



**Planning & Zoning Commission
Agenda
Wednesday, August 23, 2023, 7:00 p.m.
Kirkwood City Hall
139 S. Kirkwood Road
Kirkwood, MO 63122
Posted August 18, 2023**

- I. ROLL CALL**
- II. APPROVAL OF THE JULY 19, 2023 MEETING MINUTES**
- II. UNFINISHED BUSINESS**
None
- III. NEW BUSINESS**
 - 1. PZ-03-24 SPECIAL USE PERMIT FOR TOBACCO & VAPOR PRODUCTS STORE – SMOKE DEPOT TOBACCO & VAPE, 10424 MANCHESTER ROAD**
Submitted: 7-28-2023 Automatic Recommendation Date: 11-27-2023
Petitioners Shadi Abu-Amer and Amin Awwad
Opportunity for Public Comment
- IV. COMMISSION/STAFF (INTERNAL) ITEMS**
 - 1. ENVISION KIRKWOOD 2035- QUARTERLY UPDATE**
 - 2. DEVELOPMENT PROJECT UPDATE**
- V. PLANNING AND ZONING SCHEDULE:**
 1. September 6 and September 20, 2023 – 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 David Eagleton, Ron Evens, Tom Feiner, Sandy Washington, Mary Lee Salzer-Lutz, Darrell Scott, Allen Klippel, and Karen Coulson.

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
JULY 19, 2023**

PRESENT:

Jim Adkins, Chair
Tom Feiner, Vice Chair
David Eagleton, Secretary/Treasurer
Ron Evens
Darrell Scott
Allen Klippel

ABSENT:

James Diel
Mary Lee Salzer-Lutz
Sandy Washington

Pursuant to notice of meeting duly given, the Planning and Zoning Commission convened on Wednesday, July 19 at 7:00 p.m. in the City Hall Council Chambers. Planning and Development Services Director Jonathan Raiche, Planner II Amy Lowry, and Admin. Associate Steve Davies also attended the meeting.

1. Chair Adkins called the meeting to order at 7 p.m. and announced that Commissioners Diel, Salzer-Lutz, and Washington were absent and their absences were excused.
2. Motion was made by Commissioner Evens and seconded by Commissioner Scott to approve the minutes for the May 17 meeting as written. The minutes were approved by the six members present.
3. **PZ-02-24 ZONING & SUBDIVISION CODE TEXT AMENDMENT – ARB APPLICABILITY**
Petitioner – City of Kirkwood

Jonathan Raiche, Planning & Development Services Director provided the Commission with an overview of the Text Amendment regarding applicability of Architectural Review. He explained that in staff's review of zoning code subsection 25-21 (b) and (c)(3)(v), a few items have been recommended for revision to provide additional clarity and to expand the list of minor items that are exempt from review by the ARB due to a lack of visual impact. The suggested changes also make the review time for signage consistent with provisions in Chapter 5. The changes to section (c)(3)(v) reduce the number of days for ARB to finish its review of a sign from 30 to 21. Mr. Raiche further explained that single-family residential decks not visible from the street and less than eight feet

in height would be exempt from ARB review, unless they are planned with a chimney or fireplace.

Commissioner Klippel asked if advisory decisions, which can be pursued after 6 months, apply to all projects. Mr. Raiche explained that advisory decisions only apply to single-family residences, but it is rare that an applicant waits the 6 months to obtain a building permit without having to follow ARB's advisory decision.

Commissioner Evans asked if outdoor pizza ovens require ARB review. Mr. Raiche said he believed they do, as they also need a footing, similar to a fireplace.

Commissioner Eagleton questioned when roof mounted solar panels would need review if they cannot be matched exactly in color to the roof. Mr. Raiche said that is required that they blend in with the roof as colors cannot always match exactly. If they are not complementary, then they will go to ARB for review.

