



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
Via Zoom Virtual Meeting
May 19, 2021**

PRESENT:

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

ABSENT:

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, May 19, 2021, at 7:00 p.m. via Zoom Virtual Meeting. City Attorney John Hessel, 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 7:04 p.m.

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 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 that require Site Plan Review and announced that all Commission members were present.

2. Motion was made by Commissioner Salzer-Lutz and seconded by Commissioner Eagleton to approve the minutes for the May 5, 2021, meeting as written.

Roll Call:

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

The motion was unanimously approved.

3. **PZ-02-22 SPECIAL USE PERMIT (NURSING HOME) AND SITE PLAN REVIEW, 600 NORTH BALLAS ROAD**

Submitted: 4-30-21 Automatic Recommendation: 8-28-2021

Petitioner’s Agent, George Stock

Planning and Development Services Director Jonathan Raiche stated the seven acre site on the east side of Ballas Road and north of Dougherty Ferry Road is zoned R-1. The lot coverage of the buildings is 14% and the FAR is .16. An existing gravel driveway off Ballas Road at the southwest corner of the lot is the approximate location for the 26-foot wide driveway leading to the five proposed buildings with 40 parking spaces, including 10 ADA spaces. A walking trail is shown to the north of the proposed driveway and three storm water detention areas are shown on the site plan. According to the Tree Preservation and Protection Plan, 61% of the tree canopy would remain. The Landscaping Plan indicates additional canopy, ornamental, and evergreen trees would be planted on the site along the perimeter. Each of the five buildings would contain 16 guest suites; and three of the buildings are one level and the two buildings on the west have a walkout basement for storage. Staff and the developer met with St. Louis County and the City of Des Peres to determine the proper scope of the required traffic study. Additional analysis of the proposed crosswalk on Ballas Road is required to ensure a safe pedestrian crossing.

In response to Commissioner Feiner’s question regarding the Commission imposing a limit, Mr. Raiche responded that the City could impose a limit on the number of beds, buildings, and/or units per building.

In response to Commissioner Klippel’s question regarding if one vote would be taken on the Site Plan and one on the Special Use Permit, Mr. Raiche responded one vote might be considered for the project.

In response to Commissioner Eagleton’s question regarding sidewalks along Ballas Road and public access to the trail, Mr. Raiche responded St. Louis

County is reviewing the practicality of sidewalks due to the creek and termination issues. (Later in the meeting Mr. DeClue stated the trail would be available to the public.)

In response to Commissioner O'Donnell's question, the development would be "for profit".

Representing the applicant were: Bob DeClue and Chris Long, Co-founders of Harmony Homes; Rusty Saunders, Landscape Architect with Loomis Associates; Jeff Mugg, Architect with St. Louis Design Alliance; and George Stock, Civil Engineer with Stock & Associates.

Chris Long, co-founder of Harmony Homes, stated the ranch style homes would allow seniors to age in place, and they have received a Certificate of Need from the State of Missouri. Each building has a fenced outdoor living area, screened porch, an area for visits from family, living room, dining area, spa/salon, laundry facility, and kitchen.

George Stock, Civil Engineer with Stock & Associates, reported that the lot coverage is 16% (30% maximum allowed per Code), and the FAR is .16 (.25 allowed). The front setback is 290' (60' minimum required), 40' side yard setback (25' required), and 90' rear yard setback (50' required). The elevation at Ballas Road is 530 feet and proceeds up to 600 feet at the eastern edge of the site. Two deliveries of food would be scheduled each week. The allowable building height is 35 feet; and the three buildings on the eastern portion of the lot are 25 feet and the two on the western portion are 35 feet due to the contours. An average of eight EMS calls per month is anticipated.

Rusty Saunders, Landscape Architect with Loomis Associates, stated 60% of the trees would be preserved. An additional 152 trees and 635 shrubs would be planted on the site. Type C buffer would be planted around the perimeter with a six-foot high sight-proof fence surrounding the court yard of each building.

Jeff Mugg, Architect with St. Louis Design Alliance, stated the facades of the buildings would have stone and Hardie board siding with asphalt shingles on the roof and a metal roof covering the front porch.

Dustin Riechmann, Traffic Engineer with Lochmueller Group, stated the 2021 traffic volume counts are approximately 20% lower than the pre-COVID counts conducted previously. Therefore, the existing 2021 traffic volumes were scaled up by 20% to account for the COVID-19 traffic impacts within the area. The proposed nursing home is expected to add six vehicles per hour (on average) to any movement at the intersection of North Ballas Road and Dougherty Ferry Road.

Chair Adkins asked if there were any questions from Commissioners, and the following responded:

Commissioner Evens asked if there plans for Medicaid or Medicare beds, and the response was that all the beds would be private pay.

In response to Commissioner Eagleton's question regarding the crosswalk and trail, Mr. DeClue responded they do not anticipate staff utilizing public transportation to access the facility, and Mr. Stock stated that a sidewalk is not provided adjacent to the driveway because it would not comply with ADA requirements due to the 12% grade.

In response to Commissioner Diel's question regarding sirens for EMS, Mr. Stock replied he was advised that the sirens would be silenced when the vehicle enters the driveway to the site. He also inquired if there had been discussions to purchase adjacent properties for this project, Mr. DeClue commented that early discussions to enlarge the property were dependent on the Traffic Impact Study and additional properties were found to not be needed.

In response to Commissioner Feiner's questions regarding food delivery trucks, EMS, laundry service, janitorial, and landscaping service, Mr. DeClue stated laundry and janitorial services would be on site and that residents would not have vehicles.

