

## SPECIAL ANNOUNCEMENT REGARDING PLANNING AND ZONING COMMISSION MEETINGS

Under Section 610.015 of the Missouri Sunshine Law provides that members of the Planning and Zoning Commission who are not physically in the Council Chambers can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes.

The U.S., and the World, is in a state of emergency due to the Coronavirus--Covid-19. The Missouri Governor and the County Executive directed all citizens to limit meetings and gatherings to a few people to avoid the spread of the Coronavirus. Therefore, members of the Planning and Zoning Commission have elected to participate in this meeting electronically so that we are compliant with such Orders and for the public health and safety of each other and the general public.

To follow along with the Planning and Zoning Commission meeting, please see the instructions below. To make a comment during the public comment portion of the meeting, you will need to access via the Zoom application and click the hand icon to "raise your hand". Raised hands will be called on in the order received. Please note, if dialing in from a phone, you will "raise your hand" by dialing \*9.

You are invited to a Zoom webinar.

When: Oct 7, 2020 7:00 PM Central Time (US and Canada)

Topic: Planning & Zoning Commission

Please click the link below to join the webinar:

https://zoom.us/j/93098952643?pwd=eFNwdFFrS1V6cmFTNTd2V0M0U1VNZz09

Passcode: 793987

Or iPhone one-tap:

US: +16468769923,,93098952643#,,,,,0#,,793987# or

+13017158592,,93098952643#,,,,,0#,,793987#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 or +1 346 248 7799 or +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 930 9895 2643

Passcode: 793987

International numbers available: <a href="https://zoom.us/u/akjeh7FV6">https://zoom.us/u/akjeh7FV6</a>

A digital copy of the packet for this meeting may be accessed by clicking on the event for this meeting on the City's website calendar at the following link: <a href="https://www.kirkwoodmo.org/services/events-calendar">https://www.kirkwoodmo.org/services/events-calendar</a>.

#### Planning & Zoning Commission Agenda Wednesday, October 7, 2020, 7:00 p.m. Via Zoom Virtual Meeting Posted September 30, 2020

- ROLL CALL
- II. APPROVAL OF THE MINUTES OF THE SEPTEMBER 16, 2020, MEETING
- III. UNFINISHED BUSINESS
  - PZ-3-21 SPECIAL USE PERMIT (RESTAURANT WITH OUTDOOR SEATING)
     AND SITE PLAN REVIEW TELEO COFFEE, 132 W MONROE

Submitted: 8-28-20 Automatic Recommendation: 12-26-20

Petitioner's Agent, Brian Ivy

Opportunity for Public Comment

(Subcommittee – Commissioners Evens and Eagleton)

- IV. NEW BUSINESS
  - 1. PZ-4-21 SPECIAL USE PERMIT (MOTOR VEHICLE ACCESSORY AND RELATED INSTALLATION) PLATINUM TINTING, 538D LEFFINGWELL AVENUE

Submitted: 9-11-20 Automatic Recommendation: 1-9-21

Petitioner's Agent, David Bridges

- V. COMMISSION/STAFF (INTERNAL) ITEMS
  - DEVELOPMENT PROJECT UPDATE
- VI. PLANNING AND ZONING SCHEDULE:
  - 1. OCTOBER 21, 2020 7:00 P.M. (VIA ZOOM)
  - NOVEMBER 4 AND 18, 2020 7:00 P.M. (VIA ZOOM)

Staff Liaison: Jonathan Raiche; Phone: (314) 984-5926; Email: RaicheJD@kirkwoodmo.org

**Kirkwood Planning and Zoning Commission:** Chairman Jim Adkins, Commissioners Allen Klippel, Jim O'Donnell, James Diel, David Eagleton, Ron Evens, Tom Feiner, Sandy Washington, and Mary Lee Salzer-Lutz.

Accommodation: 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.

#### RECOMMENDATIONS SUBMITTED TO COUNCIL

ZONING, SUBDIVISION, SIGN CODE RE-WRITE

January 29: P&Z recommended approval.

February 6: City Council scheduled public hearing for February 27,2020 at 6 p.m.

February 27: Public hearing held.

2. PZ-15-20 MIXED USE/SITE PLAN REVIEW IN B-2-KIRKWOOD FLATS, 426 N KIRKWOOD

July 14: P&Z recommended denial. Awaiting public hearing at the City Council.

August 14: City Council scheduled public hearing for October 22 at 6 p.m.

August 14: City Council scheduled public hearing for October 22 at 6 p.m.

3. PZ-27-20 ZONING CODE AMENDMENT, SITE PLAN REVIEW, AND SUBDIVISION

(2 LOTS) – COMMERCE BANK, 350 NORTH KIRKWOOD ROAD

August 5: P&Z recommended approval.

August 6: City Council scheduled public hearings for September 3.

September 3: Public hearings held.

September 17: Res. 103-2020 approving preliminary plat passed and Bill 10847 amending Code

regarding frontage occupation requirement & Bill 10849 approving final plat

passed first readings.

4. PZ-1-21 SPECIAL USE PERMIT (PHYSICAL FITNESS FACILITY)-RIVERNORTH STRENGTH, 10505 BIG BEND BOULEVARD, SUITES A & B

August 5:

P&Z recommended approval.

August 6:

City Council scheduled public hearing for September 3.

September 3: Public Hearing held.

September 17: Bill 10848 passed first reading.

 PZ-28-20 ZONING CODE AMENDMENT, SPECIAL USE PERMIT (ASSISTED LIVING), AND SITE PLAN REVIEW FOR MIXED-USE DEVELOPMENT IN B-2 ZONING DISTRICT 300 NORTH KIRKWOOD ROAD

September 2: P&Z recommended approval.

September 3: City Council scheduled public hearing for October 1, 2020.

 PZ-08-20 SPECIAL USE PERMIT AND SITE PLAN REVIEW EXTENSION – AUDI KIRKWOOD September 16: P&Z recommended approval.

PZ-2-21 SITE PLAN REVIEW – MULTI FAMILY, 134-138 WEST MADISON AVE

September 16: P&Z recommended approval.

September 17: City Council scheduled public hearing for October 15, 2020.

#### STATUS OF APPROVALS

 PZ-24-18 SPEC|AL USE PERMIT & SITE PLAN – BP, 10901 MANCHESTER Perf guar/fee, Water/Fire, and ARB prior to 4-5-21.

2. PZ-24-19 SPECIAL USE PERMIT, - NO LEASH NEEDED, 902 SOUTH KIRKWOOD

Perf guar/fee, Water/Fire, and permit.

PZ-08-20 SPECIAL USE PERMIT AND SITE PLAN REVIEW – AUDI KIRKWOOD
 Perf guar/fee, consolidation plat w/easements, MoDOT, MSD, ARB & permit by 9-19-20. Reminder letter sent 8-27-20. Requested one-year extension.

PZ-13-20 SITE PLAN – TOWNES AT GEYER GROVE, 11204-11224 BIG BEND
 ARB, StLCo Dept of Transportation, MDNR, & MSD approval; Fire/Water; and consolidation plat prior to 1-16-21.

 PZ-23-20 FINAL B4 PLAN – GENERAL RETAIL AND SPECIAL USE PERMIT (RESTAURANT WITH DRIVE-THRU), 10463 MANCHESTER ROAD

Perf. guarantee/fee, signal timing study, MSD, and Water/Fire prior to 4-16-21.

 PZ-24-20 FINAL B4 PLAN – FIRST COMMUNITY CREDIT UNION, 10357 MANCHESTER Perf guar/fee, ARB, MSD prior to 2-20-21



# CITY OF KIRKWOOD PLANNING AND ZONING COMMISSION Via Zoom Virtual Meeting September 16, 2020

PRESENT:

ABSENT:

Jim Adkins, Chairman
James Diel, Vice Chairman
David Eagleton, Secretary/Treasurer
Allen Klippel
Jim O'Donnell
Ron Evens
Tom Feiner
Mary Lee Salzer-Lutz
Sandy Washington

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, September 16, 2020, at 7:00 p.m. via Zoom Virtual Meeting. Planning and Development Services Director Jonathan Raiche, Planner II Amy Lowry, and Administrative Assistant Patti Dodel also attended the meeting.

Chairman Adkins called the meeting to order at 7:00.

