

**MINUTES
BOARD OF ALDERMEN
JANUARY 23, 2023
DES PERES GOVERNMENT CENTER**

The Regular Meeting of the Board of Aldermen of the City of Des Peres, Missouri was held at the Des Peres Government Center, 12325 Manchester Road 63131, commencing at 7:00 P.M. on Monday, January 23, 2023.

ROLL CALL

The City Clerk took roll call with the following elected officials physically present: Alderman Barrett, Alderman Concagh, Alderman Fitzpatrick, Alderman Kleinschmidt, Alderman Osherow and Alderman Pound. Mayor Becker was also present.

Staff members present included the City Administrator, Assistant City Administrator, City Clerk, Director of Finance, Director of Public Works, Director of Public Safety and Director of Parks and Recreation.

All present rose for the Pledge of Allegiance.

AMENDMENT TO AGENDA – NONE

PUBLIC HEARING - Multifamily Zoning Amendments

The City Clerk read aloud the following exhibits relative to the Public Hearing on Multifamily Zoning Amendments:

1. Notice of Public Hearing of January 23, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on January 5, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on January 5, 2023
3. Bill 23-2972 An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District (PD-MXD)
4. Transmittal From the Planning & Zoning Commission addressed to the Mayor and Board of Aldermen pertaining to the Zoning Text Amendments, Planned Development Mixed Multifamily Housing Considerations dated December 26, 2022
5. Powerpoint Presentation on Multifamily Zoning Analysis
6. 2015 Comprehensive Plan
7. Memo from PGAV Planners on the Proposed Magnolia Ridge Multifamily Development
8. PGAV Presentation on Multifamily Zoning
9. Transmittal from the Planning & Zoning Commission addressed to The Mayor and Board of Aldermen pertaining to Comprehensive Plan Amendment dated September 21, 2022.
10. Internal memo prepared by the office of the City Administrator dated July 11, 2022 pertaining to the Fiscal Impact of apartment uses
11. Presentation from PGAV Planners and Tim Lowe of the Staenberg Group on the "Future of Retail" dated September 8, 2021
12. Public Hearing presentation on Proposed Amendments on Multifamily uses
13. Municipal Code of the City of Des Peres

Mayor Becker announced the 13 exhibits are received and made into the record.

Assistant City Administrator, Scott Schaefer, presided over a brief presentation outlining the city's proposed Multifamily Zoning Amendments.

Mayor Becker asked if there were any questions or comments from the citizens or board members pertaining to the public hearing on Multifamily Zoning Amendments:

Kevin Lasater, 9 Double Tree Lane, spoke in favor of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District

Matt Bauer, 12400 Kirk Place Drive, spoke in opposition of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District

Kathleen Gmelich, 12318 Ballas Estates Drive, previous Ward I Alderwoman, spoke in opposition of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District

Linda Komlos, 12867 Willow Pond Court, spoke in opposition of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District

Dr. Clayton Scanlon, 12316 Ballas Pond Drive, spoke in favor B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District

Mr. Dan Thies – Principal at Barn Owl LLC – spoke in support of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District

Mayor Becker asked if the Board had any questions or comments relating to the Public Hearing.

Alderman Concagh asked if the city is entitled to these specific standards stated in the Multifamily Zoning Amendments. City Attorney Chris Graville stated the purpose of the Multifamily Zoning Amendment is to rezone the districts, not to create a zoning entitlement. Discussion ensued. Alderman Kleinschmidt asked how long the City of Des Peres has been working on these amendments. Assistant City Administrator, Scott Schaefer responded saying six months for the comprehensive plan and six months for the amendments for a total of a full year.

The Public Hearing closed at 7:57 pm.

CITIZEN COMMENTS –

Kevin Lasater, 9 Double Tree Lane, spoke in favor of the Marijuana 3.0% Sales Tax. B23-2976 An Ordinance Imposing a Sales Tax of 3.0% on Retail Sales of Adult Use Marijuana Pursuant to the Authority Granted By and Subject to the Provisions of the Missouri Constitution Article XIV Section 2; Providing That This Retail Sales Tax Shall be in Addition to Any and All Other Tangible Personal Property Retail Sales Allowed by Law; and Providing for Submission to the