



**PLANNING AND ZONING COMMISSION MEETING MINUTES  
CITY OF DES PERES, MISSOURI  
WEDNESDAY, MARCH 9, 2022  
6:00 PM**

**CALL TO ORDER**

Chairman Ahrens called the meeting to order at 6:03pm.

**ROLL CALL**

Anna Ahrens	Commission Chairman	
Will Mura	Commission Vice Chairman	(arrive 6:53)
Terrie Gwin	Commission Member	
Tony Pawloski	Commission Member	(arrive 6:54)
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 was also present: Chris Graville, City Attorney; Alexandra Knox, Public Works Admin; Steve Meyer, Director of Public Works, Scott Schaefer, Assistant City Administrator.

**AMENDMENT OF AGENDA**

Old Business was moved to follow new business.

**APPROVAL OF MINUTES**

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

**NEW BUSINESS**

**1. PETITION FOR ZONING TEXT AMENDMENT FOR PD-MXD, PETITION FOR REZONING, PETITION FOR SITE PLAN APPROVAL FOR A 180-UNIT APARTMENT BUILDING WITH 4,000SQFT COMMERCIAL TENANT SPACE – 13431 MANCHESTER RD – MAGNOLIA RIDGE**

Petitioner – Barn Owl LLC

John Hessel of Lewis Rice spoke to the commission and public stating he understands and appreciates the concerns of the residents of Des Peres and Town and Country but this project is needed for the City of Des Peres. This petition is for a planned development mixed use – multifamily plus commercial use. A development like this will allow Des Peres residents and neighbors nearing retirement to stay in their community and not have to move far. It will also allow for young professionals that are unable to afford their first homes to live closer to their jobs. He states communities are evolving and need to make this sort of development available to residents.

Dan Theis of Theis Group, owner of the parcel and developer in the area, explained he is a long time resident of Des Peres and has always dreamed of doing a project here. This parcel is 6.45 acres and will have 180 upscale units, pool, fitness center, underground and surface level parking. There will be a 4,000 sqft commercial space located on the first floor. This parcel has a challenged topography with traffic limited to one way, the development will sit down in a hole, with Sams Club to the west, and an office building to the east. He claims with the trees planted, the development will hardly be noticeable from westbound Manchester Road.



54 Chairman Ahrens questioned Mr. Theis' definition of upscale, the price of rent and the elevation impact on  
55 the neighbors residing in Town and Country. She questioned if the residents on the upper floors of  
56 Magnolia Ridge would be able to see into the neighboring pools and homes of the residents nearby.  
57

58 Mr. Theis answered that his definition of luxury is paired with more expensive materials such as real stone  
59 and quartz. The developers had not decided on rent pricing as of yet, but would imagine ranging from  
60 \$1,600 for a Studio up to \$3,000 for a 3-bedroom. He explained that the closest property line is 230' from  
61 the building through the parking lot and trees, so it'd be difficult to see the neighbors outside.  
62

63 Commissioner Barringer pointed out this color palette is grim, and the developers need to make it more  
64 interesting.  
65

66 Commissioner Don asked if a traffic study had been completed and if MoDOT had given their approval for  
67 the project. He questioned if residents traveling east bound would use the already crowded Des Peres  
68 Pointe for a cut through.  
69

70 Mr. Theis answered a traffic study has not yet been conducted, but CBB is slated to complete. The  
71 developers have had meetings with MoDOT who have confirmed access to a curb cut along Manchester  
72 and the highway is more than able to handle the traffic. Residents would use Westmark, Sams Club Dr,  
73 or the loop at Des Peres Lodge for access.  
74

75 Commissioner McGrath asked the largest size of the units and why apartments over condos.  
76

77 Mr. Theis answered the largest unit would be 3-bedroom and condos, from experience, don't go over well  
78 in the St. Louis Area.  
79

80 Commissioner Don questioned the parking ratios provided, and if those ratios would be adequate for  
81 more 3 bedroom units over 1 bedroom units. He stated the current planned development ordinance  
82 requires 10acres, but this site is 4acres short.  
83

84 Mr. Theis claims there is more than enough parking spaces.  
85

86 Mr. Graville answered the Board of Aldermen can waive the 10acre requirement if it's determined that the  
87 use proposed is desirable or necessary in relationship to the surrounding neighborhood, or such waiver to  
88 be in the general public interest. The planned development zoning district is an innovative zoning district  
89 and is flexible versus other zoning districts. This is the first petition since creating this district.  
90

91 Mayor Becker stated he has been asked if the approval of this development would set a precedent and  
92 open the gate for other developers to come in and petition for apartment developments elsewhere in the  
93 city.  
94

95 Mr. Hessel answered it's possible to carefully craft the text amendment to satisfy all requirements to not  
96 adversely affect other properties and create spot zoning.  
97

