

**CITY OF KIRKWOOD**

**PLANNING AND ZONING COMMISSION**

**Via Zoom Virtual Meeting**

**March 17, 2021**

**PRESENT:** **ABSENT:**

Jim Adkins, Chairman James Diel, Vice Chairman

David Eagleton, Secretary/Treasurer

Allen Klippel

Jim O’Donnell

Ron Evens

Tom Feiner

Sandy Washington

Mary Lee Salzer-Lutz

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, March 17, 2021, at 7:00 p.m. via Zoom Virtual Meeting. Planner II Amy Lowry and Administrative Assistant Patti Dodel also attended the meeting.

**1.** Chairman Adkins called the meeting to order at 7 p.m.

Planner II Amy Lowry 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 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. Therefore, members of the Planning and Zoning Commission have elected to participate in this meeting electronically for the public health and safety of each other and the general public. To make a comment during the public comment portions of the meeting, you will need to use the following methods. If you are accessing the meeting via the Zoom application/program, then you should click the hand icon on the bottom of your screen to “raise your hand”. If you are accessing the meeting solely using a dial-in phone line, you will need to “raise your hand” by dialing \*9. All individuals with raised hands will be called upon and unmuted one at a time. Please note, that the chat feature of the Zoom meeting will not be monitored by staff or the Commissioners.

Chairman Adkins informed the audience of the procedure for making comments regarding items on the agenda and announced that Commissioner Diel was absent and his absence was excused.

2. Motion was made by Commissioner Evens and seconded by Commissioner Eagleton to approve the minutes for the March 3, 2021, meeting as written.

Roll Call:

 Chairman Adkins “Yes”

 Commissioner Klippel “Yes

Commissioner O’Donnell “Yes

Commissioner Diel Absent

Commissioner Eagleton “Yes”

Commissioner Evens “Yes”

 Commissioner Feiner “Yes”

 Commissioner Salzer-Lutz “Yes”

 Commissioner Washington “Yes”

The motion was unanimously approved by the eight members present.

3**. 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

Chair Adkins recused himself due to a perceived conflict of interest and Secretary/Treasurer Eagleton assumed chair.

Planner II Amy Lowry stated Randall’s Wines & Spirits is requesting a Special Use Permit to occupy two adjacent tenant spaces (10441 and 10451 Manchester Road) in the EZ Storage Building adjacent to Burn Boot Camp. The combined space is 8,255 square feet and 33 parking spaces are designated for this use. Their proposed hours of operation are 10 a.m. to 8 p.m. Monday through Thursday, 10 a.m. to 9 p.m. Fridays and Saturdays, and noon to 6 p.m. on Sundays.

In response to Commissioner Evens’ question if the number of liquor stores is limited similar to tattoo studios (tattoo studios shall be located a minimum of 1,000 feet from any other tattoo studio), Ms. Lowry responded a Special Use Permit is required but there was not a limit on the number or location of liquor stores.

Todd Randall, of Randall’s Wines and Spirits, stated their first store was opened in Illinois in 1998, and they have three additional locations in the St. Louis area. The hours of operation for this proposed store are the same as the other four locations. Special events are held at the stores, including pet adoptions, wine and cocktail classes, car shows, and beer sampling. The stores participate in community events, including Mardi Gras, Pride Parade, and St. Patrick’s Day. Their ratio of products is approximately 20% beer, 40% liquor, and 40% wine. Curbside pickup and delivery are available through their website with two parking spaces reserved at this store.

Acting Chair Eagleton asked if there was anyone in the audience who had questions or comments, and no one responded.

Motion was made by Commissioner Evens to recommend approval of PZ-8-21, a Special Use Permit for a liquor store in the combined units addressed as 10441 and 10451 Manchester Road subject to the conditions contained in the memo from Planner II Amy Lowry dated March 17, 2021.

The conditions being:

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.

Roll Call:

 Chairman Adkins Absent

 Commissioner Klippel “Yes

Commissioner O’Donnell “Yes

Commissioner Diel Absent

Commissioner Eagleton “Yes”

Commissioner Evens “Yes”

 Commissioner Feiner “Yes”

 Commissioner Salzer-Lutz “Yes”

 Commissioner Washington “Yes”

 Chair Adkins resumed chair.

**4. PZ-09-21 SUBDIVISION MODIFICATION, BOUNDARY ADJUSTMENT PLAT**

 **336-340 SOUTH FILLMORE AVENUE**

 Submitted: 3-2-2021

 Petitioner’s Agent, Brian Fischer

Planner II Amy Lowry stated the owner of the vacant properties at 336, 338, and 340 South Fillmore is requesting a subdivision modification to the lot width requirement to accommodate a proposed Boundary Adjustment Plat to create three similar lots. The present lots are 33’ wide (336 S Fillmore) and 50’ wide (338 and 340 S Fillmore). The proposed lots would all be 44.3 feet wide. Decreasing the two lots from 50‘ wide to 44.3’ wide would bring them further out of conformance with the lot width requirement. All three lots were deeded in 1930 and are considered buildable lots in their current configuration; however, the 33’ wide lot with 5’ wide yard setbacks would only allow a 23’ wide house.

Brian Fischer and Blake Dell were available for questions. In response to Commissioner Evens’ question if they considered adjusting the three lots into two lots, Mr. Dell stated they did not.

Chair Adkins asked if there was anyone in the audience who had questions or comments, and no one responded.

Motion was made by Commissioner O’Donnell to recommend approval of PZ-9-21, a request for subdivision modifications in order to accommodate a boundary adjustment plat for 336, 338, and 340 South Fillmore Avenue subject to the conditions contained in the memo from Planning and Development Services Director Jonathan Raiche dated March 17, 2021.

The conditions being:

1. 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

2. 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.

Roll Call:

 Chairman Adkins “Yes”

 Commissioner Klippel “Yes

Commissioner O’Donnell “Yes

Commissioner Diel Absent

Commissioner Eagleton “Yes”

Commissioner Evens “No”

 Commissioner Feiner “Yes”

 Commissioner Salzer-Lutz “No”

 Commissioner Washington “Yes”

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**5.** Planner II Amy Lowry stated a building permit was issued for First Community Credit Union and for the retail building in front of EZ Storage; a Footing and Foundation permit has been issued to the Townes at Geyer Grove; and the multi-family buildings at 144 West Adams and at 134-138 West Madison received approval from the Architectural Review Board.

There being no further business, motion was made by Commissioner Feiner and seconded by Commissioner O’Donnell to adjourn at 8:05 p.m. The next meeting will be held via Zoom on April 7, 2021, at 7 p.m.

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 Jim Adkins, Chair

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 David Eagleton, Secretary/Treasurer

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