

**PLANNING AND ZONING COMMISSION
AGENDA
TUESDAY, MAY 22, 2018
7:00 P.M.**

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVAL OF MINUTES

1. Planning & Zoning Meeting – May 8, 2018

4. PUBLIC HEARINGS:

- 1. PZ2018-8: A Public Hearing to consider an application for a Planned Unit Development (PUD) to develop a leased parcel generally located at 2165 W. Osage Street for purposes of operating a restaurant/food service facility. Marcus Dailey, Wonder Wiener Corp., applicant**
- 2. PZ2018-9: A Public Hearing to consider an application for a Conditional Use Permit to operate a restaurant/food service facility at property generally located at 2165 W. Osage Street. Marcus Dailey, Wonder Wiener Corp., applicant**

5. PUBLIC PARTICIPATION-SPEAKER CARDS

6. NEW BUSINESS:

- 1. PZ2018-8: Consideration of an application for a Planned Unit Development (PUD) to develop a leased parcel generally located at 2165 W. Osage Street for purposes of operating a restaurant/food service facility. Marcus Dailey, Wonder Wiener Corp., applicant**

2. **PZ2018-9: Consideration of an application for a Conditional Use Permit (CUP) to operate a restaurant/food service facility at property generally located at 2165 W. Osage Street. Marcus Dailey, Wonder Wiener Corp., applicant**

7. OLD BUSINESS:

8. COMMITTEE REPORTS:

A. BOARD OF ALDERMEN

B. BOARD OF ADJUSTMENT

9. OTHER BUSINESS:

10. ADJOURNMENT

This Meeting is Open To The Public

Note: The Planning and Zoning Commission will consider and act upon these matters listed above and any such others as may be presented at the meeting and determined appropriate for discussion at that time.

**CITY OF PACIFIC
RECORD OF PROCEEDINGS**

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
AT THE PACIFIC CITY HALL, 300 HOVEN DRIVE
MAY 8, 2018**

The Planning and Zoning Commission Meeting was called to order by Chairman Bruns at 7:00 P.M. on May 8, 2018, at Pacific City Hall, 300 Hoven Drive, Pacific, Missouri.

The roll call was taken with the following results:

PRESENT

Chairman Bruns
Alderman Rahn
Commissioner Miles
Commissioner Koelling
Commissioner Eversmeyer
Commissioner Brocato

ABSENT

Commissioner Smith
Commissioner Graham
Commissioner Bates

Administrator Steve Roth, Building Commissioner Shawn Seymour and Rae Cowsert were also in attendance

APPROVAL OF MINUTES

A. Planning & Zoning Meeting – April 24, 2018

A motion was made by Commissioner Eversmeyer and seconded by Commissioner Miles to approve the minutes of the April 24, 2018 Regular Planning and Zoning Meeting. A voice vote was taken and the motion was approved 6-0.

PUBLIC HEARINGS:

- 1. PZ2018-8: A Public Hearing to consider an application for a Planned Unit Development (PUD) to develop a leased parcel generally located at 2165 W. Osage Street for purposes of operating a restaurant/food service facility. Marcus Dailey, Wonder Wiener Corp., applicant**

Chairman Bruns stated this would be continued to the next meeting with the stipulation that if they had nothing to present the application would have to be started all over again.

2. **PZ2018-9: A Public Hearing to consider an application for a Conditional Use Permit to operate a restaurant/food service facility at property generally located at 2165 W. Osage Street. Marcus Dailey, Wonder Wiener Corp., applicant.**

This public hearing was continued along with the first one.

- 3 **PZ2018-10: A Public Hearing to consider an application for a Planned Unit Development to construct an approximate 20,000 square foot building, parking areas, and other associated site improvements on property located at 509 Route 6 Business Parkway (Lot 2C, Route 66 Business Park Plat 2) in the City of Pacific. The property is currently zoned M-1, light industrial. Route 66 Business Park LLC, applicant**

Chairman Bruns opened the public hearing and asked if it was posted. Rae Cowsert stated yes it had been posted. Administrator Roth presented the staff report. He stated this would be built in phases and there is no known occupant at this time. The docks are shown on the plans facing the street which would put the trucks staging on the street and backing into the dock. Administrator Roth stated there was no landscaping shown on the plans at this point. Administrator Roth stated the building which is proposed is a metal building which will be approximately 500 feet from the main roadway. There is already a retention pond on the property which can handle the storm drainage.

