



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54

**PLANNING AND ZONING COMMISSION MEETING MINUTES**  
**CITY OF DES PERES, MISSOURI**  
**WEDNESDAY SEPTEMBER 14, 2022**  
**7:00 PM**

**CALL TO ORDER**

Chairman Ahrens called the meeting to order at 7:00 p.m.

**ROLL CALL**

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

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

**AMENDMENT OF AGENDA**

Old Business was moved to follow New Business.

**APPROVAL OF MINUTES**

Chairman Ahrens suggested a slight correction to the minutes on line #163 - #165 as reflected below:  
~~The Water Company~~ Missouri American Water previously replaced the water main and Pace Construction is working for St. Louis County.  
Commissioner Gwin made a motion to approve the minutes as presented. Second by Young. Motion approved unanimously by voice vote.

**NEW BUSINESS**

1. Ordinance pertaining to Home Occupations

Proposed by: Des Peres Planning and Zoning Commission

Commissioner Don made a motion to table to the next meeting. Second by Barringer. Motion approved unanimously by voice vote.

2. Petition for Boundary Adjustment/Site Plan Approval/Conditional Use Permit

**12030 MANCHESTER RD and 1087/1091 KINSTERN DR**

Petitioner: Ashley Goodrich, Quick Trip of Tulsa

Mr. Andrew Gribble, an engineer with Kinley-Horn and Associates, approached the podium representing MedWise. MedWise is a franchise based out of Tulsa, Oklahoma with intentions to expand to Texas, Kansas and Missouri. Mr. Gribble explained that 12030 Manchester's current use is an Imo's restaurant; 1087 and 1091 Kinstern are residential homes. These properties would be demolished for use as a 3057 sq. ft. urgent care facility.

Mr. Gribble provided a MedWise fact sheet:

VISIT MEDWISE FOR:

- Non-life-threatening injuries and illnesses in both adults and children
- A reliable, cost-effective alternative to the emergency room



- When your primary care physician is not available
- Same-day care when you or your loved ones are visiting from out-of-town

**SERVICES OFFERED:**

- Treatment of illnesses, injuries, and infections
- Testing for COVID-19, flu, strep and RSV, which can be given to patient while in their car
- 5 Physical exam rooms, 1 treatment room, 1 X-ray room
- Vaccinations
- Minor procedures
- Workman's comp assessments
- Drug screenings
- Typical hours of operations are 8am-8pm, 7 days a week
- **NOT** a 24 hour operating business
- **NO** overnight hospitalization/care
- **NO** ambulatory services
- **NO** oxygen refill services
- **NO** outpatient surgery

Mr. Gribble pointed out that entry into the MedWise parking lot will be from Kinstern and will not be accessible from Manchester Rd. The north building elevation of MedWise faces Manchester, east building elevation faces Kinstern, and south building elevation faces Academy and west building elevation faces the development at 12050 Manchester Rd. There will be two pedestrian entries into the urgent care-one facing Manchester and one facing Kinstern. The landscape and parking plan-24 regular and 2 accessible parking spaces meet Des Peres code. There will be an ambulance parking stall located at the south side of the building; however, most admissions are walk-ins and rarely ambulatory. Exterior materials are red and two shades of brown stucco.

Chairman Ahrens inquired about staffing at the facility.

Mr. Gribble replied that there would be 8 staff employees-2 doctors, 2 physician assistants and 4 nurses (with one also acting as a receptionist).

Chairman Ahrens questioned if there was a plan for overflow parking and was concerned there would not be enough room for a fire truck to enter/exit safely.

Mr. Gribble stated there are 10 parking spaces over what Des Peres Code requires. There will be designated spaces for the nurses and doctors to provide flu or COVID vaccinations. Additional parking can be added if needed.

He acknowledged that sheet C101 on the MedWise Construction Plans show the direction of trucks incorrectly. The correct route for trucks arriving will be from Manchester.

Vice Chairman Mura questioned this route.

Mr. Gribble responded it was due to grade change north to south.

Director of Public Works, Steve Meyer verified this was, in fact, correct.

Commissioner Don asked if the Fire Department has reviewed this.

Mr. Meyer stated the Director of Public Safety, Chief Eric Hall was in the room; however, the submittal is in the preliminary stages.

Commissioner Don questioned if a market study had been completed and wondered if there is a need for 2 urgent cares so close by.