Commissioner Feiner made a motion to approve the amendments to subsection 25-21 (b) and (c) (3) (v) as submitted in Mr. Raiche's July 19 memo to the Commission. Seconded by Commissioner Eagleton. Motion approved unanimously by the seven members present.

4. ELECTIONS OF OFFICERS

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

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

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

5. DEVELOPMENT PROJECT UPDATE

Mr. Raiche also gave the Commission updates on development projects:

- With regard to PZ-11-23, the Aria Mixed Use Development, it was approved by City Council on July 6.

- With regard to PZ-12-23, the Comprehensive Marijuana Dispensary Facility, the project was approved by City Council on May 18 and was also approved by ARB.
- With regard to PZ-01-24, the Kirkwood Apartments, the final site plan was approved by City Council on June 1. The architectural design of the building was also approved by the ARB. Demolition of the former Commerce Bank is supposed to begin no later than mid-October.
- With regard to PZ-07-22, 4 Hands/The Station, there has been limited demolition on the site and the project is close to a building permit issuance and that the project is still considered active as the applicant has continued to make progress.
- With regard to PZ-2-23, the new pool house at Kirkwood Bluffs apartments is under building permit review.
- With regard to PZ-06-23, Higher Ground Day Care, the existing buildings on the lot should be razed and a building permit issued soon.
- With regard to PZ-08-23, Audi Kirkwood, construction is under way.
- Mr. Raiche provided an overview of the four projects that have been approved administratively per the processes in the Zoning Code.
- In response to a question with regard to PZ-13-23, the Woodland Knoll final subdivision plat was approved by City Council on June 1 and the six house designs were approved by the ARB.
- In response to a question with regard to PZ-07-23, Clark Animal Hospital, Staff explained that the construction underway at this location is related to the splitting of the larger space into two tenant spaces. The animal hospital is looking at opening next spring.
- In response to a question about Grants Trail, Mr. Raiche reported that the City has received grant funding for phase 1a and been recommended for funding for phase 1b. The City will continue to pursue funding for the remaining portion of the trail in future funding cycles.
- Mr. Raiche also reported that the City's Attainable Housing Study has been finalized, presented to the Council, and recommended Commissioners to review the study. Some recommendations related to Zoning Code requirements would come before the P&Z Commission in the future.
- In response to a question about the potential narrowing of Kirkwood Road. Mr. Raiche noted that there is a public open house next week hosted by the City's Engineering division.

There being no further business, motion was made by Commissioner Evens and seconded by Commissioner Eagleton to adjourn at 7:30 p.m. The next meeting will be held on August 16, 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



WHERE COMMUNITY AND SPIRIT MEET®

August 9, 2023

Amin Awwad
1158 Briarhurst Drive
Manchester, MO 63021

Shadi Abu-Amer
13206 Autumn Trails Court
St. Louis, MO 63141

SENT VIA EMAIL: aminawwad19@yahoo.com; shadi7590@aol.com

SUBJECT: PZ-3-24; 10424 Manchester Road – Smoke Depot Tobacco & Vape
Special Use Permit for Tobacco/Vape Products Store

Mr. Awwad and Mr. Abu-Amer:

The City of Kirkwood Public Services Department is in receipt of your application for a Special Use Permit for a Tobacco/Vape Products Store for the property known as 10424 Manchester Road. This item will be placed on the Planning and Zoning Commission agenda for its **7:00 p.m. meeting on Wednesday, August 23, 2023** at Kirkwood City Hall, 139 South Kirkwood Road. 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 and various City departments will review the application in detail and provide further comments as necessary. This preliminary correspondence 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 the 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

A handwritten signature in blue ink that reads "Amy Gillis Lowry".