Planning and Development Services Director Jonathan Raiche stated for the record that under Section 610.015 of the Missouri Sunshine Law provides that members of the Planning and Zoning Commission who are not physically in the City Hall can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes. So, let the minutes reflect that the U.S., and the World, is in a state of emergency due to the Coronavirus. The Missouri Governor and the County Executive directed all citizens to limit the number of attendees for meetings and gatherings to avoid the spread of the Coronavirus. Therefore, members of the Planning and Zoning Commission have elected to participate in this meeting electronically so that we are compliant with such Orders and for the public health and safety of each other and the general public. To make a comment during the public comment portions of the meeting, you will need to use the following methods. If you are accessing the meeting via the Zoom application/program, then you should click the hand icon on the bottom of your screen to "raise your hand". If you are accessing the meeting solely using a dial-in phone line, you will need to "raise your hand" by dialing \*9. All individuals with raised hands will be called upon and unmuted one at a time. Please begin your comment by providing your name and address for the record. Also, please note, the chat feature of the Zoom meeting will not be monitored by staff or the Commissioners.

Chairman Adkins informed the audience of the procedure for making comments regarding items on the agenda requiring Site Plan Review approval and announced that all nine Commissioners were present.

Motion was made by Commissioner Salzer-Lutz and seconded by Commissioner Feiner to approve the minutes for the September 2, 2020, meeting as written.

#### Roll Call:

"Yes"
"Yes"

The motion, which received majority approval of the Commission, was approved.

 PZ-08-20 SPECIAL USE PERMIT AND SITE PLAN REVIEW EXTENSION – AUDI KIRKWOOD, 10230 MANCHESTER ROAD

Submitted: 9-2-2020

Petitioner's Agent, Jeremy Whitt

Planning and Development Services Director Jonathan Raiche stated the petitioner has requested a 12-month extension to the period in which construction shall commence upon the Special Use Permit granted by Ordinance 10627 on September 19, 2019. Commissioners questioned if the proposed improvements would eliminate the need for transport trucks to unload vehicles on Manchester Road. Commissioner Diel commented that when the same petitioner applied for the off-site storage lot at 10461 Manchester Road (across the street), they stated that new vehicles would be delivered at that location and driven across the street to this lot. Mr. Whitt added that construction of the new storage lot was recently completed, and the new vehicles will be unloaded at that location and not on Manchester Road. Mr. Whitt added that Covid-19 has been a financial challenge. Commissioner Eagleton requested that Audi Kirkwood provide a letter stating that vehicles will be unloaded off-site. Mr. Raiche stated the SUP for the off-site location requires vehicles be unloaded off-site.

Commissioner Diel made a motion, which was seconded by Commissioner Feiner, to recommend approval of granting a one-year extension on the period in which construction shall commence under the Special Use Permit granted by Ordinance No. 10627 for Audi Kirkwood at 10230-10240 Manchester Road.

#### Roll Call:

Zuii.	
Chairman Adkins	"Yes"
Commissioner Klippel	"Yes"
Commissioner O'Donnell	
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"
Commissioner Feiner	"Yes"
Commissioner Washington	"Yes"

Commissioner Salzer-Lutz

"Yes"

The motion, which received majority approval of the Commission, was approved.

#### 4. PZ-2-21 SITE PLAN REVIEW-MULTI FAMILY, 134-138 WEST MADISON AVE

Submitted: 7-28-20 Automatic Recommendation: 11-25-20

Petitioner's Agent, Tyler Stephens

Opportunity for Public Comment

(Subcommittee - Commissioners Evens and Feiner)

Planning and Development Services Director Jonathan Raiche stated the Subcommittee met via ZOOM. A six-foot wide, exposed aggregate sidewalk will be installed along the subject property and will be extended off-site to the eastern property line of the adjacent public parking lot at 130 West Madison. If the owners at 120 West Madison agree, the applicant will extend the sidewalk across that property too. In addition, the petitioner will install a mid-block pedestrian crossing connecting the public parking lot at 130 West Madison with the Police Station on the north side of Madison Avenue. The first and second floors of the proposed multi-family building will contain four units each and the third and fourth floors will contain two units each. Three modifications to the Zoning Code are being requested:

	Required	Provided
Density	1,200 s.f.	1,128 s.f.
Floor Area Ratio	2.5	2.57
Maximum Building Height	40'	50'-10.5"

Commissioner Feiner asked if the petitioner addressed the comment in the original staff letter requiring a 22-foot wide overhead door in lieu of the 20-foot proposed. After discussion, it was decided by staff that a 20-foot wide overhead door is sufficient for a private garage entrance.

Tyler Stephens of CORE 10 Architecture and John Pennington who is a partner at Savoy Properties were present. Mr. Pennington stated that three of the last four units were sold in the past few weeks.

In accordance with Section 220.6 of the Zoning Code, Chairman Adkins asked if there was anyone in the audience who had comments concerning the site plan, and no one responded.

Commissioner Feiner read the underlined sections of the Subcommittee Report:

(Insert Report)

Commissioner Evens made a motion, which was seconded by Commissioner Diel, to recommend approval of the Site Plan for the multi-family development on the combined properties of 134 and 138 West Madison Avenue subject to the conditions contained in the Subcommittee Report.

#### Roll Call:

Yes"
Yes"

The motion, which received majority approval of the Commission, was approved.

## 5. PZ-3-21 SPECIAL USE PERMIT (RESTAURANT WITH OUTDOOR SEATING) AND SITE PLAN REVIEW – TELEO COFFEE, 132 W MONROE

Submitted: 8-28-20 Automatic Recommendation: 12-26-20

Petitioner's Agent, Brian Ivy Opportunity for Public Comment

Planner II Amy Lowry stated the petitioner is requesting a Special Use Permit for a restaurant with outdoor seating to operate a coffee shop at 132 West Monroe Avenue. Many years ago, the original home had been converted to an office. An exterior staircase provides access to the second floor. A new front deck is proposed. The first floor contains 1,050 square feet and the second floor contains 778 square feet. The Architectural Review Board will review the exterior of the building and signs. A maximum of 12 seats could be provided on the exterior as an accessory use. Outdoor speakers are proposed for music.

Commissioner Feiner inquired about the Special Use Permit granted for the petitioner at 142 West Monroe being "attached" to the real estate and not the applicant and expressed concern regarding two coffee shops adjacent to one another. Planning and Development Services Director Raiche commented that he would contact the City Attorney whether or not the property owner can release the existing SUP.

Brian Ivy stated they are pursuing a shared parking agreement with 142 West Monroe and 314 South Clay because they need six additional parking spaces. Mr. Raiche added the conversion of the existing building to restaurant use does not require additional parking, the additional parking is required for outdoor seating area of more than 12 seats.

In response to Commissioner Evens question about a location for unloading trucks, Mr. Ivy responded it would be behind the building adjacent to the ADA ramp. He added that the proposed hours of operation are 6 a.m. to 6 p.m.

In response to Mr. Adkins questions regarding food, alcohol, and music, Mr. Ivy responded food would consist of paninis and pre-packaged items and there would be limited food preparation with a microwave and panini press, no alcohol would be served, and "background" music would be played through speakers.

However, the applicant would not want to limit themselves to not having an option for potential live music outdoors.

Chairman Adkins appointed Commissioners Evens and Eagleton to the Subcommittee, and the Subcommittee scheduled a meeting to be held via Zoom on September 24 at 9 a.m.

6. Planning and Development Services Director Raiche stated the EZ Storage Lot (PZ-10-19) conversion is proceeding and the Credit Union has applied to the Architectural Review Board, Burn Boot Camp (PZ-20-20) is complete and an occupancy permit issued; a grading permit was issued on September 15 for Townes at Geyer Grove; the City Council is holding a public hearing on Kirkwood Flats/The James (PZ-15-20) on October 22 via Zoom, the City Council is holding public hearings for RiverNorth Strength (PZ-1-21) and Commerce Bank (PZ-27-20) on September 3 via Zoom; the site plan approval for the mixed-use development submitted by Opus at 426 North Kirkwood is on the October 1 Council agenda; additional traffic data is to be submitted for Villa Di Maria (PZ-30-20) and Starbucks (PZ-29-20); construction has started on the cell tower on Old Big Bend adjacent to BarX.

There being no further business, motion was made by Commissioner Diel and seconded by Commissioner Feiner to adjourn at 8:15 p.m. The next meeting will be held via Zoom on October 7, 2020, at 7 p.m.

