



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: March 17, 2021 - 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/99572026630?pwd=L0ZlTWdLanF5cFdLaDI0dkcyTGVTZz09>

Passcode: 702247

Or iPhone one-tap :

US: +16468769923,,99572026630#,,,,*702247# or +13017158592,,99572026630#,,,,*702247#

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 +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 995 7202 6630

Passcode: 702247

International numbers available: <https://zoom.us/u/arHdTAVtD>

SEE THE FOLLOWING PAGE FOR THE AGENDA

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: <https://www.kirkwoodmo.org/services/events-calendar>.



**Planning & Zoning Commission
Agenda
Wednesday, March 17, 2021, 7:00 p.m.
Via Zoom Virtual Meeting
Posted March 10, 2021**

I. ROLL CALL

II. APPROVAL OF THE MINUTES OF THE MARCH 3, 2021, MEETING

III. UNFINISHED BUSINESS

None.

IV. NEW BUSINESS

1. PZ-08-21 SPECIAL USE PERMIT (LIQUOR STORE) – RANDALL'S WINES & SPIRITS, 10451 MANCHESTER ROAD

Submitted: 3-2-2021 Automatic Recommendation Date: 6-30-2021

Petitioner, Todd Randall

2. PZ-09-21 SUBDIVISION MODIFICATION, BOUNDARY ADJUSTMENT PLAT – 336-340 SOUTH FILLMORE AVENUE

Submitted: 3-2-2021

Petitioner's Agent, Brian Fischer

V. COMMISSION/STAFF (INTERNAL) ITEMS

1. DEVELOPMENT PROJECT UPDATE

VI. PLANNING AND ZONING SCHEDULE:

1. APRIL 7 AND 21, 2021 – 7:00 P.M. (VIA ZOOM)

2. MAY 5 AND 19, 2021 – 7:00 P.M.

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

1. **PZ-07-21 FRAMEWORK PLAN RECOMMENDATION FROM PGAV STUDY**
March 3: P&Z recommended approval.

STATUS OF APPROVALS

1. **PZ-24-18 SPECIAL USE PERMIT & SITE PLAN – BP, 10901 MANCHESTER**
Water/Fire, and ARB prior to 4-5-21.
2. **PZ-08-20 SPECIAL USE PERMIT AND SITE PLAN REVIEW – AUDI KIRKWOOD**
Perf guar/fee, consolidation plat w/easements, MoDOT, MSD, ARB & permit by 9-19-21.
3. **PZ-13-20 SITE PLAN – TOWNES AT GEYER GROVE, 11204-11224 BIG BEND**
Building permits issued.
4. **PZ-23-20 FINAL B4 PLAN – GENERAL RETAIL AND SPECIAL USE PERMIT (RESTAURANT WITH DRIVE-THRU), 10463 MANCHESTER ROAD**
Building permits issued.
5. **PZ-24-20 FINAL B4 PLAN – FIRST COMMUNITY C.U., 10357 MANCHESTER**
Building plans under review.
6. **PZ-27-20 ZONING CODE AMENDMENT, SITE PLAN REVIEW, AND SUBDIVISION (2 LOTS) – COMMERCE BANK, 350 NORTH KIRKWOOD ROAD**
Perf guar/fee, recorded cross-access easement, demo permit, MSD, ARB prior to 10-1-21.
7. **PZ-15-20 MIXED USE/SITE PLAN REVIEW IN B-2–KIRKWOOD FLATS, 426 N KIRKWOOD**
Perf guar/fee and final site plan by 11-5-21.
8. **PZ-2-21 SITE PLAN REVIEW – MULTI FAMILY, 134-138 WEST MADISON AVE**
Perf guar/fee, consolidation plat, revised lighting plan, shared access easement, MSD, Water/Fire, and ARB prior to 11-19-21.
9. **PZ-30-20 SITE PLAN REVIEW – VILLA DI MARIA MONTESSORI SCHOOL, 1280 SIMMONS**
Perf guar/fee, MSD, Water/Fire, ARB prior to 8-31-2022.
10. **PZ-4-21 SPECIAL USE PERMIT (MOTOR VEHICLE ACCESSORY AND RELATED INSTALLATION) – PLATINUM TINTING, 538D LEFFINGWELL AVENUE**
Occupancy Permit Issued 12-9-20.
11. **PZ-6-21 SPECIAL USE PERMIT AMENDMENT – PEPPE’S APT. 2, 800 S GEYER**
Occupancy permit issued January, 2021, for second floor use.
12. **PZ-5-21 SITE PLAN REVIEW – MULTI-FAMILY, 144 WEST ADAMS AVE**
Permit meeting conditions of approval by 1-21-22.



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
Via Zoom Virtual Meeting
March 3, 2021**

PRESENT:

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

ABSENT:

Sandy Washington

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, March 3, 2021, 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.

1. Chairman Adkins called the meeting to order at 7:03.

Planning and Development Services Director Jonathan Raiche stated for the record that Section 610.015 of the Missouri Sunshine Law provides that members of the Planning and Zoning Commission who are not physically in 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, are still in a state of emergency due to the Coronavirus. The County Executive has issued various orders directing 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.

Chairman Adkins announced that Commissioner Washington was absent and her absence was excused.

2. Motion was made by Commissioner Eagleton and seconded by Commissioner Salzer-Lutz to approve the minutes for the February 17, 2021, meeting as written.

Roll Call:

Chairman Adkins	"Yes"
Commissioner Klippel	"Yes"
Commissioner O'Donnell	"Yes"
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"
Commissioner Feiner	"Yes"
Commissioner Salzer-Lutz	"Yes"
Commissioner Washington	Absent

The motion was unanimously approved by the eight members present.

3. PZ-07-21 FRAMEWORK PLAN RECOMMENDATION FROM PGAV STUDY

Director of Planning and Development Services Jonathan Raiche stated the City retained PGAV Planners to conduct a Downtown Commercial Market Study and review the revised Framework Plan in the Downtown Master Plan. In January, 2021, the City Council revised the Framework Plan to remove the commercial requirement from two small parcels adjacent to the intersection of Clay Avenue and Adams Avenue.

Currently, Suggested and Mandatory Commercial is treated the same, with a commercial component required by the framework plan for both. PGAV recommended requiring commercial only in the Mandatory Commercial category whereas the Suggested Commercial category would not be required to have a commercial component. PGAV's recommendation includes the following revisions to the Framework Plan:

- (1) Mandatory Commercial on the east side of Kirkwood Road from Washington Avenue through 440 North Kirkwood Road and on the west side of Kirkwood Road through 479 North Kirkwood Road;
- (2) Suggested Commercial on Washington Avenue west of Kirkwood Road between Clay Avenue and Kirkwood Road and to the east of Kirkwood Road for a half block (ending at the pedestrian access point at the western edge of the YMCA parcel);
- (3) Suggested Commercial for the two parcels on Adams Avenue directly east of Clay Avenue (302 N Clay and 144 W Adams); and
- (4) Mandatory Commercial on both sides of Monroe Avenue between Kirkwood Road and Clay Avenue.

For clarification, Mr. Raiche added that a mixed-use development in a Mandatory Commercial area consisting of one building would require retail on the first floor and 20 to 40% commercial for developments containing more than one building and that the multi-family development at 220 South Clay Avenue would become a legal-non-conforming use.

A Zoning Code Text Amendment is being proposed to Section 25-36(e)(3) as follows:

- (3) In the B-2 District, unless otherwise approved as part of a mixed-use development, multi-family dwellings cannot be constructed on properties that are designated as ~~Suggested or~~ Mandatory Commercial in the Downtown Master Plan ~~Study Area & Parking Study's Framework Plan~~.

Mr. Raiche added that in addition to PGAV's recommendations, Staff recommends the following revisions to be considered:

- (1) The properties at 220 S. Clay Avenue and 142 W. Monroe Avenue should be removed from the Mandatory Commercial requirement due to their proximity to residential uses across Clay Avenue and due to their lot size.
- (2) The U.S. Bank property at 470 North Kirkwood Road should also be designated as Mandatory Commercial. The commercial component requirement for this "L" shaped property would only apply to the Kirkwood Road frontage and not Bodley Avenue.
- (3) Confirm that all of Kirkwood Road between Adams Avenue and Washington Avenue would be designated as Mandatory Commercial.

Motion was made by Commissioner Evens and seconded by Commissioner Feiner to recommend that the Framework Plan portion of the Downtown Master Plan & Parking Study be amended according to the recommendations from PGAV Planners and that the necessary Zoning Code text amendment be adopted to achieve the recommendations as referenced in the Staff memo dated February 17, 2021.

Motion was made by Commissioner Adkins and seconded by Commissioner Feiner to exclude the property at 220 South Clay Avenue from the Mandatory Commercial designation.

Roll Call:

Chairman Adkins	"Yes"
Commissioner Klippel	"Yes"
Commissioner O'Donnell	"Yes"
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"
Commissioner Feiner	"Yes"
Commissioner Salzer-Lutz	"Yes"

Commissioner Washington Absent

The motion was unanimously approved by the eight members present.

Motion was made by Commissioner Feiner and seconded by Commissioner Salzer-Lutz to designate the property at 470 North Kirkwood Road (U.S. Bank) as Mandatory Commercial.

Roll Call:

Chairman Adkins	"Yes"
Commissioner Klippel	"Yes"
Commissioner O'Donnell	"Yes"
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"
Commissioner Feiner	"Yes"
Commissioner Salzer-Lutz	"Yes"
Commissioner Washington	Absent

The motion was unanimously approved by the eight members present.

Motion was made by Commissioner Diel and seconded by Commissioner Eagleton to designate all properties on Kirkwood Road between Washington Avenue and Adams Avenue as Mandatory Commercial.

Roll Call:

Chairman Adkins	"Yes"
Commissioner Klippel	"Yes"
Commissioner O'Donnell	"Yes"
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"
Commissioner Feiner	"Yes"
Commissioner Salzer-Lutz	"Yes"
Commissioner Washington	Absent

The motion was unanimously approved by the eight members present.

Motion was made by Commissioner Feiner and seconded by Commissioner Evens to change the designation of 142 West Monroe Avenue from Mandatory Commercial as proposed by PGAV to Suggested Commercial.

Roll Call:

Chairman Adkins	"Yes"
Commissioner Klippel	"Yes"
Commissioner O'Donnell	"Yes"
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"

Commissioner Feiner	“Yes”
Commissioner Salzer-Lutz	“Yes”
Commissioner Washington	Absent

The motion was unanimously approved by the eight members present.

Roll call vote was taken on the original motion with the previously-approved amendments to the Framework Plan as follows:

- (1) Exclude the property at 220 South Clay Avenue from the Mandatory Commercial designation;
- (2) Designate the property at 470 North Kirkwood Road (U.S. Bank) as Mandatory Commercial;
- (3) Designate all properties on Kirkwood Road between Washington Avenue and Adams Avenue as Mandatory Commercial; and
- (4) Change the designation of 142 West Monroe Avenue from Mandatory Commercial as proposed by PGAV to Suggested Commercial.

Roll Call:

Chairman Adkins	“Yes”
Commissioner Klippel	“Yes”
Commissioner O’Donnell	“Yes”
Commissioner Diel	“Yes”
Commissioner Eagleton	“Yes”
Commissioner Evens	“Yes”
Commissioner Feiner	“Yes”
Commissioner Salzer-Lutz	“Yes”
Commissioner Washington	Absent

The motion was unanimously approved by the eight members present.

4. Planning and Development Services Director Raiche stated that the City Council adopted the Zoning, Subdivision, and Sign Code updates.

Teleo Coffee (PZ-3-21) held their outdoor grand opening. The restaurant on Manchester Road and the First Community Credit Union in front of EZ Storage are proceeding forward. Randall’s Wines and Spirits applied for a Special Use Permit, which will be on the March 17 agenda. The Townes at Geyer Grove has completed installation of underground infrastructure and roads, and the Architectural Review Board has reviewed several of the buildings. Due to the U.S. Postal Services inability to deliver packets in a timely manner, packets will be available digitally unless a hard copy is requested by a Commissioner.

There being no further business, motion was made by Commissioner Eagleton and seconded by Commissioner Feiner to adjourn at 7:54 p.m. The next meeting will be held via Zoom on March 17, 2021, at 7 p.m.

Jim Adkins, Chair

David Eagleton, Secretary/Treasurer

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

DRAFT

CITY OF KIRKWOOD

APPLICATION FOR PLANNING AND ZONING COMMISSION ACTION

DATE: 2/25/21

CASE NUMBER: P2-8-21

PROJECT ADDRESS: 10451 Manchester Road
 ZONING DISTRICT: B-4 LOT SIZE: 8.8 acres
 LOCATOR NUMBER: 22M510572
 PROJECT NAME: Randall's Wines & Spirits

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>liquor store</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: _____
_____ |
|---|---|

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): Todd R. Randall Signature: [Signature] Phone No.: 618-531-4678
 Mailing Address: 50 Chestnut Hill Lane City: Webster Groves State: MO Zip: 63119
 E-mail Address: toddrandall@internetliquor.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.
 Name: F2 Storage Kirkwood, LLC Name: _____
 Signature: [Signature] Signature: _____
 Address: 4341 Bellaire Dr South Suite 100 Address: _____
 City/State/Zip: FT. Worth TX 76104 City/State/Zip: _____
 Phone: 817-735-4916 Phone: _____

FOR CITY USE ONLY

Date Received: 3-2-2021 Total Received: \$ 1000.00 Agenda Date: 3-17-2021
 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

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: AMY LOWRY, PLANNER II *AGL*
SUBJECT: PZ-8-21; 10451 MANCHESTER RD
(SUP – LIQUOR STORE)
DATE: MARCH 17, 2021
CC: JONATHAN RAICHE, PLANNING & DEVELOPMENT SERVICES DIRECTOR
BILL BENSING, PUBLIC SERVICES DIRECTOR



WHERE COMMUNITY AND SPIRIT MEET®

The petitioner, Randall's Wines & Spirits, is requesting a Special Use Permit to operate a liquor store at the EZ Storage site in the B-4 Zoning District. In the interior space of 8255 square feet, the applicant would have display racks, service counters, two restrooms, and a small employee break room. The days and hours of operation would be Monday through Thursday from 10 a.m. to 8 p.m., Friday and Saturday from 10 a.m. to 9 p.m., and Sunday from 12 p.m. to 6 p.m. These hours are in line with the EZ Storage hours of 7 a.m. to 9 p.m. daily. The petitioner will have 10 employees, with 5 on the maximum shift.

