



**Planning & Zoning Commission
Agenda
Wednesday, July 19, 2023, 7:00 p.m.
Kirkwood City Hall
139 S. Kirkwood Road
Kirkwood, MO 63122
Posted July 14, 2023**

- I. ROLL CALL**
- II. APPROVAL OF THE MAY 17, 2023 MEETING MINUTES**
- II. UNFINISHED BUSINESS**
None
- III. NEW BUSINESS**
None
- IV. COMMISSION/STAFF (INTERNAL) ITEMS**
 - 1. PZ-02-24 ZONING & SUBDIVISION CODE TEXT AMENDMENT – ARB APPLICABILITY**
Petitioner – City of Kirkwood
 - 2. ELECTION OF OFFICERS**
 - 3. DEVELOPMENT PROJECT UPDATE**
- V. PLANNING AND ZONING SCHEDULE:**
 1. August 16, 2024 – 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 James Diel, David Eagleton, Ron Evens, Tom Feiner, Sandy Washington, Mary Lee Salzer-Lutz, Darrell Scott, and Allen Klippel.

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.



**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
MEETING MINUTES
MAY 17, 2023**

PRESENT:

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

ABSENT:

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, May 17 at 7:00 p.m. in the City Hall Council Chambers. Planning and Development Services Director Jonathan Raiche, Planner II Amy Lowry, and Permit Clerk Danielle Johnson also attended the meeting.

1. Chair Adkins called the meeting to order at 7 p.m. and announced that there were no absences with all nine members present.
2. Motion was made by Commissioner Feiner and seconded by Commissioner Scott to approve the minutes for the May 3 meeting as written. The minutes were approved by seven of the members present with two abstentions by Commissioners Salzer-Lutz and Washington.
3. **PZ-01-24– MIXED USE IN B-2 FINAL SITE PLAN – KIRKWOOD APARTMENTS, 300 N. KIRKWOOD ROAD.**

Planner II Amy Lowry provided the Commission with an update on the application stating that the final site plan was submitted and received April 28, 2023. Ms. Lowry explained that the proposed plan for this site includes demolition of the existing structure and construction of a 4-story, 94,051 square foot, mixed-use development with 5,365 square feet of commercial space on the first floor along Kirkwood Road and 60 residential units on the top three floors. Ms. Lowry explained that there will be structured and uncovered parking in the rear of the first floor. A swimming pool and amenities deck will be on the second level.

The proposed plan includes one vehicular traffic access point on Adams Ave. with cross access to the Commerce Bank site to the north and to Washington Ave. Since the original submittal of the proposed site plan, there has been no change to the footprint or area of the building and proposed commercial area. Ms. Lowry listed the approved development plan changes:

- The development has 109 parking spaces (one lost due to an addition of a pool equipment enclosure on the parking structure level); and that only 108 spaces are required, including five accessible spaces.
- Utility location changes include the addition of an electric transformer at the southeast corner of the building, an outside mounted electric meter bank along the east face of the building, a water meter pit, and more fire hydrants on site as well as the removal of an electric room with access door along the north face of building. The additional transformer is related to the developer's accommodation of the burial of overhead lines along Adams Avenue.
- The applicant has coordinated with Commerce Bank on the development and the north connection road and sidewalk.
- The Architectural Review Board has approved the building design.

The landscape plan changed slightly with one canopy tree omitted on the north side of the property, but with six canopy and five understory trees to remain there. No trees are required on the north, but Staff believes the additional proposed trees are appropriate and encourages their retention. An irrigation plan was provided with the updated landscape plan. The lighting plan still complies with the lighting regulations.

Ms. Lowry explained that the final site plan should be considered in accordance with Site Plan Review procedure under Section 25-19; however, a public hearing is not required when said plan is consistent with the approved development plan. Due to there being few changes from the approved development plan and Staff's belief that the review criteria set forth in Section 25-19(h) have been met, Staff is requesting action from the Planning & Zoning Commission at tonight's meeting, rather than the formation of a subcommittee.

The floor was then opened up to the Commission for questions. Commissioner Evens wanted to confirm that the commercial space would remain the same from the development to the site plan. Ms. Lowry assured him that this is the case.

Commissioner Eagleton questioned the plans for the new sidewalk and Mr. Raiche explained that the sidewalk would connect mid-block between Washington and Adams, along the eastern property line.

Commissioner Washington inquired about the Pittman School flagpole accommodation and Ms. Lowry explained that original pole was too deteriorated to re-use, but the original base will be used to accommodate a new flagpole.

Petitioner George Stock of Stock & Associates re-introduced himself to the commission and assured them he was available for any questions they may have.

Motion to approve PZ-01-24 Mixed Use in B-2 Final Site Plan – Kirkwood Apartments, 300 N. Kirkwood Road was made by Commissioner Evens and seconded by Commissioner Salzer-Lutz, subject to the conditions contained in Ms. Lowry's May 17th, 2023 memorandum to the Commission.

Chair Adkins opened the floor to discussion. There being no questions, comments, or discussion, PZ-01-24 Mixed Use in B-2 Final Site Plan was approved unanimously subject to the conditions contained in Ms. Lowry's May 17th, 2023 memorandum to the Commission.

4. DEVELOPMENT PROJECT UPDATE

Mr. Raiche advised the Commission that attached they would find a revised summer meeting schedule with only one meeting instead of two for the months of June, July, and August.

