” within the standards set forth in Section 119.2 of this article.

The notice required shall state that: (1) the owner must vacate, vacate and repair, or vacate and demolish such building in accordance with the terms of the notice and this article; (2) the occupant or lessee must vacate said structure or have it repaired in accordance with the notice; (3) the mortgagee, agent or other persons having an interest

in said structure as shown by the land records of the recorder of deeds of the county wherein the land is located, may, at his/her own risk, repair, vacate or demolish or have such work done; provided, that any person notified under this subsection to repair, vacate or demolish any structures shall be given such reasonable time not exceeding thirty (30) days to commence the required work unless in the judgment of the building commissioner it is determined to be necessary to extend such time to commence the work.

Section 115.5.5 – is added to read as follows; The notice provided for in this section shall state a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure an “unsafe structure” and an order requiring the designated work to commenced within the time or extension thereof, provided for in the above subsection.

Section 115.5.6 - is added to read as follows; In the event the owner does not commence the work as required herein and pursuant to the notice set forth in Section 119.5.4, the building commissioner shall give additional notice to those persons, in the manner specified herein, that he/she shall conduct a hearing upon the matter. Such notice shall specify that a hearing shall be held at the place specified therein, that any party may be represented by counsel and that all parties shall have an opportunity to be heard. Such notice must be mailed at least twenty-one (21) days prior to such hearing.

Section 115.5.7 – is added to read as follows; After the hearing, if the evidence supports the finding that the building or structure is unsafe or detrimental to the health, safety or welfare of the residents, as defined herein, the building commissioner shall issue an order, making specific findings of fact based upon competent and substantial evidence ordering the building or structure to be vacated, repaired, or demolished and removed.

Section 115.5.8 – is added to read as follows; Upon the issuance of an order, as set forth in subsection 119.5.7 above, the building commissioner shall notify the affected parties of their rights to appeal such decision to the board of Building Appeals within 30 days of the issuance of the Order.

Section 115.6 – is added to read as follows; Duties of the Board of Building Appeals: Any owner, occupant, lessee, mortgage agent, or other person having an interest in the property may, within thirty days from the issuance of the Order of the Building Commissioner, appeal the decisions of the Building Commissioner. Such appeal shall be in accordance with the procedures set forth in Article IV of the Kirkwood Code of Ordinances, Section 5-65 through 5-68.

Section 115.7 – is added to read as follows; If the owner, occupant, mortgagee or lessee fails to comply with a final order of demolition, as provided herein, within thirty (30) days, the building commissioner shall cause the building or structure to be repaired, vacated or demolished, and shall certify the charge for such repair, vacation or demolition to the City Clerk as a special assessment, represented by a special tax bill, against the real property affected; said tax bill shall be a lien upon said property and be enforced to the

same extent and in the same manner as all the special tax bills. Except as provided in Subsection 119.7.1, at the request of the taxpayer, this special tax bill may be paid in installments over a period of not more than ten (10) years; said assessment shall bear interest at the rate of eight (8) percent per annum until paid.

Section 115.7.1 – is added to read as follows; As to damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, if any order is issued by the building commissioner or his designee, as provided in this section, and a special tax bill or assessment is issued against the property, it shall be deemed a personal debt against the property owner as well as a tax lien on the property until paid. If there are proceeds of any insurance policy based upon a covered claim payment in excess of 50% of the face value of the policy covering a building or structure and the proceeds of such policy are made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, the insurer shall withhold from the covered claim payment up to ten percent of the covered claim payment, and shall pay such moneys to the city to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this section.

The City shall release the proceeds and any interest which has accrued on such received proceeds to the insured or as the terms of the policy and endorsements thereto provide within thirty days after receipt of such insurance moneys, unless the city has instituted legal proceedings, under the provisions of this section. If the city has proceeded under the provisions of this section, all moneys in excess of that necessary to comply with the provisions of this section for the removal of the building or structure, less salvage value, shall be paid to the insured.

This subsection shall not make the city or county a party to any insurance contract, and the insurer is not liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

Section 115.8 – is added to read as follows; Appeal: Any owner, occupant, lessee, mortgagee, agent or any other person having an interest in an “unsafe structure” as shown by the land records of the recorder of deeds of the county wherein the land is located, may, within thirty (30) days from the order of the Board of Building Appeals, appeal such decision pursuant to the procedures established in Chapter 536 of the Revised Statutes of Missouri.

Section 115.9 – is added to read as follows; Emergencies: In case where it reasonably appears that there is immediate danger to the health, life or safety of any person unless an “unsafe structure” as defined herein is immediately repaired, vacated or demolished, the building commissioner may cause the immediate boarding up of all openings, or otherwise take such action as may be necessary to prevent hazardous conditions, including the vacation of such unsafe structures. The costs of such emergency boarding up, repair, vacation or demolition of such unsafe structure shall be collected in the same manner as provided in Section 115.7, of this article.

Section 115.10 – is added to read as follows; Violations: disregarding or removing notices or orders: The owner, occupant or lessee in possession of any unsafe structure who shall fail to comply with a final order to repair, vacate or demolish said structure given pursuant to this section, shall be guilty of a misdemeanor and upon conviction shall be punishable as set forth in Section 114 of this article.

Sections 116 and 117 delete in its entirety

Chapter 14 Performance Compliance Methods

Section 1401.2 – is amended to read as follows; Compliance. Structures existing prior to October 18, 1926, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Chapters 5 through 13. The provisions in Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S, and U. These provisions shall not apply to buildings with occupancies in Group H or I.

SECTION 5. Nothing in this ordinance or in the Existing Building Code hereby adopted shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the “2015 International Existing Building Code” or of the amendments to the “2015 International Existing Building Code” is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same even though such portions so held to be unconstitutional had not been included therein.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 3/21/2019

Step #1:

Strategic Plan YES

Goal # & Title

Background To Issue:

The Insurance Services Office (ISO) has recommended that the City update its Building Codes in order to maintain our Class 4 rating. The adoption of the 2015 International Code Council family of codes will bring Kirkwood in line with more current codes and standards, strengthen energy efficiency, reduce discrepancies between Kirkwood and other local jurisdictions, allow for more up to date building materials and techniques and maintain the City's ISO Building Code Effectiveness rating.

Recommendations and Action Requested:

It is recommended that the City Council pass and approve the associated ordinances to update the City's Building Codes to the 2015 International Code.

Alternatives Available:

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: Bill Bensing

Date: 3/12/2019

Authenticated: bensinwe

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



Completed ordinance 2015 IBC
building code.docx
Microsoft Word Document
54.5 KB



completed ordinance 2015 IRC
residential code.docx
Microsoft Word Document
54.6 KB



Completed ordinance 2015
IEBC existing building
code.docx
Microsoft Word Document
27.5 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



Diasapprove

Chief Administrative Officer's Comments:

BY:



Date:

3-15-19

BILL 10690

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, REGARDING HEIGHT REQUIREMENT IN THE B-2 BUSINESS DISTRICT.

WHEREAS, the City's Downtown Master Plan and Parking Study identified the need to evaluate multiple amendments to the Zoning Code as they pertain to regulations that affect the development patterns in Downtown Kirkwood; and

WHEREAS, on the 9th day of August, 2018, the Planning and Zoning Commission assigned a subcommittee (PZ-9-19); and

WHEREAS, on the 19th day of September, 2018, the Planning and Zoning Commission discussed and recommended approval of an amendment to the Zoning Code to revise the method for evaluating height in the B-2 District; and

WHEREAS, on the 1st day of November, 2018, the City Council did hold a public hearing with respect to such amendments 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 deleting Section A-510.6 in its entirety and replacing with the following language:

Height. No building shall exceed 4 stories, except for a church or similar place of worship, or except when the building is part of a mixed-use development. If the building is part of a mixed-use development, the building may have up to 6 stories when approved by the Planning and Zoning Commission and City Council as part of a site plan review. To allow for variation in rooflines, any unoccupied roof structure or architectural feature is permitted above the maximum height requirement.

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 _____, 2018.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Public Hearing:

1ST Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 11/1/2018

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

In an effort to implement the recommendations of the Downtown Master Plan and Parking Study, various Zoning Code amendments will be presented to the Planning & Zoning Commission and City Council. The first round of said amendments have been reviewed by the Planning & Zoning Commission and are now presented to the City Council for consideration. There are four separate ordinances prepared for this round. The second ordinance addresses the desire to revise the way in which height is regulated in the B-2 District.

Recommendations and Action Requested:

The Planning & Zoning Commission recommended approval of the amendments by a vote of 7-0.

Alternatives Available:

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: 10/11/2018

Authenticated: raichejd

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



2018-08-09 PZ-9019 Memo
V2.pdf
Adobe Acrobat Document
4.04 MB



2018-09-19 PZ-9-19 Report
B.pdf
Adobe Acrobat Document
3.29 MB



2018-11-01 PZ-9-19
OrdinanceB.doc
Microsoft Word 97 - 2003
Document
30.0 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.



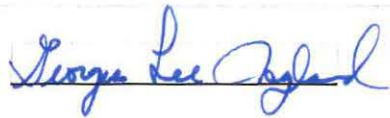
Approve



Diasapprove

Chief Administrative Officer's Comments:

BY:



Date:

10/25/2018

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN D. RAICHE, CITY PLANNER *JDR*
SUBJECT: DOWNTOWN PLAN – B-2 AMENDMENTS
DATE: AUGUST 9, 2018
CC: BILL BENSING, PUBLIC SERVICES DIRECTOR



WHERE COMMUNITY AND SPIRIT MEET®

INTRODUCTION

Since the Downtown Master Plan & Parking Study was completed in March, Resolutions of support have been passed by the Industrial Development Authority, Planning & Zoning Commission, and the City Council. The City Council's resolution included a slightly revised Framework Plan (attached) which included the following revisions:

1. Jefferson Avenue's designation as an A-street,
2. Additional mid-block pedestrian passageways, and
3. Additional open space near the existing public works facility.

The next step in implementing the plan is to consider the various code recommendations included in the document. Staff proposes presenting these recommendations for consideration in three priority groupings: 1) Amended B-2 Regulations; 2) Amended Parking Regulations; and 3) Amended R-5 Regulations.

AMENDMENT SUMMARY

The first grouping, B-2 Regulations, includes the following items:

1. Remove "Parking Lot" as a permitted use in the B-2 District.

This recommendation was made to avoid the ability for downtown property to be used solely for the purpose of private surface parking. Surface parking would still be permitted as an accessory use to businesses to accommodate customers, but a property could not exist for the sole reason to provide private surface parking.

Although not explicitly mentioned in the Downtown Master Plan recommendation, the Commission should also consider the need to prohibit parking lots as a permitted or special use in the B-1, B-4, and B-5 districts when located in the downtown area.

2. Measure height in stories, not feet or FAR, and reconsider height measurement for roofs.

A. B-2 Height Requirement

Current

Height. No building other than a church or similar place of worship shall exceed in height that height which for that particular building will create a maximum floor area ratio in excess of 2 1/2 or 40 feet, whichever is the lesser, except when the building is part of a mixed-use development, the height shall not exceed 60 feet when approved by the

Planning and Zoning Commission or City Council as part of a site plan review. Architectural features may be permitted above the height limitations provided that the space above the maximum height is not occupied, not used for storage, and is approved by Planning and Zoning or the City Council as part of a site plan review.

Proposed

Height. No building other than a church or similar place of worship shall exceed 4 stories, except when the building is part of a mixed-use development. If the building is part of a mixed-use development, the height may exceed 4 stories but shall not exceed 6 stories when approved by the Planning and Zoning Commission or City Council as part of a site plan review. Architectural features may be permitted above the height limitations provided that the space above the maximum height is not occupied, not used for storage, and is approved by Planning and Zoning or the City Council as part of a site plan review.

3. Establish a minimum frontage occupation requirement in the B-2 District.

This recommendation was intended to require that a minimum proportion of the lot frontage of property would be occupied by a building. The portion on the property's frontage that is not occupied by building could contain, but is not limited to, pedestrian areas and parking/driveway areas. The Downtown Survey conducted within the Downtown Master Plan included 3 representative properties within the B-2 District with different development types for comparison (see table below).

Development Type	Address	Lot Width (ft)	Frontage Buildout (ft)	Frontage Buildout (%)
Historic Urban	123 W. Argonne – Sammy Soap	30'	28'	93%
New Urban	130 S. Kirkwood – Station Plaza	190'	170'	89%
Suburban	421 N. Kirkwood – Global Foods (including gas station)	410'	176' (236')	43% (58%)

Items to consider include:

1. Does having parking in front of the building exclude it from being included in the "occupied frontage"?
2. If the building is wider at the back of the lot when compared to the front (e.g. an "L" shaped building), which dimension is used? Should the building width be measured within so many feet of the required setback?