Mr. Joe Bosse came to the microphone telling the Commission he was going to give them a history lesson. Discussion between Mr. Bosse and the Commission went back and forth. Commissioner Eversmeyer has concerns about this building due to the approved apartment complex proposed for the lot across the street from this proposed building. Commissioner Koelling asked Administrator Roth if the Fire Department had any issues with this proposal. Administrator Roth stated there were none. After much discussion back and forth, Chairman Bruns closed the public hearing.

SPEAKER CARDS

They were included in the public hearing portion.

NEW BUSINESS:

1. **PZ2018-8: Consideration of an application for a Planned Unit Development (PUD) To develop a leased parcel generally located at 2165 W. Osage Street for purposes of operating a restaurant/food service facility. Marcus Dailey, Wonder Wiener Corp., applicant**

No action was taken.

2. **PZ2018-9: Consideration of an application for a Conditional Use Permit (CUP) to Operate a restaurant/food service facility at property generally located at 2165 W. Osage Street. Marcus Dailey, Wonder Wiener Corp., applicant**

No action was taken.

3. **PZ2018-10: Consideration of a Planned Unit Development to construct an approximate 20,000 square foot building, parking areas and other associated site improvements on property located at 509 Route 66 Business Parkway. Route 66 Business LLC, applicant**

A motion was made by Commissioner Eversmeyer and seconded by Alderman Rahn to approve the application with the following stipulations; 1. Allowing staging of trucks on street; 2. must meet all green space requirements. A vote was taken with the following results: Ayes, Alderman Rahn, Commissioner Miles, Commissioner Koelling, Commissioner Eversmeyer, Commissioner Brocato, Chairman Bruns; Nays, none. The motion was approved 6-0 and will be presented to the Board of Aldermen on Tuesday, May 15.

OLD BUSINESS

None

COMMITTEE REPORTS

A. Board of Aldermen

Alderman Rahn stated he had nothing to report

B. Board of Adjustment

There is still pending action and a meeting date is pending.

OTHER BUSINESS

Chairman Bruns welcomed Alderman Rahn, Commissioner Brocato and Mr. Shawn Seymour to the Commission.

ADJOURNMENT

Chairman Bruns stating there being no further discussion asked for a motion to adjourn. A motion was made by Commissioner Eversmeyer and seconded by Commissioner Brocato. A vote was taken and the meeting was adjourned at 7:52 p.m.

Jerry Eversmeyer, Secretary



PZ2018-9

Receipt #: _____

Tax I.D. #: 22292705

CITY OF PACIFIC
APPLICATION FOR CONDITIONAL USE PERMIT

ADDRESS FOR WHICH CONDITIONAL USE PERMIT IS BEING SOUGHT: 2165 W. Osage St. Pacific MO 63069

APPLICATION FEE OF ~~\$350~~ \$100 PAID. yes no

NAME OF APPLICANT: Morris Daily / Wonder New Corp.

ADDRESS: 354 college Hts Union, MO 63084

ADDRESS: _____

PHONE - HOME: (314) 265-0688 PHONE - WORK: (314) 265-0688

APPLICANT'S INTEREST IN THE PROPERTY: lease for commercial use

NAME OF LEGAL OWNER: Ed Juettenweyer

ADDRESS: 6688 Thoun Tan Rd. Pacific MO 63069

ADDRESS: _____

PHONE - HOME: (314)-440-1946 PHONE - WORK: _____

PRESENT ZONING DISTRICT: C-2

PRESENT USE: Vacant PROPOSED USE: Restaurant

NAMES AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN A 185 FOOT RADIUS OF THE PROPERTY FOR WHICH THE ZONING CHANGE IS BEING SOUGHT: _____

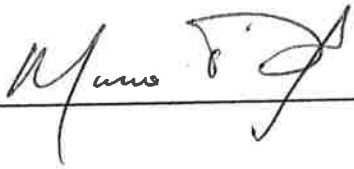
THE FOLLOWING FACTORS JUSTIFY THIS REQUEST: _____

