



**PLANNING AND ZONING COMMISSION MEETING MINUTES
CITY OF DES PERES, MISSOURI
WEDNESDAY, MAY 11, 2022
7:00 PM**

CALL TO ORDER

Chairman Ahrens called the meeting to order at 7:04pm.

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	
Derek Don	Commission Member	(ABSENT)
Kurt Leinauer	Commission Member	(ABSENT)
Mayor Becker	Mayor	
Alderman Pound	Aldermanic Rep	

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

AMENDMENT OF AGENDA

Old Business was moved to follow New Business.

APPROVAL OF MINUTES – APRIL 13, 2022

Commission McGrath suggested a correction to the minutes pertaining to line #131-#133 as reflected below:

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

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

NEW BUSINESS

1. PETITION FOR CONDITIONAL USE PERMIT FOR RESTAURANT - 13275 MANCHESTER-KOIBITO POKE

Petitioner: Shane Yearian and Todd Stottlemeyre

Shane Yearian, franchisee of Koibito Poke spoke to the commission and public stating Koibito Poke is a fast and casual concept that is healthy for you. There are 4 locations in AZ bringing and bringing two locations to St. Louis, Des Peres and Warson Woods within the next year.

Todd Stottlemeyre, franchise owner, said food is served on lines. You design bowl of choice with proteins and vegetables. 50% of the business is grab and go. They donate free meals at their locations in Arizona through Koibito Cares as they want to do good and be part of the communities where they are located.

Chairman Ahrens asked Mr. Stottlemeyre if the St. Louis location will look exactly like the layout in Arizona.



56 Mr. Stottlemeyre replied that they would be the same.
57
58 Chairman Ahrens said the parking looks adequate but not seeing any other changes in what staff has put
59 together.
60
61 Public Works Director, Mr. Meyer replied that parking is not a concern because there are only 8 seats in
62 Koibito Poke, mostly open space with tables up front.
63
64 Commissioner Barringer asked what's in the current location.
65
66 Majority of Commissioners replied Smoothie King.
67
68 Chairman Ahrens asked if it was more take out than eat in.
69
70 Mr. Stottlemeyre answered that it is about 50/50.
71
72 Chairman Ahrens commented that it looks like a great enterprise.
73
74 Commissioner Jontry made a motion to approve the Conditional Use Permit for Koibito Poke.
75 Commissioner Young seconded. A roll call vote was taken with the following results: Ahrens, AYE; Mura,
76 AYE; Gwin, AYE; Barringer, AYE; Jontry, AYE; Young, AYE; McGrath, AYE; Mayor Becker, AYE;
77 Alderman Pound, ABSTAIN. Motion Carries 8-0-1.
78

79 **2. PETITION FOR BOUNDARY ADJUSTMENT - 2405 HOLLYHEAD DR**

80 **Petitioner: Steve and Kathleen Askren**

81 Joshua Dull, Land Surveyor with Altea LLC

82 Per Chairman Ahrens, according to the documents submitted to staff it seems drainage is a concern.

83
84 Mr. Dull said water is pooling up and grass can't grow. The neighbors at 2369 Hollyhead don't want
85 manage taking care of this piece of property and ongoing maintenance.

86
87 Chairman Ahrens questioned where the water is currently going.

88
89 Mr. Dull replied water is going mostly in the Askren's yard and they are worried about aesthetics.

90
91 Commissioner Barringer questioned if the adjustment would affect the lot requirements for both
92 properties.

93
94 Mr. Meyer stated zoning requirements are met.

95
96 Mr. Graville told the Commission what needs to be asked when looking at a boundary adjustment under
97 Missouri state statute, does it make it a nonconforming law. He understand its Alt D which is 8' setback;
98 therefore, both setbacks meet the lot requirement. If it is approved, a new deed will have to be recorded
99 with the City so boundary has been adjusted.

100
101 Chairman Ahrens asked the neighbors of the community if they had any questions.

102
103 Jean Sinae (? did not sign in), resident of Royal Aces wondered what preceded this to cause water runoff
104 and that they think a boundary adjustment is the only solution.

105
106 Mr. Dull answered that the impervious coverage of the lot, adding other landscaping and patio contributed
107 to water pooling up in the portion of that lot.