Although not explicitly mentioned in the Downtown Master Plan recommendation, the Commission should also consider the need to regulate frontage occupation in the B-1, B-4, and B-5 districts when located in the downtown area.

4. Revise the front yard setback from averaging to 0' (Staff recommendation).

This recommendation was not explicitly listed in the Downtown Master Plan & Parking Study; however, Staff believes this is also an important item to consider along with the other

amendments regarding the built form. Currently the regulations only include a setback requirement for blocks that are more than 40% developed. In these cases, it requires that the front setback is established by averaging adjacent properties. There is no setback listed for blocks that are less than 40% developed. Staff requests consideration of whether the averaging requirement will achieve the downtown form that is desired. If the averaging requirement remains to be the desired regulation, Staff recommends that a baseline setback requirement of 0' also be included in the Code for clarity in cases when the block is less than 40% developed.

The detailed recommendations within each of these categories can be found predominantly in the "Framing Development" Section of the Downtown Master Plan & Parking Study which can be found on the City's website at the following location:

<http://www.kirkwoodmo.org/content/City-Departments/2457/planning-and-zoning.aspx>

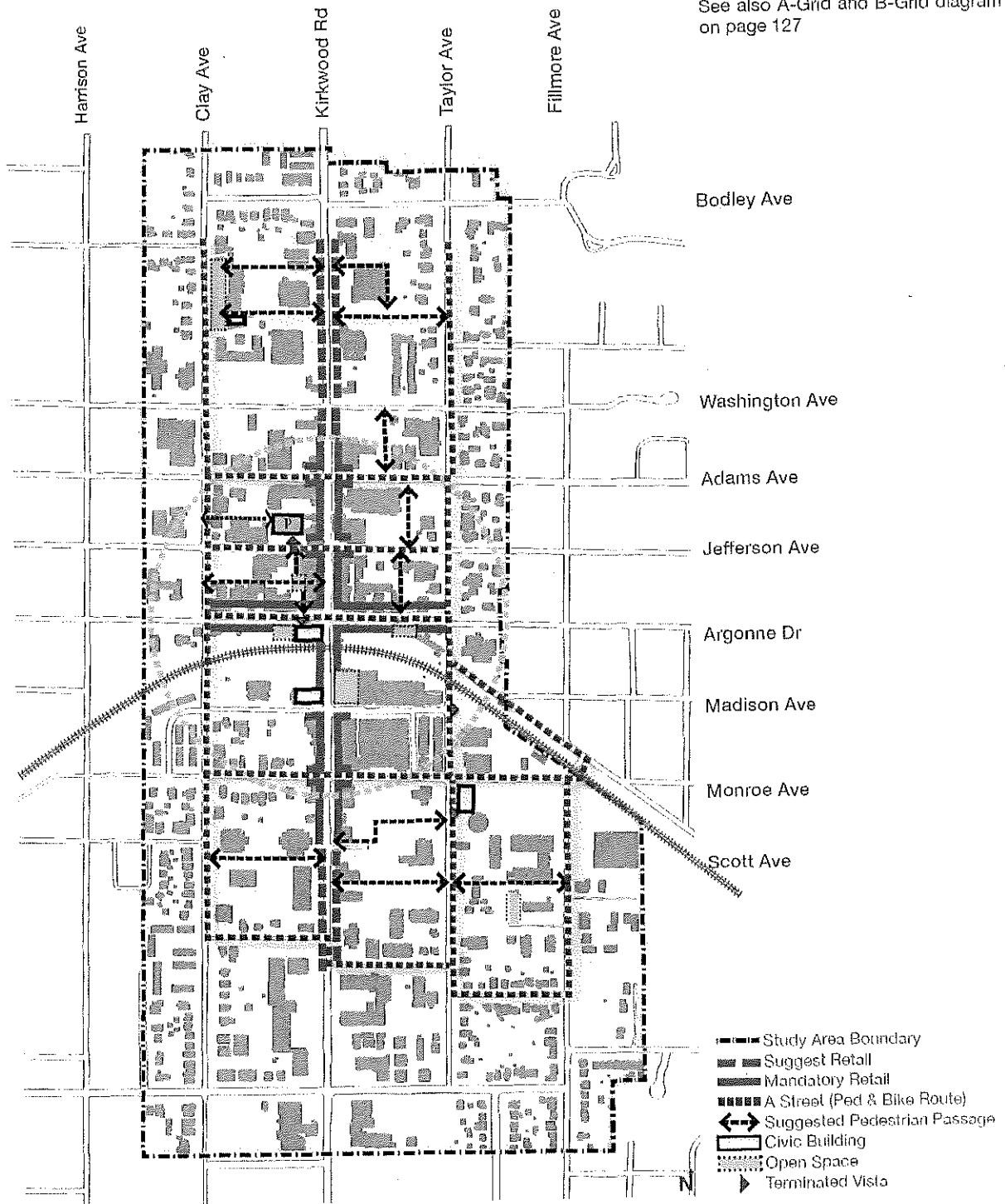
REQUEST

Staff is requesting that a subcommittee be formed by the Planning & Zoning Commission to review, discuss, and make recommendations relative to the above mentioned proposed Zoning Code amendments.

FRAMEWORK PLAN

FRAMING DEVELOPMENT

See also A-Grid and B-Grid diagram
on page 127



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
SEPTEMBER 19, 2018**

PETITION NUMBER: PZ-9-19 (b)

ACTION REQUESTED: AN AMENDMENT TO CITY OF KIRKWOOD CODE OF ORDINANCES APPENDIX A: THE CITY OF KIRKWOOD ZONING CODE AS IT PERTAINS TO HEIGHT REQUIREMENTS IN THE B-2 DISTRICT, SPECIFICALLY SECTION 510.6.

PETITIONER: CITY INITIATED

BACKGROUND/DESCRIPTION:

The Planning & Zoning Commission formed a subcommittee to consider various code revision recommendations that resulted from the recent Downtown Master Plan & Parking Study that was conducted by DPZ Partners. Staff recommended that the Commission consider the code revisions in three different groupings: B-2 regulations, parking regulations, and R-5 regulations. The first grouping, B-2 regulations, includes four separate items for consideration:

1. Remove "Parking Lot" as a permitted use.
2. Measure height in stories, not feet or FAR, and reconsider height requirement for roofs.
3. Establish a minimum frontage occupation requirement.
4. Revise the front yard setback requirement from averaging to zero feet (0').

The subcommittee decided to address each of these items in separate reports. The subcommittee approached each of these recommendations with a goal of providing language that would facilitate the implementation of and provide consistency with the Downtown Master Plan & Parking Study.

DISCUSSION:

The subcommittee held meetings on August 24th and August 31st. For a list of attendees at these meetings, see Exhibit A. The subcommittee agrees with the recommendation from the Downtown Plan to require a maximum height measured in the number of stories rather than the number of feet or referencing Floor Area Ratio (FAR).


In controlling the height of buildings downtown through a maximum number of feet, it would encourage designers to build everything to that maximum height and would discourage a variety of rooflines. In controlling the height of buildings through an FAR calculation alone, there is very little expectation as to what built-form the downtown would take.


The subcommittee finds that the benefits gained by regulating height in the B-2 District by stories rather than feet or FAR would help facilitate the implementation of the development style envisioned in the Downtown Master Plan and Parking Study. The recommendation within the downtown plan was that the current restricted height of 40 feet would best be translated to 4 stories and the current restricted height of 60 feet would be translated to 6 stories. The subcommittee accepted these recommendations.

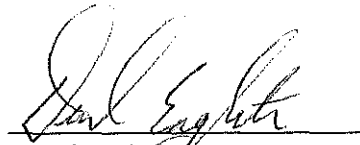
RECOMMENDATION:

The Subcommittee recommends that the amendments, as detailed in Exhibit B, to Section A-510.6 of the Zoning Code be **approved**.

Respectfully submitted,


Jim O'Donnell


Ron Evens


David Eagleton


Madt Mallinckrodt

EXHIBIT A
Subcommittee Meetings Attendees

P&Z Subcommittee Meeting
Date:
Location:

PZ-9-19
8/24/18
City Hall

Name	Organization
Jonathon Fache	City
David Easlick	P&Z
Walter Kippel	P&Z
Matt Mallinckrodt	P+Z
Jim O'Jinner	" "
Amy Lowmy	City
RON EVANS	P+Z
Kathy Paulson	Resident

P&Z Subcommittee Meeting

Date:

Location:

P2-9-19

8/31/18

City Hall

Name	Organization
Jonathan Rache	City
Saul Eagle	P+Z
Jim O'Rourke	P+Z
Matt Mallinckrodt	P+Z
RON EVANS	
Amy Lowry	city
Wanda Brando	P+Z

EXHIBIT B
Proposed Language

SECTION A-510.6

Existing Language

Height. No building other than a church or similar place of worship shall exceed in height that height which for that particular building will create a maximum floor area ratio in excess of 2 1/2 or 40 feet, whichever is the lesser, except when the building is part of a mixed-use development, the height shall not exceed 60 feet when approved by the Planning and Zoning Commission or City Council as part of a site plan review. Architectural features may be permitted above the height limitations provided that the space above the maximum height is not occupied, not used for storage, and is approved by Planning and Zoning or the City Council as part of a site plan review.

Proposed Language

Height. No building shall exceed 4 stories, except for a church or similar place of worship, or except when the building is part of a mixed-use development. If the building is part of a mixed-use development, the building may have up to 6 stories when approved by the Planning and Zoning Commission and City Council as part of a site plan review. To allow for variation in rooflines, any unoccupied roof structure or architectural feature is permitted above the maximum height requirement.

SUBSTITUTE BILL 10690

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, REGARDING BUILDING HEIGHT REQUIREMENTS.

WHEREAS, the City's Downtown Master Plan and Parking Study identified the need to evaluate multiple amendments to the Zoning Code as they pertain to regulations that affect the development patterns in Downtown Kirkwood; and

WHEREAS, on the 9th day of August, 2018, the Planning and Zoning Commission assigned a subcommittee (PZ-9-19); and

WHEREAS, on the 19th day of September, 2018, the Planning and Zoning Commission discussed and recommended approval of an amendment to the Zoning Code to revise the method for evaluating height in the B-2 District; and

WHEREAS, on the 1st day of November, 2018, the City Council did hold a public hearing with respect to such amendments 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 adding a new definition for “Occupiable Space” with the following language in Section A-140:

OCCUPIABLE SPACE – A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational, residential, or similar purposes or in which occupants are engaged at labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of the building code.

SECTION 2. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by removing the definition for “Building Height (Excluding R-1, R-2, R-3, and R-4 Zoning Districts)” in its entirety and replacing with the following language in Section A-140:

BUILDING HEIGHT (EXCLUDING R-1, R-2, R-3, AND R-4 ZONING DISTRICTS) – The vertical distance measured from the average elevation of the proposed finished grade of the building to the highest point of the occupiable space.

SECTION 3. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by deleting Section A-510.6 in its entirety and replacing with the

following language:

Height. When located within the study area of the 2018 Downtown Master Plan & Parking Study and located on a Phase 1 street, as identified in the Thoroughfare Hierarchy Map located in said plan, no building shall exceed 40 feet in height, except for a church or similar place of worship, or except when the building is part of a mixed-use development. If the building is part of a mixed-use development, the height shall not exceed 60 feet when approved by the City Council as part of a site plan review after receiving a recommendation by the Planning and Zoning Commission.

When located within the study area of the 2018 Downtown Master Plan & Parking Study and located on a Phase 2 street, as identified in the Thoroughfare Hierarchy Map located in said plan, no building shall exceed the lesser of 4 stories or 50 feet, except for a church or similar place of worship, or except when the building is part of a mixed-use development. If the building is part of a mixed-use development, the building shall not exceed the lesser of 6 stories or 75 feet when approved by the City Council as part of a site plan review after receiving a recommendation by the Planning & Zoning Commission.

SECTION 4. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ____ day of _____, 2019.

Mayor, City of Kirkwood

ATTEST:

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

BILL 10742

ORDINANCE

AN ORDINANCE APPROPRIATING \$32,004 FROM THE PARKS & STORM WATER FUND RESERVES TO THE BUILDING & SITE IMPROVEMENTS ACCOUNT, PROJECT #PR1912, AMENDING THE CONTRACT WITH GEOTECHNOLOGY INC. IN THE AMOUNT OF \$32,004 FOR A NOT TO EXCEED AMOUNT OF \$108,309 FOR ADDITIONAL KIRKWOOD PERFORMING ARTS CENTER GEOTECHNICAL SERVICES AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT.