DISCUSSION:

Zoning Matters signs were posted on the property on March 10, 2021. The building contains the EZ Storage drive-through self-storage facility (Suite C – addressed as 10461 Manchester Road), and the Burn Boot Camp fitness center (Suite A – addressed as 10431 Manchester Road). This tenant would be the third of three in the main building and would occupy Suite B in the middle which was originally addressed as two suites: 10441 and 10451 Manchester Road. The property owner has provided a parking plan which has been updated to the City's newly adopted Zoning and Subdivision Code and which meets the parking requirements for all approved and proposed uses on the site. Based on the parking calculations for the entire site, 33 parking spaces are required and shall be available to the liquor store use. The petitioner shall comply with all local and state licensing requirements for a liquor sales license.

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 March 17, 2021 meeting rather than the formation of a subcommittee.

Staff recommends this petition be approved with the following conditions:

1. A Special Use Permit for a liquor store shall be approved for the combined units addressed as 10441 and 10451 Manchester Road.
2. The daily hours of operation may be between 7:00 a.m. and 11:00 p.m.
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.
4. 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.
5. The Architectural Review Board shall approve all signs.

RANDALL'S WINES & SPIRITS

Founded: 1998

Locations: 4 stores, 2 online retail sites

Employees: 79

Randall's is St. Louis' #1 retailer of wine, spirits, liqueurs, beers, mixers, and accessories. Far from a typical liquor store, Randall's is a specialty retailer with a large, but well curated selection, knowledgeable staff, and a sizeable footprint. Our stores are destinations, specializing in upscale and hard-to-find items as well as larger packages of everyday staples.

Randall's first location was opened in Fairview Heights in the fall of 1998 by industry veteran George Randall, and has since grown to four 10-20,000 sq ft. stores across the St. Louis metro. Along the way, Randall's has won countless local awards for our service and selection. Among these are Sauce Magazine's Reader's Choice Favorite Liquor Store, RFT Reader's Choice Best Wine Store, RFT Best Liquor Store, and St. Louis Magazine's A-List Best Beer Selection. We've also been recognized nationally by Market Watch Magazine and Beverage Dynamics. In addition to our local web presence (ShopRandalls.com), we own and operate InternetWines.com. Internet Wines was among the very first retailers selling wine on the web, and remains a leader in that field today.

We're very proud of what we've accomplished as a family-owned business in St. Louis, and we're very excited for the opportunity to make Kirkwood a part of our future.

PROPOSED LOCATION

10451 Manchester Road

Square Feet

8,250

Hours

Mon-Thu: 10am – 8pm

Fri-Sat: 10am-9pm

Sun: 12-6pm

Employees

Total: 10

Maximum per Shift: 5

Estimated Average Sale

\$49

Spirits Items

2200+

Wine Items

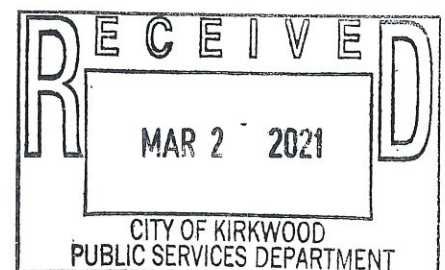
1400+

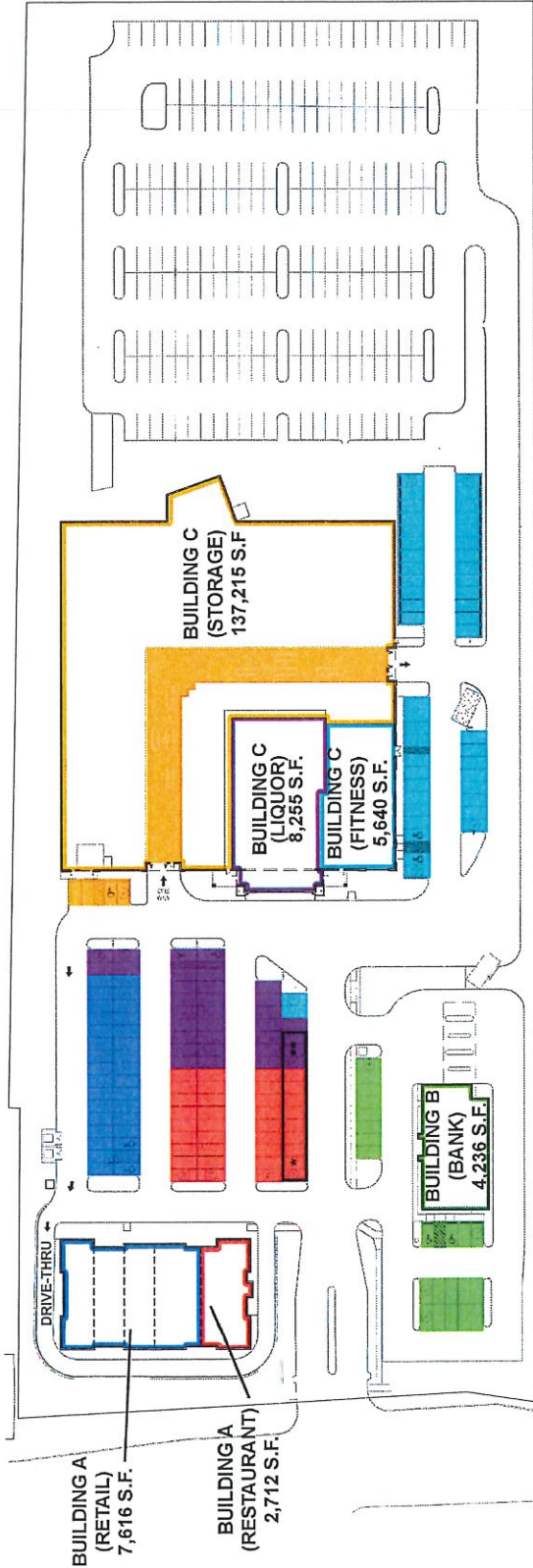
Beer Items

1200+

Accessory and Food Items

900+





OVERALL SITE EXHIBIT M

SCALE: N.T.S.



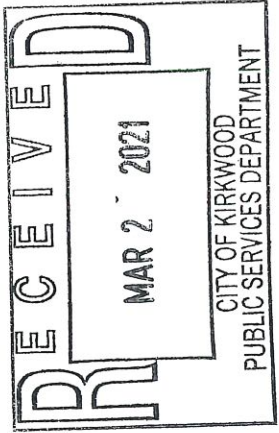
PARKING REQUIREMENTS
 RESTAURANT W/ DRIVE-THRU: 1 SPACE PER 100 SQ. FT.
 RETAIL BUSINESS: 1 SPACE PER 250 SQ. FT.
 FINANCIAL INSTITUTION: 1 SPACE PER 300 SQ. FT.
 WAREHOUSE/STORAGE: 1 SPACE PER 200 SQ. FT. OF OFFICE SPACE
 LIQUOR STORE: 1 SPACE PER 250 SQ. FT.
 PERSONAL AND COMMERCIAL SERVICE: 1 SPACE PER 250 SQ. FT.

TOTAL SITE:
 BUILDING A (RESTAURANT) : 2,712 S.F.
 BUILDING A (RETAIL) : 7,616 S.F.
 BUILDING B (FINANCIAL INSTITUTION) : 4,236 S.F.
 BUILDING C (STORAGE) : 137,215 S.F.
 BUILDING C (FITNESS CENTER) : 5,640 S.F.
 BUILDING C (LIQUOR STORE) : 8,255 S.F.
 TOTAL : 165,674 S.F.

SPACE	REQ'D PER ORDINANCE	PROVIDED
RESTAURANT (A)	27	36*
RETAIL (A)	31	31
BANK (B)	14	22
FITNESS CENTER (C)	23	48+12**
STOR (C)	12	4+B (INT.)
LIQUOR STORE (C)	33	33
TOTAL PARKING	140	182

*PER PREVIOUS ORDINANCE (+11 SPACES)
 **12 ADDITIONAL SPACES @ PEAK BUSINESS HOURS OF FITNESS CENTER (5-9 A.M.)

EZ STORAGE KIRKWOOD, LLC
 Kirkwood Outlots
 10461-10473 Manchester Rd.
 Kirkwood, MO



AZD
 associates, inc.
 architecture planning interior design
 665 hulet drive
 suite 100
 bloomfield hills, mi
 248.540.6009
 www.azdarch.com
 March 2, 2021



WHERE COMMUNITY AND SPIRIT MEET®

March 9, 2021

Todd R. Randall
50 Chestnut Hill Lane
Webster Groves, MO 63119

SENT VIA EMAIL: toddrandall@internetliquor.com

SUBJECT: PZ-8-21; 10451 Manchester Road
Special Use Permit Amendment (Liquor Store) for Randall's Wines & Spirits

Mr. Randall:

The City of Kirkwood Public Services Department is in receipt of your application for the item referenced above related to a Special Use Permit for a liquor store to be located at 10451 Manchester Road. This item will be placed on the Planning and Zoning Commission agenda for its meeting at **7:00 p.m. on Wednesday, March 17, 2021**. The meeting will be held via Zoom and information to join this meeting will be provided to you at a later date. City Staff will make an introduction presentation regarding the request at this meeting. You, or your representative, should attend this 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:

1. 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 their 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,

CITY OF KIRKWOOD

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

Encl.: Planning & Zoning Commission Agenda

PROJECT:

**RANDALL'S WINE & SPIRITS
TENANT EXHIBIT**

**10461 MANCHESTER RD.
KIRKWOOD, MO**

ARCHITECT:

AZD Associates, Inc.

665 HULET DR., SUITE 100
BLOOMFIELD HILLS, MI 48302
P (248) 540-6009
CONTACT: FRANK ZYCHOWSKI
MISSOURI LIC. : A-2009008329
MISSOURI CERT. OF AUTH. : 2012035390
WWW.AZDARCH.COM

DEVELOPER:

**Nolan Real Estate
Interests, LLC.**

4541 BELLAIRE DRIVE, SUITE 100
FORT WORTH, TEXAS 76109
CONTACT: JASON WIEGAND
P (248) 561-3051
jason.wiegand@nolantx.com
CONTACT: SURAJ BALLAL
P (682) 365-6309
suraj.ballal@nolantx.com

CIVIL ENG. AND LANDSCAPE:

The Sterling Company, Inc.

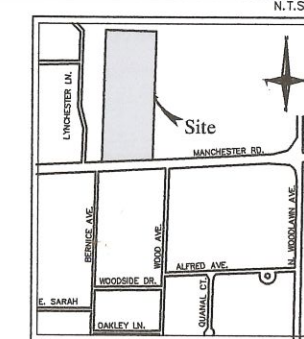
5055 NEW BAUMGARTNER ROAD
SAINT LOUIS, MO 63129
P (314) 487.0440 EXT: 1317
F (314) 487.8944
CONTACT: J.D. HOWELL
JDHowell@sterling-eng-sur.com

PROJECT DESCRIPTION:

THIS PROJECT CONSISTS OF AN INTERIOR RETAIL BUILDOUT OF AN EXISTING
TENANT SUITE

© COPYRIGHT 2021

LOCATION MAP:

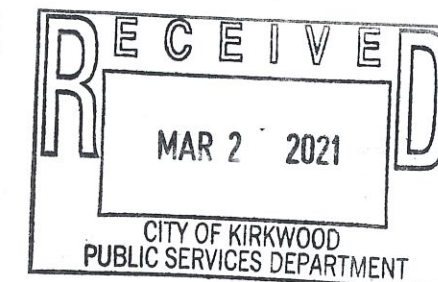


**RANDALL'S
1837
WINE & SPIRITS**



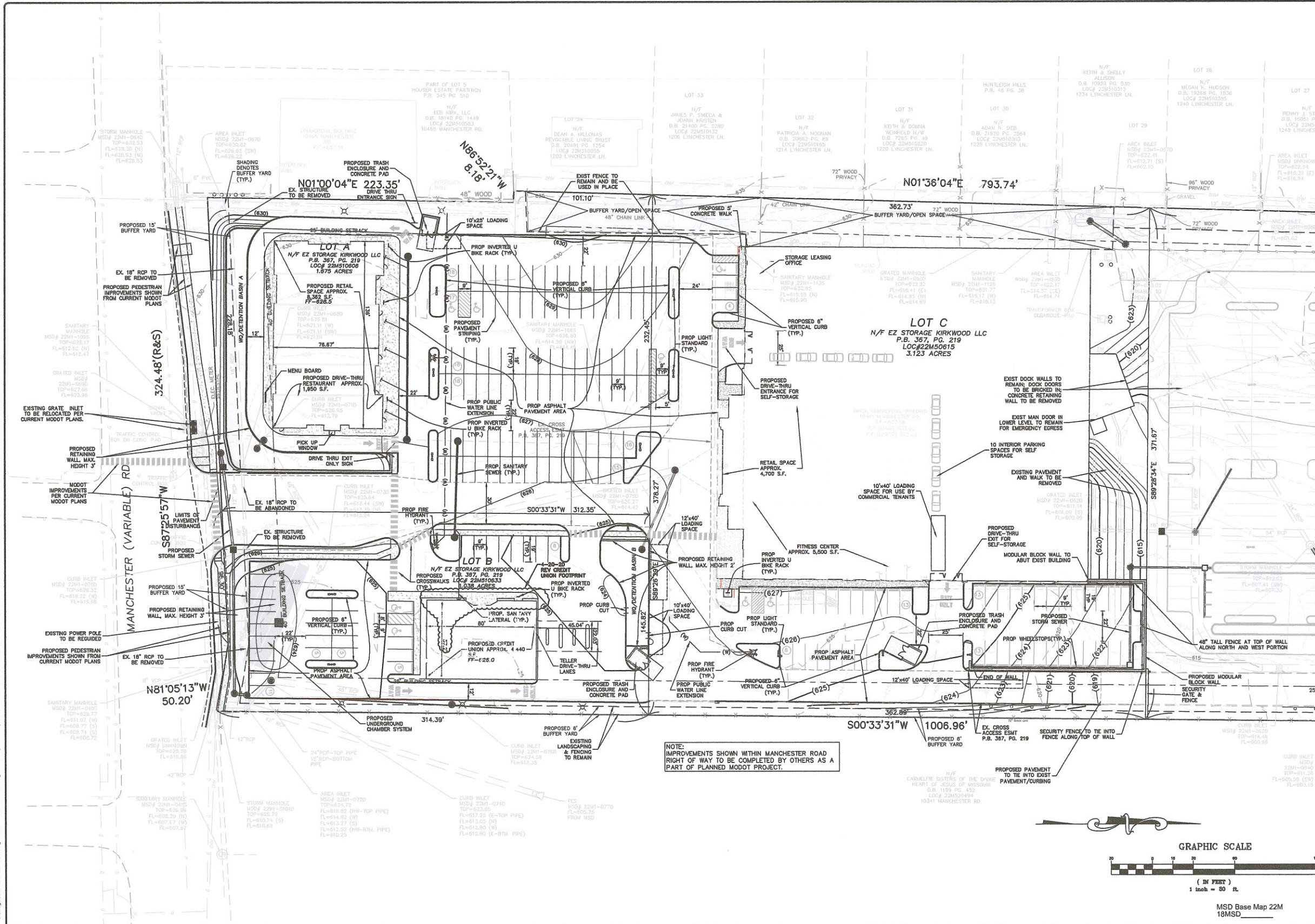
SHEET INDEX

- COVER SHEET
- S-1.2 SITE PLAN
- 1 OF 3 PHOTOMETRIC/LIGHTING PLAN
- 2 OF 3 PHOTOMETRIC LIGHTING
- 3 OF 3 PHOTOMETRIC LIGHTING
- A-0.1 PARKING EXHIBIT (TO BE PROVIDED)
- A-1.1 TENANT PLAN EXHIBIT