108
109 Commissioner Barringer made a motion to approve the Boundary Adjustment. Commissioner McGrath
110 seconded. A roll call vote was taken with the following results: Ahrens, AYE; Mura, AYE; Gwin, AYE;



111 Barringer, AYE; Jontry, AYE; Young, AYE; McGrath, AYE; Mayor Becker, ABSTAIN; Alderman Pound,
112 ABSTAIN. Motion Carries 7-0-2.
113

114 **OLD BUSINESS**

115 **1. PETITION FOR ZONING TEXT AMENDMENT FOR PD-MXD, PETITION FOR REZONING, PETITION FOR SITE**
116 **PLAN APPROVAL FOR A 180-UNIT APARTMENT BUILDING WITH 4,000SQFT COMMERCIAL TENANT SPACE**
117 **13431 MANCHESTER RD – MAGNOLIA RIDGE APARTMENTS**

118 **Petitioner: Barn Owl LLC**

119 Chairman Ahrens advised the Commission to consider PD-MXD as an island of zoning separate from all
120 other zoning. She requested Barringer summarize the development from the Subcommittee Meeting held
121 prior to this Planning & Zoning meeting.
122

123 Commissioner Barringer summarized the Subcommittee meeting as a brain storming session that looked
124 at different aspects of the project. His concerns is the legacy of the City of Des Peres. We enjoy the City
125 today as a result of collective decisions made 80 years ago. In referenced to our Comprehensive Plan,
126 we need to recognize that times are changing and our culture is different in regards to shopping,
127 conducting daily lives and the effects of Covid; how we go about our business. The City needs to be
128 proactive and anticipate things that affect the City. Meetings have been held with John Brancaglione
129 (referenced as John B) to get the best advice we can on multi-family and commercial business, such as
130 the impact that changes in retail are having country-wide and locally. The consensus from the
131 Subcommittee Meeting are 2 guiding principles. We want to make sure it is controlled & limited. Our
132 decision can't be used as a pretext such as, we did it here so we can do it there. We must stay at the
133 specific site based upon trend lines. Future properties may benefit from apartment or multi-family but we
134 need to craft a change to the City's comprehensive plan in order to allow for this development while
135 recognizing this is a vision of how we would like the City to look in the future. Barringer welcomed other
136 Commissioners to add their input.
137

138 Commissioner Jontry wondered when it will come out of Subcommittee.
139

140 Chairman Ahrens advised that this will need to go into a series of public hearings as it is more involved
141 than this Committee coming up with new language. It is a major change that will need Community input.
142

143 Assistant City Administrator Scott Schaefer said the takeaway from the last Subcommittee meeting was
144 staff has been given the green light to work with John B. There will be a public hearing and a formal vote.
145

146 Commissioner Jontry asked if it would be like an open house event.
147

148 Mr. Meyer declared that a public meeting will be held at a Planning & Zoning meeting. He receives an
149 average of 2 letters a day regarding the apartments which he forwards to Mr. Schaefer to compile.
150

151 Commissioner McGrath mentioned that whatever is drafted, the apartments themselves are not
152 something that is rubberstamped.
153

154 City Attorney Chris Graville advised that community input will be needed. The actual Ordinance will need
155 to be revised for the Board of Aldermen.
156
157

158 Mr. Meyer advised that there will not be a specific poll, per se. It will depend on supports or deniers of
159 getting the word out.
160

161 Mayor Becker recommended a survey go out.
162

163 Mr. Meyer mentioned a citizen survey that went out this year to 400-500 households and provided an
164 overall big picture of citizen satisfaction; however, it was nothing specific like Magnolia Ridge.
165



166 Chairman Ahrens wondered if there was transparency in democracy. It doesn't work unless everyone is
167 plugged in. The City relies on the web but this might not be enough for Magnolia. Staff will need to work
168 on getting the word out so more people are aware of City business.

169
170 An unnamed resident from the audience suggested using the Nextdoor App.

171
172 Mayor Becker said we are reinstating the mailing of the City Newsletter to every resident.

173
174 Chairman Ahrens opened the floor to neighbors or the community for their input.

175
176 Resident Dane Kamin of 12812 Sarala said the City should take advantage of the opportunity being
177 presented. We have avoided the downfall of West County Mall but that is not going to be permanent. A lot
178 of people enjoy a walkable community, the City will need assisted living places which can replace an
179 anchor store if they were to close. The Mall could provide entertainment or stores such as Walgreens or
180 CVS. This is an opportunity for us that will be going down over time.

181
182 Resident Gene Sinae of Royal Acres raised concerns about the rush for mixed-use development. Careful
183 consideration needs to be made, we know 35 years ago the consensus was no multifamily housing
184 allowed. Some residents were hoping that there would be villas. Careful consideration by Planning &
185 Zoning needs to be given to the future of Des Peres in regards to multi-use, multi-family or any
186 commercial development. I'm wondering if Mr. Thies has done his due diligence, as I find it very odd that
187 condos don't go over well in St. Louis.

188
189 Chris Fairbairn (1019 Nana Ln) raised concern that a member of the Planning & Zoning Commission
190 works for CBRE, which the listing firm for the property in question and find that a conflict of interest. She
191 also expressed her opposition and how she's yet to hear "we need this because", "this will make us better
192 because". She wants to know the pros. Just because we have a proposal doesn't mean we have to
193 rezone the entire city.

194
195 Vice Chairman Mura advised that he is an independent broker for CBRE but has no interaction with the
196 broker that is listing the property.

