



WHERE COMMUNITY AND SPIRIT MEET™

**City of Kirkwood  
City Council Work Session  
Thursday, April 4, 2019  
5:30 p.m.  
City Hall  
Main Level Conference Room  
139 S. Kirkwood Rd.  
Kirkwood, MO 63122**

*(The following topics are for planning purposes only and should be considered tentative and subject to change. Please confirm with the City Clerk on the work day prior to the meeting that the meeting will actually take place and that the nature of the agenda topics has not changed)*

**Current Topics**

**Thursday, April 4, 2019 – 5:30 p.m.**

- Motion to Close the Meeting pursuant to RSMo Chapter 610.021(1) (Legal) & (3) (Performance Reviews of City Clerk and Chief Administrative Officer) (5:30 p.m. to 6:25 p.m.)
- Motion to Open the Meeting
- Approval of March 21, 2019 Work Session Minutes
- Discussion of Tabled Bill 10645 (6:25 p.m. to 6:40 p.m.)
- Train Station Publication (6:40 p.m. to 6:50 p.m.)
- Adjournment

**Please note that the time for each of the topics are estimates. When a topic is completed the council will immediately move on to the next item on the agenda.**

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.



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## **WORK SESSION MINUTES**

A work session of the Kirkwood City Council was held on March 21, 2019 at 5:30 p.m. 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, Public Information Officer Beth von Behren, Public Services Director Bill Bensing, City Planner Jonathan Raiche and City Attorney John Hessel.

### **APPROVAL OF MARCH 14, 2019 MEETING MINUTES**

Motion was made by Council Member Zimmer and seconded by Council Member Edman to approve the March 14, 2019 minutes. The motion was unanimously approved.

### **DOWNTOWN RETAIL DISCUSSION**

City Planner Jonathan Raiche presented and reviewed his memo to update Council on commissioning an in-depth retail study for downtown. The Downtown Master Plan included a market analysis and one recommendation from that analysis was for the City to commission and in-depth retail study. As the scope of such a study was not explicitly defined in the Downtown Master Plan process, Staff has identified four items to include in any solicitation of bids for this project that would be beneficial to include. They are as follows:

1. Evaluate the health of all commercial industry classifications within Downtown Kirkwood and identify opportunities within those same categories based upon regional and national trends.
2. Identify specific businesses, by name that would benefit Downtown Kirkwood that could be realistically supported by existing demand.
3. Evaluate the current status of low-traffic businesses/organizations, particularly health/human services in Downtown Kirkwood and provide a recommendation for what the proportion of those businesses should be, as well as recommendations for how to obtain and maintain recommended proportion of this business/organization type.
4. Conduct an evaluation of the Framework Plan's recommendation for areas that would have commercial required and whether the indicated areas provide too much, too little, or the right amount of commercial land.

Council member Ward joined the meeting.

Staff obtained a general cost estimate for budgeting purposes and was advised that a basic retail study would be \$18,000 and a higher-level of detail study would be \$35,000. The higher-level of detail would go as far as identifying specific businesses that would fit Downtown Kirkwood from a market perspective. Staff also approached the Industrial Development Authority (IDA) with this information and received approval to use \$35,000 in IDA funds to commission the study. Staff is now seeking permission from the Council to draft and distribute an RFP for this study. A discussion took place and some of the issues discussed are as follows:

- Council would like clarification on the distinction or difference between what would be considered retail and commercial.
- Are there ways to limit chain or franchise business presence as opposed to small independently owned businesses?
  - Staff is currently not aware of how that may be done, and would have to consult the city attorney on that issue.

It was the consensus of the Council to allow staff to proceed with drafting and circulating an RFP for a detailed retail study as recommended by the Downtown Master Plan.

