



**PLANNING AND ZONING COMMISSION MEETING MINUTES
CITY OF DES PERES, MISSOURI
WEDNESDAY, MARCH 13, 2022
7:00 PM**

CALL TO ORDER

Chairman Ahrens called the meeting to order at 7:01pm.

ROLL CALL

| | |
|----------------|--------------------------|
| Anna Ahrens | Commission Chairman |
| Will Mura | Commission Vice Chairman |
| Terrie Gwin | Commission Member |
| Tony Pawloski | Commission Member |
| Rob Barringer | Commission Member |
| Jim Jontry | Commission Member |
| Molly Hartman | Commission Member |
| Jonathan Young | Commission Member |
| Mary McGrath | Commission Member |
| Derek Don | Commission Member |
| Kurt Leinauer | Commission Member |
| Mayor Becker | Mayor |
| Alderman Pound | Aldermanic Rep |

The following staff members were also present: Chris Graville, City Attorney; Steve Meyer, Director of Public Works, and Scott Schaefer, Assistant City Administrator

AMENDMENT OF AGENDA

None requested.

APPROVAL OF MINUTES – MARCH 9, 2022

Commission Don entertained a slight correction to the minutes pertaining to line #126 as reflected below: Commission Don made a motion for the ~~subcommittee~~ **Commission** to meet with PGAV, specifically John Brancaglione, and any city staff prior to the first subcommittee.

Commissioner Hartman made a motion to approve the minutes as amended. Second by Commissioner Barringer. Motion approved unanimously by voice vote.

OLD BUSINESS

1. PETITION FOR CONDITIONAL USE PERMIT FOR MEDICAL MARIJUANA DISPENSARY– 12095 MANCHESTER RD – ROOT 66

Petitioner: GF Wellness Fenton LLC

This petition has been stayed pending an appeal to the Board of Adjustment relating to the determination of the zoning enforcement officer that 12095 Manchester Road is not within 1,000 feet of a church, school, or daycare center as it relates to Section 408.015.D of the municipal code. This appeal will be on the April 27 meeting agenda.

2. WORK SESSION ON UTILIZATION OF PLANNED DEVELOPMENT (PD) REGULATIONS PERTAINING TO MULTI-FAMILY DEVELOPMENTS

Presenter: John Brancaglione, PGAV

Chairman Ahrens advised that the purpose of the meeting was to provide a high-level overview of multi-family housing with an emphasis on utilization of planned development districts. Chairman Ahrens further advised that the Commission would not be addressing specific comments or questions pertaining to the Magnolia development as those matters would be handled at the subcommittee level.

Assistant City Administrator Scott Schaefer echoed those expectations and further suggested that the Commission generate some level of consensus, if any, on whether to embrace multi-family housing



56 before taking the next step. This would likely involve drafting and approving modifications to the 2015
57 Comprehensive Plan which currently lacks any reference to apartment uses or multi-family housing. City
58 Attorney Chris Graville advised that the Planning & Zoning Commission under Missouri Law has the
59 independent authority to enact changes to the Comprehensive Plan without Board of Aldermen approval.

60
61 Mr. Schaefer introduced John Brancaglione (PGAV) in his capacity as planning consultant and advisor to
62 the city on matters pertaining to the Magnolia Ridge petition as authorized under the pre-funding
63 agreement in which the Board of Aldermen approved in February. Mr. Schaefer highlighted Mr.
64 Brancaglione's longstanding relationship with the city which he personally presided over the redraft of our
65 comprehensive plan and zoning code which makes him uniquely positioned to facilitate any conversation
66 that may result in changes to those documents.

67
68 John Brancaglione provided a brief synopsis of his memorandum dated March 22 which outlines some of
69 prevailing trends in the housing market with a specific focus on upscale, luxury apartment uses similar to
70 those being pursued under the Magnolia Ridge plan. Mr. Brancaglione offered a quick refresher on
71 planned development districts and their intended use as a negotiated zoning tool to achieve greater
72 development flexibility not otherwise afforded under conventional zoning. Mr. Brancaglione advised that
73 unlike traditional overlays, planned development districts represent distinct and separate zoning
74 categories tied to a specific tract of land or property. Mr. Brancaglione clarified that any project approved
75 under planned development regulations in one location does not automatically set a precedent for
76 another location, as each planned development is structured to reflect a unique set of rules governing that
77 particular development and use. Those rules are based on the unique characteristics of the property such
78 as size, location, access, surrounding uses, and traffic impact.