Mr. Gribble could not answer that as he is on the engineering side of the project; but assumed one had been completed.



110 Commissioner Don mentioned there was a large tree on site and would like for it to stay but wondered if  
111 that would affect parking.

112  
113 Mr. Gribble explained that due to the required setbacks, the tree will need to be removed but they will  
114 make up for the loss of the tree in landscaping. If the tree remained, then there wouldn't be enough  
115 parking.

116  
117 Commissioner Don inquired about signage.

118  
119 Mr. Gribble agreed they need to work on signage and meeting the City's code.

120  
121 Chairman Ahrens announced the petition will go to subcommittee and requested volunteers from the  
122 Commission. Commissioners Kardesch, Jontry and Gwin volunteered and Chairman Ahrens offered to  
123 be an alternate. She reminded residents general concerns are welcome but no decisions will be made as  
124 it's going to subcommittee.

125  
126 Mr. Meyer indicated all three properties (12030 Manchester and 1087/1091 Kinster) are zoned C-1 and  
127 owned by Imo's; who want to sell all 3 parcels together.

128  
129 Barbara Sheinbein, 30 year resident of 1033 Kinster, is blind and stated she walks a lot and currently  
130 feels safe, even though there are no sidewalks. She is concerned about increase in traffic and distracted  
131 drivers; as she can't react quickly.

132  
133 Chris Ciuffa, 38 year resident of 900 Kinster, is worried paramedics and other Public Safety vehicles will  
134 not be able to provide a quick response to residents on Kinster if they have to cut through other streets  
135 to get to them.

136  
137 Mr. Meyer verified Kinster will NOT be closed off from Manchester, eliminating the need to use other  
138 streets.

139  
140 Janet Howard, 998 Kinster, has lived in Des Peres for 70 years and is concerned about traffic cutting  
141 through and cars speeding, as their streets are already narrow. She is worried about taking away green  
142 space, water runoff, safety of little children and aesthetics of looking at a commercial building and its'  
143 large retaining wall.

144  
145 Commissioner Don asked if a traffic study had been performed.

146  
147 Mr. Gribble stated that a traffic study had not been completed yet but a medical clinic would be less of a  
148 generator than a fast food restaurant.

149  
150 Mr. Meyer replied to Ms. Howard's concern and confirmed the building plans only show the retaining wall  
151 at 4'.

152  
153 Mr. Gribble also replied to Ms. Howard's concern and declared they are doing an analysis and their plans  
154 will actually capture the storm water better, lessening the flow for stormwater runoff as it currently flows.

155  
156 Chairman Ahrens mentioned that the preliminary staff report does not show a traffic, parking or water  
157 study which would address these questions.

158  
159 Mr. Meyer stated that it is not in a flood plain and MSD will further review and provide requirements.

160  
161 Commissioner Ahrens specified that traffic safety, access for Public Safety vehicles and the resident's  
162 concerns will be addressed at subcommittee.

163



164 Mr. Gribble reminded everyone that there will be no access into MedWise from Manchester. Per Missouri  
165 Department of Transportation, there needs to be 150' of frontage.

166  
167 Mr. Meyer asserted that additional analysis needs to be provided as there are concerns for firetrucks  
168 making the Kinstern/Manchester turn.

169  
170 Mr. Gribble stated the sidewalk is tight and the plans are to make this a normal 15' radius.

171  
172 Mr. Meyer indicated there is a 2017-18 traffic study available on Des Peres's website. There are 48  
173 entrances into commercial properties in Des Peres from Manchester Rd. The study shows access points  
174 on Manchester increase accidents. McDonalds has 2 entrances and will be removing 1. Colonnade will  
175 also remove an entrance. The goal is to reduce entrances on Manchester and have the access point on  
176 side streets.

177  
178 Jana Goeke, 1034 Twin Pine, is concerned about property values if the large tree is removed which will  
179 increase lighting to the residential properties.

180  
181 Mr. Meyer explained that a photo metrics analysis is required and must be met and reminded Ms. Goeke  
182 the tree will be removed to allow ample parking.

183  
184 Mark Milton, owner of the property at 12026 Manchester, agreed that closing the Manchester entrance to  
185 MedWise will be safer. Also, the area is zoned commercial and that a larger commercial development  
186 such as TJ Maxx would be a bigger nightmare as opposed to an urgent care.

