

# CITY OF FRONTENAC



**MINUTES OF THE CITY OF FRONTENAC**  
**PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**TUESDAY, OCTOBER 24, 2017, 7:00 PM**

A. **CALL TO ORDER:** The regular meeting of the Planning and Zoning Commission was called to order at 7:00 p.m. by Chairman Chris Kehr.

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

Chairman Chris Kehr  
Doug Bock  
Chris Hyams  
Harry Reineke

Andre Audi  
Elizabeth Hartwig  
Alan Kahn

Also in attendance was Alderperson Dan Kemper.

Also in attendance was John Morgan, Building Commissioner, Bob Shelton, City Administrator, City Attorney Edward Sluys and Leesa Ross, City Clerk.

C. **APPROVAL OF AGENDA:**

Chairman Kehr asked for a motion to approve tonight's meeting agenda.

Motion to approve the agenda was made by Mr. Audi, and seconded by Mr. Reineke, the motion passed unanimously.

D. **APPROVAL OF MINUTES:**

Chairman Kehr asked for a motion to approve the minutes of the August 22, 2017, meeting.

Motion to approve the minutes of the August 22, 2017, Planning & Zoning Commission meeting, was made by Mr. Kahn, and seconded by Mr. Audi, motion passed unanimously.

E. **PUBLIC FORUM (PRESENTATION OF REMARKS AND/OR PETITIONS)**

No presentations or remarks were made at this time.

F. **CHAIRMAN'S COMMENTS:**

Chairman Kehr made no comments this time.

G. **COMMENTS BY COMMISSION MEMBERS:**

No commission members made comments at this time.

## H. ZONING ADMINISTRATOR'S REPORT:

Mr. Morgan stated the subdivision plat for Shriners Hospital is scheduled to come before the Planning & Zoning Commission in November. Also, the three story office building is being tweaked and will go to the Architectural Review Board, at the same time as the subdivision and final plat is being reviewed.

Mr. Morgan stated the Old Fur Centre building, 601 S. Lindbergh, is undergoing renovations. He said the first floor, above the parking lot will be law offices, and the second floor, there will be a custom jewelry store.

## I. UNFINISHED BUSINESS:

There was no unfinished business.

## J. NEW BUSINESS:

1. **Item PZ092617-01:** Review proposed regulations regarding short term rental of residential property. This was referred to the Commission by the Board of Aldermen.

Mr. Sluys stated there is a legislative push to restrict cities to regulate and not prohibit AirBNB and residential home rentals. The proposed prohibition was only for residential properties. He said the City is able to consider changes to the hotel/motel regulations and prohibit residential rentals of less than 30 days.

Mr. Kahn asked what the argument is. Mr. Sluys said the state legislation proposed limiting the local control of communities and subdivisions. He said however if it is passed, it would change the nature of residential subdivisions for "transient" people or rentals.

Mr. Sluys stated this is only for short term rentals of less than 30 days, rentals such as VRBO and AirBNB. Mr. Shelton stated the city was aware of legislation which was to prohibit cities from having any regulations and he said he was contacted by a few subdivisions, who were concerned of the proposed legislation. There were concerns of people renting rooms in residential homes, and parking issues. Mr. Morgan stated it also goes against the city's definition of a family and who can reside in homes.

Mr. Bock asked how the city would know if someone was renting their home or a room. Mr. Shelton stated the neighbors more than likely would call. Mr. Sluys told the commission members they should consider the difference of the downtown area with residential and commercial uses, versus a municipality like Frontenac. Mr. Shelton stated today there are no regulations prohibiting these types of rentals. He also stated this was brought forth by the real estate lobbyist and it may be brought back up again.

Mr. Kahn stated if there are no issues, why prohibit it, and he doesn't see the need for this legislation. Mr. Morgan stated the Board of Aldermen is looking for a recommendation.

**MOTION:** Mr. Reineke moved to approval the proposed legislation regulating residential property rentals less than 30 days, seconded by Mr. Audi.

Ms. Hartwig stated she would like the city to be proactive and address the issue now. Mr. Sluys said they feel comfortable these regulations are reasonable as the city has the legislative authority to regulate residential zoning issues. Mr. Kahn asked if forwarded to the Board of Aldermen, will they accept questions on this issue from residents. Mr. Shelton stated yes.

**ROLL CALL VOTE:** Mr. Reineke, “Aye”; Mr. Hyams, “Aye”; Chairman Kehr, “Aye”; Mr. Bock, “No”; Mrs. Hartwig, “Aye”; Mr. Kahn, “No”; and Mr. Audi, “Aye”. **Motion passed by a vote of 5-2.**

2. **Item PZ092617-02:** Review and discuss regulations related to portable restrooms on private property. This was referred to the Commission by the Board of Aldermen.

Mr. Morgan stated the city has been receiving complaints regarding portable toilets. A resident and next door neighbor of Villa Duchense has complained about a portable toilet that has been placed near the field hockey area, which the resident can see. There is also a lot of construction, and most sites place portable toilets out for the workers. Mr. Morgan stated Kirkwood has regulations on the portable toilets and in his building commissioner’s report; he came up with three suggestions for regulations which could be adopted.

Mr. Hyams stated he feels this is not a good use of their time. He said in the recommendation, it says they have to be covered six feet, but he stated they stand 7 ½ feet tall. He said if they are covered, they look worse than what they look like to begin with. Chairman Kehr stated most of the portable toilets are in good condition, and he said they should discuss where they should be placed. Mr. Bock stated they must be close to the street, so they can be serviced. He said maybe we can add to the language, they must be kept in the least conspicuous area.

Chairman Kehr stated he would like to see the placement of the portable toilets as part of the construction conditions, and at the least conspicuous area on a site. He said general guidelines should be met.

**MOTION:** Mr. Bock motioned that portable toilets should be placed at the least invasive area to surrounding residents. Motioned died for a lack of a second.

Mr. Morgan stated the one placed at Villa Duchense seems to be a permanent placement, as there are no restrooms nearby. One of the commission members stated they liked the regulations of the Lake Township Ordinance. Ms. Hartwig asked if passed, how Villa, the residents and builders will know. Mr. Morgan stated the city will notify them. Chairman Kehr stated it should be kept, as part of the permit process.

**MOTION:** Mr. Bock moved to recommend portable toilets be allowed by permit for general construction purposes, the use and placement determined by the zoning administrator as part of the construction permit process. For all other uses, as approved by the building commissioner as reasonably required and as reasonably necessary, was seconded by Mr. Reineke. All voted commission members voted “aye” except Mr. Hyams who voted “no”. **Motion passed by a vote of 6-1.**

K. **ANNOUNCEMENT OF NEXT MEETING:** Tuesday, November 28, 2017 at 7:00 p.m.

L. **ADJOURNMENT:**

**MOTION:** A motion was made by Mr. Hyams, and seconded by Mr. Kahn, to adjourn the meeting. All Commission members voted “Aye”. The motion passed unanimously, 7-0.

The meeting adjourned at 7:41 p.m.