79
80 Mr. Brancaglione concluded by stating that the proposed Magnolia Ridge concept provides a perfect
81 example of a property where PD regulations can bring what appears to be a high-quality project to a
82 location that would otherwise have difficulty for development. Mr. Brancaglione went on to advise that the
83 Magnolia project, or projects similar in nature, would make good use of this particular site which has been
84 historically vacant.

85
86 Paul Fingerhut (1897 Point Oak) questioned whether the act of permitting upscale apartment uses might
87 draw transient occupants instead of permanent residents. Mr. Brancaglione advised that luxury
88 apartments in Des Peres would likely attract higher-income tenants with active lifestyles who prefer to
89 minimize maintenance responsibilities generally associated with homeownership. While some of those
90 tenants might be transient due to having secondary properties elsewhere, many are expected to be
91 corporate professionals who already work and possibly live in Des Peres.

92
93 Commission Barringer raised concerns about the extent to which the city can establish and enforce
94 quality architectural standards when utilizing planned development regulations. Mr. Brancaglione advised
95 that PD districts afford significant latitude for the city when establishing architectural standards as those
96 terms are negotiated during the legislative process. City Attorney Chris Graville advised that negotiated
97 architectural elements for any development would likely occur after the project receives preliminary and
98 conceptual approval as part of a double legislative process.

99
100 Kathleen Gmelich (12318 Ballas Estates) brought attention to the importance of the Comprehensive Plan
101 as a long-range planning tool but also in terms of protecting the city against unforeseen future litigation.
102 Kathleen later expressed her support for considering changes to the Comprehensive Plan as a necessary
103 first step before taking action on any development proposals that would substantially deviate from our
104 zoning ordinances. Kathleen expressed gratitude to the Commission and the residents for their attention
105 on this very important matter.

106
107 Commissioner McGrath raised questions about the performance of the Alinea Apartments located directly
108 west of the Magnolia Ridge site which falls under St. Louis County jurisdiction. Petitioner Dan Thies
109 emphasized that the Alinea development has reached 98% occupancy which represents an ideal



110 percentage as it provides some level of flexibility to increase rates given the heightened competition and
111 limited space.

112
113 Aldermen John Pound emphasized that while zoning text amendments are achievable, they are serious
114 matters that deserve substantial review and consideration based on future implications to the surrounding
115 properties which are rarely predictable at the time of adoption.

116
117 Jeff Hunt, attorney representing the neighboring residents of Town and Country, argued that there is no
118 constitutional precedent that would mandate inclusion of multi-family housing in Des Peres or any
119 community.

120
121 Chris Fairbairn (1019 Nana) questioned the value of growing our population which he maintains would
122 occur should the city permit denser housing developments. Mr. Fairbairn later suggested that Des Peres
123 is already experiencing overpopulation based on his view of crowded restaurants and congested parking
124 lots.

125
126 Hearing no further comments or questions, Chairman Ahrens advised that a subcommittee tasked with
127 exploring changes to the Comprehensive Plan relative to multi-family housing has been established with
128 the following commissioners assigned to that study: Rob Barringer, Derek Don, Kurt Leinauer, Jonathan
129 Young, and Will Mura. In addition, this subcommittee will consider prospective changes to the zoning
130 code that would allow multi-family uses in Des Peres under a new zoning classification called planned
131 "PD-RMF" or planned development residential multi-family. A notice to that effect will be posted on the
132 city website once a meeting date has been solidified.

133
134 Chairman Ahrens clarified that all discussions regarding the Magnolia Ridge petition would be stayed until
135 a formal recommendation on the Comprehensive Plan is solidified by the Commission. Therefore, the
136 subcommittee previously assigned to study the Magnolia Ridge proposal will not meet until further notice.

137
138 **NEW BUSINESS – n/a**

139
140 **STATUS REPORTS**

- 141 1. BOARD OF ALDERMEN REPORT – n/a
142 2. SUBCOMMITTEE REPORT(S)
143 I) Sign Committee – n/a
144 II) Fence Committee – Commissioner McGrath emphasized that she was not included on any
145 correspondence relative to the Fence Committee despite being a member. Chairman Ahrens
146 directed staff to address the miscommunication.
147 III) Architectural Review – n/a
148 IV) AD HOC COMMITTEE – n/a
149

150 **OTHER ITEMS**

151
152 **ADJOURNMENT**

153 Commissioner Mura moved to adjourn the meeting, with a second by Commissioner Leinauer. Motion
154 was approved by voice vote and the meeting was adjourned at 9:06pm.

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156 _____
157 **Chairman Anna Ahrens**

158
159 _____
160 **Recording Secretary**