WHEREAS, a Request for Proposal was developed and awarded for Geotechnical Services for the Kirkwood Performing Arts Center to Geotechnology Inc. on March 1, 2018, and

WHEREAS, as construction has gotten underway the amount of testing, consulting, and engineering work related to a variety of soil and site conditions, additional work on the part of Geotechnology Inc. will be required to properly complete the project, and

WHEREAS, Geotechnology Inc. submitted a proposal for the work required, and

WHEREAS, staff recommends the City amend the contract with Geotechnology Inc. for additional Kirkwood Performing Arts Center Geotechnical Services in the amount of \$32,004 for a not to exceed of \$108,309, and

WHEREAS, funds in the amount of \$32,004 need to be appropriated from the Parks & Storm Water Fund Reserves to Account #302-2001-600.75.03 (Building & Site Improvements), Project #PR1912.

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

SECTION 1. Funds in the amount of \$32,004 are hereby appropriated from the Parks & Storm Water Fund Reserves to Account #302-2001-600.75.03 (Building & Site Improvements), Project #PR1912.

SECTION 2. The proposal of Geotechnology Inc. in the amount of \$32,004 for a not to exceed amount of \$108,309 for additional Kirkwood Performing Arts Center Geotechnical Services is hereby accepted and approved.

SECTION 3. The Mayor is authorized and directed to enter into an amended contract with Geotechnology Inc. in the amount of \$32,004 for a not to exceed amount of \$108,309 for additional Kirkwood Performing Arts Center Geotechnical Services.

SECTION 4. This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor, City of Kirkwood

ATTEST:

City Clerk
1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 4/4/2019

Step #1:

Strategic Plan YES

Goal # & Title #4 Nurture downtown Kirkwood

Background To Issue:

In March of 2018 Geotechnology was selected and placed under contract to provide a wide range of geotechnical services, including soils investigations, testing of various materials and engineering services as it relates to soil and other environmental conditions for the Performing Arts Center. As construction of the site has gotten underway the amount of testing, consulting and engineering work related to a variety of soil and site conditions additional work on the part of Geotechnology will be required to properly complete the project.

Recommendations and Action Requested:

The specific action requested is to increase the contract amount with Geotechnology Inc. by \$32,004.00 to a not to exceed figure of \$108,309.00, and further appropriating \$32,004.00 from reserves of the Parks and Storm Water Sales Tax Fund to Account 302-2001-600-7503 (Building & Site Improvements) Project PR1912, PAC Construction.

Alternatives Available:

An attempt could be made to limit the amount of services provided by Geotechnology, but at the risk to the integrity of the building.

Cost: \$32,004.00 Account #: 30220016007503 Project #: PR1912 Budgeted: NO

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

Department Head Comments:

Because of various and unknown soil conditions at the PAC site, the need for the services from Geotechnology Inc. has been expanded well beyond the origin scope and amount of services proposed by Geotechnology. Such services include materials testing, engineering work related to improvement of ground conditions and monitoring of use and transfer of unsuitable soils at the site.


BY: Murray Pounds


Date: 3/18/2019

Authenticated: poundsm

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: 3/28/2019

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**).

Appropriation

From Account # or Fund Name: Park & Storm Water Fund reserves

To Account # or Fund Name: 302-2001-600-7503 PR1911

Finance Director's Comments:

Park & Storm Water Fund has adequate available fund balance to appropriate the above requested \$32,004 into account 302-2001-600-7503, Building and Site Improvement Project PR1911.

BY: John Adams

Date: 3/28/2019

Authenticated: stephesf

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

☒ Approve ☐ Diasapprove

Chief Administrative Officer's Comments:

BY: 

Date: 3-29-19

RESOLUTION 28-2018

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$19,000 FROM ACCOUNT #302-2001-491.10.10 TO ACCOUNT #302-2001-600.75.03, ACCEPTING THE PROPOSAL OF GEOTECHNOLOGY INC. IN THE AMOUNT NOT TO EXCEED OF \$19,000 FOR ADDITIONAL KIRKWOOD PERFORMING ARTS CENTER GEOTECHNICAL SERVICES AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, a Request for Proposals was developed and proposals were received for a additional Kirkwood Performing Arts Center Geotechnical Services, and

WHEREAS, a Selection Committee consisting of the Director of Procurement, Director of Parks and Recreation, Superintendent of Recreation, and City Engineer reviewed the proposals, and

WHEREAS, the Selection Committee recommends Geotechnology Inc. as the most qualified to provide additional Kirkwood Performing Arts Center Geotechnical Services, and

WHEREAS, funds in the amount of \$19,000 need to be transferred from Account #302-2001-491.10.10 to Account #302-2001-600.75.03, and

WHEREAS, these funds need to be reappropriated to Fiscal Year 2018/2019 budget since services may not be completed by the end of the 2017/2018 fiscal year.

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

SECTION 1. Funds in the amount of \$19,000 are hereby transferred from Account #302-2001-491.10.10 to Account #302-2001-600.75.03.

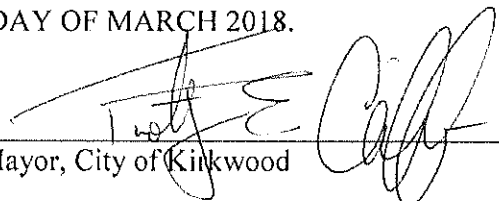
SECTION 2. The proposal of Geotechnology Inc. in the amount not to exceed of \$19,000 for additional Kirkwood Performing Arts Center Geotechnical Services is hereby accepted and approved.

SECTION 3. The Mayor is hereby authorized and directed to enter into a contract with Geotechnology Inc. in the amount not to exceed of \$19,000 for additional Kirkwood Performing Arts Center Geotechnical Services.

SECTION 4. Funds in the amount of \$19,000 shall be reappropriated to the Fiscal Year 2018/2019 budget.


SECTION 5. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2018.



Mayor, City of Kirkwood

ATTEST:



City Clerk

RESOLUTION 29-2019

A RESOLUTION APPROVING THE SITE PLAN FOR THE PROPERTY KNOWN AS 204 S. CLAY AVENUE SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Savoy Investments, LLC made application (PZ-16-19) for site plan approval to demolish the existing buildings and construct a new multi-family building at the property known as 204 S. Clay Avenue; and

WHEREAS, the Planning and Zoning Commission did on the 2nd day of January, 2019, by adopting the Planning & Zoning Commission Subcommittee Report dated January 2, 2019 (attached hereto as Exhibit "A" and incorporated by reference herein), recommend the approval of said site plan subject to conditions; and

WHEREAS, the Council did on the 7th day of February, 2019, hold a public hearing with respect to such application after duly advertising and giving proper notice of such hearing; and

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

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

SECTION 1. A site plan approval is hereby granted to allow the construction of a new multi-family building at the property known as 204 S. Clay Avenue subject to the following conditions:

1. The project shall be constructed and maintained in accordance with the Site Plan Packet (10 Sheets) Prepared by Core 10 Architecture and Doering Engineering Stamped "Received December 17, 2018, City of Kirkwood Public Works Department", except as noted herein.
2. 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.
3. Based upon the justification submitted per Section 220.2, the following modifications shall be approved:
 - a. Unit density from 1,200 sf/unit to 1,178 sf/unit,

- b. Building height from 40' to 49'6",
 - c. Required driveway width from 22' to 20', and
 - d. A minimum parking stall dimension from 9'x 19' to 9'x 18'.
4. If flooding concerns for the electrical transformer cannot be addressed in its current location and the transformer is required to be moved, any landscaping that is displaced by the relocation to higher ground must be relocated on-site and not replaced.
 5. A fence must be installed on top of the retaining wall where there is 30" or greater of grade change.
 6. If a tree which is planted in the public right-of-way is removed or damaged by a utility company during work not related to the proposed development, the tree must be replaced by the property owner(s) with other aesthetic landscaping.
 7. A tree study and tree preservation plan that included appropriate protection for trees on neighboring properties shall be provided prior to issuance of any permit.
 8. An irrigation plan must be provided prior to approval by the City Council.
 9. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and must be replaced with a 6' wide exposed aggregate sidewalk.
 10. A consolidation plat shall be required with easements as required by the City prior to issuance of permits.
 11. Detailed electrical and water service plans must be submitted and approved prior to issuance of permits.
 12. All Departmental/Agency requests and comments must be provided or otherwise satisfied prior to issuance of permits.
 13. The sidewalk elevation along Madison shall be lowered as directed by the Public Services Department.
 14. A shared maintenance agreement for the shared approach in the public right-of-way shall be required prior to issuance of permits.
 15. A permanent easement may be required if structural elements of the wall extend beyond the property line. Temporary easements shall be required from adjacent property owners for work required on adjacent property.
 16. Geotechnical information is required to ensure that construction will not negatively impact the existing garage on the 138 W. Madison property.
 17. Parking lot entrances shall be 7" thick concrete and ADA compliant.

18. Storm water management plans 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.
19. Sanitary sewer plan shall be approved by MSD prior to the issuance of a foundation letter or building permit.
20. 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 petitioner shall install the necessary mains and accessories.
21. 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.
22. 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.
23. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time.
24. An accessible route in compliance with ADA standards shall be provided from the proposed accessible parking spaces to the accessible entrance of the building.
25. Enclosures are required to screen all dumpsters on the site and shall be constructed of sight-proof materials (e.g. masonry, split-faced concrete masonry units, etc.) similar or complementary to the main building and not less than six feet in height. Latching gates of similar or complementary materials shall be required to completely enclose the dumpster.
26. All rooftop equipment, air-conditioning units and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.
27. The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.

SECTION 2. 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 any permit. These devices shall be maintained during the construction activities. Failure to maintain these devices authorizes the Public Services Department to issue a Stop Work Order for the building permit until such devices are restored.

SECTION 3. The approval of this site plan 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 4. The premises and improvements as approved by this site plan shall be in good working order and maintained in good repair at all times.

SECTION 5. The applicant by accepting and acting under the site plan 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 in the event such provisions are not complied with.

SECTION 6. The applicant further agrees by accepting and acting under this site plan approval herein granted that this resolution does not grant applicant any special rights, privileges, or immunities.

SECTION 7. This resolution shall become null and void in the event the petitioner does not obtain a building permit within one year of the passage of this resolution.

SECTION 8. The applicant and her 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 9. This resolution shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/7/2019

Step #1:

Strategic Plan NO

Goal # & Title

Background To Issue:

In conjunction with a text amendment to the Zoning Code, Savoy Investments LLC has applied for Site Plan approval of a 14-unit multi-family building at 204 S. Clay Avenue. Additional information regarding the proposed plan can be found in the attached subcommittee report and plans.

Recommendations and Action Requested:

The Planning & Zoning Commission unanimously recommended approval of the site plan. The site plan cannot be approved unless the related text amendment is approved. City Council consideration of the site plan and drafted resolution is requested.

Alternatives Available:

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: 1/30/2019

Authenticated: raichejd

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



2019-02-07 PZ-16-19 SitePlan
Resolution.doc
Microsoft Word 97 - 2003
Document
71.0 KB



2019-01-02 PZ-16-19 Report
Final Signed.pdf
Adobe Acrobat Document
8.90 MB



2018-12-17 PZ-16-19 Plans
(reduced).pdf
Adobe Acrobat Document
2.02 MB

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



Diasapprove

Chief Administrative Officer's Comments:

BY:

Date:

3-1-19

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 2, 2019**

PETITION NUMBER: PZ-16-19

ACTION REQUESTED: ZONING CODE TEXT AMENDMENT AND SITE PLAN REVIEW

PROPERTY OWNER: SAVOY INVESTMENTS LLC (UNDER CONTRACT)

APPLICANT: SAVOY INVESTMENTS LLC

APPLICANT'S AGENT: AMANDA NORRIS & TYLER STEPHENS – CORE 10 ARCHITECTURE

PROPERTY LOCATION: 204 SOUTH CLAY AVENUE

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

DRAWINGS SUBMITTED: SITE PLAN PACKET (10 SHEETS) PREPARED BY CORE 10 ARCHITECTURE AND DOERING ENGINEERING STAMPED "RECEIVED DECEMBER 17, 2018, CITY OF KIRKWOOD PUBLIC WORKS DEPARTMENT"

DESCRIPTION OF PROJECT:

The applicant is requesting two separate actions for this project which will require two separate recommendations by the subcommittee. The first request is for a text amendment in the B-2, General Business District regulations regarding permitted uses. Currently, the B-2 District only allows residential uses as part of a mixed-use development. The only district that currently allows for multi-family development is the R-5 District which is not limited to the downtown area. The applicant has chosen to request an amendment to the B-2 District to allow multi-family development that would have regulations more similar to the B-2 District than the existing R-5 District. The proposed text amendment language makes reference to the City's Downtown Master Plan & Parking Study (Downtown Plan). The Framework Plan portion of the Downtown Plan provides guidance on where commercial development should be required and suggested within Downtown Kirkwood (see Exhibit A). This text amendment would allow multi-family residential in areas that are not designated as required or recommended commercial properties. The proposal also specifies a minimum lot size of 1,200 square feet per unit which is currently used for mixed-use development in the B-2 District. The proposed language is included below and would be added into Section A-510.2 in the appropriate alphabetical location:

"Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan"

The second item for consideration is a Site Plan Review for a 14-unit condominium development. The existing property contains two buildings including one home that has been converted to a commercial business and one other commercial building. The proposed plan would demolish the existing buildings and place a four-story building with an underground parking garage that provides 28 parking spaces. The underground parking garage is proposed to be accessed via a two-way drive lane from Madison Avenue.