197
198 Mr. Graville professed that nothing in Missouri law states this, it is up to Vice Chairman Mura as an
199 individual if he would want to participate in a vote or not.

200
201 Chairman Ahrens declared "Don't plan for yesterday, plan for tomorrow". The planning party always looks
202 forward. Communities across our region have "died" for lack of planning. The more judicious we are at
203 planning, the more we won't hurt as a community.

204
205 Chris (last name not provided) from the audience declared the mall has a direct impact on our City, as
206 well as the lodge. We see those benefits. Are we going to get more income or tax dollars from Magnolia?

207
208 Kathy Mansfield, a resident on Dunmorr Drive questioned the use of apartments versus condos.
209 Apartments are being bought up by foreign firms and then we can't control. Why renters who aren't
210 worried about this city? She referred to the redevelopment of Crestwood Mall into single family housing
211 with a grocery store. She also claims Kirkwood planned developments has empty retail spaces.

212
213 Vice Chairman Mura initiated that we are in the early stages of discussing multi-family but are in the early
214 stages and looking into the concept and where we think it makes sense. We aren't ruling anything out.

215
216 Chairman Ahrens advised that there are properties in Des Peres that could be developed as town homes
217 or condos but a developer has to approach the City, not us to them. Discussions about multi-family
218 started last summer before Magnolia approached the City, Magnolia just happened to push the
219 discussion further.

220



221 Ms. Mansfield reiterated that any planned development should be profitable, we haven't heard about this.
222 Why is it the city's job to put something there?

223
224 Vice Chairman Mura stated we must explore the apartments because they came to us.
225

226 Kathy Mansfield raised her concern of people close to CBRE voting and believes there is a conflict.
227

228 Vice Chairman Mura advised that he has no association with this land.
229

230 Mr. Graville reiterated that he must stay with the law. Missouri is thin on conflict of interest and it becomes
231 the decision of if you are comfortable voting, but you are not breaking the law.
232

233 Chairman Ahrens declared that we are not making the decision today and are taking conflict of interest
234 serious.
235

236 Mr. Meyer explained that we go thru due process, the Planning & Zoning Advisory Board then to Board of
237 Aldermen.
238

239 Kathy Mansfield questioned why we aren't we searching for what we want.
240

241 Mr. Meyer clarified that we don't do economic development. We take a hands off approach which has
242 been the approach of our board for years.
243

244 Jeff Hunt, attorney representing homeowners behind the proposed Magnolia property stated that he
245 appreciates the work of subcommittee but who does Des Peres want to be? We don't need to squeeze
246 every dime out of every property. He provided Chris Graville multi-family density numbers from Kirkwood,
247 Ballwin, Manchester, Valley Park and Chesterfield.
248

249 Chairman Ahrens stayed the discussion on Magnolia to discuss Route 66.
250

251 STATUS REPORTS

252 1. BOARD OF ALDERMEN REPORT – Alderman Pound report the Board passed an ordinance
253 approving a K9 Unit for West County Center starting in September.

254 2. SUBCOMMITTEE REPORT(S)

255 I) Sign Committee – n/a

256 II) Fence Committee – n/a

257 III) Architectural Review – n/a

258 IV) Committee on Multi-Family Development-Meetings held 4/28, 5/3, and 5/11

259 V) Committee on Petition for Conditional Use Permit for Medical Marijuana Dispensary-12095
260 Manchester Rd-Root 66

261 Mr. Graville pointed out that Board of Adjustment unanimously voted that Mathnasium is not a
262 school. He is working on facts and findings and conclusions of the law. It will come back to P&Z
263 unless someone gets a stay.

264 Vice Chairman Mura questioned if the Planning & Zoning subcommittee needs to reconvene
265 between now and then.

266 Mr. Meyer stated that the subcommittee can meet after Board of Adjustment.

267 Mr. Graville mentioned that there are ballot initiatives to legalize marijuana but it appears
268 recreation bill will not move further in this session; rather a ballot initiative in the fall.

269 Nancy Staley, resident on 1819 N. Ballas Rd questioned the regulation of marijuana.

270 Mr. Graville stated the application and regulation is through Department of Health & Human
271 Services. They have access to video systems; how the product is transported and stored. There
272 are a myriad of regulations just to get a license including inspections and compliance reports.

273 Mr. Meyer explained that the Department of Health & Human Services knows where the seed
274 was grown, where it was processed to the time it goes out the door.



275 Mr. Graville explained that the state would revoke a license before we would even know there is a
276 problem.
277

278
279 **OTHER ITEMS**

280
281 **ADJOURNMENT**

282 Chairman Ahrens moved to adjourn the meeting, with a second by Commissioner Jontry. Motion was
283 approved by voice vote and the meeting was adjourned at 8:51pm.
284

285
286 _____
287 **Chairman Anna Ahrens**

288
289 _____
Recording Secretary, Katie Monroe