Jim Adkins,	Chair	
David Eagle	on, Secretary/Treas	surer

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

# CITY OF KIRKWOOD PLANNING AND ZONING COMMISSION SUBCOMMITTEE REPORT OCTOBER 7, 2020

**PETITION NUMBER:** 

PZ-03-21

ACTION REQUESTED:

SPECIAL USE PERMIT (RESTAURANT, OUTDOOR SEATING) AND SITE

PLAN REVIEW

PROPERTY OWNER:

EMBRACE PROPERTIES, LLC (PURCHASER UNDER CONTRACT)

PETITIONER:

EMBRACE PROPERTIES, LLC

PROPERTY LOCATION:

132 WEST MONROE AVENUE

ZONING:

B-2 GENERAL BUSINESS DISTRICT (CENTRAL BUSINESS DISTRICT)

DRAWINGS SUBMITTED:

SITE, FLOOR AND ELEVATION PLANS (3 SHEETS) PREPARED BY BRIAN IVY, IDEA ARCHITECTS, STAMPED "RECEIVED AUGUST 28, 2020 CITY OF

KIRKWOOD PUBLIC SERVICES DEPARTMENT"

#### DESCRIPTION OF PROJECT:

The petitioner is requesting a Special Use Permit (SUP) with Outdoor Seating and a Site Plan approval for the existing building located at 132 W. Monroe Avenue. The building was originally a residence converted to commercial use. The space was most recently used as an office. The current request is for a restaurant use (coffee shop) with outdoor seats on a new deck with a trellis with fans, radiant heaters and outdoor speakers. New landscaping will be installed in front of the new deck and a new vinyl trash enclosure will be constructed at the rear of the building. The hours of operation are 6 a.m. to 8 p.m. every day. The number of employees will fluctuate, but is anticipated to range from 2 to 5 throughout the day.

#### COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as the Downtown category on the EnVision Kirkwood 2035 Future Land Use map. Development types discussed in this land use include regional and neighborhood commercial. The proposed development fits within this broad land-use category.

Surrounding land uses and zoning include the following:

To the north:

Across West Monroe Avenue are multi-family developments, and office and

commercial businesses zoned B-2 General Business District.

To the south:

Office and commercial businesses zoned B-2 General Business District.

To the east:

Office and commercial businesses zoned B-2 General Business District.

To the west:

The building to the immediate west is currently vacant and zoned B-2 General

Business District. Across South Clay Avenue are residences zoned R-4 Single-Family Residential and multi-family developments zoned R-5 Multiple-Family

Residential District.

#### DEPARTMENTAL/AGENCY COMMENTS:

Electric:

The petitioner has been advised to provide commercial load information.

Water:

No comments.

Engineering:

No comments.

Building/Fire:

The Building Commissioner and Fire Marshal reviewed the project for occupancy

and sprinkler requirements.

Forester:

There are no significant trees on site and the removal of the small tree and other vegetation close to the front northwest corner of the building is not a

concern.

All of the above Departmental Comments were addressed in discussion at the subcommittee meeting.

#### PARKING ANALYSIS:

The change in use of the building itself does not trigger a review of the parking. There are 11 parking spaces provided, one of which is ADA compliant. The expansion of the building to add a new deck with outdoor seating would require new parking spaces for any outdoor seating beyond the 12 seats allowed as an accessory use to the restaurant use. The applicant may be pursuing a reciprocal parking agreement for off-site parking and vehicle easements with surrounding properties, including 132 W. Monroe Avenue and 314 S. Clay Avenue. Restaurant parking requires that for each additional parking space, 100 square feet of gross floor area may be devoted to outdoor seating.

#### DISCUSSION:

A "Zoning Matters" sign was placed on the property on September 10, 2020 and this item was introduced at the Planning & Zoning Commission meeting on September 16, 2020. A subcommittee meeting was held via Zoom on September 24, 2020 with proper notification posted. A list of attendees at that meeting is attached as Exhibit B. At this subcommittee meeting, the following items were discussed:

- The applicant cannot pursue a formal parking agreement for additional off-site parking until
  after closing on the property. The applicant requests approval of 12 outdoor seats with outdoor
  speakers with a contingency that City staff may approve more outdoor seats if a parking
  agreement for off-site parking is found to be workable and is approved by City staff after review
  by the City Attorney.
- A bicycle rack will be added to the site. The Zoning Code requires one rack to accommodate two bicycles.
- Schnuck's recently requested outdoor seating with outdoor speakers; the subcommittee suggested similar language to that SUP be used.
- The applicant may add lighting wall packs to the building. If so, the applicant will need to
  provide a photometric plan for review and approval by City staff in accordance with the lighting
  regulations.
- A new trash enclosure will be constructed with closing gates; 2 evergreen trees must be planted on either side of the trash enclosure.

These items have been discussed throughout the report and outstanding items have been included in conditions in the Recommendation section of this report.

#### RECOMMENDATION:

The subcommittee recommends that this petition be <u>approved</u> with the following conditions:

- The project shall be constructed and maintained in accordance with the Site, Floor and Elevation Plans (3 sheets) prepared by Brian Ivy, Idea Architects, stamped "Received August 28, 2020 City of Kirkwood Public Services Department," except as noted herein.
- The petitioner shall provide one bicycle rack to accommodate two bicycles. The bicycle rack shall be located in a highly visible, active, and well-illuminated area, and meet all other regulations of Section A-1000.6.
- 3. Outdoor seating will be limited to 12 seats on the deck during the daily hours of operation, 6 a.m. to 8 p.m., unless applicant provides a written agreement to provide off-site parking in order to add outdoor seating beyond 12 seats. Such agreement shall be properly drawn and executed by the parties concerned, and approved as to form and execution by the City Attorney. Such parking agreement shall comply with the requirements of Section A-1000, including the provision that if the required accessory off-street parking facilities are provided elsewhere than on the lot on which the principal use served is located or when such spaces are collectively or jointly provided and used, they shall be in the same possession, either by deed or long-term lease, as the property occupied by such principal use or uses, and the owner shall be bound by covenants filed of record in the office of the St. Louis County Recorder of Deeds, requiring the owner and the owner's heirs, successors and assigns to maintain the required number of off-street parking spaces during the existence of said principal use.
- Outdoor speakers utilized in the outdoor seating area shall provide music similar to inside the coffee shop during the same hours of operation.
- Should the applicant add lighting wall packs to the building, a lighting plan that meets the requirements of Section A-1040 shall be provided prior to issuance of a building permit for the exterior work.
- 6. The petitioner shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,	
Ron Evens	David Eagleton

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## EXHIBIT A STANDARD CONDITIONS

- 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.
- 2. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in the report 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 approval in the event such provisions are not complied with.
- 3. 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 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.
- All hazardous sidewalks in the adjacent right-of-way shall be repaired as required by the Municipal Code.
- All potholes, damaged pavement, and broken curbs are required to be repaired.
- 6. Enclosures are required to screen all dumpsters, grease receptacles, and similar items 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.
- All rooftop equipment, air-conditioning units and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.
- The Architectural Review Board shall approve all signs and building architecture prior to the issuance of any building permits.

October 7, 2020 Page 4

## EXHIBIT B SUBCOMMITTEE MEETING ATTENDANCE

P&Z Subcommittee Meeting

Project: Date: Location: PZ 3- 21 Teleo Coffee Sept. 24, 2020 Via Zoom

Name	Organization
Chad Wible	Applicant
Rick Mckinley	Kirkwood Eleatric
Brian Ivy	Architect
David Eagleton	P82
Ron Evens	P87
Olivia Oglesby	Applicant
AmyLoury	State

#### CITY OF KIRKWOOD

APPLICATION FOR PLANNING AND ZONING COMMISSION ACTION CASE NUMBER PROJECT ADDRESS: 132 Wast Monrae ZONING DISTRICT: B-1 LOT SIZE: LOCATOR NUMBER: 24 M 44 LUT ACTION REQUESTED Zoning Change From Site Plan Review Community Unit Plan, Type:\_ Right-of-Way/Easement Vacation Special Use Permit, Category: Rankaurus Other: Subdivision Development, Number of Lots: B4 Development Plan **B5** Development Plan 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 mbrace Properties LL Signature: Mailing Address: Po Box 29258 City: 5t. Louis E-mail Address: Chad accc - Stl.org Petitioner's Status: Corporation | Partnership | Individual Relationship of Petitioner to Property: D Owner D Tenant D Option Holder (Attach Copy of Contract) D Other AGENT INFORMATION Agent's Name: Brian WY Phone No. 314-369. 0209 Malling Address: 130 W. Lockswood Aus. City: Webster 67000 State: MO E-mail Address: brian @ Your blea Archi (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.