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. Attached Residential (Duplexes/Townhomes/Garden Apartments) is listed in this land use category as an appropriate development type. The EnVision Kirkwood 2035 plan does not contain a land use category specifically for multi-family development, but rather, identifies that multi-family development could be appropriate within various land use categories. Multi-family developments have typically been approved near major intersections or as a transition between single-family uses and commercial uses which includes the perimeter of Downtown Kirkwood.

The subject property is currently zoned B-2, General Business District (Central Business District). Although a text amendment to allow for multi-family development within this district is proposed, the property is not being requested to be rezoned.

Surrounding land uses and zoning include the following:

To the north: Across Madison Avenue, there is a City Park, the Police Station and City Hall which are zoned B-2.

To the south: Directly to the south there are two multi-family building that are currently zoned B-2.

To the east: Directly adjacent to the subject site is a residential home that has been converted to a business and operates as an office building.

To the west: Across Clay Avenue, there is a condominium development zoned R-5.

DEPARTMENTAL/AGENCY COMMENTS:

Electric:

1. Provide an electrical distribution plan.
2. Conduit is required to connect to the west side of Clay Ave.
3. Provide electrical load sheets.
4. Address the concern related to flooding of the transformer during a heavy rain event.

Water: Final construction plans will need to show the proposed water lines and receive Fire & Water approval.

Engineering:

1. MSD approval is required.
2. Provide minimum 5' wide exposed aggregate ADA compliant sidewalks along Madison and Clay. Include reconstructing with perpendicular curb ramps at intersection. Will require reconfiguring curb openings.
3. Lower elevation of sidewalk along Madison.
4. Provide more detail on entrance construction. Shared entrance maintenance agreement needed for approach in the ROW.
5. Permanent wall easement necessary if geogrid or wall footings extend beyond property line.
6. Temporary easements required from neighboring property owners for work required on neighboring properties prior to issuance of permit.
7. Provide fence at top of wall with 30" or greater of grade change.
8. Construction of retaining wall may impact neighboring garage. Geotech investigation and shoring plan required.
9. Downspouts shall not discharge across public sidewalks or through curbs.
10. Reconstruct abandoned curb cuts.

- Building/Fire:
1. A flow test is required.
 2. Maintain adequate Fire Department Access.
- Forester:
1. Provide more species variety for street frontage trees.
 2. Frontage trees planted in the right-of-way will be more susceptible to damage/removal from utility work.

SITE ELEMENTS ANALYSIS:

Structure & Pedestrian Access

The proposed building is 4 stories and approximately 49'6" tall which exceeds the maximum height of 40' for a non-mixed use project in the B-2 District. A modification has been requested for this and is included in the recommendation portion of this report. The building is proposed to have 14 total units with 4 units on each of the first three floors and 2 units on the fourth floor. The unit density is proposed at 1,178 sf of lot area per unit which is slightly below the proposed 1,200 sf per unit that is part of their proposed text amendment. This deviation from the requirement is also included as a modification request.

The proposed setbacks listed on the plans (4' from Clay Avenue and 16'4" from Madison Avenue) are measured to the setback of the first floor and exclude the parking structure which is primarily underground. The portion of the parking structure that protrudes past the first floor will be utilized as a wrap-around front porch feature along Madison and Clay Avenues. The fourth story is proposed to step-back further and provides an approximate setback of 27' from Madison Avenue and 25' from Clay Avenue. According to the Zoning Code; however, the parking structure must also meet the setback requirements. The proposed setbacks when measuring to the parking structure walls are approximately 4' from Clay Avenue and 5' from Madison Avenue. The required setbacks are based on averaging adjacent properties and are calculated to be 16'9" on Clay Avenue and 29'4" on Madison Avenue. A modification has been requested for this item and is included in the recommendation portion of this report.

The applicant is proposing new 6' wide, exposed aggregate sidewalks which provide a benefit for pedestrian circulation above and beyond the 5' wide sidewalks that Staff required.

Landscaping

The proposed Landscape Plan provides the required number of frontage trees which are proposed to be located in the public right-of-way. While the Zoning Code does not explicitly state that trees cannot be provided in the right-of-way, Staff has identified the additional potential for conflict with utilities when trees are planted in the right-of-way. The proposed location provides a positive tree-lined aesthetic for the development, but if a tree is removed or damaged by a utility company during work not related to the proposed private development, the developer would not be required to replace the tree. This is not against the code, but something of which to be aware.

The developer has chosen not to provide an irrigation plan as required by code. This requirement has been placed as a condition of approval prior to approval by the City Council.

In addition to the required plantings, the applicant has proposed 4 understory trees, 8 evergreen trees, and various shrubs around the building that are provided above and beyond the Zoning Code's requirements.

Site Access & Parking

The site is proposed to be accessed from a two-way drive from Madison Avenue located along the eastern property line. The drive will decline in grade to provide access to the underground parking structure. The access drive is proposed to be 20' wide which is narrower than the 22' width required by the Zoning Code for a two-way drive and requires a modification. Due to the fact that the drive is not needed for maneuverability for parking spaces, Staff does not have a concern with this modification.

The proposed parking structure will provide 28 spaces for the 14 units. The Zoning Code requires 2 ¼ spaces per unit (units above 1,500 sf) plus 1 space for every 3 units for visitors. This would result in a requirement of 36 spaces. This code requirement is according to the code when the application was submitted; however, it is worth noting that the City Council will hold a final vote on December 20th for amending the requirement to 1.5 spaces per unit for multi-family development in Downtown. Due to the timing of the submittal, a modification is required for this item. A second modification is also needed for the size of proposed parking spaces which are required to be 9'x 19'. The applicant is proposing all spaces to be 9'x 18' which they feel is adequate for parking for the condo unit owners.

Modifications

The proposed Site Plan requires 7 modifications and/or variances from the current Zoning Code. A comparison of the proposed and required items is as follows:

<u>Topic</u>	<u>Required</u>	<u>Provided</u>	<u>Difference</u>
Unit Density	1,200 sf/unit	1,178 sf/unit	22 sf/unit
Building Height	40'	49'6"	9'6"
Front Setback (Clay)	16'9"	4'	12'9"
Front Setback (Madison)	29'4"	5'	24'4"
Parking Spaces	36 spaces	28 spaces	8 spaces
Driveway Width	22' wide	20' wide	2'
Parking Stall Dimension	9' x 19'	9' x 18'	1' length

As previously mentioned, the developer is providing the following benefits that help achieve the objectives listed in Section A-220.2 as part of the justification for the above modification requests:

1. Additional landscaping around the building and along the southern property line.
2. Six foot wide public sidewalks adjacent to the site to promote pedestrian circulation.
3. Decreasing site access to one access point from Madison Avenue to increase pedestrian and vehicular safety.

DISCUSSION:

Zoning Matters signs were placed on the property on November 29, 2018. The request was introduced at the Planning & Zoning Commission meeting on December 5, 2018. An on-site subcommittee meeting was subsequently held on December 17th. A list of attendees of the subcommittee meeting can be seen in Exhibit C. The overall proposal was discussed at the subcommittee meeting with attention given to the modifications being requested and the justification for those modifications.

The subcommittee finds that the justification provided and the circumstances of the modifications requested provide for a better development than might otherwise be realized. The subcommittee has included a recommendation for approval of the requested modifications in the recommendation section of this report.

RECOMMENDATION:

The Subcommittee recommends that Section A-510.2 of the Zoning Code be amended to include the following permitted use category:

"Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan"

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. Based upon the justification submitted per Section 220.2, the following modifications shall be approved:
 - a. Unit density from 1,200 sf/unit to 1,178 sf/unit,
 - b. Building height from 40' to 49'6",
 - c. Front setback on Clay Avenue from 16'9" to 4',
 - d. Front setback on Madison Avenue from 29'4" to 5',
 - e. Number of required parking spaces from 36 to 28
 - f. Required driveway width from 22' to 20', and
 - g. A minimum parking stall dimension from 9'x 19' to 9'x 18'.
3. If flooding concerns for the electrical transformer cannot be addressed in its current location and the transformer is required to be moved, any landscaping that is displaced by the relocation to higher ground must be relocated on-site and not replaced.
4. A fence must be installed on top of the retaining wall where there is 30" or greater of grade change.
5. If a tree which is planted in the public right-of-way is removed or damaged by a utility company during work not related to the proposed development, the tree must be replaced by the property owner(s) with other aesthetic landscaping.
6. A tree study and tree preservation plan that included appropriate protection for trees on neighboring properties shall be provided prior to issuance of any permit.
7. An irrigation plan must be provided prior to approval by the City Council.
8. All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG and must be replaced with a 6' wide exposed aggregate sidewalk.
9. A consolidation plat shall be required with easements as required by the City prior to issuance of permits.
10. All Departmental/Agency requests and comments must be provided or otherwise satisfied prior to issuance of permits.
11. The applicant shall comply with all standard conditions as listed in Exhibit B.

Respectfully submitted,



James Diel

Wanda Drewel

EXHIBIT A DOWNTOWN MASTER PLAN & PARKING STUDY EXCERPT

See also A-Grid and B-Grid diagram
on page 127

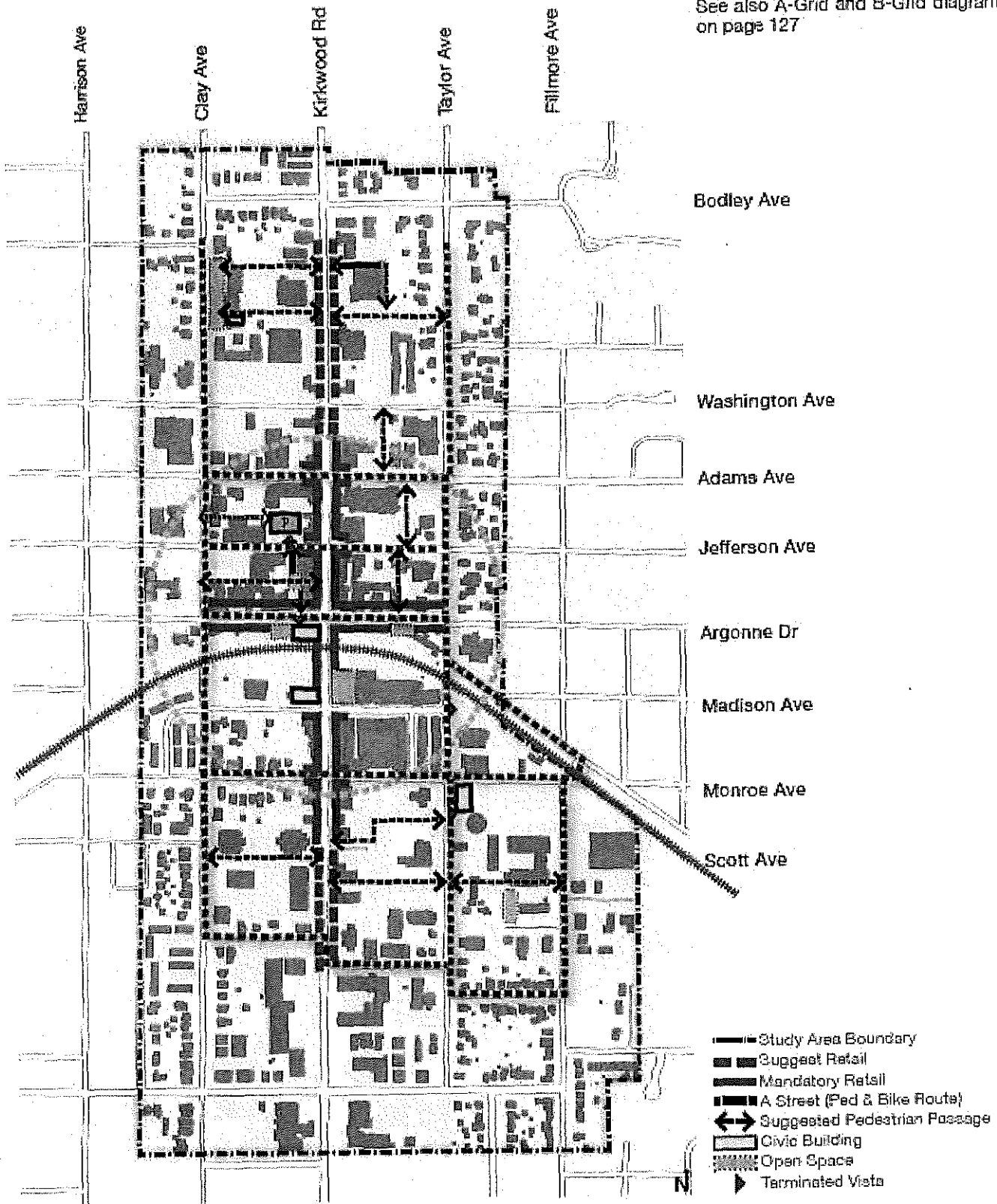


EXHIBIT B
STANDARD CONDITIONS

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 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 C
Subcommittee Meeting Attendees
December 17, 2018

