



WHERE COMMUNITY AND SPIRIT MEET*

**Kirkwood City Council
Kirkwood City Hall
City Council Chambers
Thursday, December 19, 2019, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, December 19, 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 Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, City Clerk Laurie Asche, Deputy City Clerk Freddy Doss, and City Attorney John Hessel.

BILL 10807

Mayor Griffin announced that the petitioner for Bill 10807, proposal from CBD Kratom for a Special Use Permit, has withdrawn their application. The agenda was revised and Bill 10807 was removed.

INTRODUCTIONS AND RECOGNITIONS

NONE

PRESENTATIONS

NONE

PUBLIC HEARINGS

Public Hearing #1

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request to rezone 11204-11224 Big Bend Boulevard from R-3 to R-5. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on November 26, 2019, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on November 29, 2019, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; the report of the Planning and Zoning Commission dated November 21, 2019, as Exhibit 5; the report of the Planning and Zoning Commission Sub-Committee dated November 6, 2019, as Exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7. Mr. Hessel stated for the record that all exhibits and comments made during this public hearing will be carried over to the next public hearing.

City Planner Jonathan Raiche and applicant's representatives Brad Goss and Rusty Saunders presented information pertaining to the request:

- The applicant is requesting to rezone the subject property from R-3, Single-Family Residential, to R-5, Multi-Family Residential to accommodate a 24-unit townhome development located on the same site.



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- The applicant is requesting a Site Plan approval for a 24-unit row-dwelling development at 11204-11224 Big Bend Boulevard.
- The existing properties are five lots with one single-family residence located on each lot.
- Four of the five existing lots are legal non-conforming lots in the R-3 District due to their existing lot area.
- The proposed development includes 7 separate multi-unit buildings ranging from 2 to 4 units per building with a total of 24 units.
- The units are oriented so that the rear of all of the structures faces interior to the site with access provided onto an internal driveway that provides access to the units and to parking.
- The proposal includes one vehicular access point to Big Bend Boulevard which is located near the northwestern corner of the site and a centralized pedestrian connection to the public sidewalk along Big Bend Boulevard.
- The subject properties are currently zoned R-3, Single-Family Residential, but are requested to be rezoned to R-5, Multi-Family Residential.
- The proposed buildings are 2-story units with a maximum proposed heights of 35' which meets the requirement in the R-5 District.
- An access management study was conducted for this site by a previous developer in December 2018. Due to the recent nature of this study and the fact that the current applications has a similarly located access point with a decrease in unit density by 50% compared to the previous project, the City has not required additional studies.
- A tree study and tree preservation plan were provided and indicated that the trees along the eastern and western property line could be preserved.
- The tree study also made recommendations for the preservation of the 34" DBH post oak located near the center of Big Bend Boulevard frontage. The applicant's landscape architect provided a landscape plan which indicated preservation of the large post oak as well as trees along the western, southern, and eastern property lines.
- The applicant has indicated that the tree study will be revised to include specific recommendations on preservation measures that will be required to provide proper protection for these trees from the limited proposed development.
- The proposal meets and exceeds the minimum planting requirements for trees located on Big Bend, along all other property lines, and near the proposed surface parking areas.
- The applicant has proposed an additional 26 trees, many low-lying plantings, caliper and heights of trees that exceed the City's minimum requirement.
- The existing and proposed site conditions are such that storm water will flow from southwest to northeast across the site toward Big Bend and the adjacent gas station.
- The proposed plan includes multiple water quality basins along the Big Bend Boulevard frontage. MSD approval of the proposed plan is required.



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- A lighting plan was received which indicates 8 pole-mounted fixtures and 19 wall-mounted fixtures designed to meet the requirements of the Zoning Code.
- The proposed Site Plan requires 4 modifications and/or variances from the current Zoning Code.
- The applicant is proposing a sight-proof and sound mitigating fence/wall along the southern property line to be built with cementitious siding or material comparable to simtek fencing.
- The applicant is proposing a covered bicycle parking shelter near the center of the site to provide additional protection to the required bicycle racks.
- The Planning & Zoning Commission recommended approval of the proposal with the following conditions:
 - The following modifications shall be approved:
 - a. Front yard setback from approximately 110' to 30'
 - b. Western side yard setback from 17.5' to 15'
 - c. Southern rear yard setback from 30' to 14'
 - d. Various internal setbacks between buildings as indicated on the site plans
 - Site access shall be limited to one entrance as indicated on the proposed site plans and subject to St. Louis County Department of Transportation approval. Said approval must be provided to the City prior to issuance of permits.
 - All existing driveway entrances shall be removed and restored.
 - Prior to issuance of permits, a revised site plan must be submitted which includes labels for the width of internal drives and labels indicating these drives as private drives.
 - Prior to issuance of permits, adequate Fire Department access must be approved by the Fire Department.
 - Signage and/or striping for prohibited parking along the proposed interior drives shall be requires at the direction of the Fire Marshal.
 - A minimum 6' tall sight-proof fence shall be installed along the railroad right-of-way and shall be built with either cementitious finish or a material comparable to simtek composite material.
 - A revised tree study/preservation plan that addresses the conflicts between the current preservation plan and the site plan was submitted, which includes additional landscape buffer along the western property line and evergreen buffers along the railroad.
 - All proposed public sidewalks shall be constructed so that they terminate in a manner compliant with ADA/PROWAG. Sidewalks within St. Louis County right-of-way shall be ADA compliant and approved by St. Louis County.
 - A consolidation plat shall be required with easements as required by the City prior to issuance of permits.
- There will be 44 garage parking spaces and 16 surface parking spaces.
- Stormwater quality basins will be landscaped.



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- The units will be owner occupied.

