

**MINUTES**  
**DES PERES BOARD OF ALDERMEN**  
**January 25, 2016**  
**DES PERES GOVERNMENT CENTER**

The regular meeting of the Board of Aldermen of the City of Des Peres, Missouri was held at the Des Peres Government Center, 12325 Manchester Road commencing at 7:00 PM on Monday, January 25, 2016.

**ROLL CALL**

The City Clerk took roll with the following board members present: Alderman Gmelich, Alderman Pound, Alderman Raczkiwicz, Alderman Kleinschmidt, Alderman Concagh, and Alderman Becker. Mayor Lahr was also in attendance.

Staff members present included: City Administrator, Assistant City Administrator, City Clerk, City Attorney, Director of Public Works, Director of Public Safety, Director of Finance and the Director of Parks and Recreation. At this time the Board of Aldermen, staff and citizens rose for the Pledge of Allegiance.

The Mayor recognized two Boy Scouts with St. Clement's Troop 624 in the audience. Daniel Klarsch and Peter Baxendale were present and were completing their citizenship and community merit badges.

The Mayor recognized and thanked the City Administrator for his 31 years of service to the City of Des Peres.

**PUBLIC HEARINGS**

The Mayor announced the first item of business was a public hearing on the Petition of Horn Lake Properties Inc for a Lot Split and Amended Master Development Plan under Section 405.100 of the Zoning Code for Des Peres Pointe located at 13301 Manchester Road in the C-5 Special Business District.

The Mayor stated the public hearing would take place but the legislation would be held until the February 8, 2016 meeting.

The City Clerk entered the following exhibits into the record.

1. Petition from Horn Lake Properties for approval of a revised Master Adjusted Tract A of the Des Peres Pointe Subdivision for approval of a division of the lot into 2 parcels
2. Petition from Horn Lake Properties for approval of a revised Master Development Plan for Des Peres Pointe reflecting changes in lot boundaries with no changes in building density, location or elevations
3. Bill 16-2755 An Ordinance Approving a Lot Split of the Original Adjusted Tract of Des Peres Pointe Subdivision into two lots
4. Bill 16-2756 An Ordinance Approving a Revised Master Development Plan for Des Peres Pointe, a Unified Development Located in the C-5 Special Business District and Repealing all Ordinances in Conflict Therewith
5. Amended Site Development Plan Dated October 29, 2015 prepared by Site Development Engineering

6. Notice of Public Hearing of January 25, 2016 advertised in the St Louis Countian on the 6<sup>th</sup> day of January, 2016.
7. Notice of Public Hearing posted at Des Peres City Hall and on the city's website
8. Notice of Public Hearing notification mailed to property owners within 200 feet
9. Reports of the Planning & Zoning Commission including all committee reports and minutes of meetings held December 10, 2015 in which the commission recommended approval of a revised Master Adjusted Tract A of Des Peres Pointe Subdivision of the lot into 2 parcels and recommended approval for a revised Master Development Plan for Des Peres Pointe reflecting changes in lot boundaries
10. Municipal Code of the City of Des Peres

The Mayor asked if there any further comments.

The Mayor announced the second item of business was a public hearing on the Petition of Regions Bank for a Lot Consolidation Plat of 4 lots generally located at the NE corner of Manchester and Bopp Road into a single tract of land of 1.45 acres; a Master Development for development of a 9,470 sq ft two-story commercial building under Section 405.100 of the Zoning Code; and for a CUP under Section 405.130.A.21 of the Zoning Code to allow a 4,735 sq ft bank facility with drive thru at 11801 Manchester Road.

The City Clerk entered the following exhibits into the record.