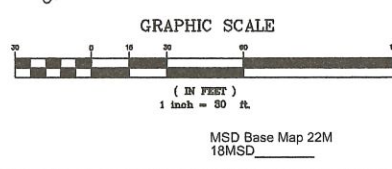


AZD associates
architects

Drawing name: V:\1808230\EZ Storage\1808230\1808230-FDP-LOT A,B,C-Rev04.dwg
 PLOT: FDP-LOT A,B,C-Rev04.dwg
 Project: 1808230
 Date: 04/20/2020
 Author: J.D. Howell
 Title: Professional Engineer



NOTE:
 IMPROVEMENTS SHOWN WITHIN MANCHESTER ROAD
 RIGHT OF WAY TO BE COMPLETED BY OTHERS AS A
 PART OF PLANNED MODOT PROJECT.



ISSUE	REVISION	DATE
1	INITIAL SUBMITTAL	12-22-2019
2	REV PER CITY COMMENTS	1-7-2020
3	REV PER CREDIT UNION BLDG FOOTPRINT	2-20-20

First Community Credit Union
 17161 Chestfield Airport Road
 Chestersfield, MO 63005
 Ph: 636-537-4470
 firstcommunity.com

THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 Chesterfield, MO 63005
 Ph: 314-487-0440 Fax: 314-487-8944
 www.sterling-eng-survey.com
 Corporate Certificate of Authority #001348

EZ STORAGE
KIRKWOOD (LOTS A,B,C)
 10481 Manchester Road, Kirkwood, MO
 LOTS A,B,C
 FINAL DEVELOPMENT PLAN



Date: 04/20/2020
 JASON D. HOWELL
 License No. PE 2007002801
 Professional Engineer

Job Number: 18-08-230
 Date: 04-20-2020
 Designed: JD Sheet
 Drawn: PT 1.2
 Checked: JD FDP

Note
CENTERS HOURS OF OPERATION ARE FROM 8:00AM-6:00PM, WITH THE POLE MOUNTED SITE LIGHTING FIXTURES DIMMING DOWN AFTER 6PM TO A LEVEL AS DEEMED ACCEPTABLE BY THE CITY OF KIRKWOOD.

Note
FIXTURE LABELED AS TYPE SC RETRO IS TO BE RELOCATED FROM 30'-0" MOUNTING HEIGHT TO AN OVERALL MOUNTING HEIGHT OF 29'-0". LED LUMINAIRES CAN BE RETROFITTED FROM TYPE 3M IES DISTRIBUTION TO TYPE 3M DISTRIBUTION OR ELSE DISCONNECTED, REMOVED AND REPLACED IN FULL TO TYPE 3M DISTRIBUTION. ALL OTHER CHARACTERISTICS ARE TO REMAIN THE SAME (I.E. LUMEN PKCK, ON-BOARD CONTROLS, VOLTAGE, COLOR, ETC). EITHER OPTION IF VIABLE TO MAKE THE FIXTURES COMPLY WITH THE CITY ORDINANCE OF FOOT CANDLES AT THE PROPERTY LINE.

Note
1. REFER TO LUMINAIRE SCHEDULE FOR MOUNTING HEIGHTS.
2. CALCULATION AND STATISTICS ARE SHOWN AT GRADE IN FOOTCANDLES.
3. REFER TO LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
4. POLE MOUNTING HEIGHTS ARE BASED ON CITY SITE LIGHTING ORDINANCES.
5. ELECTRICAL CONTRACTOR SHALL PROVIDE THE CITY WITH AS-BUILT PHOTOMETRICS SHOWING COMPLIANCE WITH CITY ORDINANCE UPON COMPLETION OF WORK.

THE LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM A LABORATORY DATA TAKER UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCES IN LED'S AND OTHER VARIABLE FIELD CONDITIONS

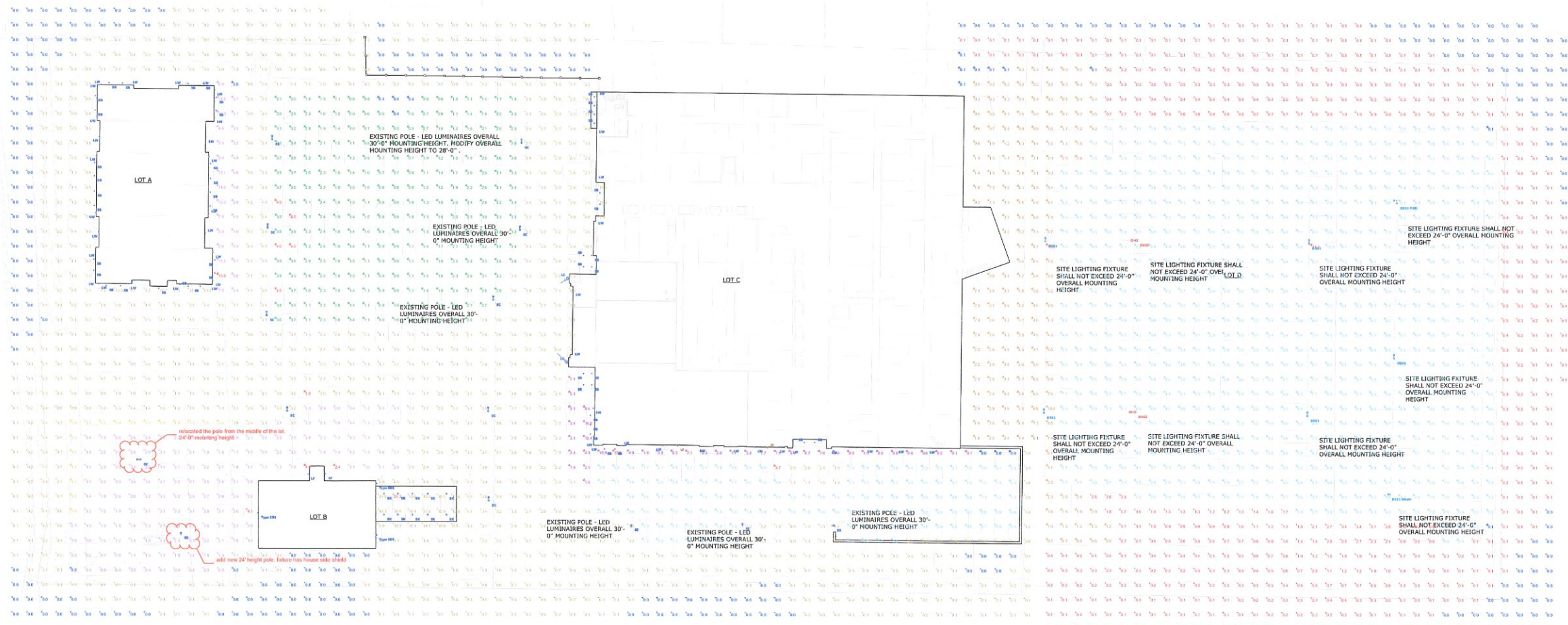
Parking lot Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Area A Sidewalk Statistics		7.2 f.c.	15.8 f.c.	2.5 f.c.	6.3:1	2.9:1
Area D		2.4 f.c.	11.2 f.c.	0.6 f.c.	N/A	N/A
Area D Parking Field		3.9 f.c.	11.2 f.c.	0.1 f.c.	112:0:1	35:0:1
Area D Sidewalk		2.9 f.c.	10.5 f.c.	0.1 f.c.	105:0:1	29:0:1
Bank Area		2.2 f.c.	4.1 f.c.	0.2 f.c.	20.5:1	10:0:1
Lot A and C shared Parking		2.0 f.c.	4.9 f.c.	0.4 f.c.	10:0:1	5:0:1
Lot B Space Parking		1.9 f.c.	3.6 f.c.	1.0 f.c.	3.6:1	1.9:1
Lot B Parking Field		2.1 f.c.	3.7 f.c.	0.3 f.c.	12.3:1	7:0:1
Lot C East Parking		1.3 f.c.	4.7 f.c.	0.0 f.c.	N/A	N/A

Sidewalk Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Area A Sidewalk Statistics		7.2 f.c.	15.8 f.c.	2.5 f.c.	6.3:1	2.9:1
Area D Sidewalk		2.9 f.c.	10.5 f.c.	0.1 f.c.	105:0:1	29:0:1
Bank Area		2.0 f.c.	4.1 f.c.	0.2 f.c.	20.5:1	10:0:1
Lot B Sidewalk		2.0 f.c.	4.6 f.c.	1.0 f.c.	4.6:1	2:0:1
Lot C Sidewalk		4.5 f.c.	17.5 f.c.	0.0 f.c.	N/A	N/A

Symbol	Label	Image	QTY	Manufacturer	Catalog Number	Description	Lamp	Number per Luminaire	File Name	Lumens per Luminaire	LLF	Wattage	Notes
SC	SC		10	Lithonia Lighting	DSX1 LED P3 30K TSH PVOLT	DSX1 LED P3 30K TSH PVOLT	LED	1	DSX1_LED_P3_30K_TSH_PVOL_7.ies	12118	0.89	204	
SB	SB		46	COOPER LIGHTING SOLUTIONS - HALO (FORMERLY EATON)	LCR6 2700K	LCR GRNCH LED RECESSED FIXTURE 600X 2700K	LED	1	LCR6_2700K_01_01w_2700K.ies	2625	0.89	26.9	
SE	SE		4	Lithonia Lighting	DSX1 LED P3 40K TSH PVOLT HS	DSX1 LED P3 40K TSH PVOLT with heatshield shield	LED	1	DSX1_LED_P3_40K_TSH_PVOL_7_HS.ies	9416	0.89	102	
SK	SK		10	SPECTRUM LIGHTING	S6080LEDQV-37W-40K-EL180000LEDQV-CW	LED RECESSED SQUARE APERTURE DOWNLIGHT	N/A	1	S6080LEDQV-37W-40K-EL180000LEDQV-40000K-GW.ies	3025	0.89	36.2	
LF	LF		2	EATON - PORTER (FORMER COOPER LIGHTING)	LD4413010TE (E8H4)3035 401H1H	PORTFOLIO 4 INCH 50 DEGREE CUTOFF RECESSED DOWNLIGHT RECESSED DISTRIBUTION WITH SCENE SPECULAR CLEAN TRIM	LED	1	LD4413010TE (E8H4)3035 401H1H.ies	1451	0.89	22.6	
Type SD1	Type SD1		3	EATON - PORTER (FORMER COOPER LIGHTING)	1ST-4F-350-LED-E1-TRF-7000	IMPACT ELITE LED TRAPEZOID LUMINAIRE LIGHT SQUARE WITH ACCULUX OPTICS-TYPE TYPIC FORWARD THROW	LED	16	1ST-4F-350-LED-E1-TRF-7000.ies	150	0.89	20.09	
DXS2	DXS2		2	Lithonia Lighting	DSX2 LED P4 40K TSW PVOLT	DSX2 LED P4 40K TSW PVOLT	LED	1	DSX2_LED_P4_40K_TSW_PVOL_LT.ies	34437	0.89	540	
DXS1	DXS1		5	Lithonia Lighting	DSX1 LED PB 40K T7FH PVOLT	DSX1 LED PB 40K T7FH PVOLT	LED	1	DSX1_LED_PB_40K_T7FH_PVOL_LT.ies	24252	0.89	414	
DXS1 MOD	DXS1 MOD		1	Lithonia Lighting	DSX1 LED PB 40K T7FH PVOLT	DSX1 LED PB 40K T7FH PVOLT	LED	1	DSX1_LED_PB_40K_T7FH_PVOL_LT.ies	24252	0.89	414	
DXS1 Singl	DXS1 Singl		1	Lithonia Lighting	DSX1 LED PB 40K T7FH PVOLT	DSX1 LED PB 40K T7FH PVOLT	LED	1	DSX1_LED_PB_40K_T7FH_PVOL_LT.ies	24252	0.89	207	
LC	LC		2	AAA LIGHTING INC. BC LIGHTING	HLE013A			1	HLE013A1600 1-7mmx55-4mm	1794	0.89	15.056	
LW	LW		44	TECH LIGHTING	7000WIND 1 LED			1	WINDALL OUTDOOR FEATURE.ies	184	0.89	0	
W	W		2	Lithonia Lighting	W002Z LED P4 40K BOCAL VP	W002Z LED WITH P4 PERFORMANCE PACKAGE, 2000K, BOCAL, VISUAL COMFORT FORWARD OPTIC	LED	1	W002Z_LED_P4_40K_BOCAL_VF.ies	4412	0.89	34.56	

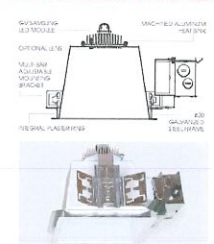


Plan View
Scale - 1" = 30'

PP-10-19-10461 MANCHESTER ROAD
KIRKWOOD, MO
SITE LIGHTING PHOTOMETRIC
Lot B Pole Relocation
02-03-2021

Designer
Date
Rev 03-31-20
Scale
Not to Scale
Drawing No.
Summary

TYPE K SGB8SQLEDGV37W40K1/CB24/AR0906GVGW



8" DEEP SQUARE LED
GV SERIES / 55 WATT MAX LED

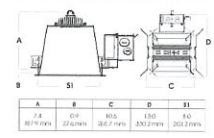


Table with 3 columns: SERIES, LED, KVA/IN. Lists various lighting options and their specifications.

