

CITY OF FRONTENAC



MINUTES OF THE CITY OF FRONTENAC
PLANNING AND ZONING COMMISSION
REGULAR MEETING
VIA AUDIO & VIDEO-CONFERENCING
TUESDAY, JUNE 23, 2020, 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 Mr. Kin Watkins, Chairperson.

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

Elizabeth Hartwig

Chris Hyams

Kim Jackman Tompras

Chris Kehr (arrived 6:06 p.m.)

Alan Kahn

Aldersperson Tom O'Brien

Mr. Bock was not present.

Building Commissioner & Zoning Administrator, John Morgan; City Clerk, Leesa Ross; and City Attorney, Edward Sluys were also in attendance.

Mayor Kate Hatfield was also in attendance.

C. **APPROVAL OF AGENDA:**

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

Motion to approve the agenda was made by Aldersperson O'Brien and seconded by Ms. Hartwig. All commission members voted "Aye"; the motion passed unanimously.

D. **APPROVAL OF MINUTES:**

Chairperson Watkins asked for a motion to approve the minutes of May 26, 2020, meeting minutes.

Motion to approve the minutes of May 26, 2020, Planning & Zoning Commission meeting minutes was made by Aldersperson O'Brien and seconded by Ms. Tompras, all commission members voted "Aye"; motion passed unanimously.

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

No public comments were made.

F. **CHAIRMAN'S COMMENTS:**

Chairperson Watkins made no comments.

G. **COMMENTS BY COMMISSION MEMBERS:**

No commission members made comments at this time.

H. ZONING ADMINISTRATOR'S REPORT:

Mr. Morgan had no report at this time.

I. UNFINISHED BUSINESS:

1. **PZ052620-01: 2007-2051 South Lindbergh – Request to amend Planned Development Ordinance 2018-1871 to allow for a monitored security camera system instead of on-site security. (Zoned PDC)**

Mr. Burke stated at the last meeting, a large part of the discussion was about LifeTime, and he said they are unable to attend this meeting tonight He said they are reopening their facility and they are doing their best to get to the punch list items and they hope to work to further resolve these issues soon.

Mr. Burke stated from DESCO, they are requesting to get the security cameras approved and are willing to amend the application for it to only apply to their parcel if necessary. He also stated he hoped to have the security provider selected on the line, but they are not available. He said he would like to refer to the ordinance drafted and would request the Chief of Police, review the proposal which includes the cameras, locations, and monitoring.

Mr. Morgan stated regarding the issues with Litzsinger Subdivision the landscaping company was installing new landscaping near Litzsinger this week. Mr. Morgan stated Mr. Kohler has addressed some issues and some have not been addressed.

Chairman Watkins said the issues they wanted to see addressed at the last meeting, were the details on the remote camera system, and the goal for them to address the issues of the subdivision. Mayor Hatfield stated she is concerned of the lighting and safety of employees coming in, with the current live security. Mr. Morgan said LifeTime's manager's concern is the lights or turning off which effects security lighting on the west side of the building. Mayor Hatfield reiterated what the manager said and her concerns with the agreement to turn the lights off or shield the lights, along the west side, as security lighting is needed for employee safety.

Mr. Kehr asked whether the lighting meets Frontenac ordinances. Mayor Hatfield stated the residents don't think so. She said the city cannot enforce a legal agreement between the residents and a commercial developer. In the deed it states, no lights on the south side or west side of property. She said there are two issues, the legal agreement the residents have and the city's ordinance. Mr. Sluys said the city cannot get into the agreement between two other parties. The city can enforce what we improved in the ordinances, the issues but not between a commercial developer and the subdivision. There is no overlap in the code.

There was discussion about the lighting on the property by Mr. Morgan and the commission members.

Ms. Tompras stated there are two concerns about approving this tonight and she said she does not feel they have enough information. She said the issues are the ordinance on lighting and no

information from the security company on the cameras. There was discussion about alternative security, what Plaza Frontenac currently has and live security guards.

Aldersperson O'Brien said it is hard to move forward, as Litzsinger Place has expressed some concerns. He said DESCO is willing to move forward, but what if they cut off the three front parcels, they don't have a plan and have not seen the security's plan. He said we are not ready to move forward yet. Chairman Watkins said the police chief wants to review a remote monitoring plan.