P&Z Subcommittee Meeting

Project:

PZ-16-19

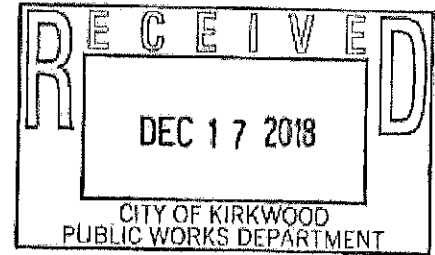
Date:

12/17/18

Location:

204 S. Clay

Name	Organization
JAMES DIEL	PZ
Andy Rie	KIRKWOOD WATER
Jen Suterland	Kirkwood water
Clarence Patterson	Kirkwood Water
Drew LESINSKI	Savoy
Amanda Norris	Core 10
John Pennington	Savoy
TYLER STEPHENS	CORE 10
Jonathan Rasche	City



Memo

Date: December 17, 2018

To: City of Kirkwood, Planning and Development
Jonathan Raiche, Planner

Re: Responses to Review Comments
PZ-16-19; 204 S. CLAY AVE. (CODE AMEND IN B2 AND SITE PLAN)

Jonathan-

This letter and associated attachments provide response to review comments received from Kirkwood via email and attachments following the initial submittal on November 16, 2018. The original item reference is followed by our response in bold and/or action taken.

General Comments/Site Plan:

1. Per Section 220.2, provide specific and measurable ways in which the modification requests are off-set by one or more of the eight criteria. Consideration should be given to providing wider public sidewalks and bicycle parking facilities.
 - a. **See attached revised cover letter dated December 3, 2018.**
2. Revise the utility providers on the Cover Sheet to Kirkwood Electric and Kirkwood Water.
 - a. **See attached revised Civil Plans.**
3. Revise the "Existing Use" listed on Sheet 1 of the Civil Plans.
 - a. **Unclear of what note is referenced. See attached revised Civil Plans.**
4. Revise the cover letter and Sheet A0.0 to reference the current height requirement of 40'. A modification will be needed if the separate City-initiated code amendment does not get approved.
 - a. **See attached revised sheet A0.0 and revised cover letter dated December 3, 2018.**
5. The cover letter references a 15' setback from Madison, but the plans indicate an approximate setback of 7'. The parking structure must meet the required structure setbacks unless a modification or variance is granted.
 - a. **See attached revised sheet A1.0 and revised cover letter dated December 3, 2018.**
 - b.
6. Show the front yard setbacks required by the Zoning Code on the Site Plan and list them on Sheet A0.0. This will require providing information averaging the front yard setbacks of all adjacent properties within 200'.
 - a. **See attached revised sheets A0.0 and A1.0 and revised cover letter dated December 3, 2018.**

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314.724.4858 CORE10architecture.com

7. The proposed parking stalls are 8'x19', but sheet A0.0 states that they are 9'x19' as the code requires. A modification is required for the current design of 8'x19'.
 - a. **See attached revised sheet A0.0 and A1.1. Proposed parking stalls are 9'x18'. Also see attached revised cover letter dated December 3, 2018.**
8. The proposed building does not meet the 1/2 story definition of the Zoning Code. Revise the plans to reference the proposed 4 story building height.
 - a. **See attached revised sheet A0.0 and revised cover letter dated December 3, 2018.**
9. Revise the site area on the Civil Plan which states 15,000 sf. The property is 110'x150' and the legal description lists it at 16,497 sf.
 - a. **See attached revised Civil Plans.**

Lighting Plan

1. No lighting plan was provided; however, Section 1040.5(1) required a minimum lighting level for internal pedestrian sidewalks. A lighting plan for the proposed internal sidewalk shall be provided.
 - a. **See attached sheet LT1.0**
2. Provide lighting fixture cut sheets for proposed fixtures. All fixtures shall be full cut-off;
 - a. **See attached fixture cut sheets.**
3. Note, an as-built lighting plan will be required prior to a final occupancy permit being issued.
 - a. **To be submitted at a future date.**

Landscape:

1. A Tree Study and Tree Preservation Plan are required.
 - a. **Prior discussions had not indicated a need for a tree study and preservation plan at this property. One has not been provided.**
2. An irrigation plan for all landscaped areas is required.
 - a. **Irrigation is not included.**
3. Provide the sf calculations for proposed open space and perimeter landscape buffer area.
 - a. **See attached revised sheet L1.0. Proposed open space = 2,834 sf. Proposed landscape buffer area = 1,050 sf.**
4. Per 1020.5(1), 4 street trees are required along Madison but only 3 are provided. Likewise, 6 street trees are required along Clay and only 4 are provided.
 - a. **See attached revised sheet L1.0**

5. Street trees not obstructed by overhead lines shall be a species that is designated as medium or large in the City's Tree List. Trident Maple is considered a small tree and does not meet this requirement.
 - a. **See attached revised sheets L1.0 and L1.1. Trident Maple replaced with American Yellowwood**

Kirkwood Electric:

1. Provide an electrical distribution plan for the development.
 - a. **Electrical distribution has not been determined at this time pending further design.**
2. The developer will be required to provide the primary conduit to the existing distribution system. Existing source for this project is on the west side of South Clay and requires conduit to be installed under South Clay.
 - a. **Electrical coordination forthcoming.**
3. Provide load sheets for proper sizing of Kirkwood Electric's portion of the electrical system.
 - a. **The project has not been fully designed. Load sheets for sizing will be provided in the future.**
4. Kirkwood Electric is concerned that the transformer and conduits might be subjected to flooding during a heavy rain event. Provide information on how this will be addressed.
 - a. **There will be an adjacent trench drain to handle drainage at this end of the driveway area at the garage entrance.**

Engineering:

1. MSD approval required.
 - a. **MSD approval will be confirmed at a future date.**
2. Provide minimum 5' wide exposed aggregate ADA compliant sidewalks along Madison and Clay. Include reconstructing with perpendicular curb ramps at intersection. Will require reconfiguring curb openings.
 - a. **See attached revised Civil Plans.**
3. Lower elevation of sidewalk along Madison.
 - a. **See attached revised Civil Plans.**
4. Provide more detail on entrance construction. Shared maintenance agreed to approach in the ROW.
 - a. **See attached revised Civil Plans. Entrance detail has been provided.**

5. Permanent wall easement necessary if geogrid or wall footings extend beyond property line.
 - a. **Conversations have been started with neighbors regarding potential easements.**
 - b. **See attached revised Civil Plans.**
6. Temporary easements required from neighboring property owners for work required on neighboring properties prior to issuance of permit.
 - a. **Conversations have been started with neighbors regarding temporary construction easements.**
7. Provide Fence at top of wall with 30" of greater grade change.
 - a. **See attached revised sheet A1.0**
8. Construction of retaining wall may impact neighboring garage. Geotech investigation and shoring plan required.
 - a. **To be submitted at later date pending further exploration and studies.**
9. Downspouts shall not discharge across public sidewalks or through curbs.
 - a. **Downspouts have been shown connecting to existing storm sewer. See attached revised Civil plan.**
10. Reconstruct abandoned curb cuts.
 - a. **Note has been added to attached revised civil plans.**

Fire Department:

1. Fire flow test required to determine adequate flow for the proposed project.
 - a. **To be performed at a future date.**
2. Maintain adequate Fire Department Access.
 - a. **Access will be maintained.**

Forestry:

1. Street frontage trees should be planted on private property to avoid conflicts with current and future utility work
 - a. **Street trees remain in tree lawn next to street to follow pattern of existing street and neighboring properties.**
2. More variety (not all maples) should be provided for street frontage trees.
 - a. **See attached revised sheets L1.0 and L1.1 for species.**



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314.726.4858 CORE10architecture.com

If there are any further comments or questions regarding these responses, please contact Amanda Norris at 314.726.4858, anorris@core10architecture.com.

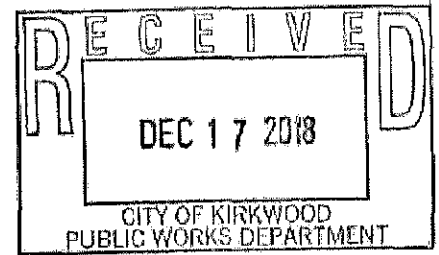
Thank you,

A handwritten signature in black ink, appearing to read 'Amanda Norris', with a long, sweeping horizontal line extending to the right.

Amanda Parlyka Norris, AIA
Lead Architect
Core10 Architecture



December 3, 2018



Jonathan Raiche
City of Kirkwood
139 South Kirkwood Rd

Planning and Zoning Submittal
Madison and Clay Condominiums
Project Number: 204 S. Clay

Dear Jonathan,

We are pleased to submit our application and submittal for the Planning and Zoning Site Plan Review on the Madison and Clay Condominium project. This site is a combination of 2 existing office buildings at the southwest corner of Clay and Madison. Following the success of the previous project, just east of this location, the goal is to replicate that general structure to meet the increased demand for high quality for-sale housing in the downtown Kirkwood area. We are proposing a similar structure in mass and height that will complement the existing building, while providing architectural variety on the street.

The project consists of a new 14-unit, 4 story residential structure with a secure underground parking garage, dedicated to the residents, and composed of 28 spaces for a 2 to 1 ratio of residential parking. The building will be designed as an urban structure, emphasizing a strong street façade with ample glass and recessed exterior balconies at each unit. We are proposing the development to transition from surrounding commercial structures by sitting back off the street with a surrounding front porch out to the sidewalk in order to provide a residential feel. This will allow the building to maintain the important pedestrian street edge, while providing visual relief and separation from the street for the ground floor units. Additionally, the site will be landscaped with regular street trees to provide a beautiful street presence, complementing the porches.

As these lots are currently in the B-2, downtown master plan district, we are also submitting a proposed text amendment to the B-2 district allowing for multi-family as a permitted use. Pursuant to the recently adopted Downtown Master Plan, this project will provide for the identified "missing middle" housing component in downtown. These smaller, multi-family structures help bridge the gap between large scale developments along Kirkwood Road and the surrounding single-family neighborhoods on the edge of downtown. The removal of a retail component for required mixed-use is justified on streets such as Madison Avenue which are not identified by the Master Plan Framework Plan as "suggested or mandatory retail". This requirement for mixed-use in all downtown residential projects will continue to be a hinderance for development going forward and therefore we are proposing the following text amendment to bring the zoning code in alignment with the newly adopted master plan.

Michael Byrd, AIA CSI

Tyler Stephens, AIA

Proposed Text Amendment to B-2 General Business District (Central Business District)

510.2

Permitted uses. Except for a mixed-use development, a building or premises shall be used only for the following purposes and shall adhere to the minimum lot area where specified.

[Ord. No. 10361, 10-20-2016]

Multiple-family dwellings (1,200 square feet per dwelling unit) when located on a property not designated as Suggested or Mandatory Retail in the Downtown Master Plan & Parking Study's Framework Plan

Within the B-2 district we are requesting modifications on the following requirements:

Density

We are requesting a modification to this new density requirement of 1,178sf/unit in lieu of the required 1,200. This slight adjustment is the result of the lot size which is 303sf short of compliance. Meeting proposed height and setback requirements identified in the downtown master plan, we feel this slight modification is justified.

Drive Aisle Width and Parking Stall Length

We are requesting a modification of 20' from the required 22' for the drive way aisle width and a modification of 9' x 18' from the required 9' x 19' for the parking stall size. This is a sufficiently standard drive way width where no parking aligns it and allows for more landscaping setback off Clay on the opposite side. The below grade parking aisles maintain the 22' requirement. Likewise, the 9'x18' parking stall dimensions are sufficiently standard and additionally are all contained in the private garage off the 22' drive aisle width.

