

**DRAFT MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
CITY OF DES PERES, MISSOURI  
WEDNESDAY, MARCH 13, 2019  
7:00 PM**

**CALL TO ORDER**

Mr. Oeltjen called the meeting to order at 7:00 pm.

**ROLL CALL**

John Oeltjen	Commission Chair	
Anna Ahrens	Commission Vice Chair	
Terrie Gwin	Commission Member	
Jim Kennedy	Commission Member	
Tony Pawlowski	Commission Member	(absent)
Mitch Stevens	Commission Member	
Will Mura	Commission Member	(absent)
Tom Matheny	Commission Member	(absent)
Bryan McDonald	Commission Member	
Rob Barringer	Commission Member	
Jim Jontry	Commission Member	

The following staff was also present: Kevin O’Keefe, City Attorney; Mark Becker, Mayor; Patrick Becker, Alderman; Scott Schaefer, Assistant City Administrator; Steve Meyer, Director of Public Works; Alexandra Knox, Administrative Assistant/Recording Secretary.

**AMENDMENT OF AGENDA**

None

**APPROVAL OF MINUTES**

Mrs. Ahrens made a motion to approve the minutes for February 13, 2019, Mr. Stevens seconded. All in favor.

**UNFINISHED BUSINESS**

**1. Petition for Conditional Use Permit at 12247 Manchester.**

We have received the revised plans and will be setting up a subcommittee meeting.

**2. Petition for Rezoning from Residential D to RD-R at 641 N. Ballas Rd.**

Tom O’Toole Jr., attorney at Mickes O’Toole representing Pentrex Development, showed a PowerPoint reflecting the project and most recent changes to the subdivision plat. He states Planned Development Districts are to create flexibility in development and this development is in the public interest. Blattner Farm will consist of 8 Lots, all consistent with the surrounding neighborhoods in terms of sets backs, frontage and home sizes. These new homes will not have a negative effect on the Fair Market Value on surrounding homes.

One concern raised by neighboring subdivisions was the lack of subdivision indentures. Pentrex has agreed to have Blattner Farm subject to indentures to be approved by the City, as well as, recorded with the County. Also, the maintenance of rain gardens will

be the property owner's responsibility and will be referenced in the indentures. All purchasers will be fully aware prior to closing the ongoing maintenance requirement. MSD has issued preliminary approval of proposed rain gardens, has reviewed the overall development for storm water management and has no concerns. He pointed out the City will not issue a building permit without MSD final approval.

Another concern raised by Mr. and Mrs. Melville was the placement of the home on Lot 2 of Blattner Farm. They claim the proposed home is too close to theirs and would like to see only 1 home along Ballas Rd. Pentrex shows on the plans the home moved a significant amount to the north, reflecting a 33' side setback with a 2 car garage. The required setback for this zoning district is 10'. Mr. Wolfner stated if the proposed buyer wants a 3 car garage, the setback will be 23'. He doesn't see a buyer wanting a 3 car garage, as this is a subdivision targeted to those who are downsizing. He stated he will limit the windows along the south side of the home unless they are required for bedrooms.

Mr. McDonald asked if the City has received the documents from MSD granting preliminary approval.

Mr. Meyer stated MSD doesn't provide us preliminary approval documents as it's a long ongoing process. MSD is requiring raingardens in new developments.

Mr. McDonald asked who installs the rain gardens and how many has Pentrex installed.

Mr. Wolfner stated he will install the rain gardens and has installed approximately 10 in the past.

Mr. Kennedy stated MSD gives specific requirements for rain gardens.

Mr. Jontry asked what will be built first.

Mr. Wolfner stated he'd like to put in sewers first, then streets, but will hope most lots sell at the same time so he can tie in all utilities at once. His goal is also to limit construction traffic on neighboring streets.

Frank and Jane Melville took the podium to address their concerns. The main concern was the placement of the home on Lot 2. 33' is not sufficient for them and they'd like to see 1 home front Ballas Rd. They'd like to Commission to deny the petition for rezoning.