### **MULTI-FAMILY TEXT AMENDMENT**

City Planner Jonathan Raiche presented and reviewed his memo regarding a zoning code text amendment under consideration by the Council to allow multi-family residential in the B-2 district without commercial component as a permitted use in the B-2 district. Many wide ranging questions arose from Council members regarding this text amendment so Staff prepared a memo and a brief PowerPoint presentation to aid in answering Council in a comprehensive way. The memo includes a comparison of the minimum site requirements in the R-5 and B-2 districts, the difference between allowing multi-family residential development in the B-2 district as a Permitted vs. Special Use, the potential for expanding the suggested/mandatory retail streets in the B-2 district in the Framework Plan, an analysis/comparison of building mass relative to adjacent private property and building mass relative to adjacent public realm (street enclosure ratio), and potential concepts for the public realm portion of developments for the future within the existing right of way in the B-2 district. The memo also includes the applicant's proposed language for the text amendment and additional, staff recommended, proposed language that will revise the first statement of the Purpose section of the B-2 district if the Council chooses to pursue approval of the applicant's proposed amendment. The proposed language is as follows:

Proposed zoning code text amendment for the B-2 District:

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

Staff recommended proposed language for Purpose section of the B-2 district:

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.

A discussion took place and some of the issues discussed are as follows:

- Council must consider if this text amendment is desirable for Kirkwood.
- The text amendment allows for permitted multi-family developments that may not be appropriate everywhere in Kirkwood but would be desirable for downtown.
- Only substantive difference between a permitted use vs a special use is a legal one because a challenge to a denied special use permit would trigger a circuit court review whereas it is unknown if such a judicial review process would occur in the event of a challenge to a denied site plan.

The Mayor announced that the work session would be continued immediately following the formal council meeting as more council members had questions.

The meeting was continued. Council members resumed discussion.

- A question was raised regarding how long it would take for the City to receive the results of the retail analysis.
  - It would take about 3 months from contract signing, and about 6 months from present day.
- A question was raised regarding what part of the City approval process for site development is there opportunity to influence architectural aspects of a site to prevent monolithic building types and increased greenspace.
  - There is opportunity to provide input on a development during site plan review but those issues are more related to what the design elements of the streetscape and right of way should look like.
- Part of the goals of the Downtown Master Plan were to make changes/ updates to

what the City would like the streetscape to look like downtown but Staff hasn't yet added that to their plate.

- Plans for streetscape design were not included in the budgeting for the upcoming 2019-2020 fiscal year.

Staff will proceed with drafting a substitute bill to include staff recommended, proposed language that will revise the first statement of the Purpose section of the B-2 district.

There being no further matters to come before the council, the meeting was adjourned.

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Laurie Asche, CMC/MRCC  
City Clerk

BILL 10645

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, REGARDING SIDE YARD SETBACKS IN THE R-3 SINGLE FAMILY RESIDENTIAL DISTRICT.

WHEREAS, the City identified the need to evaluate an amendment regarding the side yard setback requirement for lots zoned R-3, Single Family Residential District, based on the number of variance applications received regarding said matter; and

WHEREAS, on the 31<sup>st</sup> day of January, 2018, the Planning and Zoning Commission assigned a subcommittee (PZ-25-18); and

WHEREAS, on the 7<sup>th</sup> day of March, 2018, the Planning and Zoning Commission discussed and recommended approval of an amendment to the Zoning Code for the required side yard setback in the R-3, Single Family Residential District; and

WHEREAS, on the 3<sup>rd</sup> day of May, 2018, 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 deleting Section A-420.7 (3) (c.) in its entirety and inserting the following:

- c. When a lot of record having a width less than one-hundred (100) feet is to be used for a single-family dwelling, the side yard requirement on each side of the building shall be twelve (12) percent of the width of the lot, but shall not be less than 8 feet.

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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor, City of Kirkwood

ATTEST:

\_\_\_\_\_  
City Clerk  
Public Hearing: May 3, 2017  
1<sup>ST</sup> Reading:  
2<sup>nd</sup> Reading: