

CITY OF FRONTENAC



MINUTES OF THE CITY OF FRONTENAC
PLANNING AND ZONING COMMISSION
FRONTENAC CITY HALL,
10555 CLAYTON ROAD
TUESDAY, AUGUST 1, 2023, 6:00 PM

A. **CALL TO ORDER:** The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m. by Chairperson Kim Tompras.

B. **ROLL CALL:** All members present were:

Bob Bauer
Chris Hyams
Steve Taffee
Kin Watkins

Elizabeth Hartwig
Chris Kehr
Kim Tompras
Aldersperson Tom O'Brien

Mayor Hatfield and Aldersperson Scott Mullis were present.

Building Consultant, Ellen Rottjakob; Building Commissioner David Fairgrieve; City Administrator, Scott Schaefer; City Attorney, Edward Sluys; and City Clerk, Leesa Ross were also in attendance.

C. **APPROVAL OF AGENDA:**

Chairperson Tompras asked for a motion to approve tonight's meeting agenda.

Motion to approve the agenda was made by Aldersperson O'Brien and a second was made by Mr. Watkins. All commission members voted "Aye"; the motion passed unanimously.

D. **APPROVAL OF MINUTES:** March 28, 2023

Chairperson Tompras asked for a motion to approve the minutes from March 28, 2023.

Motion to approve the minutes of March 28, 2023 was made by Mr. Taffee a second was made by Mr. Bauer. All commission members voted "Aye"; the motion passed unanimously.

E. **CHAIRPERSON'S COMMENTS:**

Chairperson Tompras made no comments at this time.

F. **COMMISSION MEMBER COMMENTS:**

No commission members made comments at this time.

G. PUBLIC COMMENTS:

Mayor Hatfield stated all commission members are invited to a reception on Thursday, August 10, welcoming Scott Schaefer as the new city administrator. The reception will be held at Mariposa, at Neiman Marcus. Please RSVP to Ms. Ross.

H. ZONING ADMINISTRATOR COMMENTS:

Mr. Sluys advised of re-adoption of the conflict of interest ordinance, and stated members must fill out a conflict of interest form if they do any business with the city. Mr. Sluys stated if anyone believes they have a conflict of interest, please feel free to contact Ed Sluys.

I. OLD BUSINESS: None

J. NEW BUSINESS:

1. PZ080123-01: Request approval to amend Title IV, Chapter 405 of the Frontenac Municipal Code to prohibit rezoning property to R-3, Villa Residence District or PD, Planned Development District (PDR, PDC and PDMXD), as recommended in the Frontenac 2050 Comprehensive Plan, adopted May 3, 2023.

Mr. Hyams asked what developments in the past were part of the proposed zoning change for the R-3, PDR, PDC and PDMXD developments. Mr. Sluys stated the McBride Development on Clayton Road (R3), the Talamore Square Development (PDR), the Simon Development on North Forty Drive (PDR), and the Library Development on Spoede Road (R3). Mr. Sluys explained these will become legacy districts and will not change, but no new developments of these kinds will be allowed. Mr. Tim Breihan of H3 Studio stated the city is looking into creating a business district, as updated in the comprehensive plan adopted on May 3, 2023. The first is the elimination of R-3 and all PD districts. Mr. Sluys stated the city first would like to eliminate R-3 and PDR, due to concerns that those districts would cause proliferation thought the city, mainly in the R-1 district. Secondly, the 2050 comp plan refers to the Frontenac business district, proposed to be covered by a new business district zoning classification. This would take all the various planned development districts (PD), planned high fashion district (PHFD), and commercial (C and C-1), to complete a better enhanced zoning classification. Mr. Breihan stated he will continue to work with city staff, the residents and elected officials to come up with the business district classification.

Mr. Kehr asked about the issue with the current R-3 zoning district. He asked was it a goal from the response from the comp plan and asked do residents just want R-1 and not R-3. Mayor Hatfield stated residents really don't want more R-3 districts and stated any property more than five acres in the city, can be rezoned into a PD. The vast majority of the feedback was along those lines. Mayor Hatfield said the results of a resident survey, a significant response of over 90% did not want more than R-1 developed that way in the future. She also stated Le Chateau is a separate topic, and condos may be allowed to go in there. The residents don't want PD. Residents were in favor of the condos or high density in Le Chateau. Mr. Kehr asked what the change from the 2006

plan was, where more older people didn't want condos. Mayor Hatfield stated residents don't want condos in the R-1 district or PD converting 1-acre lots into multi-family housing.