THIS APPLICATION **SHALL NOT** BE CONSIDERED COMPLETE UNLESS IT IS ACCOMPANIED BY THE FOLLOWING ITEMS:

1. THE REQUIRED FILING FEE OF \$ 350.00
2. A SKETCH PLAN OF THE PROPOSED BUILDING, DEVELOPMENT, OR USE, IF APPLICABLE

Pleased be advised that the Board of Aldermen has the authority to revoke approval at any time, upon finding that the permitted conditional use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

SIGNATURE OF APPLICANT(S):



SIGNATURE OF LEGAL OWNER(S):

2. *Schedule.*

Type of Permit	Residential or Non-Profit	Commercial or Industrial
Conditional Use Permit	\$250.00	\$350.00
Variance Request	100.00	100.00
Rezoning Request	250.00 plus 50.00/acre	275.00
Boundary Adjustment	75.00	75.00
Preliminary Plat	100.00 plus 30.00/lot or dwelling, whichever is greater	175.00 plus 100.00/acre
Final Plat	250.00	275.00
Floodplain Development Permit	25.00	50.00
Planned Unit District	250.00***	250.00***

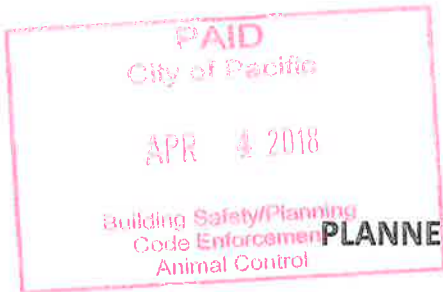
*** plus fees set forth in Subsection below.

Above fees do not include recording fees. Any amount of the user fees above in excess of the actual administrative or other fairly proportioned costs relating to the submission shall be refunded to the applicant upon written application. Any such costs incurred by the City in excess of the fees paid shall be paid by the applicant prior to such final approval.

- C. *Planned Uses—Additional Legal And Planning Review.* Each application for a Planned Unit District shall be submitted for review to the City’s staff or consultants. To the extent the City incurs actual costs from such review, the applicant shall bear such reasonable costs. Unless other studies or additional review is contemplated or unless waived by the Board of Aldermen, the applicant shall submit a deposit at the time of application of two thousand dollars (\$2,000.00) to cover such expenses. In the event actual reasonable costs are or are expected to be in excess of this deposit, the Board shall inform applicant of such costs and applicant shall provide payment. Any amount of the deposit not used by the City for review purposes shall be refunded to the applicant. The deposit for review services shall be made by the applicant prior to formal review or processing by the City. (Ord. No. 2327 §1, 3-18-03)

SECTION 405.070: VIOLATIONS AND PENALTIES

- A. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained or any building, structure or land is used in violation of this Title or other regulations made under authority conferred by this Title, the proper local authority of this municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises. The regulations shall be enforced by the Zoning Officer and the Building Commissioner who are empowered to cause any building, structure, place or premises to be inspected or examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of this Title or other regulations made under authority conferred by this Title.



PZ2018-8

CITY OF PACIFIC, MISSOURI

PLANNED UNIT DEVELOPMENT APPLICATION

Return To:

City of Pacific
Planning and Zoning
300 Hoven Drive
Pacific, MO 63069

Applicant Information:

Applicant Name: Marcos Daily

Applicant Address: 354 college Hts Union MO 63084
Street city state zip

Applicant Phone: (314) 265-0688 Applicant Email: marcosdaily3@gmail.com

Owner Information:

Owner Name: GARED properties L.L.C. / ED Joettmeyer
contact

Owner Address: 6688 Thornton Rd Pacific MO 63069
Street city state zip

Owner Phone: (314) 440-6946 Owner Email: ejoett@shcglobal.net

Property Information:

Street Address: 2165 W. Osage St. Pacific MO 63069

____ 1/4 ____ 1/4 Section: _____ Township: _____ Range: _____

Present Zoning: C-2

Requested Zoning: C-2

Present Use: Vacant

Requested Use: Foodservice / Restaurant / Drive Thru

Surrounding Land Use and Zoning:

city

	<u>Land Use</u>	<u>Zoning</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

Relationship to Surrounding Zoning Pattern:

Would the proposed zoning create an isolated district? Yes _____ No

If yes, explain: _____

Are there substantial reasons why the property cannot be used in accordance with existing zoning? Yes _____ No

If yes, explain: _____

Conformance with Comprehensive Plan:


Is proposed change consistent with the goals, objectives and policies set forth in the Comprehensive Plan? Yes X No _____

If no, explain: _____

Is proposed change consistent with the Future Land Use Map? Yes X No _____

If no, explain: _____

SIGNATURES:



Applicant Signature

4/4/18

Date

Owner Signature

Date

For Office Use Only:

Case ID: _____

Date Notices Sent: _____

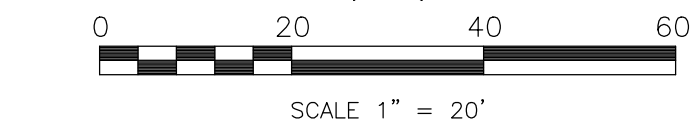
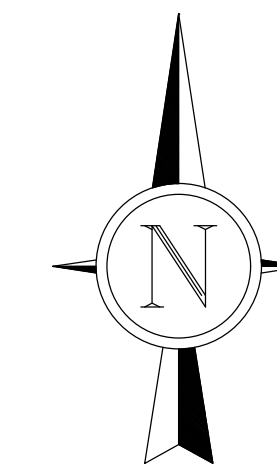
Date Received: _____

Number of Notices Sent: _____

Date Advertised: _____

Public Hearing Date: _____

HOTDOG STAND DEVELOPMENT PLAN



GENERAL NOTES

- Owner/Developer: HOT DOG STAND
c/o Marcus Dailey
500 Stewart Circle
Washington, MO 63090
(314) 265-0688
Surveyor/Engineer: Wunderlich Surveying & Engineering, Inc.
512 East Main St.
Union, MO 63084
(636) 583-8400
WSETEAM.COM
- Site: FURMI SUBDIVISION - PART OF LOT 2
Total acreage in development is 0.73 acres.
Site is currently zoned PUD with C-2 overlay
Building Setbacks: Front = 15 feet
Side = 10 feet
Rear = 10 feet

Proposed Building Size Single Story = 108 SF Building
Proposed Building Use = Commercial
Proposed Parking Spaces = 10 spaces
Proposed Building will connect to existing City of Pacific's waterline and sewerline.

Total Lease Area = 0.73 Acres
Existing Building and Pavement Area = 0.00 Acres
New Building and Pavement Area = 0.25 Acres
Total Proposed and Existing Coverage = 0.25 Acres
Total site coverage existing and proposed = 36%
- Utility easements will be provided to operate and maintain utilities
4. No subsurface exploration was undertaken.
5. This plan does not certify that the existing soil on site is suitable for construction.

UTILITIES:

ELECTRIC: AMEREN UE
GAS: MISSOURI NATURAL GAS COMPANY
SEWER: CITY OF PACIFIC, MO
TELEPHONE: AT&T
WATER: CITY OF PACIFIC, MO

UTILITY LOCATE: 1-800-DIG-RITE
(344-7483)

THIS SITE IS IN ZONE "X, UNSHADED", PER FLOOD INSURANCE RATE MAP 29071C0335 D, EFFECTIVE DATE OCTOBER 18, 2011, AS DETERMINED BY SCALING