- With regard to PZ-11-23, the B-2 Development Plan for the Aria Mixed Use Condominiums at 132 E. Monroe Ave., the public hearing is scheduled for June 1st.
- With regard to PZ-12-23, the Special Use Permit for the comprehensive marijuana dispensary facility and accessory drive-through facility and major site plan review for New Growth at 10855 Manchester Rd., the second reading is scheduled for May 18th. The City Council did amend the opening hours and is considering requiring signs for noise abatement.
- With regard to PZ-13-23, the Community Unit Plan final site plan/final plat for the Woodland Knoll subdivision at 600 N. Ballas Road, the second reading is scheduled for May 18th, but will not be considered until the performance guarantee is received.
- With regard to PZ-7-22, the 4 Hands/The Station restaurant project, both the ARB and Landmarks Commission have approved changes to the project and it is moving forward.

There being no further business, motion was made by Commissioner Diel and seconded by Commissioner Eagleton to adjourn at 7:20 p.m. The next meeting will be held on June 21, 2023 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

MEMORANDUM



TO: PLANNING & ZONING COMMISSION
FROM: JONATHAN RAICHE, PLANNING & DEVELOPMENT SERVICES DIRECTOR
SUBJECT: TEXT AMENDMENT REGARDING APPLICABILITY OF ARCHITECTURAL REVIEW
DATE: JULY 19, 2023
CC: JACK SCHENCK, BUILDING COMMISSIONER
AMY LOWRY, PLANNER II
LAUREN HOERR, PLANNER I

Staff has recently reviewed subsection 25-21 (b) and (c)(3)(v) of the Zoning Code regarding applicability of architectural review. During this review, a few items have been identified and are recommended to be revised to provide additional clarity, to expand the list of minor item that are exempt from review by the Architectural Review Board (ARB), and to make the review time for signage consistent with provisions in Chapter 5. These proposed changes were presented to the ARB and were approved with one minor suggested change to Section 25-21(b)(2)(v). A redline of all of the proposed changes is provided below:

- (b) Applicability.
 - (1) The Architectural Review Board is responsible for architectural review in the City of Kirkwood and its decisions are either advisory or binding based on the types ~~and locations~~ of the buildings, ~~and~~ structures, and/or signs as defined herein.
 - (2) ~~No building permit for construction, reconstruction, expansion, or other changes to exterior alteration elements of buildings and structures; and/or the installation of signs identified in this section shall be issued without a decision of the Architectural Review Board as set forth in this section unless otherwise stated.~~
 - (i) Advisory decisions. Architectural review shall be required and shall be advisory for the construction, reconstruction, or expansion, or other changes to exterior building elements of all ~~new~~ single-family dwellings and ~~the construction and expansion~~ of all accessory buildings related to single-family dwellings unless the proposed activity is an exempt category listed herein.
 - (ii) Binding decisions. Architectural review shall be required and shall be binding for all of the following development and activities unless the proposed activity is an exempt category listed herein:
 - (i)a. The construction, reconstruction, and expansion, or other changes to exterior building elements of all ~~new~~ multifamily dwellings, including mixed-use buildings that contain dwelling units, and any related accessory buildings;
 - (ii)b. The construction, reconstruction, and expansion, or other changes to exterior building elements of ~~new~~ principal and accessory buildings in all nonresidential zoning districts;
 - (iii)c. The ~~construction installation~~ of permanent signs in all zoning districts unless specifically exempted in § 5-9 and/or § 5-10 of Chapter 5, Article II, of the Municipal Code; and
 - (iv)d. The approval of master sign plan applications as allowed in § 5-17 of Chapter 5, Article II, of the Municipal Code.
 - (52) The following development and activities are exempt from architectural review:

- (i) Painting or general maintenance of a structure. For projects previously approved by the ARB as a binding decision, said painting shall be of a color similar to what was indicated on the approved design to be considered as an exempt activity.;
- (ii) Changes in occupancy not involving ~~structural~~ or exterior work; and
- (iii) Any interior renovations that will not alter and/or affect the exterior elevations and facade of the building or structure or any exterior architectural features or exterior building elements that are visible from the outside.;
- iv) Minor alterations or expansions in fenestration (window and door openings) as determined by the Planning & Development Services Director;
- v) Single-family residential decks that are not covered by a roof, pergola, or similar structure; are not visible from the street on which the house is addressed; do not include a chimney and/or fireplace wall; and are no taller than 8 feet above grade as measured from the average adjacent grade to the top of the floor of the proposed decking;
- vi) Roof-mounted solar energy systems which include panels and panel frames that are a color which complements the underlying roof;
- vii) In-kind repair or replacement of exterior building elements of the same material, finish, configuration, and color;
- viii) Swimming pools;
- ix) Accessory structures equal to or less than 120 square feet in area and 12 feet in height when accessory to one- and two-family structures;
- x) Retaining walls, except those constructed of poured concrete that are greater than 2 feet tall as measured from grade;
- xi) Fences; and
- xii) Improvements that only require a mechanical permit.

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(c)(3)(v)

Sign permit (binding) decisions.

- a. Within 30-21 days after the building application is determined to be complete, the Architectural Review Board shall review any application for a sign subject to architectural review.
- b. If the Architectural Review Board fails to act within 30-21 days from the date the application is determined to be complete, or an extended period of time as may be agreed upon by the Architectural Review Board and the applicant, then the application shall be considered approved as submitted.