187  
188 Tracy Kinser, 1007 Kinstern, is a mom of 3 kids. She notices a rise in traffic when people avoid the light  
189 at Lindemann and turn onto Kinstern. She would feel safer if Kinstern was blocked off instead of  
190 Manchester. Ms. Kinser would like the retaining wall to be higher.

191  
192 Commissioner Ahrens concluded it was time to move on to PD-MXD and deferred to Mr. Scott Schaefer  
193 to provide the subcommittee report.

## 194 195 **OLD BUSINESS**

196 **1. PETITION FOR ZONING TEXT AMENDMENT FOR PD-MXD, PETITION FOR REZONING, PETITION**  
197 **FOR SITE PLAN APPROVAL FOR A 180-UNIT APARTMENT BUILDING WITH 4,000SQFT**  
198 **COMMERCIAL TENANT SPACE –**  
199 **13431 MANCHESTER RD – MAGNOLIA RIDGE APARTMENTS**

200 Petitioner: Barn Owl LLC

201 **TABLED** pending a decision on the proposed amendments to the Comprehensive Plan as recommended  
202 by the subcommittee on June 1, 2022.

## 203 204 **STATUS REPORTS**

### 205 **1. BOARD OF ALDERMEN**

206 Alderman Pound reported the Board approved the Conditional Use Permit for operation of a Medical  
207 Marijuana Dispensary at 12095 Manchester.

208 The Board established a zero property tax for Des Peres residents next year.

### 209 **2. SUBCOMMITTEE(S)**

210 a. SIGN COMMITTEE – None

211 b. FENCE COMMITTEE – 11901 Bayberry

212 Vice Chairman Mura stated the committee approved the petition for a 54" black aluminum fence  
213 as it was a corner lot that was an unusual diamond shape.

214 c. ARCHITECTURAL REVIEW COMMITTEE – None

215 d. SUBCOMMITTEE ON MULTI-FAMILY DEVELOPMENT – Last Meeting Held September 6

216 • Multifamily Zoning Analysis Presentation and Findings



- 217 • Revised Comprehensive Plan Amendment as recommended by the subcommittee on
- 218 September 6<sup>th</sup>
- 219 • Clean Version w/ draft resolution
- 220 • Redlined Version

221 Mr. Schaefer recommended Commissioner Barringer give the report.

222  
223 Commissioner Barringer stated the subcommittee mostly cleaned up the text to the Comprehensive  
224 Plan and did some minor editing. The subcommittee agreed they would recommend the updated  
225 plan to the full Planning and Zoning Commission with the edits in place.

226  
227 Mr. Schaefer indicated there were two variations of the plan. The redlined version indicates every  
228 modification since the Public hearing in July and a clean version.

229  
230 Commissioner Don wanted clarification on a few items:

- 231 • Any proposed changes to the Comprehensive Plan do not rubber stamp any development,
- 232 meaning apartments such as Magnolia Ridge will be popping up all over Manchester Rd.
- 233 • Potential zoning change would be a starting point. Guidelines for future developments can be
- 234 regulated independently.

235  
236 Chairman Ahrens confirmed Don's inquiry as fact. Magnolia Ridge Apartments is separate from the  
237 Comprehensive Plan. Multi-family means multiple units on the same floor; whether those are  
238 condos, apartments, townhomes, each development will be regulated independently.

239  
240 Commissioner Kardesch wondered if owner-occupied and non-rentals could be required.

241  
242 City Attorney, Mr. Chris Graville explained that is an option. The Comprehensive Plan allows the  
243 City to look at projects individually. The assumption should not be made that because condos are  
244 allowed people won't rent them. The amended Comprehensive Plan is an opportunity to consider  
245 actual zoning regulations individually and would allow the City to consider anything that comes in. It  
246 is not a binding document.

247  
248 Commissioner Kardesch replied that the potential quality of rental apartments versus owner  
249 occupied may be different. If an owner rents their condo, there is an HOA that will enforce  
250 regulations so it's different than a corporation that is not invested in the community.