Mr. O'Toole explained the Melville's purchased their home knowing the property adjacent was likely to be developed and clearly has a higher topography. They also purchased their home on a corner lot, creating a rear setback against a side setback of the adjacent lot.

Jim McEnroe took the podium to address his concerns. He claimed homes in the 425-825k range doesn't sound like downsizing to him, but he does believe the new homes will increase his property value. He doesn't have a problem with the rain gardens, they are a great idea. He has a conflict with the profit motive and community benefit. He doesn't recognize the community benefit, only a Pentrex profit.

Mr. Wolfner explained it's impossible to know if he will make a profit on this development as it is a huge risk to take on.

Kim Boyer, trustee of Spring Valley Woods is in favor of the development, but would like to see 1 home on Ballas.

Anne Bennington, resident of Spring Valley Woods, has concerns with her backyard flooding. MSD has come out to inspect the creek behind her home and found no concerns that relate. The creek is not blocked, therefore the maintenance falls on the subdivision. She states she was not in floodplain when she purchased her home a year ago, and now the maps show she is in floodplain. She is concerned the new development will flood her yard more. Mr. Meyer informed her to request a meeting with the two certified floodplain managers in the Public Works office.

Joann Callahan, resident of Spring Valley Woods, claims she had some honeysuckle removed from her backyard and would like Mr. Wolfner to remove the rest of it since her property backs to Blattner Farm.

Mr. Stevens made a motion to approve with a restriction of Lot 2 of the proposed "Blattner Farm" having a southern side lot setback of 23'. Mrs. Gwin seconded. A roll call vote was taken.

<b>RESULT:</b>	<b>APPROVED (ROLL CALL)</b>
<b>MOVER:</b>	MITCH STEVENS, COMMISSION MEMBER
<b>SECONDER:</b>	TERRIE GWIN, COMMISSION MEMBER
<b>AYES:</b>	OELTJEN, AHRENS, GWIN, KENNEDY, STEVENS, JONTRY
<b>NAYS:</b>	MCDONALD, BARRINGER
<b>ABSTAIN:</b>	BECKER, BARRET
<b>ABSENT:</b>	PAWLOWSKI, MURA, MATHENY

### 3. Petition for Site Plan approval at 13200 Manchester Rd.

Staff received revised plans as well as MSD comments late last week. Staff will review. Will hopefully be on the agenda for April.

### 4. Recommendation of draft ordinance on small cell antenna per Board of Aldermen.

Mrs. Gwin made a motion to approve. Mr. McDonald seconded. A roll call vote was taken.

<b>RESULT:</b>	<b>APPROVED (ROLL CALL)</b>
<b>MOVER:</b>	TERRIE GWIN, COMMISSION MEMBER
<b>SECONDER:</b>	BRYAN MCDONALD, COMMISSION MEMBER
<b>AYES:</b>	OELTJEN, AHRENS, GWIN, KENNEDY, STEVENS, MCDONALD, BARRINGER, JONTRY
<b>ABSTAIN:</b>	BECKER, BARRETT
<b>ABSENT:</b>	PAWLOWSKI, MURA, MATHENY

**5. Review and recommendation of draft ordinance on small cell antenna per Board of Aldermen**

Mr. Jontry recommended approval of the draft ordinance and the full commission is expected to vote in March.

**5. Review and recommendation of zoning regulations necessary or desirable relating growing, testing and distributing cannabis for medicinal purposes.**

Mr. Oeltjen requested volunteers for a subcommittee. Mrs. Ahrens was appointed Chair. Mr. Stevens, Mrs. Gwin and Mr. McDonald are members.

**NEW BUSINESS**

None

**BOARD OF ALDERMEN REPORT**

Alderman Barrett stated a resolution opposing the proposed Better Together was passed at the Board level on Monday, March 11.

**SUBCOMMITTEE REPORT(S)**

None

**OTHER ITEMS**

**ADJOURNMENT**

Mr. Kennedy made a motion to adjourn. Mr. Stevens seconded. All in favor. Meeting was adjourned at 9:18 PM.

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**Chairman John Oeltjen**

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**Recording Secretary**