



**CITY OF KIRKWOOD  
PLANNING AND ZONING COMMISSION  
Via Zoom Virtual Meeting  
June 2, 2021**

**PRESENT:**

Jim Adkins, Chairman  
James Diel, Vice Chairman  
David Eagleton, Secretary/Treasurer  
Ron Evens  
Tom Feiner  
Sandy Washington  
Mary Lee Salzer-Lutz  
Darrell Scott

**ABSENT:**

James Mori

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, June 2, 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 7:01 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. Chairman Adkins welcomed Darrell Scott to the Commission and announced that Commissioners Diel and Mori were absent but expected to arrive. Commissioner Diel arrived but Commissioner Mori was absent.

2. Motion was made by Commissioner Evens and seconded by Commissioner Eagleton to approve the minutes for the May 19, 2021, meeting as written.

Roll Call:

Chairman Adkins	“Yes”
Commissioner Diel	“Yes”
Commissioner Eagleton	“Yes”
Commissioner Evens	“Yes”
Commissioner Feiner	“Yes”
Commissioner Salzer-Lutz	“Yes”
Commissioner Washington	“Yes”
Commissioner Mori	Absent
Commissioner Scott	“Abstained”

The motion was unanimously approved.

3. **PZ-03-22 SPECIAL USE PERMIT AMENDMENT (VEHICLE SALES AND RENTAL) – LOU FUSZ TOYOTA, 10725 MANCHESTER ROAD**

Submitted: 5-11-21 Automatic Recommendation: 9-8-21

Petitioner’s Agent, Stephen Hollander

Planner II Amy Lowry stated Lou Fusz Toyota is currently operating with three Special Use Permits (Vehicles Sales and Service, Major Motor Vehicle Repair, and Vehicle Wash). They are proposing to enclose the open canopy area on the south side of the building to provide additional showroom and office use and to construct an addition on the northwest corner of the building to allow vehicles to move between the service reception area and the service shop in an enclosed, covered area. The Fire Marshal reviewed the modifications and indicated Fire/EMS access is adequate. If the consensus of the Commission is to take action on this application at this time, staff prepared a memo listing ten conditions.

Steve Hollander stated they are proposing to enclose the area under the front canopy and fill in the back corner. In response to questions from Commissioners, he added that these changes will not increase traffic volume or the number of curb cuts on Manchester Road.

Motion was made by Commissioner Evens and seconded by Commissioner Scott to approve PZ-3-22, an application for a Special Use Permit Amendment and Site Plan Review Amendment for Lou Fusz Toyota at 10725 Manchester Road subject to the conditions contained in the memo from staff dated June 2, 2021 as follows:

1. Special Use Permit (Vehicle Sale and Rental; Motor Vehicle Repair Shop, Major; and Vehicle Wash) and Site Plan Review Amendments shall be approved for 10725 Manchester Rd (Lou Fusz Toyota) limited to the enclosure of the open canopy area on the south side of the building and the addition on the west side of the building in accordance with the Architectural

Site Plan stamped "Received May 11, 2021 City of Kirkwood Public Services Department".

2. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and the Staff memorandum dated June 2, 2021, and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this approval in the event such provisions are not complied with.
3. A performance guarantee in an amount approved by the City Engineer shall be submitted to the City of Kirkwood prior to the issuance of any building permits.
4. An administrative fee in the amount of 10% of the first \$10,000 of performance guarantee plus 2% exceeding \$10,000 shall be submitted before acceptance of the performance guarantee by the City. The fee supports site inspection and project administration costs.
5. 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.
6. Any new lighting used to illuminate the site or building shall be designed in accordance with Zoning Code Section 25-52 and fixture cut sheets shall be submitted.
7. All rooftop equipment, air-conditioning units, and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.
8. During excavation and construction activities, the area of the site that is disturbed for this project shall be fully enclosed by a 6-foot high chain link fence to prevent the entry of unauthorized persons. The gate for the fence shall be locked during non-working hours.
9. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time.
10. The Architectural Review Board shall approve all exterior architecture prior to the issuance of a building permit.