1. Petition from Regions Bank for a Lot Consolidation Plat of 4 lots into a single tract of land of 1.45 acres; a Master Development Plan for development of a 9,470 sq ft two-story commercial building and a Conditional Use Permit to allow for a 4,735 sq. ft bank facility with drive thru at 11801 Manchester Road
2. Bill 16-2757 An Ordinance Approving a Lot Consolidation Plat for Lots Identified as the Adjusted Lot 1 of Gilmore and Associates Commercial Center, Lot 29 of Block 1 of Geneseo Hills Subdivision, Lot 3 of Block 1 of Geneseo Hills Subdivision and Lot 4 of Geneseo Hills Subdivision
3. Bill 16-2758 An Ordinance Approving a Master Development Plan for 11801 Manchester Road Located in the C-1 Commercial District and Granting a Conditional Use Permit for Operation of a Bank to Regions Bank at 11801 Manchester Road
4. Amended Site Development Plan Dated November 2, 2015
5. Project Narrative Dated October 14, 2015
6. Rendering Dated October 13, 2015
7. Traffic Assessment Dated October 13, 2015 prepared by Lochmueller Group
8. Notice of Public Hearing of January 25, 2016 advertised in the St Louis Countian on the 6<sup>th</sup> day of January, 2016.
9. Notice of Public Hearing posted at Des Peres City Hall and on the city's website
10. Notice of Public Hearing notification mailed to property owners within 200 feet of 11801 Manchester Road
11. Summary of the Regions Bank Subcommittee Meeting held December 3, 2015
12. Staff Report prepared by the Director of Public Works dated November 16, 2015
13. PowerPoint Presentations for the Planning and Zoning Commission Meetings dated November 18, 2015 and December 9, 2015
14. Reports of the Planning & Zoning Commission including all committee reports and minutes of meetings held December 10, 2015 in which the commission recommended approval
15. Municipal Code of the City of Des Peres

John King, Attorney with Lathrop and Gage representing Regions Bank, provided an overview of the proposed site plan and the hours of operation of the bank.

George Stock, Principal Engineer with Stock and Associates, continued an overview of the proposed site plan. Mr. Stock stated the site's access to and from Manchester Road would be a right turn in and right turn out only. He further stated, per comments received at the subcommittee meeting, the fence line boundary was moved forward 25 feet to allow more green space near the residential area and four bioretention basins were added.

Mark Naylor, Landscape Architect with the Roberts Group, stated more landscaping had been added to the site and the height of the fence was increased to eight feet. Mr. Naylor stated Regions Bank is growing in the St. Louis area and the proposed site would be a flagship branch in the region. He further stated the first floor of the building would be a traditional bank and the second floor would be office space for mortgage and loan processing. Mr. Naylor stated the building would be constructed of brick masonry and would include a sign on the building as well as a monument sign.

Dustin Riechmann, P.E., P.T.O.E. with Lochmueller Group, provided an overview of the traffic assessment. Mr. Riechmann stated the assessment showed the traffic would consist of existing commuters on Manchester Road and the site would only have right turn in and right turn out access to and from Manchester Road. He further stated the GAP study showed there were not enough gaps in traffic on Manchester Road to allow left turn access.

John King, Attorney for Regions Bank, stated the bank spoke with a resident who was concerned about noise and traffic. Mr. King reiterated Regions Bank would construct an eight (8) foot tall fence and would consider additional landscaping if the noise level was undesirable.

The Mayor asked if there were any citizens who would like to comment.

Kevin Lasater, 9 Doubletree Lane, stated he has lived in Des Peres since 1995. Mr. Lasater stated he works in the construction business and is concerned about traffic on Bopp Road. He further stated the bank would not bring sales tax revenue to the City. He recommended a full traffic study be completed before the Board of Aldermen made a decision.

Katherine Burns, 1110 Bopp Road, stated she has owned a home in Des Peres since 2004 and the home is currently for sale. She expressed concern regarding increased traffic and stated she would like a full traffic study conducted.

Dave Carter, 1167 Vinetta, stated traffic on Vinetta would cut through the bank parking lot in order to get to the traffic light on Bopp Road.

Kerry Pozaric, 1125 Vinetta, stated she is concerned about traffic on Vinetta and would like for a full study to be completed.

Steve Pozaric, 1125 Vinetta, cited the City's Comprehensive Plan. Mr. Pozaric stated there will be fewer houses left on Vinetta and that the bank would not generate any sales tax revenue. He further stated he appreciated the bank offering to build an eight foot fence but asked if the Board of Aldermen would consider a ten foot fence.

The City Attorney stated the City cannot base development on potential sales tax generation.

The Mayor stated the City cannot pick and choose certain developments for land use. The Mayor asked for further clarification on the traffic assessment.

Dustin Riechmann responded that traffic is always a concern on Manchester Road. He stated a traffic assessment was conducted at the site as the Missouri Department of Transportation (MoDOT) did not require a traffic impact study for the site. Mr. Riechmann further stated he was not concerned about traffic as the bank would open after rush traffic and close before the evening rush hour.

The City Attorney asked Mr. Riechmann to explain the difference between a traffic assessment and a traffic impact study.