Comments from Public:

1. John Burns, 1881 Charmwood Court, spoke with concerns regarding left hand turns out of the property onto Big Bend and setting a precedent of R-5 along Big Bend.

The bill will be placed on the January 2, 2020 agenda for first reading consideration.

Public Hearing #2

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Site Plan approval to construct 24 row-house dwelling units known as the Townes at Geyer Grove at 11204-11224 Big Bend Road. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on November 26, 2019, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on November 29, 2019, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; the report of the Planning and Zoning Commission dated November 21, 2019, as Exhibit 5; the report of the Planning and Zoning Commission Sub-Committee dated November 6, 2019, as Exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7. Mr. Hessel reported for the record that the exhibits and comments made in the first public hearing have been made a part of this public hearing.

The resolution will be placed on the January 16, 2020 agenda for consideration.

PUBLIC COMMENTS

1. David Anderson, 521 Taylor Young Drive, spoke with concerns to the proposed electronic sign at City Hall.

CONSENT AGENDA

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

- a) Approval of the December 5, 2019 City Council Meeting Minutes
- b) Resolution 158-2019, authorizing a contract with Minnesota Life for AD&D, Basic Life, and Voluntary Life insurance and authorizing and directing the Mayor to enter into a three-year contract
- c) Resolution 159-2019, authorizing a contract with Standard for Long-Term Disability insurance and authorizing and directing the Mayor to enter into a three-year contract



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- d) Resolution 161-2019, renewing the contract between the City of Kirkwood and Ameritas Group for vision insurance for City employees for the period of April 1, 2020 through March 31, 2021
- e) Resolution 162-2019, renewing the contract between the City of Kirkwood and Delta Dental Insurance for dental insurance for City employees for the period of April 1, 2020 through March 31, 2021
- f) Resolution 163-2019, accepting the proposal of Anthem Blue Cross Blue Shield on a self-insured basis for the City’s Health Insurance for the period of April 1, 2020 through March 31, 2021
- g) Resolution 164-2019, accepting the proposal of Westport Pools for Kirkwood Aquatic Center Skimmer Replacement for the Kiddie and Leisure Pool and authorizing and directing the Mayor to enter into a contract (not to exceed of \$27,241)
- h) Resolution 166-2019, accepting the proposal of CMT Consulting Engineers for Professional Design Period Services for Water Main Replacement at Big Bend Road and North Kirkwood Road and authorizing and directing the Mayor to enter into a contract (not to exceed amount of \$66,380)
- i) Resolution 168-2019, accepting the proposal of Bax Engineering for Professional Design Period Services for Water Main Replacement at Orchard Lane and Orchard Way and authorizing and directing the Mayor to enter into a contract (not to exceed amount of \$74,768)

UNFINISHED BUSINESS

Bill 10804, amending the Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-391 “Stop Intersections” by adding a stop sign on East Monroe for traffic going eastbound on Scott Avenue, 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 10643.

Bill 10805, amending the Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-396, Schedule F: “Speed Limit Designations”, subsection (f) to reduce the speed limit to 20 MPH on school days, 7:00 a.m. to 6:00 p.m., on Idlewild Place, the 200



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block of West Woodbine, and on the 500 block of South Clay between West Woodbine and Idlewild Place, 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 10644.

Bill 10806, amending the Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-396, Schedule F: “Speed Limit Designations”, subsection (c) by removing Woodbine Avenue from Kirkwood Road to Craig Drive in order to reduce the speed limit to 25 MPH on West Woodbine, 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 10645.

NEW BUSINESS

Bill 10808, approving the Final Subdivision Plat of a three-lot subdivision known as Conley Estates, a tract of land being the western portion of Lot 21 of East Kirkwood as recorded in Plat Book 5 Page 32 and being in part of the southwest quarter of Section 6, Township 44 North, Range 6 East, in the City of Kirkwood, St. Louis County, Missouri, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Zimmer to accept the bill for first reading approval.

The bill received first reading approval and was held over.



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Resolution 160-2019, approving the Preliminary Subdivision Plat of a three-lot subdivision known as Conley Estates, a tract of land being the western portion of Lot 21 of East Kirkwood as recorded in Plat Book 5 Page 32 and being in part of the southwest quarter of Section 6, Township 44 North, Range 6 East, in the City of Kirkwood, St. Louis County, Missouri, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Edman 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”

Resolution 165-2019, accepting the proposal of EFK Moen in the amount not to exceed of \$119,998 (which includes a contingency of \$10,000) for Construction Engineering for STP 5502 (608) – Geyer Road Resurfacing and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Edman 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”

Resolution 167-2019, amending the contract with Intelligent Lighting Creations by increasing the contract amount by \$50,345 for a not to exceed amount of \$298,895 for Theatrical Lighting Instruments for the Kirkwood Performing Arts Center Studio Theater, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Edman to accept the Resolution as read.



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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”

CONSENT AGENDA ITEMS FOR DISCUSSION
NONE

CITY COUNCIL REPORTS

Mayor Griffin acknowledged Public Information Officer Beth von Behren on her retirement on January 3, 2020 from the City of Kirkwood after 11 years.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported that Deputy City Clerk Freddy Doss has been named the new Public Information Officer, effective January 6, 2020.

CITY ATTORNEY REPORT

Mr. Hessel reported that the 8th Circuit Court of Appeals affirmed the District Court’s dismissal of the claims brought forth by Vianney. The opinion does leave one claim outstanding regarding REFA, in which Vianney could file a new claim in the State Court.

CITY CLERK REPORT

Ms. Asche had nothing to report.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:10 p.m. The next regular council meeting is scheduled for January 2, 2020 at 7:00 p.m.

Laurie Asche, CMC/MRCC
City Clerk

Approved: January 2, 2020