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



APPLICATION FOR PLANNING AND ZONING REVIEW

DATE: 7-28-23 CASE NUMBER: PZ-3-24
ZONING DISTRICT: B-3 LOCATOR NUMBER: 22M031462
PROJECT ADDRESS: 10424 Manchester rd Kirkwood MO 63122
PROJECT NAME: Smoke Depot Tobacco & Vape

ACTION REQUESTED

- CUP, Development Plan or Final Site Plan (circle one)
Development Plan, B4, B5, or R6 (circle one)
Final Site Plan, B4, B5, or R6 (circle one)
Site Plan Review, Minor or Major (circle one)
Site Plan Modification
Alternative Equivalency
Special Use Permit, Category: Tobacco/Vape Product Store
Subdivision, Major
Subdivision Modification
Text Amendment
Vacation, Right-of-Way or Easement (circle one)
Zoning Map Amendment, From to
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): Amin Anwad Signature: [Signature] Phone No.: 314-556-7334
Mailing Address: 1158 Briarnurst dr City: Manchester State: MO Zip: 63021
E-mail Address: aminanwad19@yahoo.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: Shadi Abu-Amer Signature: [Signature] Phone No.: 314-435-4583
Mailing Address: 13206 Autumn Trails Ct City: Saint Louis State: MO Zip: 63141
E-mail Address: Shadi7590@aol.com
(NOTE: The petitioner's agent, if listed, shall receive all official communication)

PROPERTY OWNERS

Signature required or submit proof petitioner has legal interest in property.
Name: GFB Properties LLC Name:
Signature: [Signature] Signature:
Address: 606 North & South rd 218 Address:
City/State/Zip: St. Louis MO 63130 City/State/Zip
Phone: 314-862-5119 Phone:

FOR CITY USE ONLY

Date Received: July 28, 2023 Total Received: \$ 1000 Agenda Date: August 16, 2023
B-4/B-5 Development Plan: \$1,000 + Acres @ \$25/Acre or portion over one acre) = \$
B-4/B-5 Final Site Plan: \$1,000
B-4/B-5 Final Site Plan Amendment (when public hearing is not required): \$500
CUP (Single family), Dev Plan/Preliminary Plat: \$1,000 + Lots @ \$500/Lot = \$
CUP (Single family), Final Site Plan/Final Plat: Lots @ \$100/Lot = \$ + 1-1/4% of \$ = \$
CUP, (Multi family), Development Plan/Prel. Plat: \$1,000 + Dwelling units @ \$20/Each = \$
CUP, (Multi family), Final Site Plan/Final Plat: \$500 + 1-1/4% of = \$
CUP, Final Site Plan/Final Plat Amendment: Public Hearing required \$800, Public Hearing not required \$500
CUP, Final Site Plan Time Extension: \$300
Mixed Use in B2 Development Plan: \$1,000 (includes SPR fee) + \$25/acre or portion over one acre
Mixed use in B2 Final Site Plan: \$500
Mixed use in B2 Final Site Plan Amendment: Public Hearing required \$800, Public Hearing not required \$500
R6 Development Plan: \$1,000 + Dwelling units @ \$20/Unit = \$
R6 Final Site Plan: \$500
Sidewalk Waiver on feet @ \$30/Foot = \$ = \$
Site Plan Review (Major): \$1,000
Site Plan Review (Major): Amendment \$800 or Extension: \$300
Site Plan Review (Minor): \$500
Site Plan Review (Minor) Amendment \$500 or Extension: \$300
Special Use Permit: \$1,000 (waived if submitted with Site Plan Review)
Special Use Permit Amendment: \$800 (waived if submitted with Site Plan Review) or Extension: \$300
Subdivision (Major), Preliminary Plat Lots @ \$500/Lot = \$
Subdivision (Major), Final Plat/Improvement Plans: Lots @ \$100/Lot + 1.25% of \$ = \$
Subdivision (Major) Amendment to Final Plat or Improvement Plans: \$200
Subdivision Modification (Boundary Adjustment): \$300
Vacation, Easement: \$100
Vacation, Right-of-way: \$200
Zoning Code Text Amendment: \$1,000
Zoning Map Amendment: \$1,000

SUBCOMMITTEE ()

Welcome to Smoke Depot Tobacco & Vape! We will sell tobacco, vape, cbd products as well as candles, incense, and other accessories. We will be there to serve customers with the highest customer service. We will be open from 10-9 Mon-Sat and 10-7 Sun. There will be a nice looking sign. IDs will be taken very serious and plan on getting a scanner device to insure no underage sales go on. Overall we are planning on building a great business for the Kirkwood public!