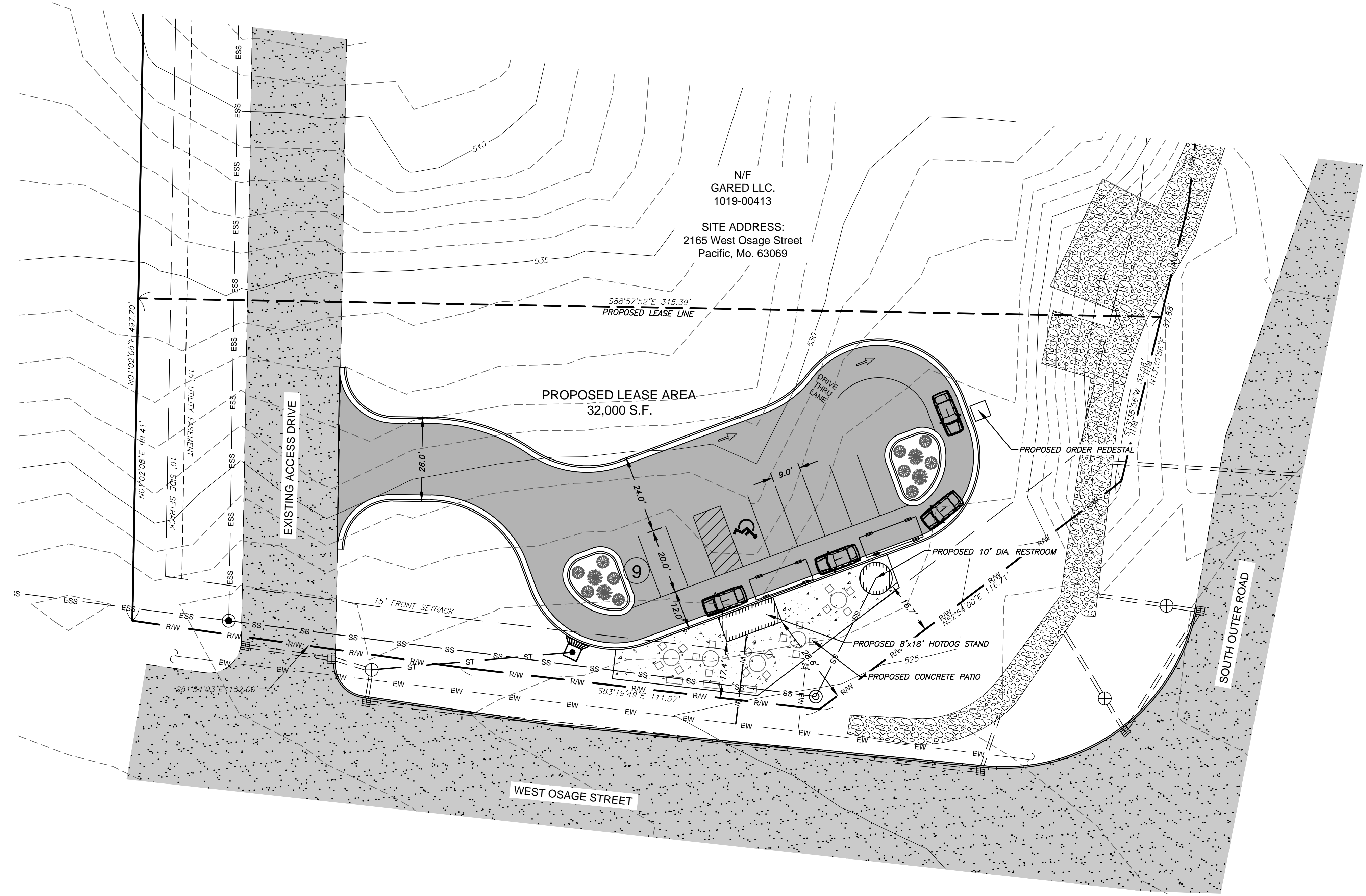
CONSTRUCTION NOTES:

- UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THEREFORE, THE RELATIONSHIP BETWEEN PROPOSED WORK AND EXISTING FACILITIES, STRUCTURES, AND UTILITIES MUST BE CONSIDERED APPROXIMATE AND IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THEIR EXACT LOCATION AND THE EXISTENCE OF ANY UTILITY NOT SHOWN. (ALL UTILITIES SHALL BE LOCATED BOTH HORIZONTALLY AND VERTICALLY TO INSURE CLEARANCE/COVER OF ANY PROPOSED GRADING, SEWER, FOOTINGS, ETC. PRIOR TO CONSTRUCTION. UTILITY COMPANY REPRESENTATIVES SHALL BE ON SITE DURING SUCH TIMES THAT EXCAVATION IS TAKING PLACE IN THE VICINITY OF THEIR FACILITIES.) NO SUB-SURFACE EXPLORATION WAS UNDERTAKEN ON THIS SITE. ALL UNDERGROUND UTILITIES ARE CONSIDERED APPROXIMATE AND ARE NOT CERTIFIED HERETO.
- ALL ELEVATIONS ARE BASED ON MDDOT VRS NETWORK NAVD 1988.
- CONTOURS BASED ON INTERPOLATED DATA.
- ALL EXCAVATIONS, WHETHER THEY BE UTILITY TRENCHES, BASEMENT EXCAVATIONS, OR FOOTING EXCAVATIONS, SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) CONSTRUCTION STANDARDS FOR EXCAVATIONS.
- PRIOR TO BEGINNING ANY WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT THE OFFICE OF THE DEVELOPER FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
- ALL WORK MUST BE PERFORMED WITHIN EXISTING OR ACQUIRED EASEMENTS, AGENCY APPROVAL OF THESE PLANS DOES NOT AUTHORIZE OR CONDONE WORK OUTSIDE OF THE EASEMENTS.
- ALL CONSTRUCTION METHODS AND MATERIAL SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF PACIFIC, MISSOURI. IN THE ABSENCE OF ANY APPLICABLE LOCAL STANDARDS, THE REQUIREMENTS SET FORTH HEREON SHALL GOVERN.
- SILTATION AND EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO ANY GRADING OPERATIONS AND SHALL BE INSPECTED AND MAINTAINED ON A REGULAR BASIS UNTIL SUFFICIENT VEGETATION HAS BEEN ESTABLISHED ON THE SITE TO PREVENT EROSION.
- ADDITIONAL SILTATION CONTROL MAY BE REQUIRED AS DIRECTED BY LOCAL GOVERNING AUTHORITY OR THE STATE OF MISSOURI.
- SLOPES ON THIS PROJECT SHALL NOT BE GREATER THAN THREE UNITS HORIZONTAL TO ONE UNIT VERTICAL(3:1). IF CUT AND FILL OPERATIONS OCCUR DURING A SEASON NOT FAVORABLE FOR IMMEDIATE ESTABLISHMENT OF A PERMANENT GROUND COVER, A FAST GERMINATION ANNUAL SUCH AS RYE GRASSES SHALL BE UTILIZED TO PREVENT EROSION.
- THE CONTRACTOR SHALL KEEP EXISTING ROADWAY AND SIDEWALKS CLEAN OF MUD AND DEBRIS.
- CONTRACTOR TO PROVIDE ADEQUATE ON-SITE PARKING FOR CONSTRUCTION EMPLOYEES.
- SCHEDULE "B" OF A CURRENT TITLE REPORT HAS NOT BEEN FURNISHED TO THE LAND SURVEYOR BY THE CLIENT AND NO INVESTIGATION HAS BEEN CONDUCTED AS TO THE PRESENT STATUS OF EASEMENTS OR OTHER RESTRICTIVE CONDITIONS AFFECTING THE SUBJECT LAND.
- NO GEOTECHNICAL EVALUATION HAS BEEN COMPLETED BY THIS OFFICE FOR THE SITE. THIS PLAN DOES NOT CERTIFY THAT THE EXISTING SOIL ON SITE IS SUITABLE FOR CONSTRUCTION. THIS OFFICE RECOMMENDS A GEOTECHNICAL ENGINEER BE CONSULTED TO DETERMINE THE SUITABILITY OF THE EXISTING SUBGRADE AND EXISTING ON-SITE MATERIAL PRIOR TO BEGINNING ANY FILLING OPERATIONS.
- ALL SITE GRADING AND EARTHWORK CONSTRUCTION SHALL COMPLY TO THE GEOTECHNICAL REPORT RECOMMENDATIONS.
- CONTRACTOR MUST RECEIVE ALL REQUIRED PERMITS FROM THE LOCAL GOVERNING OFFICIALS AND THE STATE OF MISSOURI PRIOR TO ANY EXCAVATION.
- NO PARKING ALLOWED OUTSIDE OF DESIGNATED PARKING AREAS.
- CONTRACTOR TO COORDINATE THE ELECTRICAL CONNECTION TO THE NEW BUILDING WITH THE OWNER.
- ALL ELECTRICAL, SANITARY SEWER, AND WATER SERVICE CONNECTIONS TO THE BUILDING SHALL BE COORDINATED WITH THE MEP DRAWINGS.
- BOUNDARY INFORMATION FROM RECORD PLAT.
- THIS PLAN IS FOR CONCEPTUAL PUD PURPOSES ONLY AND IS NOT A DESIGN SET OF PLANS.

