

1 **MINUTES**  
2 **PLANNING AND ZONING COMMISSION MEETING**  
3 **CITY OF DES PERES, MISSOURI**  
4 **WEDNESDAY, JUNE 9<sup>th</sup> 2021**  
5 **7:00 PM**

6  
7 **CALL TO ORDER**

8 Mr. Oeltjen called the meeting to order at 7:01 pm.  
9

10 **ROLL CALL**

11 John Oeltjen	Commission Chairman	
12 Anna Ahrens	Commission Vice Chairman	
13 Terrie Gwin	Commission Member	
14 Tony Pawloski	Commission Member	
15 Will Mura	Commission Member	
16 Tom Matheny	Commission Member	
17 Bryan McDonald	Commission Member	
18 Rob Barringer	Commission Member	
19 Jim Jontry	Commission Member	
20 Molly Hartman	Commission Member	(ABSENT)
21 Jonathan Young	Commission Member	(ABSENT)
22 Mary McGrath	Commission Member	
23 Mayor Becker	Mayor	
24 Alderman Pound	Aldermanic Rep	

25

26 The following staff was also present: Chris Graville, City Attorney; Alexandra Knox, Public Works  
27 Admin; Steve Meyer, Director of Public Works.  
28

29 **AMENDMENT OF AGENDA**

30 N/A  
31

32 **APPROVAL OF MINUTES**

33 Commissioner Pawloski requested line 81 say “golf course” not “gold course”.  
34 Commissioner McDonald made a motion to approve the minutes as amended. Second by Mura.  
35 Motion approved unanimously by voice vote.  
36

37 **UNFINISHED BUSINESS**

38 1. Petition for Conditional Accessory Structure – 303 Greenbriar Estates Drive

39 Petitioner: Michelle and Dean Millonas, property owners

40 Mr. Meyer states we have not had any correspondence with the Millonas’ and they had not  
41 applied to Board of Adjustment as of the deadline, May 26.

42 Ahrens made a motion to table 1 month. Second by Mura. Motion approved unanimously by  
43 voice vote.  
44

45 **NEW BUSINESS**

46 1. Ordinance regarding sport court lighting

47 Proposed by: Des Peres Planning and Zoning Commission

48 The City does not currently have regulations in place that adequately address the high density  
49 lighting being requested in residential areas and finds that lighting for sport courts negatively  
50 impacts adjacent properties through the increase in light pollution and the increased use of the  
51 sport court during non-daylight hours.

52 Commissioner McDonald asked if the Planning and Zoning Commission would need to create a  
53 4<sup>th</sup> subcommittee to handle sport court lighting. Mr. Graville answered that a subcommittee  
54 would not be created. This ordinance would create the prohibition of lighting on sport courts  
55 and conditional accessory structure petitions could not show lighting on the petitions. If a  
56 petitioner would request to add lighting, they'd need to be heard by the Board of Adjustment  
57 and prove their hardship.

58 Commissioner Oeltjen states he has a flood light over the rear entry garage driveway for when  
59 his family and neighborhood friends plays basketball. He asks if this would be grandfathered in  
60 since it's been there for 37 years.

61 Graville states it would be a legal nonconforming use. You could still continue the use after  
62 adoption of this ordinance, since it was in operation before the prohibition.

63 Commissioner Mura states he just installed a new driveway/basketball court, can he not add a  
64 flood light for night play?

65 Mr. Meyer states there is a distinction between driveway and sport court.

66 McGrath/Ahrens both asked if this ordinance would prohibit flood lights attached to the home  
67 and/or lighting around one's property for security purposes.

68 Mr. Meyer read the ordinance verbatim, and it references sport courts specifically – tennis  
69 court, racquetball, basketball and the like.

70 Mura asked if this ordinance would limit lighting around residential pools.

71 Mr. Meyer states no it would not.

72 The Commission would like noted that it is not their intention to limit reasonably lit driveways  
73 for outdoor play.

74  
75 McDonald made a motion to recommend approval as presented. Jontry seconded. A roll call  
76 vote was taken with the following results: Oeltjen, AYE; Ahrens, AYE; Gwin, AYE; Pawloski, AYE;  
77 Mura, AYE; Matheny, AYE; McDonald, AYE; Barringer, AYE; Jontry, AYE; McGrath, AYE; Mayor  
78 Becker, ABSTAIN; Alderman Pound, ABSTAIN. Motion Carries 10-0-2.

79

80 2. Ordinance regarding the side yard setback requirements in Zoning District F

81 Proposed by: Des Peres Building Staff

82 Mr. Meyer explained this ordinance was originally passed on May 9, 2016 (Ordinance 2752).

83 This ordinance adjusts the side yard setback in the F-Residential District to create a variable side  
84 yard setback line of ten percent of lot width or eight feet, whichever is less, but no less than five  
85 feet. When we completed the update of the Des Peres Zoning Code in fall 2017, this ordinance  
86 was missed in the update, but the problem still exists.

87

88 Mura made a motion to recommend approval as presented. Gwin seconded. A roll call vote  
89 was taken with the following results: Oeltjen, AYE; Ahrens, AYE; Gwin, AYE; Pawloski, AYE;  
90 Mura, AYE; Matheny, AYE; McDonald, AYE; Barringer, AYE; Jontry, AYE; McGrath, AYE; Mayor  
91 Becker, ABSTAIN; Alderman Pound, ABSTAIN. Motion Carries 10-0-2.