Mr. Riechmann explained the characteristics of a traffic assessment versus a traffic study.

The City Attorney asked if additional data is collected in a traffic study.

Mr. Riechmann responded a traffic study looks more closely at intersection traffic. He stated assessments are typically conducted once and are conducted on a Tuesday, Wednesday or Thursday.

The City Attorney asked why MoDOT did not require a traffic study.

Mr. Riechmann responded MoDOT's requirement for the site was right turn in and right turn out access on Manchester Road. He further stated that if requirements were met then a permit would be granted.

George Stock stated the bank has applied for the appropriate MoDOT permits.

The City Attorney asked if the permits had been denied.

Mr. Stock stated he did not anticipate the permits being denied.

The City Attorney asked how long it would take to conduct a traffic study.

Mr. Riechmann responded it would take approximately one week to conduct a traffic study and the full report would be submitted to MoDOT. He further stated MoDOT had no concerns with the site and MoDOT considered the traffic assessment to be consistent with current use.

The City Attorney stated he would like to receive verification from MoDOT.

Marie Carter, 1167 Vinetta, stated she is a customer of the existing shopping center and stated the bank may have frustrated customers as customers would not be able to turn left into bank if travelling east on Manchester Road. She further stated the mail carrier, Fed Ex and UPS use the road behind the shopping center to get to Bopp Road. She asked if there would be a 24 hour ATM at the site.

Mr. Riechmann responded there would not be left turn access to the bank from Manchester Road and that a 24 hour ATM would be located on the site. Mr. Riechmann stated he anticipated less peak hour

traffic at the ATM due to technological advances and customers being able to make deposits from their smart phones.

Dave Carter, 1167 Vinetta, stated the trash hauler currently uses the road behind the existing shopping center to turn around.

The City Administrator stated the trash haulers utilize smaller trucks on streets that cannot accommodate the larger trash trucks.

The Mayor asked if there any further comments. Hearing no further comments, the Mayor closed the public hearing.

### **AMENDMENT OF AGENDA**

Mayor Lahr asked if there were any additions or changes to the agenda.

Staff requested Bill 16-2760 be added to the agenda under New Business.

### **CITIZEN COMMENTS AND PETITIONS**

The Mayor asked if there were any citizens in attendance who wished to address the Board on any topic whether on the agenda or not.

Bob Ashcraft, 1543 Fawnvalley, asked why the City was holding an election given that only the incumbents are running for office.

The City Administrator responded state law requires cities over a certain population to hold municipal elections even if only incumbents are running for office.

### **REPORTS OF OFFICERS AND COMMITTEES**

The Mayor indicated that there were no written reports submitted to the Board of Aldermen.

### **CONSENT AGENDA**

Mayor Lahr advised that the Consent Agenda consists of eight (8) items. Under the Board Rules, all items on the consent agenda can be approved by a single motion and any item on the warrant list may be removed prior to the vote at the request of any individual member of the Board of Aldermen. Items on the consent agenda included:

1. Minutes of the January 11, 2016 Meeting of the Board of Aldermen
2. Warrant List Dated January 21, 2016
3. R16-2962 Authorizing a Contract with Fry and Associates for Construction of New Ball Field Dugouts at Des Peres Park
4. R16-2963 Authorizing a Contract with Aquatic Enterprises d/b/a Pool Pros for Replacement of the Pool Beach at The Lodge Des Peres
5. R16-2964 Authorizing a Contract with Bazan Painting for Restoration of the Outdoor Slide at The Lodge Des Peres

- 6. R16-2965 Authorizing a Contract with Westport Pools for an Outdoor Pool Chemical Controller at The Lodge Des Peres
- 7. R16-2966 Authorizing a Contract with Texacraft for Outdoor Pool Deck Chairs at The Lodge Des Peres
- 8. R16-2967 Authorizing a Contract with TruTurf for Replacement of the Ball Field Infield Replacement at Des Peres Park

The Mayor asked if there are any items the board wished removed from the consent agenda and placed under New Business.

Alderman Becker moved to approve the Consent Agenda, second by Alderman Racziewicz. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, AYE; and Alderman Racziewicz, AYE; Motion passed 6-0. Alderman Gmelich abstained from the warrant list line item pertaining Curtiz Heinz.