98 Kevin Lasater – 9 Doubletree Ln- spoke to the commission in favor of the project. He is a long time Des  
99 Peres resident and has spent his career in construction. He claims he's done projects in the past with the  
100 developers of Magnolia Ridge and spoke highly of them.  
101

102 Jeff Hunt – attorney representing the neighboring residents of Town and Country – spoke in opposition of  
103 this project claiming the 88' tall building will tower over his client's home and invade their privacy, even  
104 with the trees in place.  
105

106 Paul Fingerhut – 1897 Point Oak Rd – is still debating his position whether for or against this  
107 development. He claims there are many issues that need to be addressed. He states Des Peres does  
108 not have a residential tax, only sales tax and commercial sales, so how is Des Peres going to benefit from



109 this development, especially being the commercial space is only 4,000 sqft, and will primarily be used by  
110 the residents of the development. He stated as someone of retirement age, this is not a development  
111 he'd desire to live in and can't imagine a Des Peres resident selling their nice home to live in an  
112 apartment for a couple years.

113  
114 Faiza Bhatti – 13012 Pingry Pl, Town and Country, spoke to the commission in opposition of the  
115 development stating traffic is bad enough on Manchester Road and she has concerns about drivers  
116 crashing through the sound wall and injuring her children.

117  
118 Mr. Theis stated it is possible there will be an acceleration and deceleration lane per MoDOT.

119  
120 Kevin Limbert – 1317 Marlann – spoke in favor of the project and he's excited to see it come to life.

121  
122 Chairman Ahrens announced this petition will be sent to a subcommittee for review. The members are as  
123 follows: Barringer (Chair), Don, McGrath, Pawloski (alternate). This meeting is open to the public and the  
124 agenda will be posted once available.

125  
126 Commissioner Don made a motion for the subcommittee members to meet with PGAV, specifically John  
127 Brancaglione, and any city staff prior to the first subcommittee. Seconded by Vice Chairman Mura.  
128 Motion was approved by voice vote.

## 129 **OLD BUSINESS**

### 130 **1. PETITION FOR CONDITIONAL USE PERMIT FOR MEDICAL MARIJUANA DISPENSARY– 12095** 131 **MANCHESTER RD – ROOT 66**

132 Petitioner: GF Wellness Fenton LLC

133 This petition has been stayed due to the fact the neighboring property owners have filed an appeal for  
134 Board of Adjustment relating to the determination of the zoning enforcement officer that 12095  
135 Manchester Road is not within 1,000 feet of a church, school, or daycare center as it relates to Section  
136 408.015.D of the municipal code. This appeal will be on the April 27 meeting agenda.

## 137 **STATUS REPORTS**

- 138  
139  
140 1. BOARD OF ALDERMEN REPORT – Mayor Becker announced the resignation of Commissioner  
141 Bryan McDonald, effective 2/17/22 and the Board will be in the process of filling the position in  
142 Ward 1.

143 Alderman Pound gave the Board report, stating they'd approved various ordinances including:

- 144 • A professional services agreement with PGAV for on-call planning and consulting  
145 services as required by the Board of Aldermen
- 146 • An amended lease agreement for joint use of a cell tower at Public Safety
- 147 • An ordinance amending the sign code to permit non-compliant temporary sign for Edward  
148 Jones for their 100<sup>th</sup> anniversary
- 149 • An agreement with Missouri Department of Conservation for the managed deer hunt for  
150 2022.

151 He explained the Board had a work session 3/7 to consider extensive renovations that are  
152 needed to the City facilities such as City Hall, the street garage and public safety.

- 153 2. SUBCOMMITTEE REPORT(S)

154 I) Sign Committee – n/a

155 II) Fence Committee – n/a

156 III) Architectural Review – n/a

157 IV) AD HOC COMMITTEE – Medical Marijuana Dispensary @ 12095 Manchester Road – Vice  
158 Chairman Mura gave the report of the subcommittee held 2/16/22. He stated many  
159 Commissioners were present and there was a large crowd. The subcommittee requested the  
160 following revisions by the petitioner:

- 161 • Reduce the number of bollards and make them a different color
- 162 • Provide color samples



- 163 • Would like to see more glass and storefront appearance on the front
  - 164 • Ensure the parking will be kept on said property and not the adjoining
- 165 He stated the subcommittee would reconvene once staff had received the updated plans.  
166 Mr. Meyer claimed we have received the revised drawings but the petition is stayed at this point.

167  
168 **OTHER ITEMS**

169  
170 **ADJOURNMENT**

171 Chairman Ahrens moved to adjourn the meeting, with a second by Vice Chairman Mura. Motion was  
172 approved by voice vote and the meeting was adjourned at 7:48pm.

173  
174 \_\_\_\_\_  
175 **Chairman Anna Ahrens**

176  
177 \_\_\_\_\_  
178 **Recording Secretary**

DRAFT