There was discussion about the lighting plan that was submitted. Mr. Sluys said the city can request an updated lighting study. He said they can also ask for more detail and review by the police chief of remote monitoring.

Mayor Hatfield started it is her understanding from meetings in December and January that the development is not in compliance with the ordinance or the lighting, landscaping and fence. Mr. Morgan stated yes, they have a letter on the city's requirements. Mr. Morgan stated there are four or five items, and he stated they have finished three of five items. They have not corrected the lighting. He has requested a lighting plan to be submitted and he can ask for photometrics (as built).

There was discussion about security cameras and the police chief's request that all cameras are fully monitored 24 hours a day, 7 days a week.

Ms. Hartwig stated at the last meeting, they heard from residents of Litzsinger and their concerns for safety. She also suggested that DESCO and LifeTime work with Plaza Frontenac security, to cover the entire parking lot, and have them share the costs with Plaza Frontenac. There was discussion about the security guards at Plaza Frontenac and their requirements per the PHFC guidelines. Mayor Hatfield stated the need of the three buildings up front, are different than LifeTime Fitness's needs in the back part of the property.

Mr. Burke said Mr. Morgan did get the police chief's input when the request came through. He said high definition cameras and constant lighting are needed. He said Plaza Frontenac's security is a little bit of apples and oranges in respect to DESCO and he said the front parcel and live security is not a good fit for them. He will let DESCO, talk about their parcel. He said he will follow up with the kind of monitoring system they will have and send the report of what the police chief and city staff. Requires are. Burke stated he will ask Mr. Morgan to follow up with LifeTime Fitness with their issues. He said he will cover DESCO's part.

Chairman Watkins stated he would entertain a motion to continue.

MOTION: Mr. Kehr made a motion and Aldersperson O'Brien seconded the motion to continue this to the July 28, 2020 meeting for more information on the monitoring and review by the Police Chief and for further compliance with the city's ordinances and agreements with LifeTime Fitness. All Commission members present voted "Aye". Motion passed by a vote of 7-0.

I. NEW BUSINESS:

1. PZ062320-01: Review a staff proposed amendment to the zoning regulations regarding Medical Marijuana Facilities and other related activities.

Mr. Sluys said he put together a draft for medical marijuana, that the city must regulate. He looked at what neighboring communities have done. He said the city has primarily residential zoning with some commercial and no industrial areas. He said he had to decide where to allow the uses. He also stated there are not many businesses who are protected, but these facilities are protected by a constitution amendment.

Mr. Sluys said these can be regulated, by the times, manner and place they operate. He said the regulations he wrote will allow for two facilities in the city. All uses will be set up as CUP. In the C-Commercial Zoning District, they will allow dispensary or testing facilities, and, in the C-1 Zoning District, they will allow all four marijuana uses, however the heavy uses require larger properties. Our code has a CUP for anything that is not a permitted use. The hotel's site would be the only site that would apply for the heavier use, cultivating or manufacturing. The other two could be in the C-1 Zoning District, which is the Lindbergh corridor. At this location they cannot be within 1,000 feet of any schools or places of worship. There is also a provision for no sale or consumption of alcohol in the facility.

Chairman Watkins asked are these regulations similar to other cities operations. Mr. Sluys said he reviewed the regulations of Clayton, Town & Country, Ballwin, and other similar communities with similar characteristics. He said this would protect the city, so the use would be safe and proper. Mr. Sluys said the constitution says we cannot prohibit them. If the city has no regulations, they would fall under our current CUP regulations. Mr. Morgan stated there are no current or imminent applications.

MOTION: A motion was made by Ms. Tompras and seconded by Mr. Kehr to continue this discussion until the next meeting. All Commission members present voted "Aye". The motion passed by a vote of 7-0.

K. ANNOUNCEMENT OF NEXT MEETING:

Tuesday, July 28, 2020 at 6:00 p.m.

L. ADJOURNMENT:

MOTION: A motion was made by Alderperson O'Brien and seconded by Mr. Hyams, to adjourn the meeting. All Commission members voted "Aye". The motion passed unanimously, 7-0.

The meeting adjourned at 7:02 p.m.