EXAMPLE SGB8SQLEDGV37W40K1/CB24/AR0906GV GW GS
PROJECT: _____ TYPE: _____
CAL NO: _____
WWW.SPECTRUMLIGHTING.COM • 934 JEFFERSON STREET FALL RIVER, MA 02721 • 508.678.2033 FAX 508.678.2240

DESCRIPTION
The Elite LED luminaires features a classic and stylish design with the added benefit of solid state lighting technology. This rugged and reliable system provides uniform and energy savings. Using Elite's proprietary LED Luminaire™ technology, the Elite LED™ system, the Elite LED luminaire offers designers, contractors, and system designers, function and performance. The Elite LED luminaire offers superior lighting applications and agrees lighting requirements. UL Listed for use in wet locations.

CONSTRUCTION
The Elite LED luminaire features a classic and stylish design with the added benefit of solid state lighting technology. This rugged and reliable system provides uniform and energy savings. Using Elite's proprietary LED Luminaire™ technology, the Elite LED™ system, the Elite LED luminaire offers designers, contractors, and system designers, function and performance. The Elite LED luminaire offers superior lighting applications and agrees lighting requirements. UL Listed for use in wet locations.

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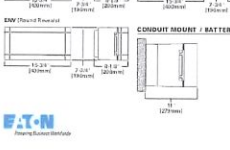
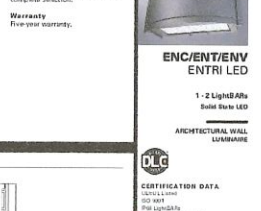
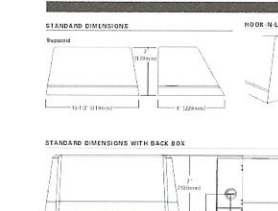


Table with 2 columns: Category, Type. Lists product categories and types.



DESCRIPTION
The IMPACT Elite family of outdoor luminaires is the ideal complement to the design. Incorporating modular LED™ technology, Impact Elite provides uniform, energy and energy conservation. Distribution, combined with rugged construction, the Impact Elite is the ideal fixture and luminaire for use in wet and dry locations, office applications, and recreational facilities. UL Listed for use in wet locations.

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McGRAW-EDISON

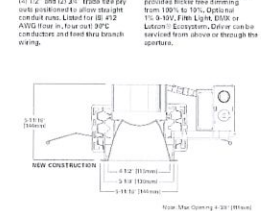
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PORTFOLIO™

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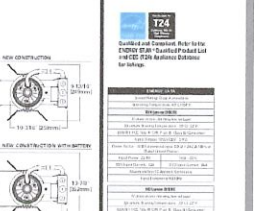


Table with 2 columns: LUMEN MAINTENANCE. Shows lumen maintenance curves for different temperatures and conditions.

Table with 2 columns: ORDERING INFORMATION. Lists various ordering options and specifications.

NOTES
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Table with 2 columns: POWER AND LUMENS BY BAR COUNT. Shows power and lumen output for different bar counts.

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PE-10-19-10461 MANAGER ROAD
KIRKWOOD, MO
SITE LIGHTING PHOTO-METRIC
Retail Outlet A
11-11-2010

Overview

The SBGR x ODP Series sensor provides both Motion and Light level control of a 10WDC dimmable outdoor or wet location luminaire. The SBGR x ODP can be used with or without a dimmer control. For color correction, the sensor offers 1000 CRI and is available with 3000K or 4000K color temperature. The working life is over 50,000 hours. The sensor is available in a variety of mounting options to suit your application.

- 1000 CRI Full Spectrum, Excellent Color Rendering
• Ingress Protection
• Full Outdoor Applications
• Self-Cleaning Lens
• 0.1% DC Dimming Capable
• Compatible w/ 10 WDC Dimmable LED Drivers
• Ingress Protection Class IP65
• Adjustable Sensor Angle, Max/Min Dim Levels, and Pump Rates
• Programming Either Accessible w/ Dip Switch or Remote Control
• No Field Calibration or Sensitivity Adjustment Required
• Non-Volatile Sensor Memory
• Green LED Indicator

sensorswitch
SBGR 6 ODP
SBGR 10 ODP
Outdoor Embedded Motion Sensor

D-Series Size 2 LED Area Luminaire
Specifications
Length: 18"
Width: 6"
Height: 2"
Weight: 1.1 lbs

Table with columns: Configuration, Information, Example: DSX2 LED P7 40K T3M MVOLT SPA NLAIR2 PIRHN DDBX2

Table with columns: Department, Location, Example: DSX2 LED P7 40K T3M MVOLT SPA NLAIR2 PIRHN DDBX2

Table with columns: Mounting Height, Photocell, Voltage, Color, LED Bin Setting

Notes and contact information for sensorswitch

D-Series Size 1 LED Area Luminaire
Specifications
Length: 12"
Width: 4"
Height: 2"
Weight: 0.7 lbs

Table with columns: Configuration, Information, Example: DSX1 LED P7 40K T3M MVOLT SPA NLAIR2 PIRHN DDBX1

Table with columns: Department, Location, Example: DSX1 LED P7 40K T3M MVOLT SPA NLAIR2 PIRHN DDBX1

Notes and contact information for sensorswitch

Luminaire Locations table with columns: No., Label, X, Y, Z, MH, Orientation, T, R, X, Y, Z

WDGE2 LED Architectural Wall Sconce
Specifications
Depth: 6 1/2"
Height: 11 1/2"
Weight: 1.5 lbs

Table with columns: Mounting Height, Photocell, Voltage, Color, LED Bin Setting

Table with columns: Department, Location, Example: WDGE2 LED P3 40K RCRN VP MVOLT RMT DDBX0

Table with columns: Department, Location, Example: WDGE2 LED P3 40K RCRN VP MVOLT RMT DDBX0

Notes and contact information for WDGE2 LED

WINDFALL WALL SCONCE
Introduction
The WINDFALL LED family is designed to meet specifiers' every wall-mounted lighting need in a widely accepted shape that blends with any architecture. The clean, modern design comes in four sizes with lumen packages ranging from 1,200 to 2,800 lumens, providing a broad, wide-side solution. Embedded with high-CRI AIR wireless controls, the WINDFALL family provides additional energy savings and code compliance.

Table with columns: Department, Location, Example: WINDFALL WALL SCONCE

Table with columns: Department, Location, Example: WINDFALL WALL SCONCE

Table with columns: Department, Location, Example: WINDFALL WALL SCONCE

Notes and contact information for WINDFALL

HALO LCR6
6-Inch Round All-Purpose LED Retrofit Module
Specifications
Length: 6"
Width: 6"
Height: 1.5"
Weight: 0.4 lbs

Table with columns: Department, Location, Example: HALO LCR6

Table with columns: Department, Location, Example: HALO LCR6

Table with columns: Department, Location, Example: HALO LCR6

Notes and contact information for HALO

HBLED13A AZD Type C pointed down
Specifications
Length: 1.3"
Width: 1.3"
Height: 1.3"
Weight: 0.1 lbs

Table with columns: Department, Location, Example: HBLED13A

Table with columns: Department, Location, Example: HBLED13A

Table with columns: Department, Location, Example: HBLED13A

Notes and contact information for HBLED13A

LITHONIA LIGHTING COMMERCIAL OUTDOOR
Product line overview and contact information

ORDERING INFORMATION
Product line overview and contact information

COOPER LIGHTING
Product line overview and contact information

LITHONIA LIGHTING COMMERCIAL OUTDOOR
Product line overview and contact information

Designer
Date
Scale
Drawing No.
Summary

PROJECT INFORMATION
PZ-10-19: 10461 MANCHESTER ROAD
KIRKWOOD, MO
SITE LIGHTING PHOTO-METRIC
Retain Outlot A
3.11-3.26-2020

CITY OF KIRKWOOD

APPLICATION FOR PLANNING AND ZONING COMMISSION ACTION

CASE NUMBER: PZ-09-21

DATE: 03/02/2021

PROJECT ADDRESS: 336-338-340 S. Fillmore Ave.
ZONING DISTRICT: R-4 LOT SIZE: _____
LOCATOR NUMBER: (see attached)

ACTION REQUESTED

- Zoning Change From _____ to _____
- Community Unit Plan, Type: _____
- Special Use Permit, Category: _____
- Subdivision Development, Number of Lots: _____
- B4 Development Plan
- B5 Development Plan

- Site Plan Review
- Right-of-Way/Easement Vacation
- Other: Modification
Comments: Boundary Adjustment Plat w/ non-conforming lots per current zoning regulations

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): 340 SOUTH FILLMORE LLC Signature: [Signature] Phone No.: 314-281-9118
Mailing Address: 101 W. ARBONNE DR. STE. 206 City: ST. LOUIS State: MO Zip: 63122
E-mail Address: 340SOUTHFILLMORE@GMAIL.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: Brian J. Fischer Signature: [Signature] Phone No.: 636.733.6256
Mailing Address: 148 Chest. End Blvd., E City: Chesterfield State: MO Zip: 63005
E-mail Address: brian@thedesignteam.com

(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: 340 South Fillmore LLC Name: _____
Signature: [Signature] Signature: _____
Address: 101 W. ARBONNE DR. STE 206 Address: _____
City/State/Zip: ST. LOUIS MO 63122 City/State/Zip: _____
Phone: 314-281-9118 Phone: _____

FOR CITY USE ONLY

Date Received: 3-2-2021 Total Received: \$ 100 Agenda Date: 3-17-2021
 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-4or 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

MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN D. RAICHE, PLANNING & DEVELOPMENT SERVICES DIRECTOR *JDR*
SUBJECT: PZ-9-21; 336, 338, AND 340 S. FILLMORE AVENUE
SUBDIVISION MODIFICATIONS
DATE: MARCH 17, 2021
CC: BILL BENSING, PUBLIC SERVICES DIRECTOR
AMY LOWRY, PLANNER II
PATTI DODEL, ADMINISTRATIVE ASSISTANT



WHERE COMMUNITY AND SPIRIT MEET®

DESCRIPTION OF PROJECT:

The properties at 336, 338, and 340 S. Fillmore Avenue (Zoned R-4) are owned by a common owner and that owner has applied for subdivision modifications to the lot width requirement to accommodate a proposed Boundary Adjustment Plat. Boundary Adjustment Plats are approved by City Staff; however, subdivision modifications must be reviewed by the Planning & Zoning Commission and voted upon by the City Council. Section 25-27(i) of the Zoning/Subdivision Code allows for the modification of subdivision standards that create a “practical difficulty or extraordinary hardship prohibiting the use of land in a manner otherwise allowed under these regulations”.

Section 25-78 (c) of the Zoning/Subdivision Code requires that all lots shall conform to, or exceed, the site development standards for the applicable zoning district which includes the minimum lot width requirement. The minimum lot width for R-4 is 60 feet; however, these three properties are considered legal non-conforming lots of record and have widths of 33’, 50’, and 50’. The applicant is proposing to adjust the three lots so that each of the lots are approximately 44.3’ wide. The increase from 33’ to 44.3’ for 336 S. Fillmore Avenue is allowed by code because it is getting closer to conformity. Decreasing the other two lots from 50’ to approximately 44.3’ would bring them further out of conformance with the lot width requirement and thus requires subdivision modifications.

DISCUSSION:

In the two cover letters provided, the applicant and the applicant’s representative explain their opinion of the practical difficulty and extraordinary hardship that is present. The proposed boundary adjustment would allow for a more uniform distribution of the buildable area amongst the three lots. The subdivision modifications requested include the following:

<u>Topic</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Minimum lot width (338 S. Fillmore)	60’	50’	44.3’
Minimum lot width (340 S. Fillmore)	60’	50’	44.4’

If the waivers are granted, this would not result in the ability to build any additional homes.

REQUEST:

The Planning & Zoning Commission may choose to assign a subcommittee to this item and develop a subcommittee report per the usual process; however, due to the minor nature of the request, Staff wanted to provide the opportunity for the Commission to vote on this item at their March 17, 2021 meeting. If the commission would like to vote to recommend approval of said item to the City Council, the following motion should be referenced:

I move to recommend approval of the following subdivision modifications in order to accommodate a boundary adjustment:

- a. The minimum lot width from the current non-conforming width of 50 feet to the proposed 44.3 feet width for 338 S. Fillmore Avenue, and*
- b. The minimum lot width from the current non-conforming width of 50 feet to the proposed 44.4 feet width for 340 S. Fillmore Avenue.*

March 2, 2021

Mr. Johnathan D. Raiche
Planning & Development Services Director
City of Kirkwood
139 South Kirkwood Road
Kirkwood, MO 63122

Re: Crafted Properties, Boundary Adjustment Plat Submittal
336-338-340 South Fillmore Avenue (3 tracts)

Mr. Raiche:

On behalf of 340 South Fillmore, LLC, please find as attached the proposed Boundary Adjustment Plat, Display (setback) plat and Deed (Deed Book 1048, Page 244) for the property at 338 Fillmore Avenue, showing proof of the existing lot configuration on all lots prior to 1967, as previously transmitted and discussed.