Front Yard Setback

Recent text amendments have also been submitted to eliminate front yard setbacks in the downtown framework plan. This proposal will comply by providing small setbacks, appropriate for residential character. However, if that language is not adopted by council, we would request front yard setbacks of 15' on Madison and 4' on Clay in lieu of the required 29'-4" +/- and 16'-9" +/- respectively. (Required setbacks as listed are based on field verification of average existing setback within 200' of affected property). This will allow the structure to better fit the context of the downtown streets as identified in the Master Plan. The main building footprint and massing of the first floor reflects these proposed setbacks and continues to step back from there at the corners and higher floors. The garage/porches extend outward to the sidewalk to hold the street edge in a similar manner to the single-family residences where a porch extends beyond the house setback proper.

Guest Parking

Recent text amendments have also been submitted to reduce parking requirements in the downtown framework plan. This proposal would comply with that parking study in addition to matching the previous development to the east

where 2 spaces per unit is considered appropriate for the market. Should that language not be adopted, we would request a modification of 2 parking spaces per unit from the required 2 ¼ with additional guest parking. In addition to justification from the master plan, there is a public lot within 300 feet of and street parking is provided on both streets for this corner lot.

Building Height – Pending City-Initiated Code amendment

The City is currently proposing an amendment to the definition of building height. If that is not adopted for any reason, this development would request a modification to the building height. The current zoning defines a 40' height except for Mixed Use which allows up to 60'. The previous project to the east was approved with a height of 56'-5". That new building set at 56'-5" is of similar use and configuration to the one proposed in this development. This new development sets a lower overall height at 49'-6".

The following outlines some of the measurable ways that the above modifications are offset per the criteria established in Section 220.2.:

Landscaping

Additional site trees and a side yard landscape buffer are being provided above the required amount of street trees and landscaping.

Neighborhood Quality

As discussed above, the development addresses the "missing middle" setting up a transition from commercial to single-family residential. This will help maintain a density and cohesive transition from downtown to perimeter residential streets.

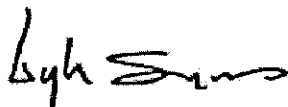
Utilities

Infrastructure is being reduced to service to one building in lieu of multiple buildings.

Traffic Circulation

Traffic is reduced to one site access point. Bicycle storage is provided within the building for its occupants and the surrounding street sidewalks are being increased to 6 feet in width to improve the pedestrian pathway.

Culminating the good work in the recently adopted downtown master plan, these adjustments to the current zoning code will continue the process of implementing that plan for successful development in downtown Kirkwood into the future. The community has embraced and praised our recently completed development on Madison to the east of this location and we feel there is room in the market to repeat that success. We are pleased to partner with the city in this way for the continuation of good growth. We ask for the city's approval and support of such efforts.



Tyler Stephens, AIA
Principal
CORE10 Architecture, Inc.

John Pennington
Savoy Properties

EXISTING CURVE

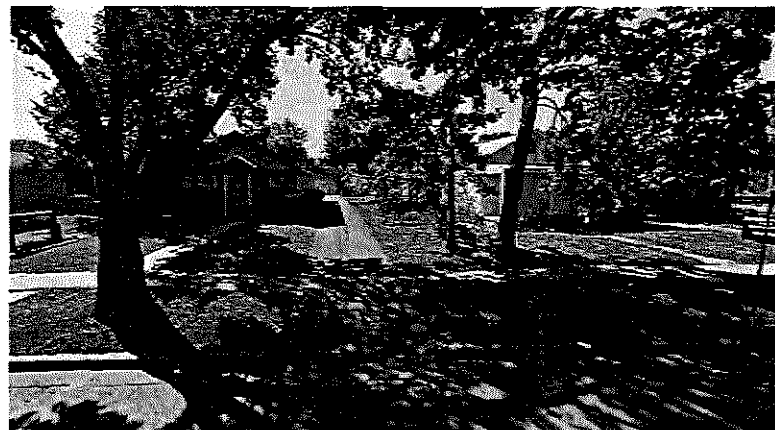
PROPOSED 5' WIDENING

NEW APPROACH

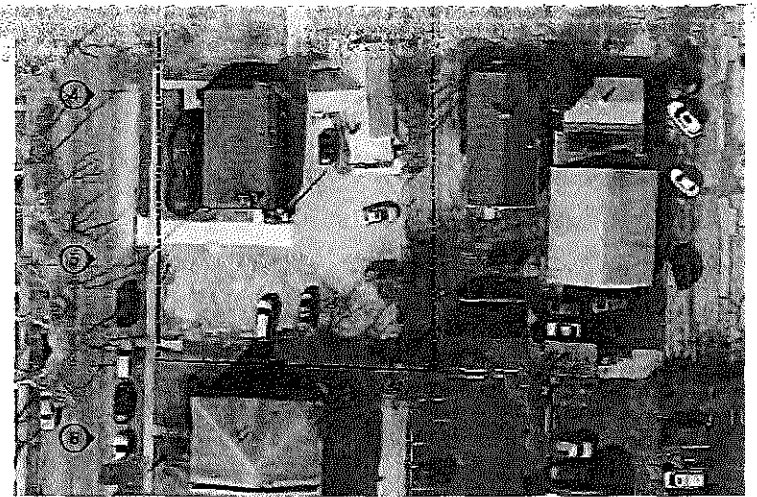
EXISTING DRIVE



PROPERTY (EAST)



2 PROPOSED SITE
A0.1 N.T.S.

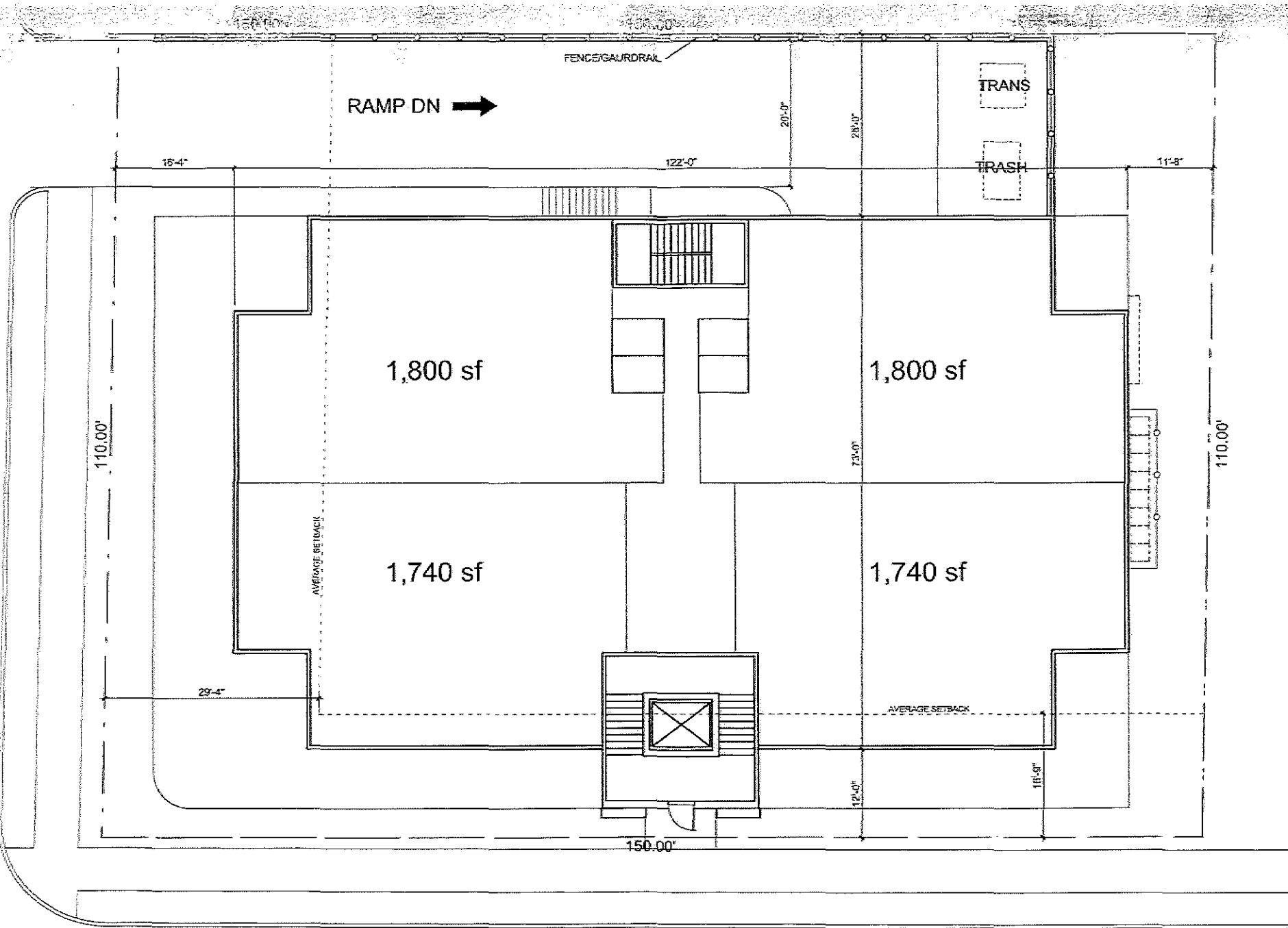


AERIAL SITE PLAN
N.T.S.