**APPLICATION FOR PLANNING AND ZONING REVIEW
APPLICATION CHECKLIST (NON SUBDIVISION)
MARCH 2021**

MUST BE SIGNED AND ATTACHED TO APPLICATION FORM

The Planning and Zoning Commission meets on the first and third Wednesdays of each month at 7:00 p.m. in the Council Chambers at Kirkwood City Hall, 139 South Kirkwood Road (see attached schedule). Submittal of a petition authorizes the City to place a Zoning Matters sign on the premises advising the public of the petition.

An applicant shall complete and submit the following items to the Public Services Department according to the attached schedule. **These are the minimum submittal requirements needed for review. Failure to provide all information will result in the application being delayed or returned.**

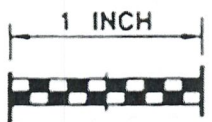
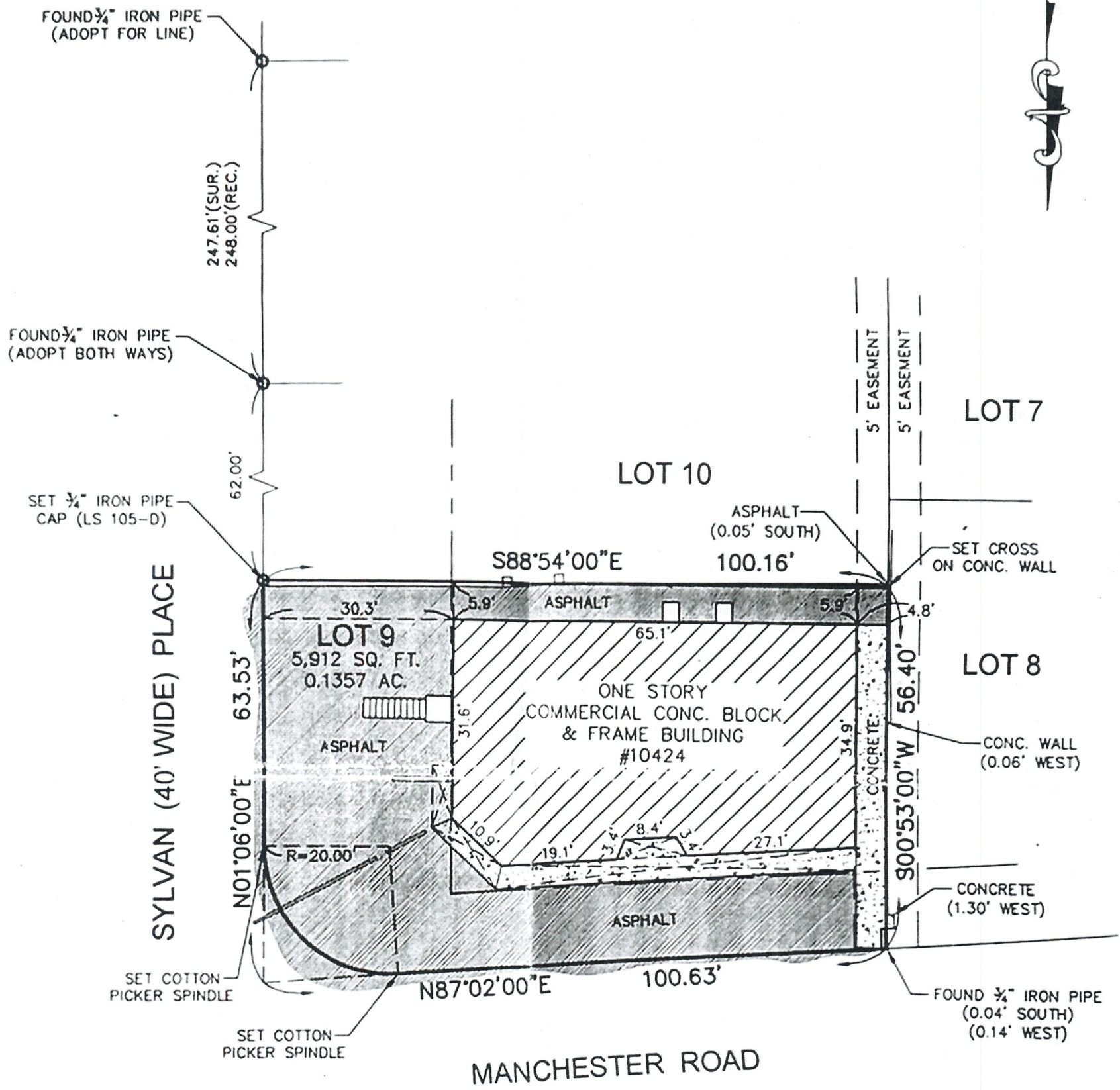
- APPLICATION FORM.** All forms must be completed in full, including signature of property owners. A copy of the Contract between the property owner and petitioner will suffice. Incomplete or partial applications will not be accepted and will be returned to the petitioner. *All designated spaces on the forms must be appropriately filled in prior to filing of the application.*
- COVER LETTER.** A one-page letter describing the project in detail, including nature of business, proposed use, hours of operation, number of employees, etc.
- PROOF OF OWNERSHIP.** A copy of the title, deed, title commitment, or survey which includes the legal description of the property and present ownership only if the owner's signature does not match County records.
- DRAWINGS.**
 - (a) **Site plan** shall be signed and sealed by a Professional Engineer and shall show all required information as noted on attached checklist.
 - (1) 16 sets 11"x17" (folded into 8.5"x11"); and