In response to Commissioner Salzer-Lutz' question regarding day care, Mr. DeClue stated all rooms would be occupied by full-time residents and no day care service would be provided.

Chair Adkins asked if there was anyone in the audience who had comments, and the following responded:

Eileen Hedrick, 694 Trailcrest Court, expressed concern regarding the current traffic congestion, noise pollution, visitors, delivery trucks, ambulances, fire trucks, and light pollution.

Jennifer Brett, 2112 Pincrest Manor Court, Des Peres, expressed concern regarding traffic, ambulances, site distance, and the proposed cross walk.

Dr. Jason Dausman, spoke in favor of the proposed nursing home stating that having 16 rooms per building would help to reduce the spread of infections.

Susan Gordon, 2012 Meadowtree Lane, stated she is the President of the Board of Directors for Briar Hill Farm and spoke of a four-foot wide paved path that was approved in 1977. She believes that they would not have adequate parking during shift change.

Barb Theerman, 507 Taylor Young Drive, stated that she had a parent in a similar facility and, in order for her family member to have adequate care, they needed to visit frequently. Also, the sirens will change the character of their neighborhood.

Nancy Etling, 12230 Sunny Terrace Drive, Des Peres, questioned the type of facility being proposed and concerned about sirens. Also, concerned about the lack of: a front desk, housekeeping and storage rooms, staff offices, a library, card room, etc.

Caroline Tinsley, 1530 Cornhill Lane, stated she is familiar with the area because her grandmother lived on Rayner Road. Existing traffic congestion on Ballas and questions if the Certificate of Need was granted for skilled nursing or assisted living. She believes the walking trail will become a public nuisance.

Chris Seyer, 1819 Cheswick Place, expressed concern regarding traffic, storm water runoff, and tree preservation. He believes the scale, height, and massing of the proposed buildings are not compatible with the surrounding buildings and that a commercial entity will change the character of this area.

Melissa Lackey, 2430 Camberwell Court, Des Peres, spoke in favor of the project, citing waiting lists and limited vacancies at existing nursing homes and that the buildings are not multi-story.

Beverly Vandivort, 1849 Bridlebrook Lane, believes this project is not being developed in the correct location.

Michelle Dobbs, 1834 Bridlebrook Lane, requested clarification on the level of care - assisted living, memory care, self sufficient, and what happens to the buildings in five years if they want to increase the capacity from 80 beds.

John Kowalski, 531 North Ballas Road, Des Peres, expressed opposition to the project - citing it being a commercial enterprise and not a good fit for the family-friendly residential area, decrease in property values. His house is below street grade and this will exacerbate flooding. The addition of six vehicles per hour will add to the congestion on Ballas Road.

Mark Seyer, 1969 Rayner Road, believes the plan by St. Louis County for the addition of a turning lane on Ballas Road will negatively impact traffic, rather than slowing to allow a vehicle to turn left, motorists will speed up. He believes occupancy rates in assisted living facilities dropped in 2020 and wonders what will happen to the property if this business fails.

Mark Stitzlein, 1981 Rayner Road, believes this proposal does not fit the definition of a Nursing Home as defined in the City's Zoning Code.

Dr. Imran Hanafi, 446 Maryland Avenue and a physician for Harmony Homes, stated families are searching for facilities such as this for their loved ones. Whether the level of care is assisted or skilled, the needs of the residents change.

Bruce Dell, 520 Taylor Young Drive, inquired about procedures at Subcommittee Meetings. He believes the site is difficult to develop, amazed that Kirkwood Fire Department would accept this proposal, and that the only reason for the walking

trail is that the area is too steep. Also expressed concern regarding storm water and traffic.

Meredith Sheth, 501 Taylor Young Drive, expressed concern regarding traffic and noise pollution.

Denise Williams, 450 Tree Top Lane, Des Peres, expressed concern regarding storm water, tree density, and the walking trail. She believes the commercial use does not fit in with the neighborhood and will detract from the property values.

Steve Grigone, 1805 Cheswick Place, believes the proposal is too dense and only 3.5 acres are usable. The density rate of 80 residents on 3.5 acres would be 23 people per acre plus staff and visitors.

Nancy Tinsley, 1960 Rayner Road, stated this proposal is in the middle of the block and would separate her from the rest of the community.

Glen Wildermuth, 472 Tree Top Lane, Des Peres, believes this could be a good business but it is in the wrong location. He believes the amount of traffic into and out of the site is under estimated. Concerned that the use would change and proposed residents would have cars.

Barbara Anderson, 521 Taylor Young Drive, believes half of the trees on this site are dead and there is no safe place to cross Ballas Road.

David Anderson, 521 Taylor Young Drive, believes the traffic study is a minimum effort and was performed when St. Gerard Majella was on virtual learning. He cited accidents on I-270 in 2018 and 2019 and believes Ballas Road is for residential traffic only.

Commissioners Evens, Feiner, and Salzer-Lutz were appointed to the Subcommittee, and a subcommittee meeting was scheduled for May 25 at 9:30 a.m. to be held via Zoom.

5. Planning and Development Services Director Jonathan Raiche reported:
 - Randall's Wines and Spirits could not come to terms regarding the lease and the owner of the building identified a new tenant (The Wine and Cheese Place) who is currently located in Rock Hill. The City Council is scheduled to have second reading on the bill May 20.
6. Commissioner Evens thanked Commissioner Klippel for his years of service.

There being no further business, motion was made by Commissioner Klippel and seconded by Commissioner Eagleton to adjourn at 10:16 p.m. The next meeting will be held via Zoom on June 2, 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.