Name: Embrage Properties LLC Name: Signature: Signature: Address: PO Box 29258 Address: St. LOUIS MO 63126. City/State/Zip Phone: FOR CITY USE ONLY Date Received: 8-28-2020 Total Received: \$ 2000 Agenda Date: 9-16-20 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 o Rezoning: \$1,000 or Site Plan Review: \$1,000 Sile Plan Review Amendment \$800 or Extension: \$300 o Sile 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 = \$. D Vacation, Easement \$75 Q Vacation, Right-of-way: \$100 a Zoning Code Amendment: \$1,000 Final Subdivision Plat/Community Unit Plan/B-4or B-5 Development Plan celved: \_\_\_\_\_ Total Received: \$ \_\_\_\_ Agenda Date: \_\_\_\_\_ O B-4 and B-5 Development Plan (Final) or B4 Development Plan Amendment (when public hearing is not required): \$1,000 Date Received: B-5 Development Plan Amendment (when public hearing is not required); \$500 

SUBCOMMITTEE (

□ Sidewalk Waiver on

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

Y:\PlanningAndZoning\FORMS\PetitionForm2018.docx

Subdivision Plat or CUP Type A (Final): \_\_\_\_Lots @ \$100/Lot = \$\_\_\_ Subdivision Plat Development Plan Amendment: \$200



130 E. Lockwood Ave. Webster Groves, MO 63119 314.801.8601 office www.YourldeaArchitects.com

August 28, 2020

City of Kirkwood Attn: Jonathan Raiche, AICP Planning and Zoning Commission 139 S. Kirkwood Road Kirkwood, MO 63122

Re:

Proposed New coffee shop and outdoor patio 132 West Monroe Ave. Kirkwood, MO 63122

Mr. Raiche,

Please accept this letter as our narrative of the above referenced project.

The project address is 132 West Monroe Ave. Kirkwood, MO 63122 and we are requesting a new SUP – Attached for Teleo Coffee, an independently owned and operated coffee shop. The Existing building is roughly 1050 sf on the 1st floor and will seat approximately 22 people. The 2nd floor is approximately 778 sq. ft. and will seat 13 people. The basement will remain unoccupied and will be left for storage and utilities. The proposed new expanded and elevated framed deck expansion is approximately 580 sf. And will seat approximately 30 people.

The scope of the proposed work will consist of interior tenant improvements, removal of the existing entry vestibule and the addition of a new deck and trellis for ceiling fans, radiant heaters, and outdoor speakers. The trash enclosure will be adjacent to the existing accessible ramp from the rear parking lot. We are also requesting approval of outdoor dining and outdoor music. The Hours of operation are to be: 7 days per week 6 am-8 pm. The number of employees will fluctuate depending on time of day but is anticipated to range from 2-5 employees at various times throughout the day.

Mr. Raiche, again if you have any questions or comments, please do not hesitate to contact me.

Thank you,

Brian K. Ivy,

AIA, NCARB, LEED AP



September 10, 2020

Chad Wible Embrace Properties PO Box 29258 St. Louis, MO 63126

SENT VIA EMAIL: chad@ccc-stl.org

SUBJECT:

PZ-03-21; 132 W. MONROE AVE. - TELEO COFFEE COMPANY

(SUP-RESTAURANT WITH OUTDOOR SEATING AND SITE PLAN REVIEW)

Mr. Wible:

The City of Kirkwood Public Services Department is in receipt of your petition for a Special Use Permit and Site Plan Review to open a coffee shop at 132 W. Monroe Avenue that would be classified under our Zoning Code as a Restaurant with Outdoor Seating. This item will be placed on the Planning and Zoning Commission agenda for its meeting on Wednesday, September 16 at 7:00 p.m. The meeting will be a virtual one held via the Zoom application. The agenda with the Zoom login is attached. City Staff will make an introduction presentation regarding the request at this meeting. You, or your representative, should attend this virtual meeting to present any additional information on this item to the Commission and answer any questions the Commission members may have.

The Planning and Zoning Commission will review the application in accordance with the Zoning Code. The Public Services Department has the following comments concerning the application:

- Any proposed new lighting fixtures shall be full cut-off in accordance with the lighting code. Applicant must provide lighting fixture cut sheets for proposed fixtures and an asbuilt photometric plan signed and sealed by a registered design professional.
- All work related to this petition must comply with all Kirkwood Ordinances including, but not limited to, building and fire codes.

This is a preliminary review of the application. The Planning and Zoning Commission and Public Services Department will review the application in detail and provide further comments as necessary. This preliminary review is not an approval or acceptance of any part of the application submitted.

The applicant is further advised that it is the applicant's responsibility to follow the petition through the entire process and to satisfy all submittal requirements and deadlines. Also note, this application and review does not grant the applicant any special rights, privileges, or immunities, and that all provisions of the Kirkwood Code of Ordinances shall apply.

Sincerely,

Amy Lowry City Planner II

314-822-5815

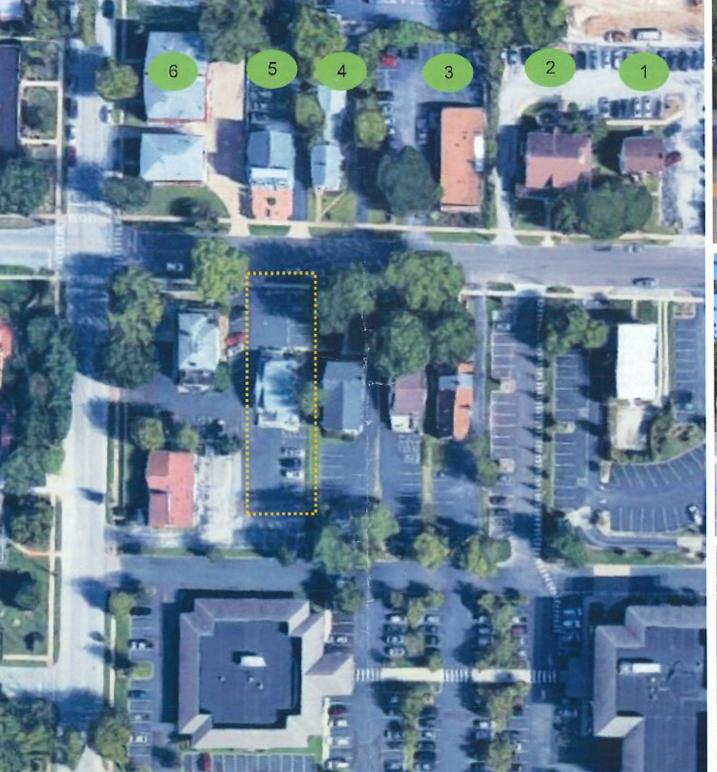
lowryag@kirkwoodmo.org

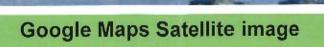
c: Brian Ivy

















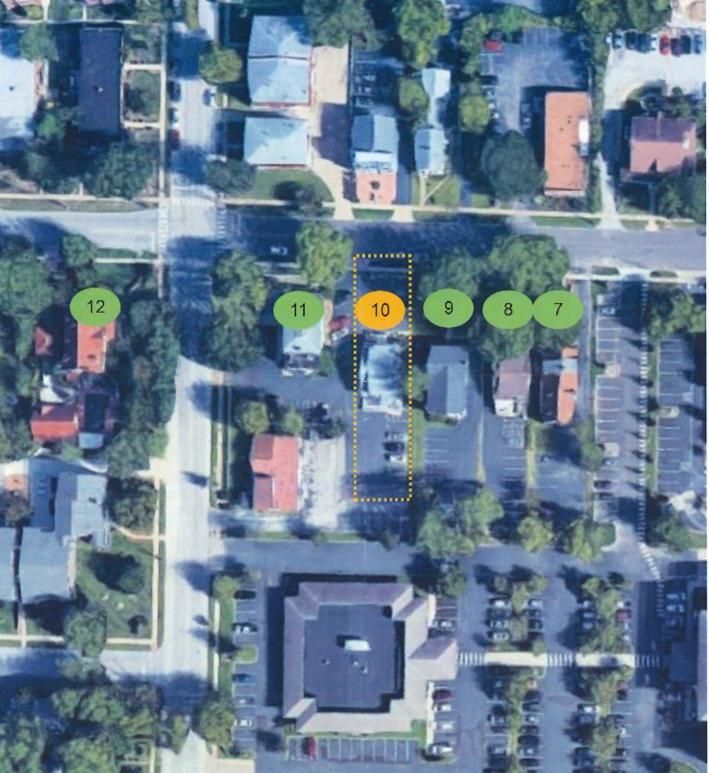


Teleo Coffee Company - neighborhood context photographs 132 W. Monroe Avenue Kirkwood, MO 63122



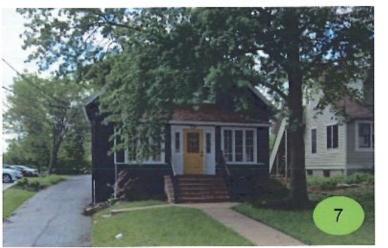












Google Maps Satellite image



Teleo Coffee Company - neighborhood context photographs 132 W. Monroe Avenue Kirkwood, MO 63122















Google Maps Satellite image



Teleo Coffee Company - existing building photographs 132 W. Monroe Avenue Kirkwood, MO 63122











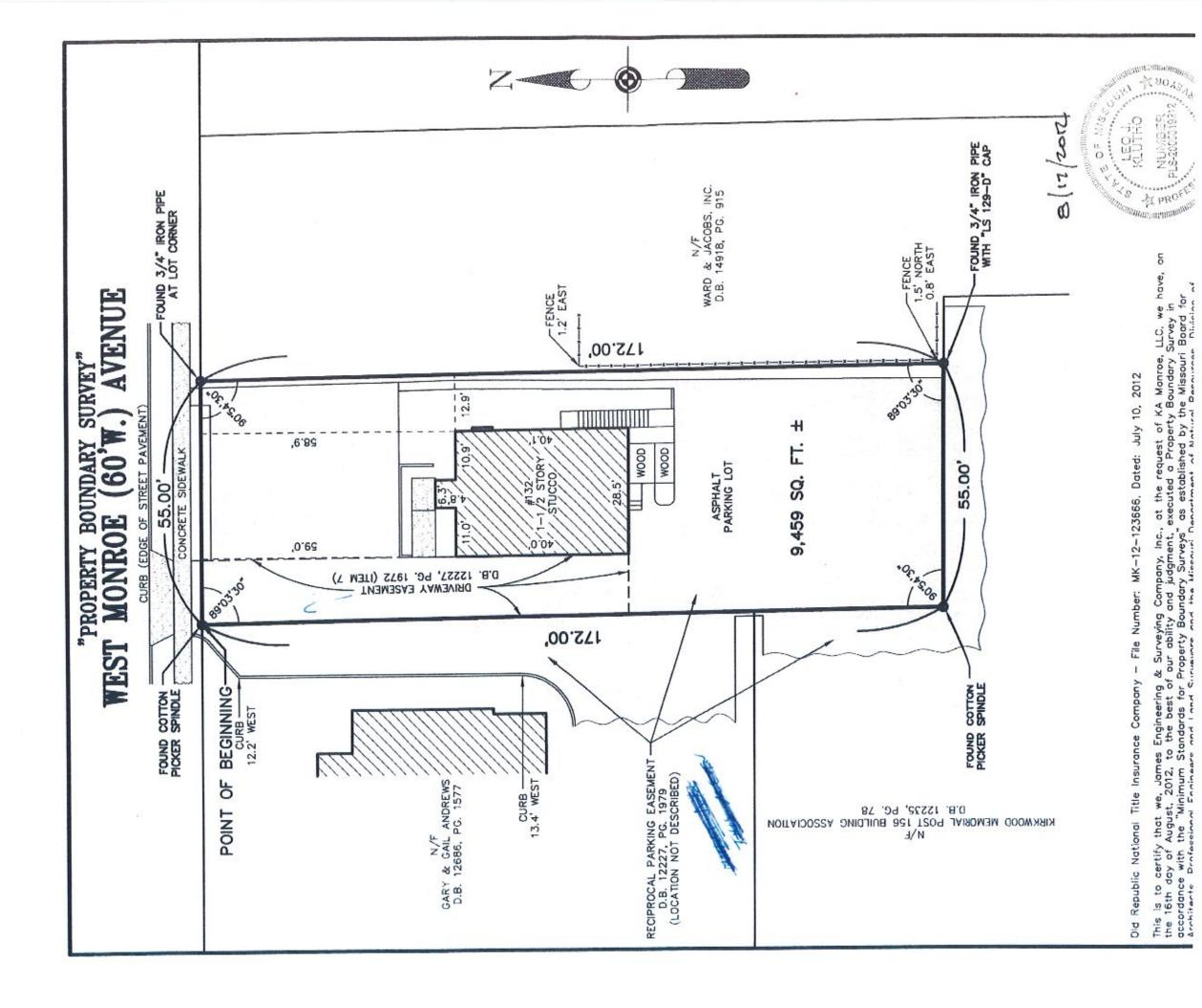


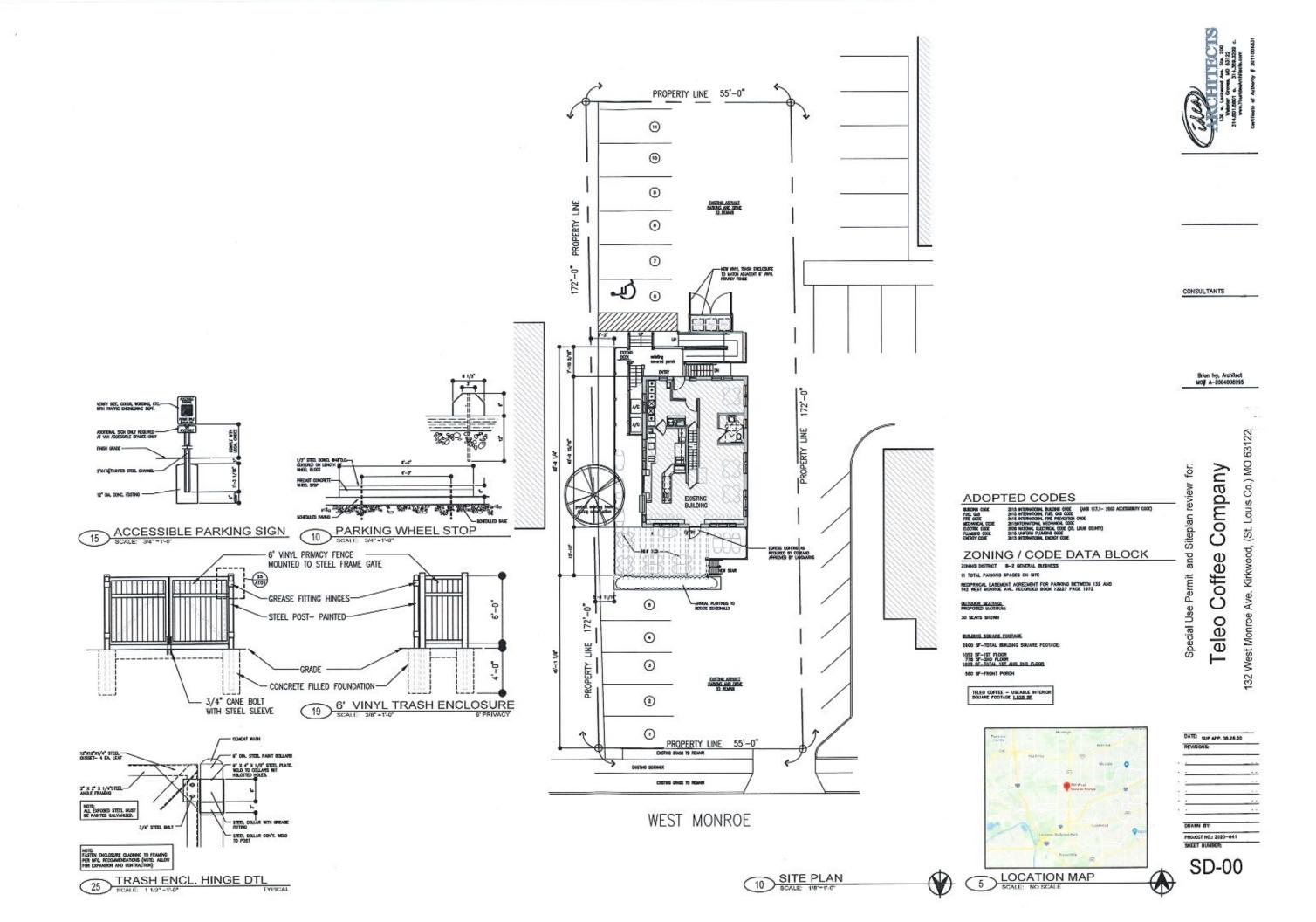


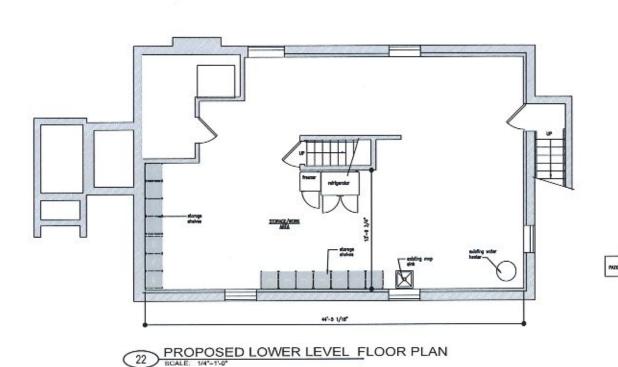
Google Maps Satellite image

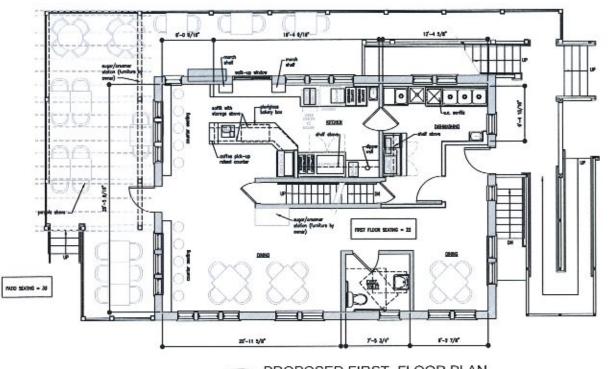


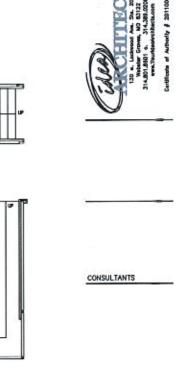
Teleo Coffee Company - existing building photographs 132 W. Monroe Avenue Kirkwood, MO 63122





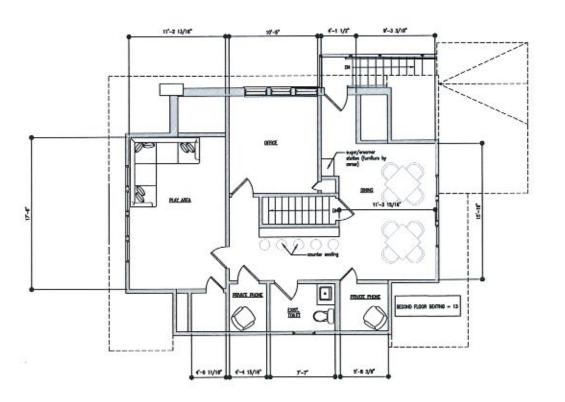






Brian hy, Architect MO# A-2004008995

7 PROPOSED FIRST FLOOR PLAN