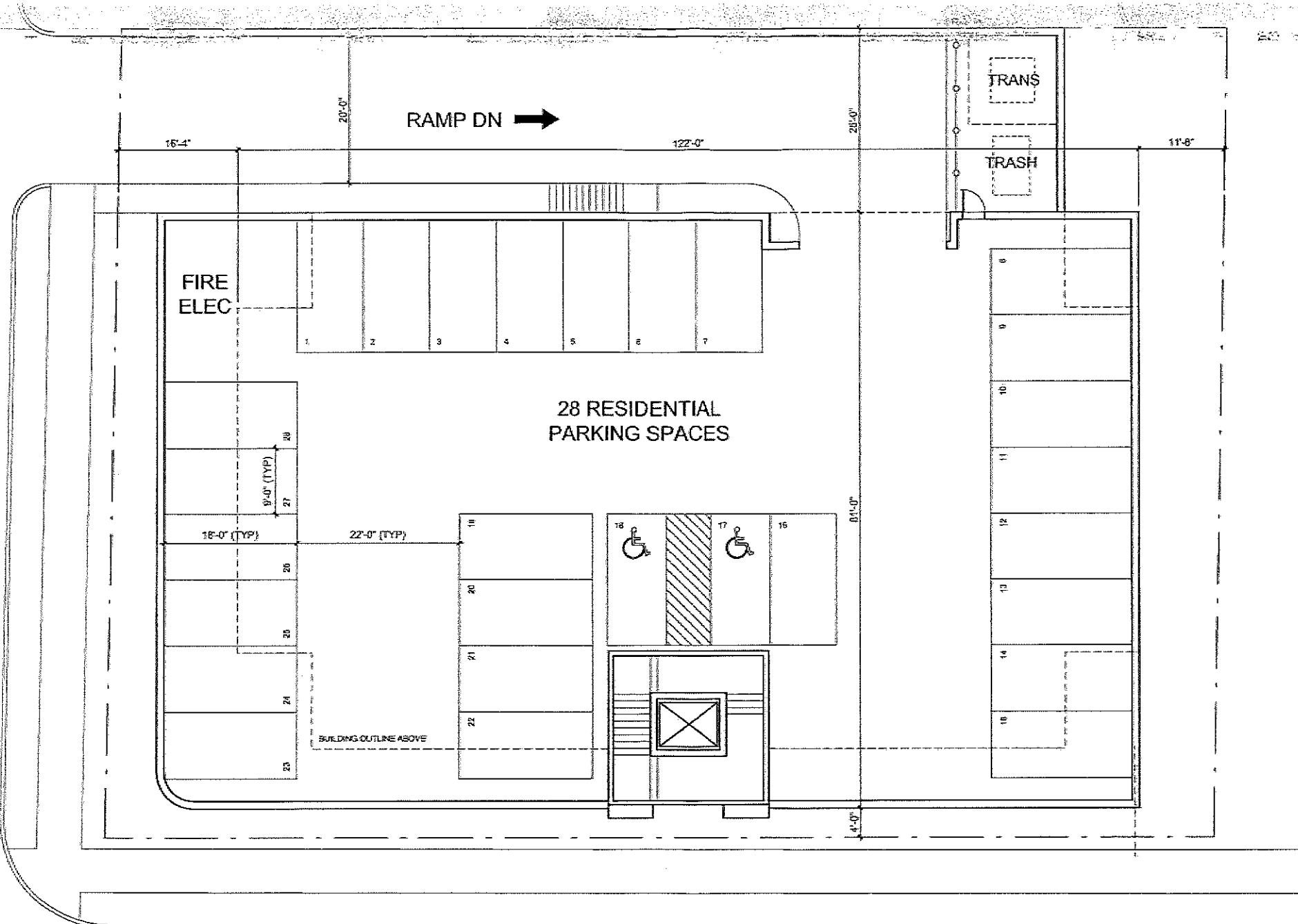


3 PROPOSED SITE
N.T.S.

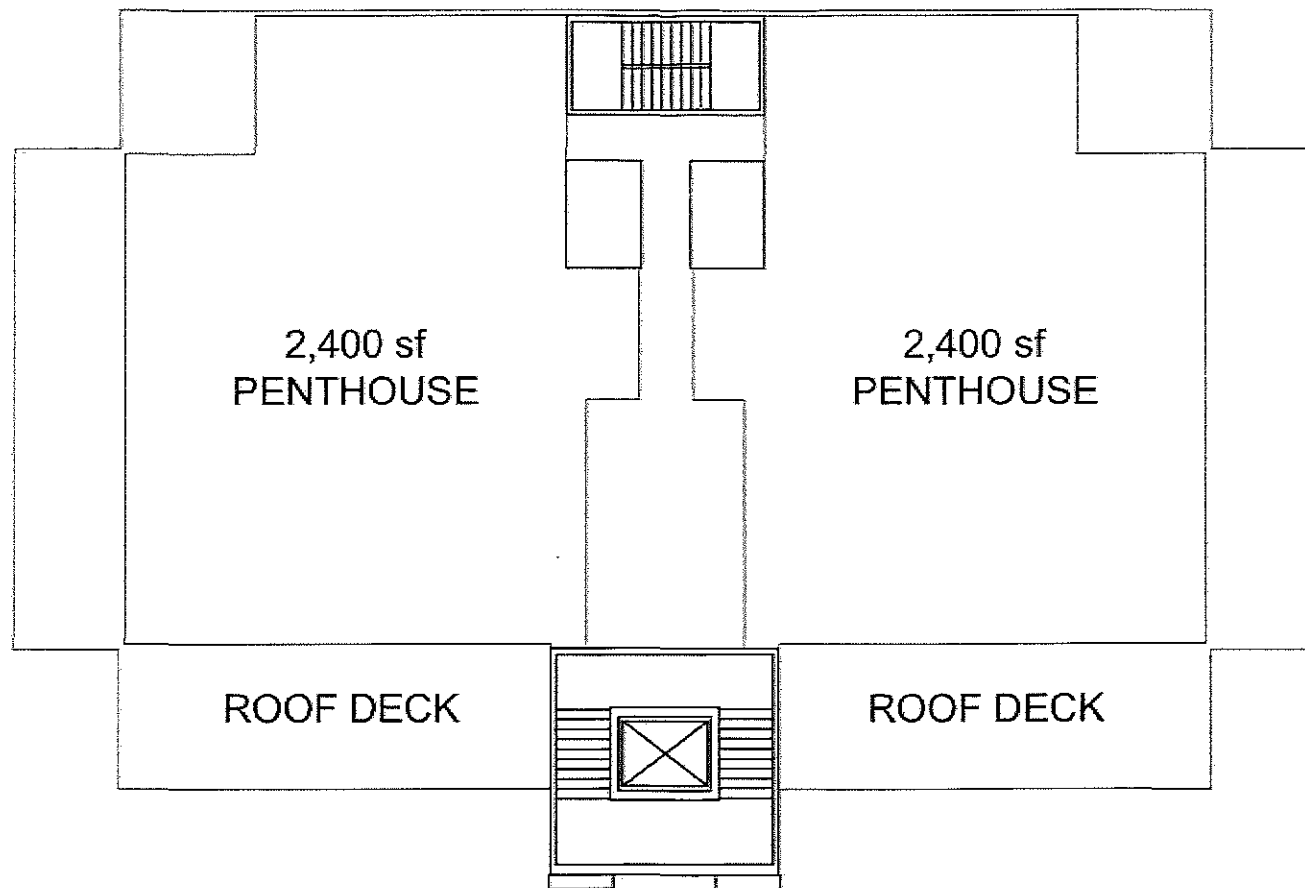


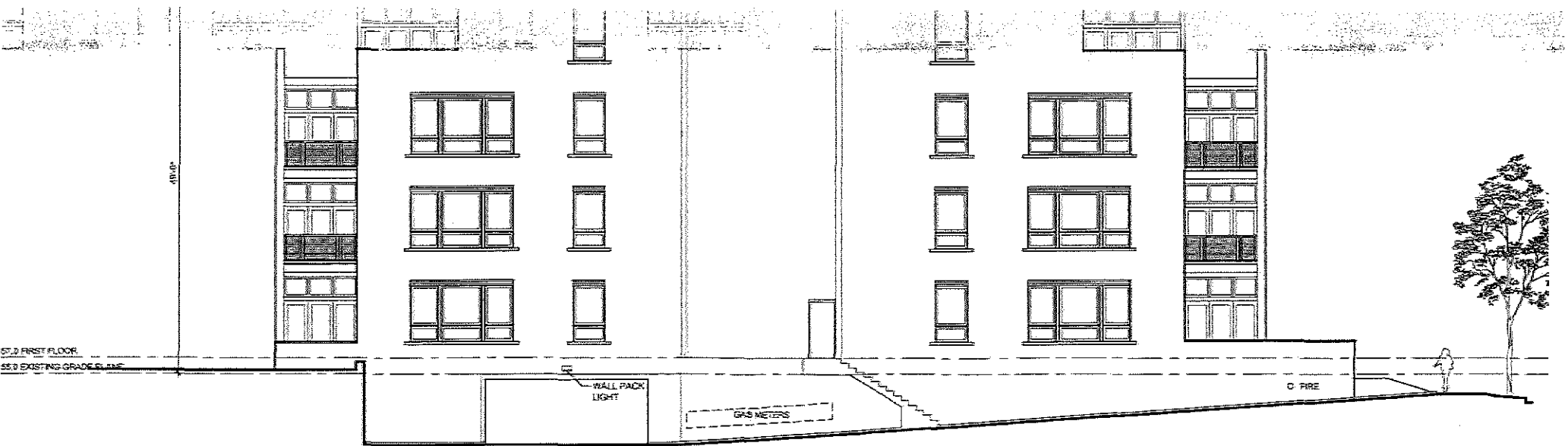


CLAY

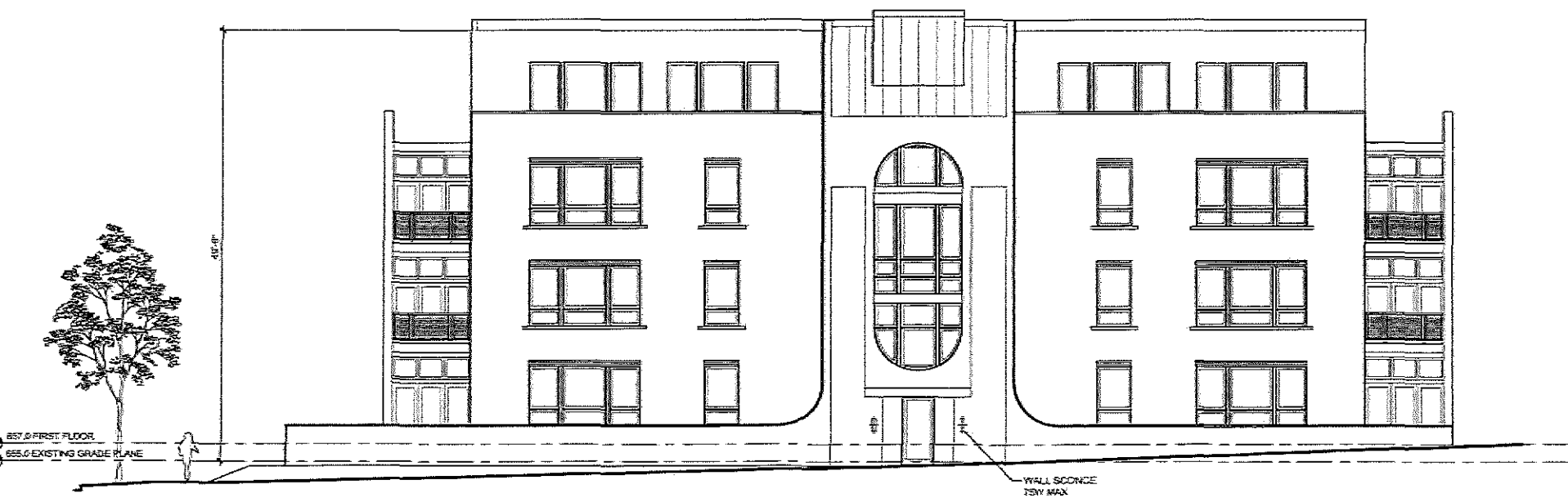


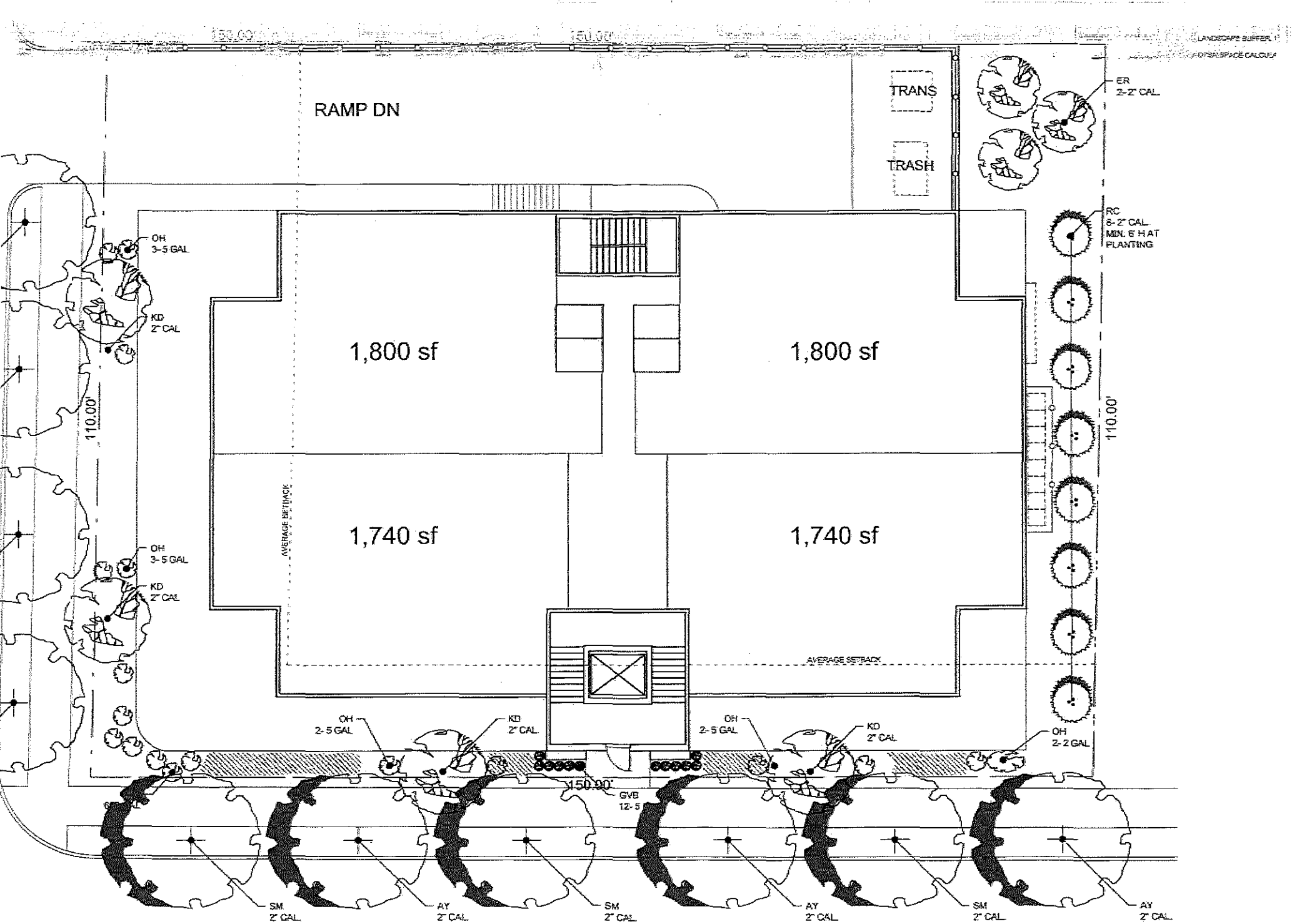
CLAY





2 EAST ELEVATION
A4.0 1/8" = 1'-0"





CLAY

LINE SPECS

BE MAINTAINED WHERE IT DOES NOT
OR THE PERMANENT PLAN OF OPERATION
BE MADE TO PROTECT EXISTING STRUCTURES
DUE TO EQUIPMENT USAGE. CONTRACTOR
MATERIALS AND WORK AGAINST INJURY TO

ALL BE RESPONSIBLE FOR ANY
RELATED WORK BEING PERFORMED BY
ARCHITECTURAL DRAWINGS FOR FURTHER
CARE.
UTILITIES AND UTILITIES MUST BE CONSIDERED
BE OTHERS NOT PRESENTLY KNOWN OR
SAFE CONTRACTOR'S RESPONSIBILITY TO
DENCE OF AND EXACT LOCATION OF THE ABOVE.