The three (3) lots as part of this plat do not fall in an existed platted subdivision, but are established buildable and legal lots prior to the adoption on the current City of Kirkwood zoning code. We ask for consideration under the Subdivision Modification section for nonconformities under Sections 25-27i of said code.

As these lots are presently zoned R-4 residential, the lots do not fit the frontage requirements for the regulations. Therefore, we are asking for a modification of this based upon the current configuration of lots.

At present, the smallest lot frontage is 33 feet, which with the required side yard setbacks would make this essentially non-buildable unless constructed outside of character of current residences in this area. The adjustment would in effect provide three uniform lots 44 feet in width, a uniform consistent lot size, and would be constructed with uniform building size and character. In addition, the three (3) lots would be adjusted to provide similar lot sizes and yards, consistent in character with current properties in area.

The lots in question are currently vacant, so there would be no modification of alteration of an existing structure.

We understand that due to the waiver request, that this will necessitate additional planning and zoning review and meeting approval of same for approval.

If additional information is requested, please do not hesitate to contact our office.

"your solution for
engineering and
surveying"

Thank you,



Brian Fischer, PLS
THD Design Group, Inc.

CC: Blake Dell

March 2, 2021

Planning & Zoning
City of Kirkwood
139 S. Kirkwood Road
Kirkwood, Missouri 63122

Re: 340 South Fillmore LLC Subdivision Modification / Boundary Plat Adjustment
336-338-340 South Fillmore Avenue (3 Tracts)

City of Kirkwood Planning & Zoning Commission and City Council:

On behalf of 340 South Fillmore LLC please find below request for subdivision modification per Section 25-27i of the zoning code and the attached Boundary Adjustment Plat, Display (setback) Plat, and Deed (Deed Book 1048, Page 244) for the property at 338 South Fillmore Avenue.

The three (3) lots located at 336, 338, and 340 South Fillmore Avenue are vacant residential lots near Kirkwood Public Works, the new Kirkwood Performing Arts Center, and Fillmore Park. These lots have been vacant for many years. The Property does not fall in an existing platted subdivision, but each lot is an established legal buildable lot. Currently, each lot does not meet the City's frontage width requirements. The Property is zoned R-4 Single Family. The lots immediately to the North and East are zoned I1- Light Industrial. Properties to the West and South are a mix of R-5 Multiple Family and R-4 Single Family.

The requested subdivision modification is to provide relief from the existing standards, which would inhibit practical and character-focused single-family residential development. The requested modification adjusts the existing boundary lines to create three equally sized and shaped lots. More specifically, the modification increases the frontage of the narrowest lot, 336 South Fillmore and eliminates the "flag shape" of the middle lot 338 South Fillmore. At present, 336 South Fillmore has frontage of 33 feet. With the required side yard setbacks, this lot is essentially non-buildable unless constructed outside of the character of Kirkwood residences. The resulting modification, as illustrated in the attachments, would result in three uniform lots of approximately 44 feet in width and 390 feet in length, which would allow for homes of uniform building size and appropriate character. The requested modification does not result in a zoning change, increased density, or alteration of any existing structures. A summary table of the existing and requested lot dimensions and buildable width can be found below:

Lot	Existing			Proposed		
	Lot Width	Lot Length	Dwelling Width	Lot Width	Lot Length	Dwelling Width
336 South Fillmore	33	390.83	23	44.3	390.83	34.3
338 South Fillmore	50/100	390.83/195.42	40	44.3	390.83	34.3
340 South Fillmore	50	195.41	40	44.4	390.83	34.4

* Measurements in feet

Due to the practical difficulties spelled out above, we are requesting approval for this modification. Thank you for your consideration.

a Notary Public within and for the - of St. Louis and State of Missouri, personally examined Robert Burnett who is personally known to me to be the same person whose name is subscribed to the foregoing instrument of writing as party thereto, and acknowledged that he executed the same as his act and deed as trustee for purposes therein mentioned. In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in the City of St. Louis, Mo., this day and year first above written, my term expires February 28, 1932.

Robert J. Callahan
Notary Public
City of St. Louis, Mo.

Robert J. Callahan Notary Public

Filed for record March 10, 1930 at 2⁴² o'clock P.M. Arthur H. Schmidt, Recorder of Deeds.

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Quit Claim Deed This Indenture, made on the 11th day of February A.D. One Thousand Nine Hundred Thirty, by and between Romeo Burnett and Viola Burnett, his wife, of the County of St. Louis and State of Missouri parties of the First Part, and Arthur W. Whitson, of the County of St. Louis and State of Missouri party of the Second Part. Witnesseth, that the said parties of the First Part, in consideration of the sum of One Dollar and other valuable considerations, to them paid by the said party of the Second Part, the receipt of which is hereby acknowledged, do by these Presents, Remit, Release and forever Quit Claim unto the said party of the Second Part, the following described Lots, Tracts or Parcels of Land, lying being and situate in the County of St. Louis and State of Missouri, to wit: A Part of Lot 41 of East Kirkwood and described as follows: Beginning at a point in the East line of Fillmore Avenue, 117 feet 5 inches north of the Northwest corner of Lot 41, being the Northwest corner of property conveyed to Louisa Whitson by deed recorded in Book 81, page 316; thence East along the North line of said property so conveyed and parallel with the South line of Lot 41, 195 feet 5 inches to the Northeast corner of said Whitson property; thence South along the East line of said Whitson property and parallel with the East line of Fillmore Avenue 50 feet to the North line of property conveyed to Clarence Reid and wife by deed recorded in Book 453, page 637; thence East along the North line of said property conveyed to Reid as aforesaid 195 feet 5 inches; thence North and parallel with the East line of Lot 41, 370 feet 10 inches to the East line of Fillmore Avenue; thence South along the East line of Fillmore Avenue, 50 feet to the point beginning. I have and to the same with all the rights, immunities, privileges and appurtenances thereto belonging unto the said party of the Second Part, and his heirs, and assigns forever; so that neither the said parties of the First Part, nor their heirs, any other person or persons, for them or in their names or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these Presents, be excluded and forever barred. In Testimony Whereof, the said parties of the First Part have hereunto set their hands and seals the day and year first above written.

Romeo Burnett (seal)
Viola Burnett (seal)

State of Missouri } ss. On this 18th day of February, 1930, before me personally appeared
County of St. Louis } Romeo Burnett and Viola Burnett, his wife, to me known to be the
persons described in and who executed the foregoing instrument, and acknowledged that
they executed the same as their free act and deed. In Testimony
Whereof, I have hereunto set my hand and affixed my official
seal at my office in said county and State, the day and year first
above written, my term expires February 7, 1932. Lola Hedder Notary Public

Lola Hedder
Notary Public
City of St. Louis, Mo.

Filed for record March 10, 1930 at 2⁴⁸ o'clock P.M. Arthur H. Schmidt, Recorder of Deeds.

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Trustee's Sale Whereas, Edward Summers and Gertrude Summers, his wife, by their certain Deed of Trust dated the 30th day of August, 1924 and recorded in the Office of the Recorder of Deeds for the County of St. Louis, State of Missouri, in Book 662 Page 413, conveyed to the undersigned Trustee, the following real estate, situated in the County of St. Louis, State of Missouri, and described as follows, to wit: East 50 feet of Lot 23, and the West 50 feet

of Lot 71, Woodbine Heights Addition, which conveyance was made to the undersigned in trust to secure the payment of one certain note in said deed specified and whereas said note is now part due and remains unpaid; now, therefore, at the request of the legal holder of said note and in pursuance of the conditions in said Deed of Trust, I, the undersigned Trustee, will sell the property above described at public auction to the highest bidder, for cash, at the East front door of the Court house, in the City of Clayton, St. Louis County, Missouri, on Monday, the 2nd day of December, 1929, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon, for the purpose of satisfying said indebtedness and the cost of executing this trust.

Kirkwood Trust Co., Trustee, Kirkwood Mo.,
9-12

Kirkwood, Mo., November 8, 1929.

State of Missouri, ss. Proof of Publication
County of St. Louis (John A. Jacaty, on his oath, says he is the publisher of the Kirkwood Monitor, a weekly newspaper published at Kirkwood, St. Louis County, Missouri, and that the advertisement, a copy of which is hereto attached, has been published in said paper for four weeks follows. November 8 1929, Vol. XI No. 7 November 15 1929, Vol. XI No. 10
November 22 1929, Vol. XI No. 11 November 29 1929, Vol. XI No. 12

Emil A. Freymer, Notary Public
Subscribed and sworn to before me, this 2nd day of Dec 1929
my commission expires June 17th, 1930

Trustee's Deed Underdale Thomas, Edward Summers and Bertrude Summers, his wife, by their Deed of Trust, dated the 30th day of August A. D. 1924 and recorded in the Recorder's Office, in the County of St. Louis, Missouri, in Book 662 page 413, conveyed to the undersigned Trustee, the property herein described, in Trust, to secure to F. L. Schwenker, the payment of the one certain note in said deed described. And whereas default was made in the payment of said note secured by said deed, and by reason whereof we, did, at the request of the legal holder of said Deed of Trust, proceed to execute the power to us given by said deed and did, on Monday, the 2nd day of December, A. D. One Thousand Nine Hundred and twenty nine having previously given twenty one days notice of the time, time and place of sale; and of the property to be sold, by advertisement printed and published in the Kirkwood Monitor a newspaper printed and published in the County of St. Louis and State of Missouri, a copy of which advertisement, with the affidavit of the publisher of said newspaper, proving its publication, is hereto attached and made part hereof, at the East front door of the Court House in the City of Clayton, Missouri, aforesaid, as per the advertisement hereinbefore described, and at said sale William M. Boag being the highest and best bidder for the sum of One Hundred and no/00 Dollars the same was struck off and sold to William M. Boag at that price and sum. Now, therefore, know all men by these Presents, that we the undersigned Trustee, in consideration of the premises, and of the sum of One Hundred and no/00 Dollars to us paid by the said William M. Boag of the County of St. Louis and State of Missouri do bargain, sell and convey unto him the said William M. Boag the Real Estate in said Deed of Trust described as follows, to wit: East 50 feet of Lot 72 and the West 50 feet of Lot 71 of Woodbine Heights addition, a subdivision in St. Louis County, Missouri. To Have and to hold the same unto the said William M. Boag his heirs and assigns Forever. In Witness Whereof, the said Trustee has caused these presents to be signed by its President, Kirkwood Trust Company, and its corporate seal hereunto affixed, the day and year first above written.

Seal
Kirkwood, Mo. W. D. Bourson, Secy
By R. V. Nicholas, President
State of Missouri, ss. On this 7th day of January, 1930, before me appeared R. V. Nicholas, County of St. Louis, to me personally known, who being by me duly sworn, did say that he is the President of the Kirkwood Trust Company, a corporation under the laws of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and

Article XII: Nonconformities

§ 25-91. Purpose.

Within the districts established by this code, some lots, uses of lands or structures, or combinations thereof may exist that were lawful prior to the effective date or amendment of this code, but that are prohibited, regulated, or restricted under the terms of this code. The legitimate interests of those who lawfully established these nonconformities are herein recognized by providing for the continuance of such uses, subject to regulations limiting their completion, restoration, reconstruction, extension, and/or substitution. Nevertheless, while it is the intent of this code that such nonconformities be allowed to continue until removed, they should not be encouraged to survive, unless otherwise allowed in this chapter or specifically addressed in this code.

§ 25-92. General Provisions.

- (a) Any use, building, structure, land, or premises that existed at the time of the effective date of this code that was legally established under a previous code amendment or versions may be continued even if such use, building, structure, or use of land does not conform to the provisions of this code.
- (b) Passage of this code in no way legalizes any illegal uses existing at the time of its adoption.
- (c) An applicant for any development review procedure that deals with nonconformity shall bear the burden of proof in demonstrating that the use was a legal nonconformity on the effective date of this code.
- (d) Violation of any conditions and/or safeguards prescribed in this chapter shall be deemed a violation of this code and shall be punishable under Article XIII: Enforcement and Penalties.

§ 25-93. Determination of Legal Nonconformity Status.

- (a) At the time of application for a building permit, or request for variance regarding a nonconforming lot, building, structure, or use, the property owner shall submit sufficient evidence for the Director of Public Services or Board of Adjustment, as applicable, to determine that such lot, building, structure, or use was lawfully created or established in accordance with the code regulations in existence at that time.
- (b) Such documentation shall be retained as part of the applicable building permit or variance application, as applicable.

§ 25-94. Nonconformities and Variances or Administrative Waivers.

- (a) When a property owner or authorized agent is granted approval of a variance or administrative waiver for a nonconformity that addresses the nonconformity, the use, structure, or lot shall no longer be considered nonconforming. In no case shall the resolved nonconformity be expanded or altered to create further nonconformities.
- (b) If a property owner or authorized agent is granted approval of a variance or administrative waiver for a nonconformity that addresses some nonconformities but additional nonconformities continue, the use shall still be subject to the provisions of this article.

§ 25-95. Nonconforming Uses.