Roll Call:

Chairman Adkins	"Yes"
Commissioner Diel	"Yes"
Commissioner Eagleton	"Yes"
Commissioner Evens	"Yes"
Commissioner Feiner	"Yes"
Commissioner Salzer-Lutz	"Yes"
Commissioner Washington	"Yes"

Commissioner Mori  
Commissioner Scott

Absent  
"Abstained"

**4. PZ-04-22 ZONING CODE TEXT AMENDMENT– ALLOW COMMISSARIES AND NON-PROFIT OFFICES AS RENTERS IN CHURCHES**

Submitted: 5-13-21 Automatic Recommendation: 8-11-21

Petitioner's Agent, Ron Gaus

Planner II Amy Lowry stated Grace Episcopal Church at 514 East Argonne Drive is requesting a text amendment to the Zoning Code to allow Places of Worship to rent out their existing kitchens to food establishments and unaffiliated office uses. The following amendments to the Zoning Code would be required:

1. Add "Commissary Kitchen" definition. "Office, General" is already defined;
2. Amend Table 44-1 ("Permitted Accessory Uses" on page 72) to add Commissary Kitchen and Office, General, as either: permitted, permitted with standards, or a Special Use in residentially-zoned districts (where the majority of churches are located);
3. Add standards to Section 25-45 if permitted with standards; and
4. Add parking requirements to Table 65-1 for both uses.

Ms. Lowry stated that the applicant suggested that Kirkwood contact the City of Maplewood, who allows commissary kitchens in certain areas. Ms. Lowry added that if the use was permitted with standards, the following suggested standards should be considered for Commissary Kitchen:

1. Limited to Educational Institutions and Places of Worship;
2. Permitted only as an accessory use located within a principal building;
3. Commissary must be licensed as a food establishment with the St. Louis County Public Health Department and a Commissary Agreement must be on file for each mobile food unit;
4. Must obtain a Kirkwood Business License;
5. Limited number of Commissary agreements per Kitchen (Maximum of 5 in Maplewood);
6. Limited hours when a food or catering truck could be parked on the lot;
7. Exhaust vent from kitchen must be directed away from residences or must include scrubbers; and
8. Additional requirements of the Fire Marshal.

The following suggested standards should be considered for Offices, General:

1. Limited to Educational Institutions and Places of Worship;
2. Permitted only as an accessory use located within a principal building;
3. Maximum percentage of floor area; and
4. Must obtain a Kirkwood Business License.

In response to Commissioner Feiner's question, Planning and Development Services Director Raiche responded that "catering establishments" are permitted in commercial districts.

Ron Gaus stated the church was only interested in renting office space to not-for-profit organizations and that they want to provide a service that is needed in the community.

Commissioners Adkins, Diel, and Salzer-Lutz were appointed to the Subcommittee, and a subcommittee meeting was scheduled for June 9 at 8:30 a.m. to be held via Zoom.

**5. Planning and Development Services Director Jonathan Raiche reported:**

- The liquor license for the Wine & Cheese Place in the EZ Storage Building has been submitted. The First Community Credit Union in front of the EZ Storage facility on Manchester has started construction.
- Substantial work has been completed for the Townes at Geyer Grove.
- No Leash Needed at 910 South Kirkwood Road is under construction.
- The Commerce Bank building is moving forward with a new building and marketing the balance of the property.

**6. ELECTION OF OFFICERS**

Commissioner Diel nominated Commissioner Adkins as Chair. Commissioner Adkins accepted the nomination. There were no other nominations, and nominations were closed. ELECTED BY ACCLAMATION.

Commissioner Adkins nominated Commissioner Diel as Vice Chair. Commissioner Diel accepted the nomination. There were no other nominations, and nominations were closed. ELECTED BY ACCLAMATION.

Chair Adkins nominated Commissioner Eagleton as Secretary/Treasurer. Commissioner Eagleton accepted the nomination. There were no other nominations, and nominations were closed. ELECTED BY ACCLAMATION.

There being no further business, motion was made by Commissioner Feiner and seconded by Commissioner Eagleton to adjourn at 8:10 p.m. The next meeting will be held via Zoom on June 16, 2021, at 7 p.m.

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Jim Adkins, Chair

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David Eagleton, Secretary/Treasurer

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