 - ~~(2) 3 sets 24"x36" (folded into 12"x9").~~
 - (b) **Floor plan**, if applicable - 16 copies 11"x17", folded.
 - (c) **Landscaping plan** showing the required information as noted on attached checklist (Article VIII Sections 25-58 through 25-61 of the Zoning and Subdivision Code)
 - (1) 16 sets 11"x17" (folded into 8.5"x11") and **N/A**
 - (2) 3 sets 24"x36" (folded into 12"x9").
 - (d) **Lighting Plan** shall be signed and sealed by a registered design professional and include all information as required in Section 25-52 of the Zoning and Subdivision Code.
 - (1) 16 sets 11"x17" (folded into 8.5"x11") and **N/A**
 - (2) 3 sets 24"x36" (folded into 12"x9")
- TREE STUDY.** Study shall be signed by a certified forester, certified arborist, or landscape architect and include value of significant trees and protection methods. Trees on abutting public rights-of-way and private property within five feet of all property lines shall also be shown on study. **N/A**
- PHOTOGRAPHS.** Two sets of color photographs of site frontage, adjacent properties, and significant site features, including significant trees.
- PROCESSING FEE.** See Application for filing fee required for application

Signature

7-28-23

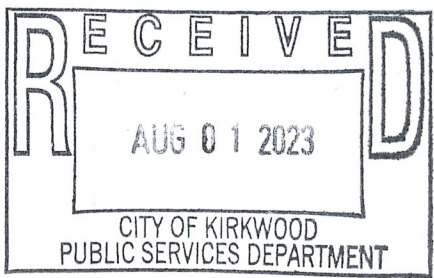
Date

MISSOURI MINIMUM STANDARDS SURVEY



SCALE: 1" = 20'

CLASSIFICATION FOR THIS SURVEY IS: URBAN PROPERTY



THIS IS TO CERTIFY THAT AT THE REQUEST OF CONTINENTAL TITLE COMPANY, A SURVEY WAS MADE ON THE 25TH DAY OF OCTOBER, 2004, LOT 9 IN BLOCK 1 OF SYLVAN FOREST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 31 PAGE 71 OF ST. LOUIS COUNTY RECORDS IN ST. LOUIS COUNTY

MISSOURI, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED UPON THIS PLAT. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS FOR "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS".