Where, at the time of adoption of this code, lawful uses of land or structures exist that would not be permitted by the regulations of this code, the uses may be continued so long as they remain otherwise lawful and provided:

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- (a) No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this code unless it complies with the provisions of § 25-95(e).
- (b) No such nonconforming use shall be moved, in whole or in part, to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this code.
- (c) No additional structures shall be constructed on a lot with a nonconforming use unless it complies with the provisions of § 25-96.
- (d) **Change or Substitution to Another Nonconforming Use**
- (1) The lawful nonconforming use of an existing building, structure, or lot can be continued even if such use is not permitted in the applicable district.
- (2) If no structural alterations are made that increase the nonconformity, a nonconforming use of a building or structure, or lot, may be changed to another, less intensive nonconforming use with approval from the Director of Public Services. The determination of whether the proposed use is less intensive shall be based on the following criteria:
- (i) The change of the use will have a less deleterious effect on the neighboring properties than does the existing use;
- (ii) The proposed use is allowed in the City and is listed Table 35-1;
- (iii) The change of the use shall not create any additional burden on the neighboring properties;
- (iv) The change of the use shall not substantially increase traffic hazards or congestion;
- (v) The change of the use shall not substantially increase fire hazards;
- (vi) The change of the use shall not adversely affect the general welfare of the community;
- (vii) The change of the use shall not overtax public utilities; and
- (viii) The change of the use shall satisfy all other site development regulations that are applicable.
- (3) A nonconforming use cannot be changed to a more intensive nonconforming use.
- (4) In order to assure compliance with any provisions required for approval of a change of use and to assure maintenance of buffers and landscaping, which mitigates the effect of the nonconforming use, adequate provisions may be made in covenants running with the land or other instruments that empower the City to enforce the covenants in the event of failure of compliance. Any approval of a change of use provided for herein does not alter the nonconformity of the use or any remaining nonconforming characteristics set forth above. Further, any approval of alteration change of the use does not obligate the City to grant further approvals, and any additional change of the use shall require a new application, which application may, in the discretion of the City, be considered from the perspective of the aggregate impact of any proposed change of use and any previous change of use previously permitted under the provisions of this code. In permitting such change, the Director of Public Services may prescribe appropriate conditions and safeguards in accordance with other provisions of this code and when made a part of the terms under which the change is granted.
- (5) Whenever a nonconforming use is changed to a less intensive nonconforming use, such use shall not thereafter be changed to a more intensive nonconforming use.

- (6) Whenever a nonconforming use is changed to a use permitted in the district in which the lot is located, it shall cease to be considered a nonconforming use. Upon such compliance, no nonconforming use shall be made, resumed, or reinstated.

(e) Expansion or Alteration of a Nonconforming Use

- (1) A nonconforming use of land shall not be physically enlarged, increased, nor extended to occupy a greater area of land than was occupied by the use at the time it became nonconforming, unless approved as a special use (See § 25-20.) or otherwise specified.
- (2) A nonconforming use of an existing structure may be extended throughout any parts of a building that were manifestly arranged or designed for such use at the time of adoption or amendment to this code. However, no such use shall be extended to occupy any land outside such building not previously occupied by such nonconforming use unless approved as a special use (See § 25-20.) or otherwise specified.
- (3) No such building shall be enlarged or expanded to increase the nonconforming use unless approved as a special use (See § 25-20.). No additional structures shall be constructed in connection with such nonconforming use, except as follows:
- (i) The construction of a detached accessory structure related to a nonconforming residential use shall be permitted subject to complying with the accessory use lot coverage & setback regulations of the zoning district in which the nonconforming residential use is located.
- (ii) For nonconforming residential uses, non-habitable attached garages, porches and decks, although requiring a building permit shall not be considered expansions of nonconforming uses. Such additions to nonconforming residential uses shall comply with the lot coverage & setback requirements of the zoning district in which the nonconforming residential use is located.
- (4) In order to assure compliance with any provisions required for approval of an expansion or alteration of a nonconforming use and to assure maintenance of buffers and landscaping, which mitigates the effect of the nonconforming use, adequate provisions may be made in covenants running with the land or other instruments that empower the City to enforce the covenants in the event of failure of compliance. Any approval of expansion, extension, enlargement or alteration of the use provided for herein does not alter the nonconformity of the use or any remaining nonconforming characteristics set forth above. Further, any approval of alteration change of the use does not obligate the City to grant further approvals, and any additional change of the use shall require a new application, which application may, in the discretion of the City, be considered from the perspective of the aggregate impact of any proposed change of use and any previous change of use previously permitted under the provisions of this code. In permitting such change, the Planning and Zoning Commission and City Council may prescribe appropriate conditions and safeguards in accordance with other provisions of this code and when made a part of the terms under which the change is granted.

(f) Termination of Nonconforming Uses

(1) Termination of Use through Discontinuance

- (i) When any nonconforming use of a building, structure, or premises, or part thereof, is discontinued or abandoned for more than 180 consecutive days, such discontinuance shall constitute voluntary abandonment and any new use shall conform to the regulations of the district in which it is located.
- (ii) When any nonconforming use of land that does not occur within a structure is discontinued or abandoned for more than 30 consecutive days, such discontinuance shall constitute voluntary abandonment and any new use shall conform to the regulations of the district in which it is located.
- (iii) A nonconforming use may not resume after the Director of Public Services has determined that the use has been discontinued or abandoned in accordance with the above provisions.
- (iv) The intent to continue a nonconforming use shall not be evidence of its continuance.

(2) Termination of Use by Damage or Destruction

- (i) If a building or structures devoted to a nonconforming use is damaged or destroyed to any extent by cause unrelated or unattributable to the owner, such structure and use may be reestablished on the same lot provided it meets the same size in height and footprint, as well as complying with the same setbacks as previously existed.
- (ii) Such reestablishment of the use shall require the issuance of a building permit and construction shall be required to commence within 18 months of the damage or destruction unless an alternative time limit is approved by the Board of Adjustment. Failure to comply with this time limit shall result in forfeiture of nonconforming status and any new use shall comply with this code.

§ 25-96. Nonconforming Structures and Sites.

A nonconforming building, structure, or site may continue to be used or occupied by a use permitted in the applicable zoning district so long as it remains otherwise lawful and does not constitute a public nuisance, subject to the following provisions:

- (a) Any nonconforming structure or site may be enlarged, moved, or altered provided, however, no such enlargement, move, or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure or site, unless otherwise specified in this code.
- (b) A nonconforming structure shall not be relocated in whole or in part to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the applicable zoning district after being relocated.
- (c) The principal use of a nonconforming building may be changed to any other use permitted in the applicable zoning district as long as the new use complies with all regulations of this code specified for such use, except the regulations to which the building did not conform prior to the change in use.
- (d) The governmental acquisition of a portion of a lot for a public purpose that results in reduction in a required yard or building setback below that required in the applicable zoning district shall not render a structure nonconforming.

- (e) **Damage or Destruction of a Nonconforming Structure Containing a Conforming Use**
- (1) If a nonconforming structure is damaged or destroyed to any extent by cause unrelated or unattributable to the owner, such structure may be reestablished on the same lot provided it meets the same size in height and footprint, as well as complying with the same setbacks as previously existed.
 - (2) Such reestablishment of the structure shall require the issuance of a building permit and construction shall be required to commence within 18 months of the damage or destruction unless an alternative time limit is approved by the Board of Adjustment. Failure to comply with this time limit shall result in forfeiture of nonconforming status and any new structure shall comply with this code.
 - (3) If the owner voluntarily removes the structure or reduces the nonconformity, that has not been damaged or destroyed, that owner shall not be permitted to rebuild the structure to the original height, size, or setback.
- (f) **Nonconforming Site Conditions Existing at the Time of Site Plan Review**
If a nonconforming site condition exists when a site plan is required pursuant to § 25-19, then such site condition must be brought into compliance with district regulations, unless the Planning and Zoning Commission and City Council determines that such conformance cannot be reasonably achieved because of existing site conditions. In such case, the City Council may approve a site plan that reduces the existing nonconforming site condition to the maximum extent practicable.

§ 25-97. Nonconforming Lots of Record.

A nonconforming lot of record may be used in accordance with this section.

- (a) If an existing lot of record is occupied by conforming structures, such structures shall be maintained and may be repaired, modernized or altered, provided that:
 - (1) The structure shall not be enlarged in floor area unless the enlarged section complies with all regulations of this code, with the exception of the lot area and the lot width regulations.
 - (2) The number of dwelling units shall not be increased unless in conformance with this code.
- (b) In any residential zoning district, a single-family dwelling and its customary accessory uses may be erected on a vacant single lot of record if said lot meets the definition of a buildable lot.
- (c) A vacant nonconforming lot in all other districts may be used for any use permitted in the district in which it is located when the development of such lot meets all requirements of the district in which it is located, including the maximum lot coverage and minimum setback requirements, except for the minimum lot area and lot width requirements. No use that requires a greater lot area than the established minimum lot area for a particular district shall be permitted on a nonconforming lot.
- (d) If a vacant nonconforming lot in any district adjoins one or more lots in common ownership on the effective date of this code, or applicable amendment thereto, such lots shall be replatted to create lots of greater conformity to the minimum lot area and lot width of the applicable zoning districts.

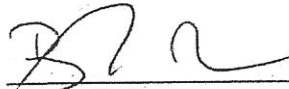
§ 25-98. Repair and Maintenance.

- (a) Ordinary repairs, or repair or replacement of non-bearing walls, fixtures, wiring, or plumbing may be performed on a nonconforming structure or on any portion of a structure that contains a nonconforming use provided that the cubic content shall not be increased and no structural parts shall be replaced except when required by law to restore such building or structure to a safe condition or to make the building or structure conform to the regulations of the district in which it is located.
- (b) Nothing in this section shall be deemed to prevent the strengthening or restoring to safe condition of any building, or part thereof, declared to be unsafe by any official charged with protecting the public safety. Where appropriate, a building permit for such activities shall be required.

CITY OF KIRKWOOD
APPLICATION FOR BOUNDARY ADJUSTMENT/CONSOLIDATION PLAT

DATE:	2/26/21	
ADDRESS OF PROPERTY:	336,338,340 SOUTH FULLMORE	
NAME OF PLAT:		
APPLICANT'S NAME:	340 SOUTH FULLMORE LLC	
APPLICANT'S ADDRESS	101 W. ARDENNE DR. SUITE 266	
CITY, STATE, ZIP	ST. LOUIS, MO 63122	
TELEPHONE NO.	314-281-9118	
\$100 FILING FEE CHECK NO.		RECEIPT NO.
\$500 DEPOSIT CHECK NO.		
\$500 DEPOSIT REFUNDED TO:		
DATE \$500 DEPOSIT REFUNDED OR DATE RECORDED COPY RETURNED:		
DATE RECORDED		
BOOK/PAGE		

By signing this application, I understand that failure to provide a copy of the recorded plat within 30 days shall result in the \$500 deposit being forfeited to the City of Kirkwood.

 2/26/21

Signature/Date

BLANE DEW

Printed Name



WHERE COMMUNITY AND SPIRIT MEET®

March 9, 2021

Brian Fischer
THD Design Group
148 Chesterfield Industrial Blvd., Suite E
Chesterfield, MO 63005

SENT VIA EMAIL: brian@thddesigngroup.com

SUBJECT: PZ-9-21; 336, 338, and 340 FILLMORE AVENUE
SUBDIVISION WAIVERS

Mr. Fischer:

The City of Kirkwood Public Services Department is in receipt of your application for subdivision waivers related to a future boundary adjustment plat for the properties located at 336, 338, and 340 South Fillmore Avenue. This item will be placed on the Planning and Zoning Commission agenda for its **7:00 p.m. meeting Wednesday, March 17, 2021**. This meeting will be conducted via Zoom and you will provide information regarding how to join the meeting at a later date. City Staff will make an introduction presentation regarding the request at this meeting. You, or your representative, should attend this meeting to present 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 Subdivision Code. The Public Services Department has the following comments concerning the application. Please note these comments do not need to be addressed prior to the March 17, 2021 meeting. None of the following comments effect the modification request and will only need to be addressed prior to the City executing the plat, if the requested modifications are approved:

1. Add the application Section Township, and Range to the title block of the Boundary Adjustment Plat.
2. Revise the City scripts to reference the following:
 - a. Update the City Clerk's name to Laurie Asche.
 - b. Update the City Engineer's name to Chris Krueger.
 - c. Change the reference to Ordinance 8553 to Ordinance 10702.
 - d. The reference to "Appendix B..." shall be changed to "Chapter 25, Section 25-26, Minor Subdivisions".
 - e. Revise the statement that starts with "The purpose of this plat..." to reference the adjustment of lot boundaries rather than the consolidation of lots.

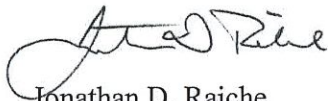
3. The leader-arrow for the original 340 S. Fillmore lot points to the new north property line. Revise this to point to the original north property line.
4. After the first lot is developed, more than 40% of the lots on the east side of Fillmore Avenue between Clinton Avenue and Sante Avenue are developed. Per Section 25-48 (b)(2), the front yard setback required for the remaining lots will be subject to an averaging requirement. Revise the plat to add a note regarding this requirement.

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 their 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.

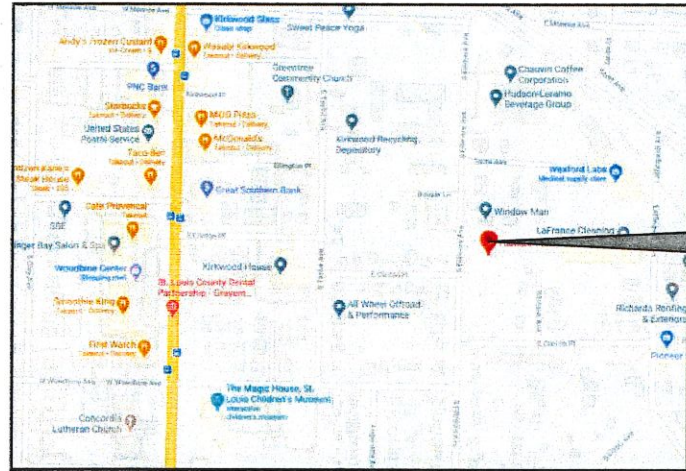
Sincerely,

CITY OF KIRKWOOD



Jonathan D. Raiche
Planning & Development Services Director
314-984-5926
raichejd@kirkwoodmo.org

Cc: Blake Dell, blakedell@gmail.com



LOCATION MAP (NOT TO SCALE)

336-338-340 SOUTH FILLMORE AVENUE BOUNDARY ADJUSTMENT PLAT

A TRACT OF LAND BEING PART OF LOT 41
OF EAST KIRKWOOD, A SUBDIVISION,
CITY OF KIRKWOOD,
ST. LOUIS COUNTY, MO

LEGEND
--- EASEMENT ---
--- SETBACK LINE ---

PROPERTY/IMPROVEMENT NOTES:

- ADJOINING PROPERTY'S WOOD AND METAL FENCES LIE ON SUBJECT PROPERTY.
- ADJOINING PROPERTY'S CONC WALL LIES ON SUBJECT PROPERTY.
- FENCE OWNERSHIP (IF SHOWN) IS BASED UPON FIELD OBSERVATIONS, FINAL DETERMINATION SHOULD BE MADE BY PROPERTY OWNERS.
- BUILDING LINES AND EASEMENTS SHOWN PER ABOVE MENTIONED RECORD PLAT.