Mr. Sluys stated 10-15 years ago planned development districts were popular, however within the last 2-3 years they have become unpopular. He said commercial districts are easier for approval as a PD. The city will have more control if they chose to change zoning, which is not the same as a PD. The perception of control that PDs are too easy is a common theme. He also stated PDs are not the great tool they were 10 years ago. Mr. Schaefer said, many people feel PD districts are negotiated zoning. Mr. Kehr said the city never had this issue and asked what we are getting into. Mr. Watkins said we know what we don't want. Mr. Kehr states he wants to see the proposal.

Mayor Hatfield stated we spent two years reviewing and updating the comp plan. She said the city met with subdivisions, held hearings and public hearings, and had additional meetings to get additional input. She said two years was spent reviewing with the residents, and a resident survey was done. She said the city worked with H3 Studio to get a comprehensive land use plan. The plan was sent to residents, placed on the city's website and placed on social media sites. She said the Planning & Zoning Commission asked were asked to approve what the residents wanted.

Mr. Sluys stated this is a text amendment to the zoning code to add or take out text. As the same way, a person can come and propose a zoning amendment, which will go to the Planning & Zoning Commission, then to the Board of Alderpersons. He said this is a better way to streamline mixed use developments. If the city denies a zoning use, they must show a viable use, which is a high standard. A planned development is like a conditional use permit, which has a lower standard. It gives the city more control but ultimately the same. The current district will remain, but a line is drawn and cannot add more. He reminded everyone that a moratorium is in place. He said this recommendation draws a line, they remain lawfully zoned and regularly regulated districts. The city will create a new district – proposed business district.

Mr. Schaefer said the dialogue and feedback, and process will continue. He said every residential property owner and commercial operator are invited to participate in the dialogue and said the discussion will continue.

Alderperson O'Brien stated the comp plan was updated in 2006, and in 2016 a new plan was updated to add R-3, PD-R, PD-C, PD-MXD. Later that was amended to remove senior living. E said this will protect the city, and stated we do have a large 84-acre property at Sisters of Mercy, which could be acquired, and if the districts remained, there could be an R-3 development proposed.

Chairperson Tompras asked for a motion to approve the request as stated above.

MOTION: A motion by Mr. Watkins was made and second buy Mr. Bauer to approve the proposal as drafted in ordinance form “an ordinance prohibiting the rezoning of any lot to either Section 405.085, “R-3” villa residence district or Section 405.090 “PD” planned development district regulations (PDR, PDC, PDMXD) of the City of Frontenac Code of Municipal Ordinances, as recommended in “Frontenac 2050 Comprehensive Plan Update” adopted on May 3, 2023.

ROLL CALL VOTE:

Mr. Hyams, “Aye”; Mr. Bauer “Aye”; Mr. Kehr, “Aye”; Ms. Tompras, “Aye”; Ms. Hartwig, “Aye”; Mr. Taffee, “Aye”; Alderperson O’Brien, “Aye”; and Mr. Watkins, “Aye”. Motion was unanimous and passed by a vote of 8-0.

K. ANNOUNCEMENT OF NEXT MEETING:

Mr. Schaefer asked Mr. Briehan if he would have a draft of the proposed new zoning district to discuss later in August, Mr. Briehan stated no, he would not have it in August. Ms. Rottjakob also stated she has no pending proposals.

Mr. Schaefer stated he has been contacted about a preliminary proposal for a building on Clayton Road just west of Simmons Bank. He said there is nothing further to add at this time.

The next meeting will be set on Tuesday, September 26, 2023 at 6:00 p.m.

L. VOTE TO ADJOURN:

Chairperson Tompras asked for a motion to adjourn the meeting.

A motion by was made Mr. Bauer and a second was made by Ms. Hartwig to adjourn the meeting. All Commission members voted “Aye”. The motion passed unanimously

The meeting adjourned at 6:35 p.m.