SCALE: 1/47~11-07



Special Use Permit and Siteplan review for:
Teleo Coffee Company

Teleo Coffee Company
132 West Monroe Ave. Kirkwood, (St. Louis Co.) MO 63122

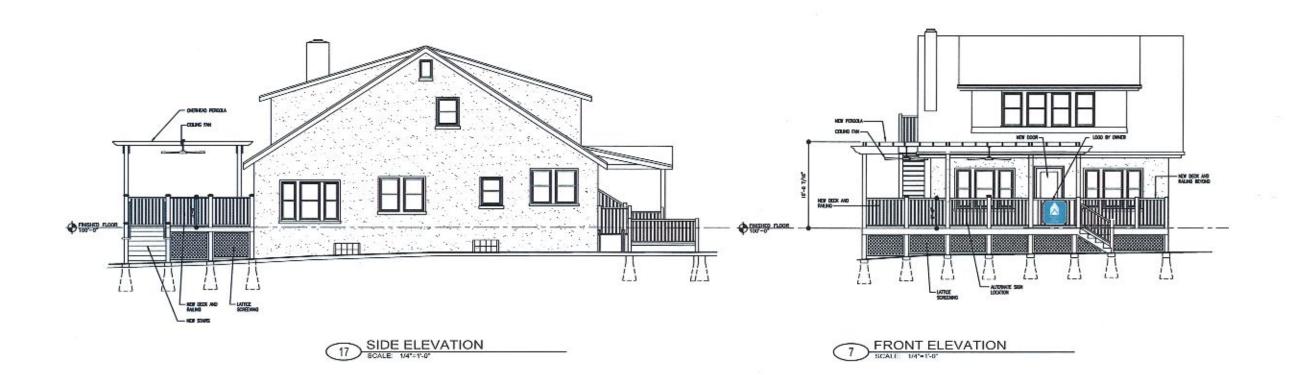
DATE SUP APP, 00.28.20
REVISIONS

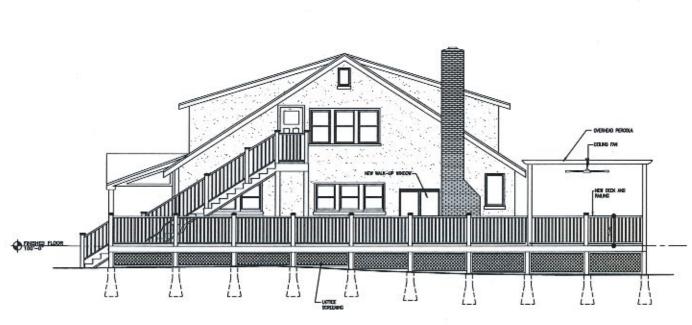
DRAMN BY:
PROJECT NO. 2020-041
SHEET HUNBER:

PROPOSED SECOND FLOOR PLAN

SCALE: 144\*-140\*

PATIO SEATING= 28
FIRST FLOOR SEATING= 22
SECOND FLOOR SEATING= 13







19 REAR ELEVATION

Special Use Permit and Siteplan review for:

Special Use Permit and Siteplan review for:
Teleo Coffee Company

CONSULTANTS

Brian hy, Architect MO# A-2004008995

132 West Monroe Ave. Kirkwood, (St. Louis Co.) MO 63122

DATE: SUP APP. 08.28.20
REVISIONS

DRAMH BY1
PROJECT NO. 2020-041
SHEET HUMBER:

SD-02

CITY OF KIRKWOOD

APPLICATION FOR PLANNING AND ZONING COMMISSION ACTION

DATE: 9-10-2020	PROJECT ADDRESS: 538 La Finguell
	ZONING DISTRICT: I-1 LOT SIZE: .72 ACRES
i i	LOCATOR NUMBER: 24m52-1167
	PROJECT NAME PLATINUM TINTING
1	ACTION REQUESTED
Zoning Change From to	□ Site Plan Review
Community Unit Plan, Type:	☐ Right-of-Way/Easement Vacation
Special Use Permit, Category: 1450 +#3)	
Subdivision Development, Number of Lots:	
B4 Development Plan	STORES AND RELATED INSTALLATION
□ B5 Development Plan	
LONG Sharehy and the thought of the state of	PETITIONER INFORMATION /
ii Statement of fact	he hereinabove described property and that all information given herein is true and a
Name (Print): Andrew Wiskoski	Signature: 14 Phone No.: 636-328-4059
Mailing Address: 2478 Nike Base Pd.	
E-mail Address: Pletinum-tinting St) @am	ail.com
Petitioner's Status: D Corporation D Partnership	
Relationship of Petitioner to Property:   Owner	enant D Option Holder (Attach Copy of Contract) of Other
7 172	AGENT INFORMATION
Agent's Name: David Bridges	Signature Daniel Trudge Phone No. 314 594-7633
Mailing Address: 206 W Arconc. #201	City: Kirkwand State: Mo Zip: 63122
E-mail Address: day a Randmark reg. con (NOTE: The petitioner's agent, if listed, shall receive the	n official ratios of public hogging)
(NOTE: The pentioner's agent, it listed, shall receive the	PROPERTY OWNERS
Signature required or submit proof petitioner has legal in Name: Scott Leaz - Cas Properties	interest in property.
Name: Scott Lenz - Cas Properties	LLC Name:
Signature: Southern	Signature:
Address: 1941 E REGNOKE	Address:
City/State/Zip: Boise ID 83712	No. of the Control of
Thore	FOR CITY USE ONLY
Date Received: 9-11-2020 Total Received	ved: \$ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
p B-4/B-5 Development Plan (Preliminary): \$1	1,000 +Acres @ \$100/Acre or portion over one acre) = \$
<ul> <li>CUP, Preliminary (Multi Family): \$1,000 +</li> <li>CUP, Preliminary (Detached Single Family):</li> </ul>	Dwelling units @ \$20/Each = \$ = \$
<ul> <li>Letter of Credit Extension: \$100</li> </ul>	
□ Rezoning: \$1,000 □ Site Plan Review: \$1,000	
D Site Plan Review Amendment \$800 or Exten	ision: \$300
Site Plan Review, Mixed Use in B2 Zoning D pt Special Use Permit and Special Use Permit	District (Preliminary): \$1,000 (includes SPR fee) + \$25/acre or portion over one acre
D Subdivision, Preliminary (Detached Single Figure 1)	amily): Lots @ \$500/Lot = \$
□ Vacation, Easement: \$75 □ Vacation, Right-of-way: \$100	
Zoning Code Amendment: \$1,000	
**************************************	**************************************
Date Received: Total Received:	Community Unit Plan/B-4or B-5 Development Plan Agenda Date:
<ul> <li>B-4 and B-5 Development Plan (Final) or B4</li> </ul>	Development Plan Amendment (when public hearing is not required): \$1,000
<ul> <li>B-5 Development Plan Amendment (when put</li> <li>CUP Amendment, Type A or Type C: Without</li> </ul>	ublic hearing is not required): \$500
GOP Type C (Final): \$500 + 1-1/4% of \$	=\$
CUP Type A or C Time Extension on Final; \$  o. Sidewalk Walver onfeet @ \$30/Fo	300
g Site Plan Réview, Mixed use in B2 Zoning Di	strict (Final): \$500
<ul> <li>Site Plan, Mixed use in B2 Zoning District Am</li> </ul>	pendment \$300
<ul> <li>Subdivision Plat or CUP Type A (Final):</li> <li>Subdivision Plat Development Plan Amendment</li> </ul>	_Lots @ \$100/Lot = \$ + 1-1/4% of \$ = \$ ent: \$200 CITY OF KIRKWOOD
Y:\PlanningAndZoning\FORMS\PetitionForm2018	B.docx SUBCOMMITTEE ( PUBLIC SERVICES DEPARTMENT )

### **MEMORANDUM**

TO:

PLANNING & ZONING COMMISSION

FROM:

AMY LOWRY, CITY PLANNER II

SUBJECT:

PZ-4-21; 538 LEFFINGWELL AVE., SUITE D –

PLATINUM TINTING (SUP - MOTOR VEHICLE

ACCESSORY STORE)

DATE:

OCTOBER 7, 2020

CC:

JONATHAN RAICHE, PLANNING & DEVELOPMENT SERVICES DIRECTOR

BILL BENSING, PUBLIC SERVICES DIRECTOR

WHERE COMMUNITY AND SPIRIT MEET \*

The petitioner is requesting a Special Use Permit to operate a window tinting business in the I-1 Zoning District. The applicant has indicated that there would be no exterior changes to the property. In the interior space of approximately 1557 square feet, the applicant would have a customer service area, inventory storage, and a space to conduct installation. The days and hours of operation would be Tuesday through Friday from 9 a.m. to 4 p.m. and Saturdays from 9 a.m. to 1 p.m. The applicant primarily conducts off-site installation of vinyl/window film on commercial businesses and residences. Work on-site would by conducted on a reservation-only basis with scheduled drop-off and pick-up of vehicles in a 2 to 4-hour timeframe, and with no storage of vehicles overnight.

#### DISCUSSION:

Zoning Matters signs were posted on the property on October 1, 2020. Staff has evaluated the request and determined that the proper land-use classification for the proposed use under our Zoning Code is a motor vehicle accessory store and related installation (provided such installation is limited only to materials sold on-site); such use requires a Special Use Permit in the light industrial district. The building at 538 Leffingwell was built in 2016 and this tenant would be the fifth of five in the building. Staff conducted an analysis of parking at the site and concluded that it was adequate. The City Forester requested that all landscaping trees and shrubs that are required per the original landscape plan for the building must be in place or replaced if missing.

#### RECOMMENDATION:

Staff finds that the proposed operations could be accomplished with few restrictions. Due to the simple nature of the request, Staff is requesting action from the Planning & Zoning Commission at the October 7, 2020 meeting rather than the formation of a subcommittee.

Staff recommends this petition be approved with the following conditions:

- A Special Use Permit for a Motor Vehicle Accessory Store and Related Installation (provided such installation is limited only to materials sold on-site) shall be approved for Suite D of 538 Leffingwell Avenue.
- The days and hours of operation would be Monday through Friday from 9 a.m. to 6 p.m. and Saturdays from 9 a.m. to 1 p.m.
- Based on the shared parking calculations for the entire site, a maximum of 3 customer vehicles is
  permitted to be parked outside on-site during the operating hours and there shall be no outdoor
  storage of vehicles overnight.

- 4. As the parking calculations are based on the retail area of the suite, the project shall consist of a minimum installation area of approximately 700 square feet. Reduction of said installation area may require additional parking spaces to be provided on-site.
- 5. All landscaping trees and shrubs that were required per the original landscape plan for the building in Planning and Zoning Case No. PZ-23-15 (stamped "Received January 15, 2015, City of Kirkwood Public Works") must be in place or replaced if missing before issuance of an occupancy permit for the motor vehicle accessory store.
- 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.
- 7. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this memorandum 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 approval in the event such provisions are not complied with.
- 8. The Architectural Review Board shall approve all signs.

Platinum Tinting is requesting a special use permit under Section 600.3 number 31 "motor vehicle accessory stores with retail sales and related installation services, provided that installation is limited only to materials sold on site."

Platinum Tinting's primary business is application of commercial and residential vinyl/window film which is done entirely off site. Additional business includes sales of window film/vinyl products delivered through us mail.

Hours of operation are Tuesday – Friday 9:00am to 4:00pm, and Saturdays 9:00am to 1:00. With some business days being spent offsite on commercial/residential jobs. We are closed Sundays and Mondays and all major holidays.

Offsite and onsite installation is on a reservation basis only with no walk in availability. Customers requesting services onsite would be scheduled a time to drop off and pick up vehicle- which is completed in 2-4 hours, with no overnight parking.

Window film/vinyl application requires no harsh chemicals, only soap and water.

We are a family owned and operated company and are the only two employees. We ride together in our personal vehicle that is also used to conduct business. We have experience in the window film/vinyl business of over 20 years.

We look forward to having the opportunity to have our business in Kirkwood, as a lot of our clients are from the area, and feel we would be an asset to the Kirkwood community.

h/

Andrew Wiskoski Platinum Tinting



September 30, 2020

Andrew Wiskoski Platinum Tinting 2478 Nike Base Rd Catawissa, MO 63015

SENT VIA EMAIL: platinumtintingstl@gmail.com

SUBJECT: PZ-04-21; 538 LEFFINGWELL AVE., SUITE D – PLATINUM TINTING

(SUP - MOTOR VEHICLE ACCESSORY STORE & RELATED

INSTALLATION)

Mr. Wiskowski:

The City of Kirkwood Public Services Department is in receipt of your petition for a Special Use Permit (SUP) to operate a window tinting operation at 538 Leffingwell Avenue, Suite D, that would be classified under our Zoning Code as a motor vehicle accessory store and related installation, provided such installation is limited only to materials sold on-site. This item will be placed on the Planning and Zoning Commission agenda for its meeting on Wednesday, October 7 at 7:00 p.m. The meeting will be a virtual one held via the Zoom application. The agenda with the Zoom login is attached. City Staff will make an introduction presentation regarding the request at this meeting. You, or your representative, should attend this virtual meeting to present any additional information on this item to the Commission and answer any questions the Commission members may have.