CITY OF KIRKWOOD CERTIFICATIONS

THIS DRAWING HAS BEEN REVIEWED; AND IT IS DETERMINED THAT IT IS IN ACCORDANCE WITH THE KIRKWOOD CODE OF ORDINANCES APPENDIX B - SUBDIVISIONS, ARTICLE IV, SECTION 2, "BOUNDARY ADJUSTMENTS" AND IT HAS BEEN APPROVED BY THE DEPARTMENT OF PUBLIC SERVICES. THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE ADJACENT TRACTS OF LAND INTO A SINGLE LOT. NO ADDITIONAL LOTS ARE CREATED.

TED J. DUNKMANN, PE DATE
CITY ENGINEER
CITY OF KIRKWOOD, MO

I, BETTY MONTANO, CITY CLERK OF THE CITY OF KIRKWOOD, MISSOURI, DO HEREBY CERTIFY THAT THIS BOUNDARY ADJUSTMENT PLAT WAS REVIEWED AND APPROVED BY THE CITY OF KIRKWOOD IN ACCORDANCE WITH ORDINANCE NO. 8553.

BETTY MONTANO
CITY CLERK
CITY OF KIRKWOOD, MO

DEVELOPMENT NOTES:

- SITE ADDRESS/OWNERSHIP INFORMATION:
340 SOUTH FILLMORE LLC
101 WEST ARGONNE DRIVE
SUITE 268
ST. LOUIS, MO 63122
338 SOUTH FILLMORE AVENUE
LOC. NO. 244511025
DEED BOOK 22858, PAGE 441
338 SOUTH FILLMORE AVENUE
LOC. NO. 244511234
DEED BOOK 22270, PAGE 2002
340 SOUTH FILLMORE AVENUE
LOC. NO. 244511952
DEED BOOK 21952, PAGE 3821
- AREA OF PLAT: 68,108 SQUARE FEET OR 1.56 ACRES, MORE OR LESS.
- PROPERTY SERVED BY THE FOLLOWING:
WATER: MISSOURI AMERICAN WATER
SEWER: MSD
TELEPHONE: AT&T
GAS: AT&T
ELECTRIC: AMEREN UE
KIRKWOOD FIRE PROTECTION DISTRICT
KIRKWOOD SCHOOL DISTRICT
CITY OF KIRKWOOD, MO
ZIP CODE: 63122
- ACCORDING TO THE FIRM FLOOD INSURANCE RATE MAP 29189C0309K, DATED FEBRUARY 4, 2015, THIS DEVELOPMENT IS LOCATED IN ZONE X UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- BASES OF BEARINGS: BASED UPON THE NORTH LINE OF TRACT OF LAND AS PER PLAT BOOK 358, PAGE 496 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS.
- A TITLE COMMITMENT WAS NOT PROVIDED FOR THE SURVEYED TRACTS.
- NO NEW LOTS ARE CREATED BY THIS PLAT.
- ZONING FOR SUBJECT LOTS:
R-4 RESIDENTIAL, CITY OF KIRKWOOD ZONING ORDINANCE
BUILDING SETBACKS:
FRONT = 35 FEET
SIDE = 5 FEET
REAR = 30 FEET
BUILDING HEIGHT = 35 FEET, MAXIMUM
LOT AREA = 7,500 SQ. FT. MINIMUM

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THD DESIGN GROUP, INC. AT THE REQUEST AND FOR THE EXCLUSIVE USE OF CRAFTED PROPERTIES, LLC, WE HAVE DURING THE MONTH OF AUGUST 2020, EXECUTED A BOUNDARY AND IMPROVEMENT SURVEY AND BASED UPON SAID SURVEY, DURING THE MONTH OF JANUARY 2021, PREPARED A BOUNDARY ADJUSTMENT PLAT ON PART OF LOT 41 OF EAST KIRKWOOD, A SUBDIVISION IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI, AND THE RESULTS OF WHICH ARE SHOWN HEREON. ALL SURVEY MONUMENTATION WILL BE SET AS SHOWN HEREON THIS PLAT. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS (2 CSR 90-60.010 TO 60.070) OF THE MISSOURI DEPARTMENT OF AGRICULTURE, AND THE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL LANDSCAPE ARCHITECTS, AND MEETS THE STANDARDS FOR AN "URBAN" SURVEY, AS DEFINED THEREIN.

OWNERS CERTIFICATION

WE, THE UNDERSIGNED, OWNERS OF THE TRACTS OF LAND HEREIN PLATTED AND FURTHER DESCRIBED IN THE FOREGOING SURVEYORS CERTIFICATE HAVE CAUSED THE SAME TO BE SURVEYED AND BOUNDARY ADJUSTED (CONSOLIDATED) IN THE MANNER SHOWN ON THIS PLAT, WHICH SHALL HEREAFTER BE KNOWN AS 336-338-340 SOUTH FILLMORE AVENUE-BOUNDARY ADJUSTMENT PLAT.

A TITLE COMMITMENT WAS NOT PROVIDED FOR THE LOTS COMPRISING THIS BOUNDARY ADJUSTMENT PLAT; THEREFORE, THESE PROPERTIES ARE SUBJECT TO ANY AND ALL EASEMENTS OF RECORD, WHETHER OR NOT SHOWN ON THIS PLAT.

THE UNDERSIGNED FURTHER STATES THAT SAID LOTS ARE NOT ENCUMBERED BY DELINQUENT TAXES.

IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR HAND THIS _____ DAY OF _____ 20____.

NAME _____ NAME _____

NAME _____ NAME _____

OWNERS NOTARY

STATE OF _____)
COUNTY OF _____) SS

ON THIS _____ DAY OF _____ 20____, BEFORE ME PERSONALLY APPEARED THE ABOVE SIGNED _____ TO ME KNOWN TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT _____ EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY TERM EXPIRES: _____

NOTARY PUBLIC _____

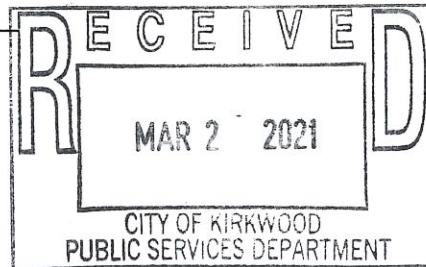
LIENHOLDER CERTIFICATION

WHEREAS, THE UNDERSIGNED HOLDER OR LEGAL OWNER OF NOTES BY DEED IN _____ PAGE _____ OF THE ST. LOUIS COUNTY RECORDER'S OFFICE, JOINS IN AND APPROVES IN EVERY DETAIL THIS PLAT OF "336-338-340 SOUTH FILLMORE AVENUE-BOUNDARY ADJUSTMENT PLAT".

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND AND AFFIXED OUR CORPORATE SEAL THIS _____ DAY OF _____ 20____.

[AUTHORIZED AGENT SIGNATURE] _____

[PRINT NAME & TITLE] _____



LIENHOLDER NOTARY

STATE OF _____)
COUNTY OF _____) SS

ON THIS _____ DAY OF _____ 20____, BEFORE ME APPEARED _____ TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE _____ OF _____ A CORPORATION OF THE STATE OF MISSOURI, THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION, AND SAID _____ SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY TERM EXPIRES: _____

NOTARY PUBLIC _____

LAND DESCRIPTION (PER DEEDS):

ORIGINAL 338 SOUTH FILLMORE AVENUE (D.B. 22868/PG. 441)

PARCEL OF GROUND LOCATED IN THE WEST PART OF LOT 41 OF EAST KIRKWOOD, A SUBDIVISION IN ST. LOUIS COUNTY, MISSOURI SAID PARCEL OF LAND HAVING A FRONT OF 33 FEET ON THE EAST LINE OF FILLMORE AVENUE BY A DEPTH EASTWARDLY OF 390 FEET, MORE OR LESS AND BOUNDED ON THE NORTH BY PROPERTY NOW OR FORMERLY OWNED BY MARTHA PARKER AND ON THE SOUTH BY LOT, NOW OR FORMERLY OWNED BY WASH GRAY AND BEING THE SOUTH 33 FEET OF LOT ACQUIRED BY MARTHA PARKER BY DEED RECORDED IN BOOK 152 PAGE 608 OF THE ST. LOUIS COUNTY RECORDS.

ORIGINAL 338 SOUTH FILLMORE AVENUE (D.B. 22270/PG. 2002)

A PART OF LOT 41 OF EAST KIRKWOOD AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF FILLMORE AVENUE, 117 FEET 2 INCHES NORTH OF THE SOUTHWEST CORNER OF LOT 41, BEING ALSO THE NORTHWEST CORNER OF PROPERTY CONVEYED TO LOUISE WHITSON BY DEED RECORDED IN BOOK 81 PAGE 318; THENCE EAST ALONG THE NORTH LINE OF SAID PROPERTY SO CONVEYED AND PARALLEL WITH THE SOUTH LINE OF LOT 41, 195 FEET 5 INCHES TO THE NORTHEAST CORNER OF SAID WHITSON PROPERTY THENCE SOUTH ALONG THE EAST LINE OF SAID WHITSON PROPERTY AND PARALLEL WITH THE EAST LINE OF FILLMORE AVENUE 50 FEET TO THE NORTH LINE OF PROPERTY CONVEYED TO CLARENCE REID AND WIFE BY DEED RECORDED IN BOOK 463 PAGE 837; THENCE EAST ALONG THE NORTH LINE OF SAID PROPERTY CONVEYED TO REID, AS AFORESAID 195 FEET 5 INCHES; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF FILLMORE AVENUE 100 FEET; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF LOT 41, 390 FEET 10 INCHES TO THE EAST LINE OF FILLMORE AVENUE; THENCE SOUTH ALONG THE EAST LINE OF FILLMORE AVENUE, 50 FEET TO THE POINT OF BEGINNING.

ORIGINAL 340 SOUTH FILLMORE AVENUE (D.B. 21952/PG. 3823)

PART OF LOT 41 OF EAST KIRKWOOD AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF FILLMORE AVENUE, 67 FEET 2 INCHES NORTH OF THE NORTH LINE OF LOT 42 OF EAST KIRKWOOD; THENCE NORTH ON THE EAST LINE OF FILLMORE AVENUE, 50 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINE OF LOT 42 OF EAST KIRKWOOD, 195 FEET 5 INCHES TO A POINT; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF FILLMORE AVENUE 50 FEET TO A POINT, AND THENCE WEST AND PARALLEL WITH THE NORTH LINE OF LOT 42 OF EAST KIRKWOOD, 195 FEET 5 INCHES TO THE POINT OF BEGINNING.

393 WHITSON STREET (D.B. 22858/PG. 2694)

PART OF LOT 41 OF EAST KIRKWOOD, A SUBDIVISION IN THE COUNTY OF ST. LOUIS, MISSOURI AND DESCRIBED AS BEGINNING AT A POINT IN THE SOUTH LINE OF SAID LOT 41 DISTANT 150 FEET 10 INCHES EAST OF THE SOUTHWEST CORNER OF SAID LOT 41; THENCE NORTH PARALLEL TO THE EAST LINE OF FILLMORE AVENUE 67 FEET 2 INCHES TO A POINT; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 41, 240 FEET TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF FILLMORE AVENUE 67 FEET 2 INCHES TO A POINT IN THE SOUTH LINE OF SAID LOT 41 AND THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 41, 240 FEET TO THE POINT OF BEGINNING.

ADJUSTED LOT 336 SOUTH FILLMORE AVENUE:

A TRACT OF LAND BEING PART OF LOT 41 OF EAST KIRKWOOD, A SUBDIVISION IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A SET IRON ROD WITH CAP ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH FILLMORE AVENUE, SAID POINT BEING 187.08 FEET NORTH OF THE NORTH LINE OF LOT 42 OF EAST KIRKWOOD, AS MEASURED ALONG SAID EASTERLY RIGHT-OF-WAY LINE.
THENCE NORTH 00 DEGREES 23 MINUTES 04 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 44.30 FEET TO A SET IRON ROD WITH CAP.
THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 50 MINUTES 01 SECONDS EAST, ALONG THE SOUTHERLY LINE OF A TRACT OF LAND NOW OR FORMERLY OF TOVREA HOLDINGS, LLC, AS RECORDED IN DEED BOOK 15196, PAGE 1183 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, A DISTANCE OF 390.83 FEET TO A SET IRON ROD WITH CAP.
THENCE SOUTH 00 DEGREES 23 MINUTES 04 SECONDS WEST, ALONG THE WESTERLY LINE OF A TRACT OF LAND NOW OR FORMERLY OF KIRKWOOD PROPERTIES, LLC, AS RECORDED IN DEED BOOK 22538, PAGE 615 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, A DISTANCE OF 44.30 FEET TO A SET IRON ROD WITH CAP.
THENCE NORTH 89 DEGREES 50 MINUTES 01 SECONDS WEST, A DISTANCE OF 390.83 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 17,314 SQUARE FEET OR 0.40 ACRES, MORE OR LESS, AS SURVEYED AND CALCULATED BY THD DESIGN GROUP, INC. DURING JANUARY 2021.