**LEGISLATION – Unfinished**

- 1. **Bill 16-2755** An Ordinance Approving a Lot Split of the Original Adjusted Tract A of Des Peres Pointe Subdivision into Two Lots

Alderman Kleinschmidt made a motion to table Bill 16-2755, second by Alderman Gmelich. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, AYE; and Alderman Racziewicz, AYE; Motion passed 6-0.

- 2. **Bill 16-2756** An Ordinance Approving a Revised Master Development Plan for Des Peres Pointe, a Unified Development Located in the C-5 Special Business District and Repealing All Ordinances in Conflict Therewith

Alderman Kleinschmidt made a motion to table Bill 16-2755, second by Alderman Gmelich. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, AYE; and Alderman Racziewicz, AYE; Motion passed 6-0.

**LEGISLATION – New Business**

- 1. **Bill 16-2757** An Ordinance Approving a Lot Consolidation Plat for Lots Identified as the Adjusted Lot 1 of Gilmore & Associates Commercial Center, Lot 29 of Block 1 of Geneseo Hills Subdivision, Lot 3 of Block 1 of Geneseo Hills Subdivision and Lot 4 of Geneseo Hills Subdivision (Introduction)

Alderman Gmelich introduced Bill 16-2757.

- 2. **Bill 16-2758** An Ordinance Approving a Master Development Plan for 11801 Manchester Road Located in the C-1 Commercial District and Granting a Conditional Use Permit for Operation of a Bank to Regions Bank at 11801 Manchester Road (Introduction)

The City Administrator stated changes were necessary to the ordinances to reflect items discussed during the meeting. Specifically, Section One on page 2: date for Master Development Plan to be changed from October 13, 2015 to December 7, 2015; Subsection One.B on page 3, change project density from 8,500 sq ft to 9,470 sq ft; Subsection One.I change fencing from six to eight (8') feet; and Subsection Two.A change bank gross floor area from 8,500 to 9,470 sq ft.

There being no objection, Mayor Lahr instructed that Bill 16-2758 be modified with the changes outlined by the City Administrator prior to introduction.

Alderman Pound introduced Bill 16-2758 with the changes outlined by the City Administrator. Alderman Concagh asked what the office hours of the mortgage and loan center would be and asked if office lights would be on during the evening.

Mr. Naylor responded the office hours of the mortgage and loan area would be 8:00 AM – 5:00 PM and office lights would not stay on during the evening time.

Katherine Burns, 1110 Bopp, inquired about the construction timeframe.

Mr. Naylor responded a construction timeframe had not yet been set but possibly early 2017.

Mr. Stock read an e-mail dated January 4, 2016 from a MoDOT Engineer which stated MoDOT found the traffic assessment to be feasible.

Mr. Lasater, 9 Doubletree Lane, confirmed that he is concerned about traffic on Bopp Road and not on Manchester Road.

Alderman Gmelich proposed conducting a full traffic study. Mr. Naylor responded that a full traffic study could be completed prior to the next board meeting. Mayor Lahr asked that the developer do so.

**3. Bill 16-2760**                      An Ordinance Amending Ordinance 2738 Relating to the Performance Agreement for Comfort from Trane Pertaining to the Cost of Replacement of The Bay Area Furnace at the Public Safety Building

Alderman Kleinschmidt introduced Bill 16-2760

Alderman Kleinschmidt made a motion to waive the rules, second by Alderman Raczkiewicz. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, AYE; and Alderman Raczkiewicz, AYE; Motion passed 6-0.

Alderman Kleinschmidt read Bill 16-2760 for a second reading by title only and made a motion to approve, second by Alderman Raczkiewicz. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, AYE; and Alderman Raczkiewicz, AYE; Motion passed 6-0.

**REPORTS OF STAFF**

The City Clerk reported election filing for the April 5, 2016 Municipal Election closed on Tuesday, January 19.

The following candidates have been certified with the St Louis County Election Office:

For Office of Mayor: Rick Lahr

For Office of Alderman: John Pound, Ward I; Paul Racziewicz, Ward II and Mark Becker, Ward III

There being no additional business to come before the regular session of the Board of Aldermen, Alderman Concagh moved, second by Alderman Gmelich, to adjourn at 8:25 PM. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, AYE; and Alderman Racziewicz, AYE; Motion passed 6-0.

Minutes prepared by:

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Amanda Foster  
City Clerk

[These minutes have not been approved by the Board of Aldermen]

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Richard Lahr, Mayor

**ATTEST:**

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Amanda Foster  
City Clerk