OCTOBER 27th 2004



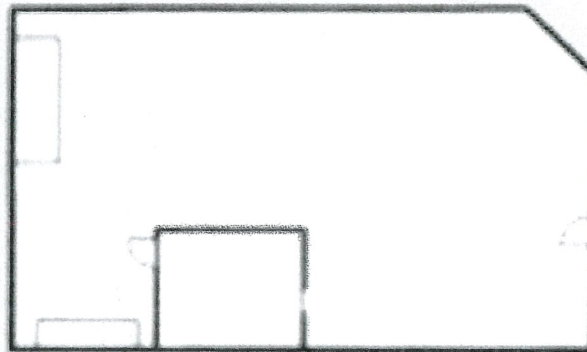
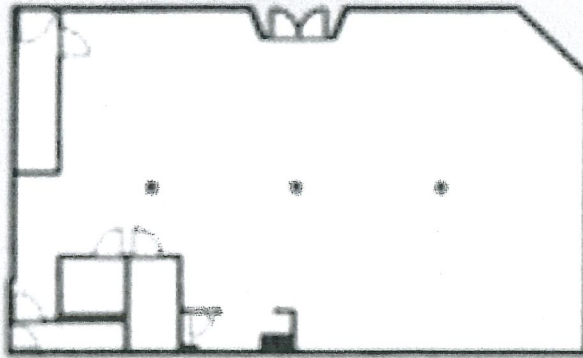
Bruce E. Thomas
BRUCE E. THOMAS P.L.S. 2220

TOPOS SURVEYING & ENGINEERING CORP.
790 ST. FRANCOIS STREET, FLORISSANT, MISSOURI 63031
PHONE (314)838-5806 FAX (314)838-3141

REVISIONS

DRAWN BY: ES
PAGE 1 OF 1
1004-0476
ORDER NO.

10424 Manchester Rd, Kirkwood, MO
63122



Square Footage:
-Main Floor ~2,218 ft²
-Lower Level ~1,998 ft²

JUL 28 2023

CITY OF KIRKWOOD
PUBLIC SERVICES DEPARTMENT







CHRISTIAN ENVIRONMENTAL SERVICES
866.522.3781
WINFIELD, MO 65389

SYLVAN PLACE

Amy G. Lowry

From: Omar Mothana <omothana@gmail.com>
Sent: Monday, August 7, 2023 11:34 AM
To: Amy G. Lowry
Subject: Fwd: Tobacco Sales

Caution! This message was sent from outside your organization.

----- Forwarded message -----

From: Keutzer, Michelle <MKeutzer@stlouiscountymo.gov>
Date: Mon, Aug 7, 2023 at 11:31 AM
Subject: Tobacco Sales
To: OMOTHANA@GMAIL.COM <OMOTHANA@gmail.com>
CC: Gornati, Catherine <CGornati@stlouiscountymo.gov>

To Whom it may concern,

Here is a screen shot of our School Buffer zone. As you can see, the potential store location does not fall within the 1000 feet of a school. The bottom of the screen that is in purple shows where the closest zone is, so this location is approved to be able to sell tobacco products.

Thank you,

Have a great day.

Shelly Keutzer

Plan Review Intake Office Specialist

Saint Louis County Department of Public Health

Food & Environmental Program

[6121 N Hanley Rd](#)

[St. Louis, Missouri 63134](#)

(314) 615-1641 (Office)

e-mail: Mkeutzer@stlouiscountymo.gov

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