ADJUSTED LOT 338 SOUTH FILLMORE AVENUE:

A TRACT OF LAND BEING PART OF LOT 41 OF EAST KIRKWOOD, A SUBDIVISION IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A SET IRON ROD WITH CAP ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH FILLMORE AVENUE, SAID POINT BEING 117.08 FEET NORTH OF THE NORTH LINE OF LOT 42 OF EAST KIRKWOOD, AS MEASURED ALONG SAID EASTERLY RIGHT-OF-WAY LINE.
THENCE NORTH 00 DEGREES 23 MINUTES 04 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 44.30 FEET TO A SET IRON ROD WITH CAP.
THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 50 MINUTES 01 SECONDS EAST, A DISTANCE OF 390.83 FEET TO A SET IRON ROD WITH CAP.
THENCE SOUTH 00 DEGREES 23 MINUTES 04 SECONDS WEST, ALONG THE WESTERLY LINE OF A TRACT OF LAND NOW OR FORMERLY OF KIRKWOOD PROPERTIES, LLC, AS RECORDED IN DEED BOOK 22538, PAGE 615 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, A DISTANCE OF 44.30 FEET TO A SET IRON ROD WITH CAP.
THENCE NORTH 89 DEGREES 50 MINUTES 01 SECONDS WEST, A DISTANCE OF 390.83 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 17,314 SQUARE FEET OR 0.40 ACRES, MORE OR LESS, AS SURVEYED AND CALCULATED BY THD DESIGN GROUP, INC. DURING JANUARY 2021.

ADJUSTED LOT 338 SOUTH FILLMORE AVENUE:

A TRACT OF LAND BEING PART OF LOT 41 OF EAST KIRKWOOD, A SUBDIVISION IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A SET IRON ROD WITH CAP ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH FILLMORE AVENUE, SAID POINT BEING 67.08 FEET NORTH OF THE NORTH LINE OF LOT 42 OF EAST KIRKWOOD, AS MEASURED ALONG SAID EASTERLY RIGHT-OF-WAY LINE.
THENCE NORTH 00 DEGREES 23 MINUTES 04 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 44.40 FEET TO A SET IRON ROD WITH CAP.
THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 50 MINUTES 01 SECONDS EAST, A DISTANCE OF 390.83 FEET TO A SET IRON ROD WITH CAP.
THENCE SOUTH 00 DEGREES 23 MINUTES 04 SECONDS WEST, ALONG THE WESTERLY LINE OF A TRACT OF LAND NOW OR FORMERLY OF KIRKWOOD PROPERTIES, LLC, AS RECORDED IN DEED BOOK 22538, PAGE 615 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, A DISTANCE OF 44.40 FEET TO A SET IRON ROD WITH CAP.
THENCE NORTH 89 DEGREES 50 MINUTES 01 SECONDS WEST, ALONG THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF A TRACT OF LAND NOW OR FORMERLY OF CARTER CHURCHILL REID, AS RECORDED IN DEED BOOK 6446, PAGE 546 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, A DISTANCE OF 390.83 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 17,352 SQUARE FEET OR 0.40 ACRES, MORE OR LESS, AS SURVEYED AND CALCULATED BY THD DESIGN GROUP, INC. DURING JANUARY 2021.

THD DESIGN GROUP, INC.
"your solution for engineering and surveying"
148 CHESTERFIELD INDUSTRIAL BLVD, STE. E, CHESTERFIELD, MO 63017
TEL: 636-394-2972
FAX: 636-394-3077
WEB: THDDESIGNGROUP.COM
CORPORATE CERTIFICATE OF AUTHORITY # 2011004812

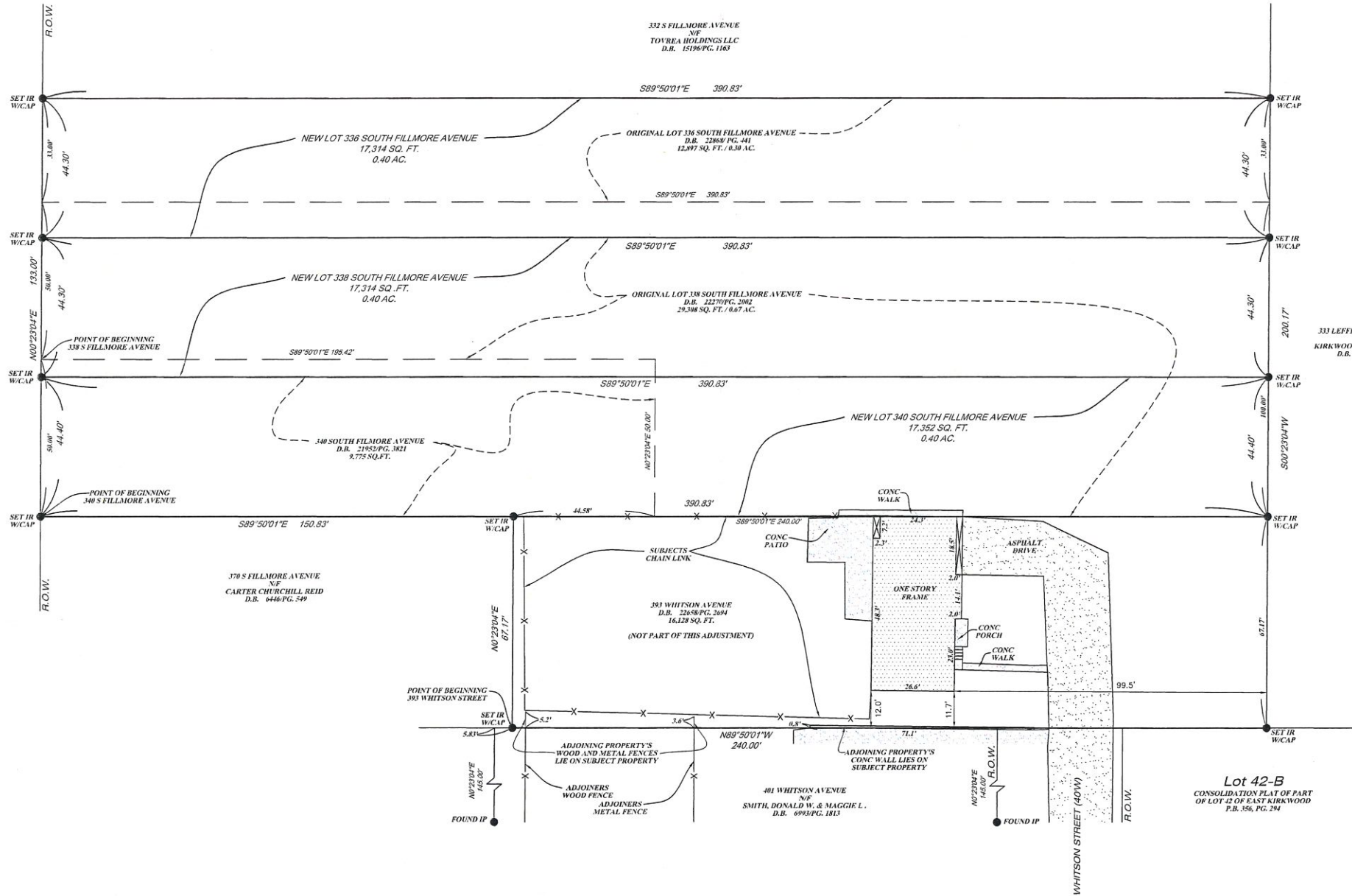
336-338-340 SOUTH FILLMORE AVENUE
BOUNDARY ADJUSTMENT PLAT
A TRACT OF LAND BEING PART OF LOT 41
OF EAST KIRKWOOD, A SUBDIVISION,
CITY OF KIRKWOOD,
ST. LOUIS COUNTY, MO

DRAFT

BRIAN J. FISCHER
MISSOURI P.L.S. #2564
THD DESIGN GROUP, INC.

SCALE: 1" = 20'
0 10 20

R.O.W. SOUTH FILLMORE AVENUE (60W) R.O.W.



LEGEND
--- EASELINE ---
--- SETBACK LINE ---

NO. 20 2805 (REV. 20 1624)
DATE: 2/25/2021
DRAWN BY: DWG501P
CHECKED BY: DTGA

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 TEL: 636-294-2922
 FAX: 636-294-3027
 WEB: THDDSGROUP.COM
 CORPORATE CERTIFICATE OF AUTHORITY # 2011004112

336-338-340 SOUTH FILLMORE AVENUE
 BOUNDARY ADJUSTMENT PLAT
 A TRACT OF LAND BEING PART OF LOT 41
 OF EAST KIRKWOOD, A SUBDIVISION,
 CITY OF KIRKWOOD,
 ST. LOUIS COUNTY, MO

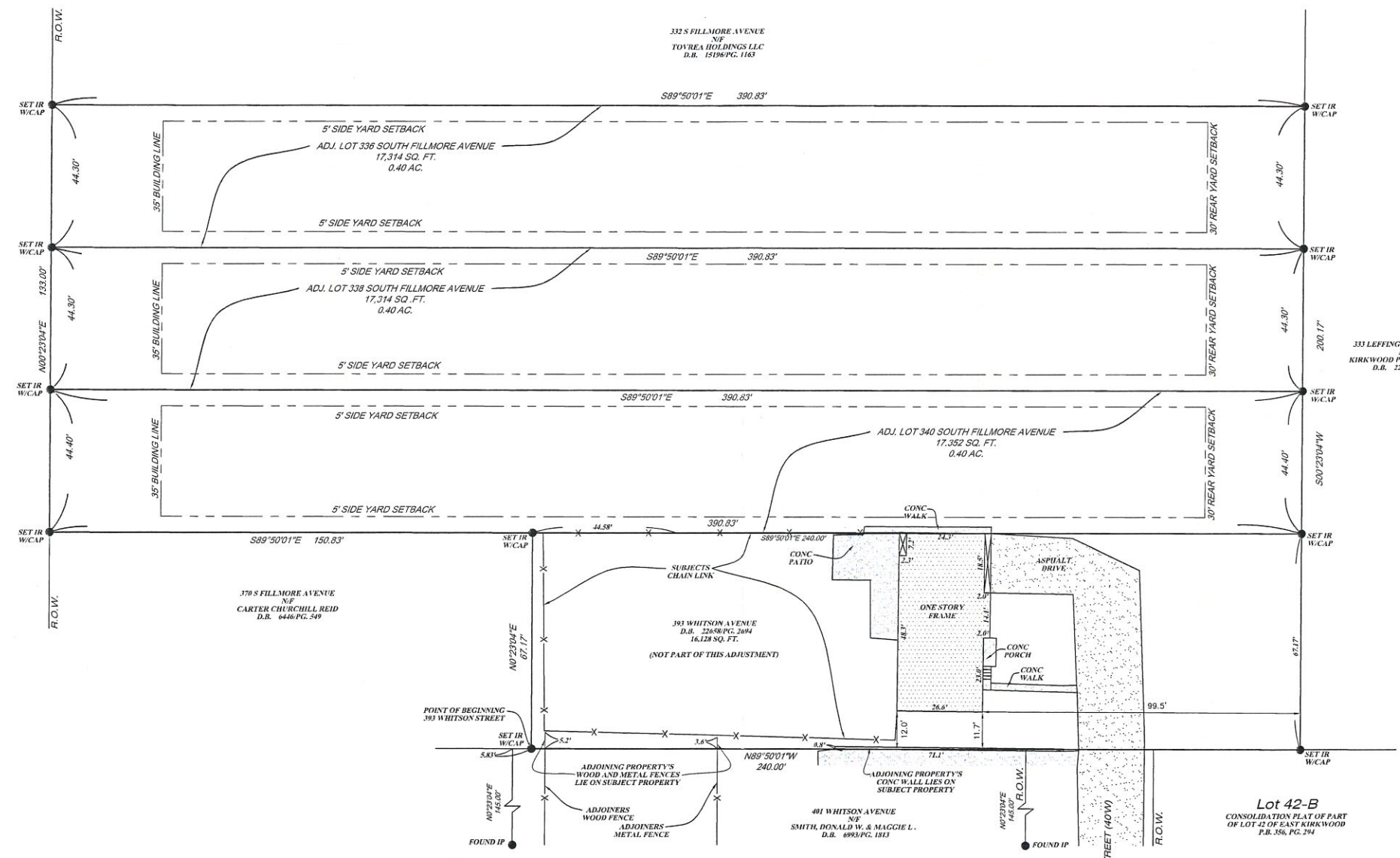
DRAFT

BRIAN J FISCHER
 MISSOURI P.L.S. #2564
 THD DESIGN GROUP, INC.



LEGEND
 --- EASEMENT
 - - - SETBACK LINE

SOUTH FILLMORE AVENUE (60'W)



RECEIVED
 MAR 2 2021
 CITY OF KIRKWOOD
 PUBLIC SERVICES DEPARTMENT

R-4 RESIDENTIAL, CITY OF KIRKWOOD ZONING ORDINANCE
 BUILDING SETBACKS:
 FRONT = 35 FEET
 SIDE = 5 FEET
 REAR = 30 FEET
 BUILDING HEIGHT = 35 FEET, MAXIMUM
 LOT AREA = 7,500 SQ. FT. MINIMUM

SCALE: 1" = 20'

NO. 20 2802 (REV. 20 1.624)
 DATE: 2/9/2021
 DRAWN BY: BW050JF
 CHECKED BY: DTGA

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 TEL: 636-294-2972
 FAX: 636-294-2973
 WEB: THDDESIGNGROUP.COM
 CORPORATE CERTIFICATE OF AUTHORITY # 201100412

336-338-340 SOUTH FILLMORE AVENUE
 BOUNDARY ADJUSTMENT PLAT
 A TRACT OF LAND BEING PART OF LOT 41
 OF EAST KIRKWOOD, A SUBDIVISION,
 CITY OF KIRKWOOD,
 ST. LOUIS COUNTY, MO

DRAFT
 BRIAN J FISCHER
 MISSOURI P.L.S. #2554
 THD DESIGN GROUP, INC.

333 LEFFINGWELL AVENUE
 NE
 KIRKWOOD PROPERTIES LLC
 D.B. 12538 PG. 615

332 S FILLMORE AVENUE
 NE
 TOVREA HOLDINGS LLC
 D.B. 15198 PG. 1163

370 S FILLMORE AVENUE
 NE
 CARTER CHURCHILL REID
 D.B. 6446 PG. 549

383 WHITSON AVENUE
 D.B. 22488 PG. 2494
 16,128 SQ. FT.
 (NOT PART OF THIS ADJUSTMENT)

401 WHITSON AVENUE
 NE
 SMITH, DONALD W. & MAGGIE L.
 D.B. 6993 PG. 183

Lot 42-B
 CONSOLIDATION PLAT OF PART
 OF LOT 41 OF EAST KIRKWOOD
 P.B. 356, PG. 294