251  
252 Mr. Graville purported that there are cities with great apartments that have homeowner associations.  
253 They typically hire a management company to handle. He stated "it's not my job to say condos are  
254 better than apartments and there's no guarantee a property will be maintained either way". The  
255 Comprehensive plan is a recommendation, it doesn't obligate the City to say "yes" to all projects. It  
256 designates housing in a specific spot and the plan does a good job of putting PD-MXD in non-  
257 residential areas. The legislative phase would come at the highest level of court.

258  
259 Commissioner Don stated the Village of Twin Oaks in Ballwin requires background checks of its  
260 renters and also required high quality materials when building the project.

261  
262 Chairman Ahrens explained that the City can regulate requirements at all levels to whatever is  
263 considered in the character of Des Peres. Planned mixed development treats everyone separately.

264  
265 Mr. Schaefer gave a presentation summarizing how neighboring communities govern multifamily  
266 uses from a land-use and zoning perspective. The slideshow examined development performance  
267 with a specific focus on occupancy rates in addition to tracking police, fire and EMS activities  
268 pertaining to those properties. The cities surveyed were Frontenac, Town & Country, Sunset Hills,  
269 Twin Oaks, Ballwin, Kirkwood, Crestwood, Creve Coeur and St. Louis County. In summary:



- 270 • All surveyed communities utilize some variation of planned development regulations as a zoning  
271 vehicle for multifamily uses.
- 272 • Cities with permissive codes relative to multifamily tend to favor mixed-used development  
273 concepts with residential over retail.
- 274 • Moderate density housing is slowly emerging even for the most restrictive of communities.
- 275 • Retail merchants in conjunction with multifamily uses have underperformed in terms of tenant  
276 stability and sales tax production.
- 277 • Apartment occupancy rates remain high (95%) with rental rates growing by 23% over the past 5  
278 years.
- 279 • Fire and EMS activities are low; CAD (Computer Aided Dispatch) incidents for Police response  
280 are modest. A more detailed analysis may be necessary.

281  
282 Chief Hall explained that regardless if a resident or police officer self-initiates a call, they all get a  
283 CAD number. Public Safety tries to filter out an officer's self-initiated response versus a call (in) for  
284 service. An example would be an officer on foot patrol at the mall calls in for service as opposed to  
285 a call that came in thru dispatch. He asserted that Public Safety has a lot of presence in Des Peres  
286 because he wants to see his department active in the community. Chief Hall does not believe a  
287 denser residential area will bring in less desirable law abiding citizens and increase crime.

#### 288 **Results**

- 289 • The updated Comprehensive Plan would allow the City to consider a proposal and the flexibility  
290 to say "no". Traditional zoning creates an entitlement and this plan doesn't, it's not a legislative  
291 document.
- 292 • PD-MXD will only be allowed in C-1 and C-2 zoning districts **west** of Ballas Rd.
- 293 • With spot zoning, Des Peres can get as detailed as to what the name of a development would  
294 be, the height, density, or negotiate the landscape design. It puts the control in the cities hands.
- 295 • Specific regulations can be required. Des Peres can levy a real estate tax for the specific  
296 development or implement an income pilot. This program is guaranteed income with regular  
297 cash payments to the City received from the development.

298  
299 Chairman Ahrens concluded that there is not one single definition of PD-MXD. When a community  
300 develops intentionally within these properties, they can dictate what they want. She recommended  
301 the Commission take a vote.

302 Commissioner Barringer made a motion to recommend approval of the revised Comprehensive Plan  
303 Amendment as recommended by the subcommittee. Second by Commissioner Young. A roll call  
304 vote was taken with the following results: Ahrens, AYE; Mura, AYE; Gwin, AYE; Barringer, AYE;  
305 Jontry, AYE; Young, AYE; McGrath, AYE; Don, AYE; Kardesch, AYE; Mayor Becker, ABSTAIN;  
306 Alderman Pound, ABSTAIN. Motion Carries 9-0-2.

#### 307 **OTHER ITEMS**

308  
309 Chief Hall stated that the Public Safety dog will be introduced at the next Board of Aldermen meeting.

#### 310 **ADJOURNMENT**

311  
312 Commissioner Kardesch moved to adjourn the meeting, with a second by Commissioner Jontry. Motion  
313 was approved by voice vote and the meeting was adjourned at 10:02 p.m.

314  
315  
316 \_\_\_\_\_  
317 **Chairman Anna Ahrens**

318  
319 \_\_\_\_\_  
320 **Recording Secretary, Katie Monroe**