92

93 3. Section 4.24 (Alcoholic Beverages) of the Municipal Code to delete the prohibition on  
94 sale of alcoholic beverages for business establishments whose primary business is  
95 gasoline sales;

96 Proposed by: Des Peres Board of Aldermen

97 Mr. Meyer explained for an unknown reason, legislation was passed prohibiting alcohol sales  
98 where gasoline is sold. This legislation has been in the municipal code for a long period of time  
99 which pre-dates the development of the only gasoline service (Circle K) built in 1991.

100 Mura asked if there is any other parcel in Des Peres that could be developed as a service  
101 station.

102 Mr. Meyer answered we do not have any developments in the pipeline, but who knows what  
103 the future will be. A gas station is a conditional use in the Commercial C-1 district requiring a  
104 minimum of 1.2 acres and along Manchester. Various developers have told City Administration  
105 this ordinance has hindered development of gas stations in Des Peres.

106 Mura expressed concern of the proximity of Circle K to Des Peres Lodge and does not see a  
107 need to change this ordinance. If this ordinance was changed, and a new gas station was built,  
108 it would increase traffic on an already heavily traveled Manchester.

109 McDonald pointed out that there was concern regarding the proximity of The Lodge and  
110 children, but The Village Bar is allowed to sell package drink liquor and is located right next to  
111 Des Peres Park.

112 Oeltjen asked if this was a request from the owners of Circle K.

113 Mr. Meyer stated it was a request from the Board of Aldermen examine this ordinance and  
114 report back to them.

115 Mayor Becker explained an Alderman asked the question of where this ordinance came from,  
116 and what was the Board's thoughts back when and no one could give a reason why.

117 Ahrens claims there used to be various gas stations in Des Peres which since have been  
118 redeveloped. The gas station industry has changed and evolved through the years and believes  
119 Des Peres should allow merchants to rise to the standard across the nation, which includes  
120 selling alcohol.

121

122 McDonald made a motion to recommend approval as presented. Mura seconded. A roll call  
123 vote was taken with the following results: Oeltjen, AYE; Ahrens, AYE; Gwin, AYE; Pawloski, AYE;  
124 Mura, NAY; Matheny, NAY; McDonald, NAY; Barringer, NAY; Jontry, NAY; McGrath, AYE; Mayor  
125 Becker, ABSTAIN; Alderman Pound, ABSTAIN. Motion TIED 5-5-2.

126

127 4. Amendment to Section 2(D) to Ordinance 2857 which grants a Conditional Use Permit to  
128 Circle K at 12804 Manchester Road to allow the sale of intoxicating liquor within the  
129 convenience store at that location.

130 Proposed by: Des Peres Board of Aldermen

131 Gwin made a motion to withdraw. Pawloski seconded. A roll call vote was taken with the  
132 following results: Oeltjen, AYE; Ahrens, AYE; Gwin, AYE; Pawloski, AYE; Mura, AYE; Matheny,  
133 AYE; McDonald, AYE; Barringer, AYE; Jontry, AYE; McGrath, AYE; Mayor Becker, ABSTAIN;  
134 Alderman Pound, ABSTAIN. Motion Carries 10-0-2.

135

## 136 **STATUS REPORTS**

### 137 1. BOARD OF ALDERMEN REPORT

138 Alderman Pound gave the Board of Aldermen report, stating that an extension was granted for  
139 a CUP at the Village Barn, 12247 Manchester, until September 8, 2021 to allow the owner to  
140 apply for architectural review.

141 Des Peres is resuming the summer concert series in Des Peres Park, with the first Friday June  
142 11. Activity at The Lodge has picked up since the restrictions on masks have been lifted. All  
143 summer camps are at capacity. Des Peres has hired a new Director of Parks and Recreation,  
144 Melissa Myers, who comes from the City of Eureka.

145

### 146 2. SUBCOMMITTEE REPORT(S)

147 I) Sign Committee – n/a

148 II) Fence Committee – n/a

149 III) Architectural Review – Approval of an amended architectural plan for 12247

150 Manchester. The Village Bar requested the barn remain natural cypress rather than  
151 painted red, the roof remain rustic corrugated metal rather than silver and no cupola be  
152 installed. The motion was approved by a 3-0 vote.

153

## 154 **OTHER ITEMS**

155 1. Election of Commission Chairman and Vice Chairman for the term expiring June 30,  
156 2022.

157 Gwin nominates Ahrens for Commission Chair.

158 McDonald nominates Mura for Commission Chair.

159 Mura declines the nomination. Ahrens accepts. All in favor by a unanimous voice vote.

160 Oeltjen nominates Mura for Commission Vice Chair.

161 Gwin seconds Mura for Commission Vice Chair.

162 Mura accepts the nomination. All in favor by a unanimous vote.

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## 164 **ADJOURNMENT**

165 Matheny moved to adjourn the meeting, with a second by Barringer. Motion was approved by  
166 voice vote and the meeting was adjourned at 8:05pm.

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**Chairman Anna Ahrens**

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173 \_\_\_\_\_  
**Recording Secretary**