ED IN THE SAME RELATIONSHIP TO GRADE AS
IONS. ALL PLANTINGS SHALL BE
AND GRACES SMOOTH IMMEDIATELY BEFORE
UNDERNOYER TO WITHIN 12" OF TRUNK OF
ON THE AREA.

TRACTOR'S RESPONSIBILITY TO
PROPOSED FEATURES SHOWN ON THE
EMENT OF WORK
FOUND WITH REGARD TO EXISTING
SECTION TO THE LANDSCAPE ARCHITECT

PROPOSED PLANT MATERIAL AND OBTAIN
REPRESENTATIVE OR LANDSCAPE
ATION.

TAKE PRECEDENCE OVER THE MATERIAL LIST.
TRACTOR'S RESPONSIBILITY TO VERIFY ALL
OR TO IMPLEMENTATION OF THIS PLAN, NO
OF PLANT MATERIALS WILL BE ACCEPTED
INTO THE LANDSCAPE ARCHITECT.

ALL DESIGNATED AERATION ZONES SHALL BE PROTECTED WITH TEMPORARY
FENCING UNTIL FINAL GRADING HAS OCCURRED.
REMOVAL OF TREES, SHRUBS OR UNDERGROWTH FROM PROTECTED AREAS
SHALL BE PERFORMED ONLY WHEN NECESSARY AND WITH HAND TOOLS ONLY.
ATTACHMENT OF ANY CONSTRUCTION SIGNS, FENCING, ETC. TO ANY TREE TO
BE SAVED IS STRICTLY PROHIBITED.

UPON CONSTRUCTION COMPLETION, ALL TEMPORARY BARRIERS, FENCING,
DEBRIS, ETC. SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR AND
DISPOSED OF IN A LEGAL MANNER.
ALL REQUIRED FENCING SHALL BE INSTALLED ALONG THE CLEARING
DISTURBANCE LIMITS OF THE SITE.
PROTECTIVE FENCING SHALL BE INSTALLED ALONG THE EDGES OF ALL
CRITICAL ROOT ZONES OF SAVED AND IMPACTED TREES WITHIN THE
DISTURBANCE AREAS.

IS LISTED, THE OWNER HAS THE OPTION TO
S CONTRACT PRIOR TO SIGNING THE CONTRACT
E A UNIT PRICE CONTRACT.
PLANTED SHALL BE TRANSPORTED
BY VAN STANDARDS, TRANSPORTED
BY THE LANDSCAPE CONTRACTOR.

ALL SUBMIT CERTIFICATES OF INSURANCE FOR
GENERAL LIABILITY.

WOOD BARK MULCH AT 2" DEPTH (AFTER
NOTED). MULCH SHALL BE CLEAN AND FREE
FROM WEEDS, MOLD, OR PESTS.

FABRIC SHALL BE PLACED BENEATH
FABRIC SHALL BE USED BENEATH ALL
EDGE UNLESS OTHERWISE NOTED.

REMOVE A SEPARATE PROPOSAL TO
ROUND COVER, PERMANENTS AND
LONG AFTER ACCEPTANCE.
ONLY COMPETENT AND TRAINED
SERVICES AND THAT SUCH SERVICES BE

AND/OR PLANTINGS SHALL BE
GENEDED ORGANIC TOPSOIL TO ONE
ING DETAILS. PHOTO-TILL TOPSOIL
GRADE SMOOTH.
JUSTED. MADE BY AN
ON OUTLIVING THE S. OF ORGANIC
TERIOUS MATERIAL, PH AND

BE FREE OF ROOTS, STUMPS,
THANK TO LITTER OR ANY OTHER

PRE-EMERGENT HERBICIDE TO
TION OF PLANTING OPERATIONS.
EDED BARK MULCH.

SOUND, NEW HARDWOOD, FREE
MUL DESIGNED TO PREVENT
ENGL. ADDITIONALLY, ONLY 3 INCH

SCODED WITH A HIGH QUALITY
UNCONDITIONALLY GUARANTEED FOR
IN DATE OF FINAL ACCEPTANCE.
450 FT PER ANK 50 SQUARE FEET

THICKNESS OF 3/4". NO BROKEN
IN PIECES WILL BE ACCEPTED
UN OF 24 HOURS AFTER

S DAMAGED BY CONTRACTOR'S
MATERIAL STORAGE AND

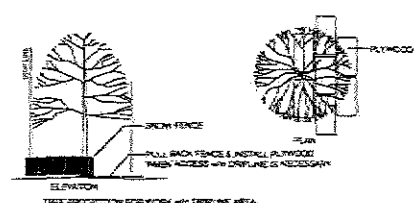
ROUND COVER, PERMANENTS 3 AND
OF A PERIOD OF 12 MONTHS AFTER
ALLED PRICE
DEFECTIVE SHALL BE REMOVED AND
REATION OR IN GROWTH SEASON.
PLANT.

OR SHRUBS SHALL BE REQUIRED AT
1, UNLESS LOSS IS DUE TO FAILURE TO
BE IN EFFECT ONCE THE LAWN HAS
ESTABLISHED PERIOD SHALL
TANCE AND 100% COMPLETION.

TREE PROTECTION PLAN NOTES:

1. PRE-CONSTRUCTION MEETING SHALL BE HELD ON-SITE TO EXPLAIN PROTECTION MEASURES TO OPERATORS, CONSTRUCTION SUPERVISORS, THE CONTRACTOR'S REPRESENTATIVES AND THE CITY REPRESENTATIVE.
2. THE CONTRACTOR SHALL STAKE CLEARING LIMITS IN ORDER TO FACILITATE ALL LOCATIONS FOR TRECHING AND FENCE INSTALLATIONS FOR TREE PROTECTION.
3. NO CLEARING OR GRADING SHALL OCCUR IN AREAS WHERE TREE PRESERVATION MEASURES HAVE NOT BEEN COMPLETED.
4. THE SEQUENCE OF TREE PRESERVATION MEASURES SHALL BE AS FOLLOWS:
 - 4.1. ROOT PRUNING / TRECHING
 - 4.2. TREE PROTECTION FENCING
 - 4.3. TREE PRUNING AND CHEMICAL TREATMENTS
 - 4.4. AERATION SYSTEMS INSTALLED
5. THE PRECEDING MEASURES SHALL BE DIRECTED IN THE FIELD BY THE CONSTRUCTION SUPERVISOR.
6. TREE PROTECTION FENCING SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR FOR THE DURATION OF CONSTRUCTION AND APPROVED BY THE CITY INSPECTOR. NO ALTERATION SHALL OCCUR WITHOUT PRIOR APPROVAL OF THE CITY INSPECTOR.
7. ACCESS TO FENCED PRESERVATION AREAS BY CONSTRUCTION EQUIPMENT, MATERIALS OR PERSONNEL THAT MAY CAUSE HARM TO PROTECTED TREES WILL NOT BE ALLOWED. ONLY LIMITED ACCESS, IF NECESSARY, SHALL BE PERMITTED WITH THE PRIOR APPROVAL OF THE CITY INSPECTOR.
8. ALL DESIGNATED AERATION ZONES SHALL BE PROTECTED WITH TEMPORARY FENCING UNTIL FINAL GRADING HAS OCCURRED.
9. REMOVAL OF TREES, SHRUBS OR UNDERGROWTH FROM PROTECTED AREAS SHALL BE PERFORMED ONLY WHEN NECESSARY AND WITH HAND TOOLS ONLY.
10. ATTACHMENT OF ANY CONSTRUCTION SIGNS, FENCING, ETC. TO ANY TREE TO BE SAVED IS STRICTLY PROHIBITED.
11. UPON CONSTRUCTION COMPLETION, ALL TEMPORARY BARRIERS, FENCING, DEBRIS, ETC. SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR AND DISPOSED OF IN A LEGAL MANNER.
12. ALL REQUIRED FENCING SHALL BE INSTALLED ALONG THE CLEARING DISTURBANCE LIMITS OF THE SITE.
13. PROTECTIVE FENCING SHALL BE INSTALLED ALONG THE EDGES OF ALL CRITICAL ROOT ZONES OF SAVED AND IMPACTED TREES WITHIN THE DISTURBANCE AREAS.

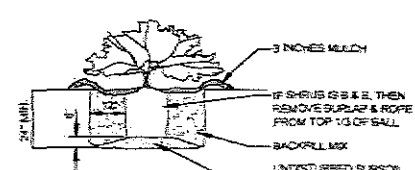
PLANT SCHEDULE			
TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
AY	5	American Yellowwood / Cladrastis kentuckia	2" Cal.
SH	5	Shrubby Maple / Acer x fraxinoides	2" Cal.
RD	4	Kousa Dogwood / Cornus kousa	2" Cal.
BR	3	Baldern Redwood / Cedrus deodora	2" Cal.
TOTAL	17		
EVERGREEN TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
PC	3	Red Cedar / Juniperus horizontalis 'Taylor'	1" Cal.
SHRUBS	QTY	COMMON NAME / BOTANICAL NAME	SIZE
YV	8	Green Velvet Snowman / Buxus 'Buxus Velvet'	5 gal.
FLOWERING PLANT	QTY	COMMON NAME / BOTANICAL NAME	SIZE
OH	18	Orange Hydrangea / Hydrangea Quercifolia	2 Gal.
GROUND COVERS	QTY	COMMON NAME / BOTANICAL NAME	SIZE
	1500 sq ft	Liriodendron	2.5" / 12" sq



TREE PROTECTION DETAILS

N.T.S.

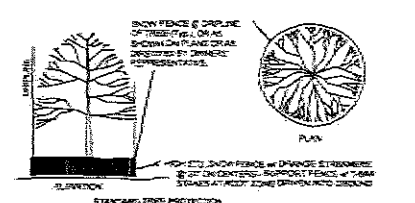
NOTE: PROTECT ALL EXISTING TREES TO REMAIN, AS SHOWN IN DETAIL ABOVE, BELOW DRAINAGE SHOWN APPROXIMATELY ON PLANTING PLAN.



NOTE: USE SHREDDED HARDWOOD BARK MULCH OR COMPOST ONLY

SHRUB PLANTING

N.T.S.



PERENNIAL PLANTING DETAIL

N.T.S.

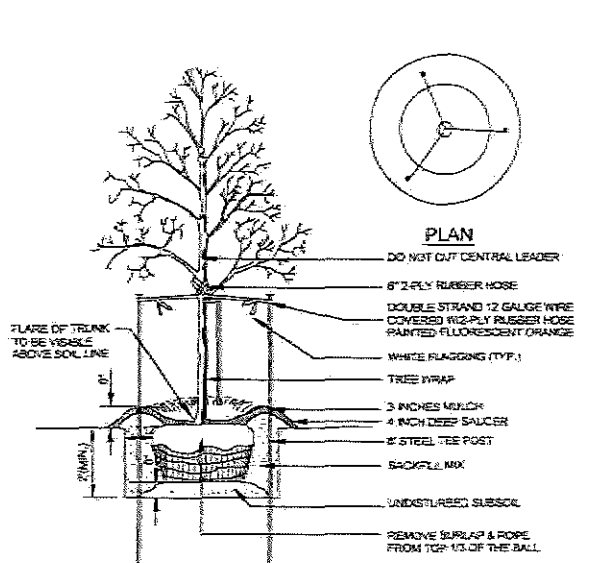
NOTE: PROTECT ALL EXISTING TREES TO REMAIN, AS SHOWN IN DETAIL ABOVE, BELOW DRAINAGE SHOWN APPROXIMATELY ON PLANTING PLAN.



NOTE: USE SHREDDED HARDWOOD BARK MULCH OR COMPOST ONLY

PERENNIAL PLANTING DETAIL

N.T.S.



NOTE: USE SHREDDED BARK MULCH ONLY

DECIDUOUS TREE PLANTING

N.T.S.