The Planning and Zoning Commission will review the application in accordance with the Zoning Code. The Public Services Department has the following comments concerning the application:

- As you requested in your cover letter, recommended conditions for the SUP would be the days/hours of operation, work on a reservation-only basis, and no storage of vehicles overnight
- All work related to this petition must comply with all Kirkwood Ordinances including, but not limited to, building and fire codes.

This is a preliminary review of the application. The Planning and Zoning Commission and Public Services Department will review the application in detail and provide further comments as necessary. This preliminary review is not an approval or acceptance of any part of the application submitted.

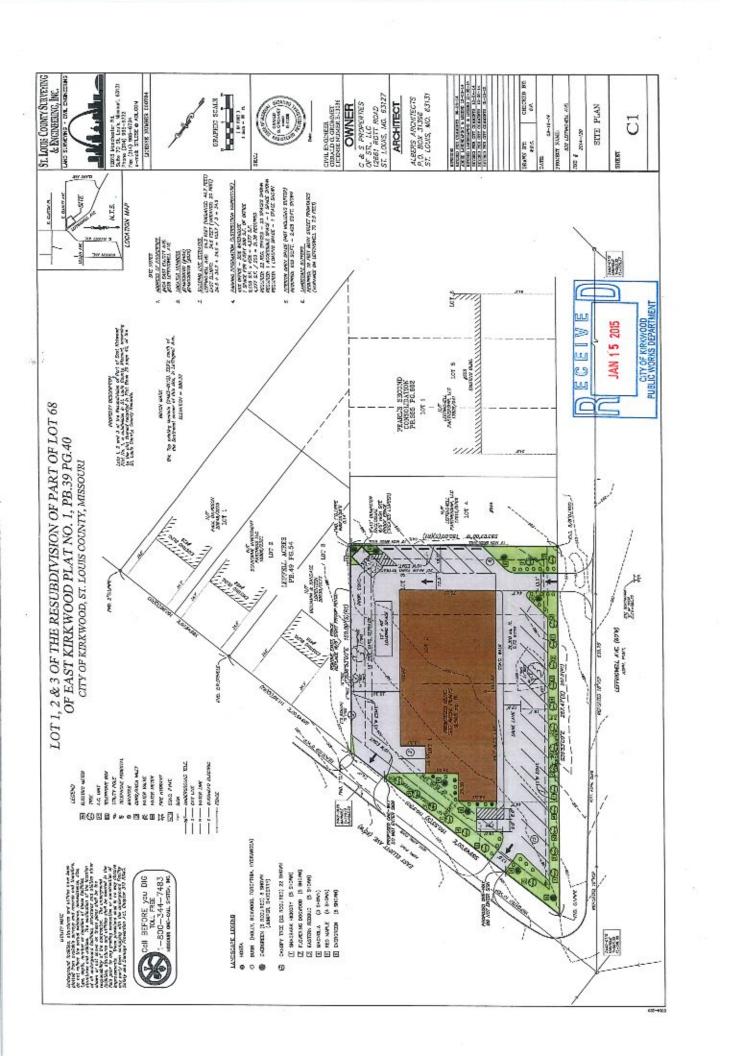
The applicant is further advised that it is the applicant's responsibility to follow the petition through the entire process and to satisfy all submittal requirements and deadlines. Also note, this

application and review does not grant the applicant any special rights, privileges, or immunities, and that all provisions of the Kirkwood Code of Ordinances shall apply.

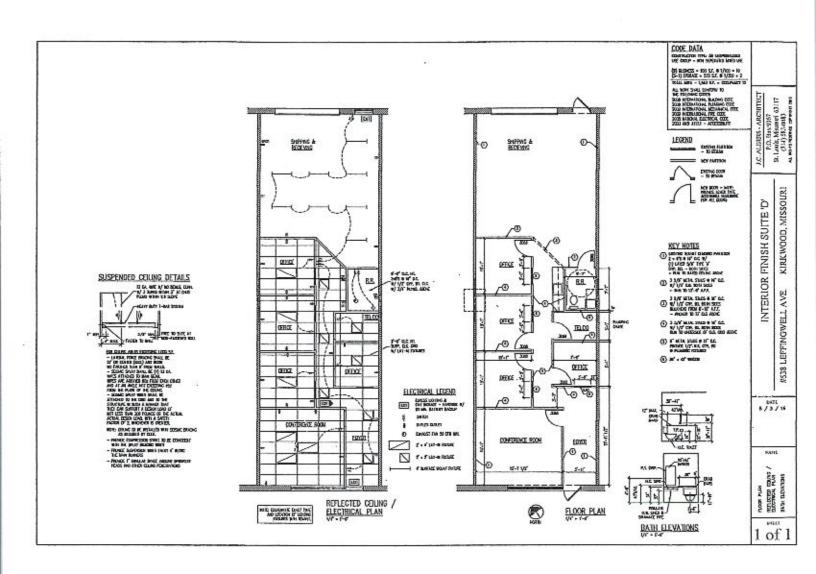
Sincerely,

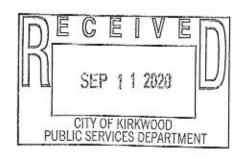
Amy Lowry
City Planner II
314-822-5815
lowryag@kirkwoodmo.org

Encl.: Planning & Zoning Commission Agenda



## Exhibit A (SURD)





Front entrance of building

It please refer to floor plan of Ste D to See office space (exibit A)







Back of building where our garage door is locasted

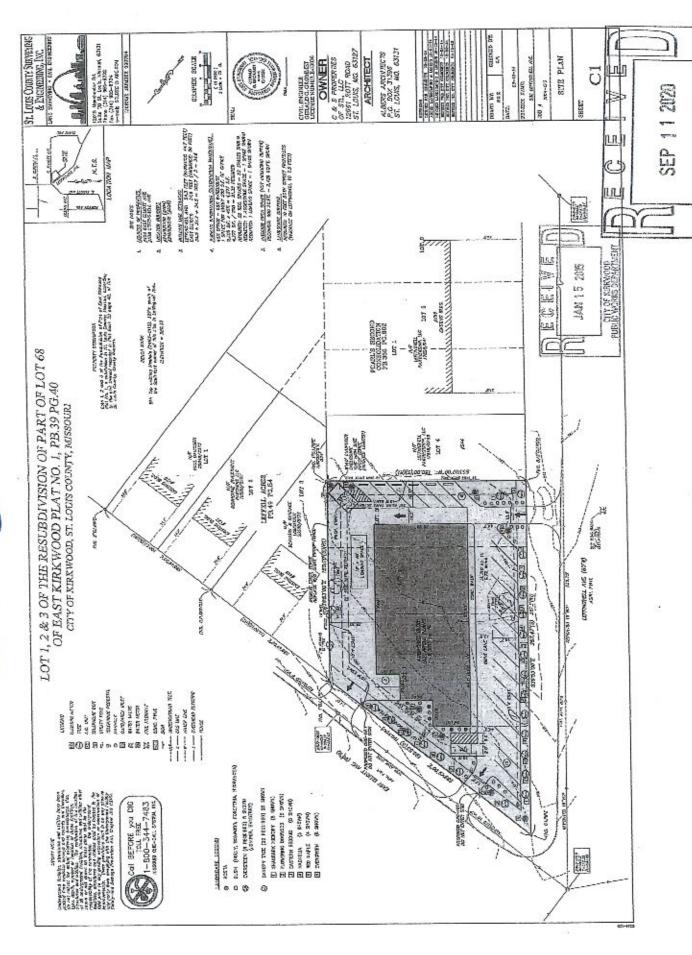
\* please refer to floor plan
of Ste D to see garage Space
(exibit A)







Exhibit B



CITY OF KIRKWOON

Side of building to

pull vehicle to

back of our company

into the garage reserto

exibit





## Advacent Property