N/F
GARED LLC.
1019-00413

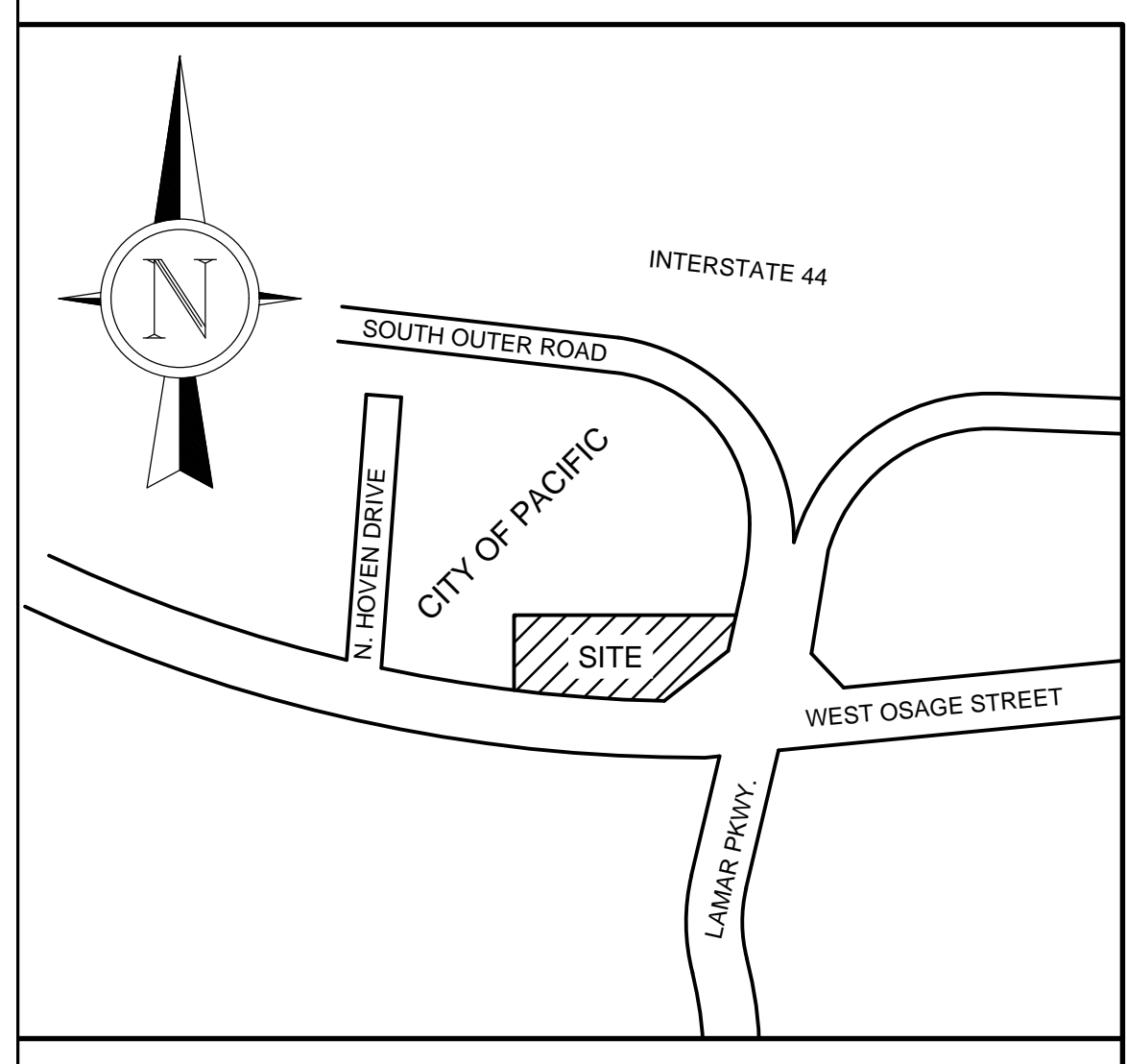
SITE ADDRESS:
2165 West Osage Street
Pacific, Mo. 63069

PROPOSED LEASE AREA
32,000 S.F.



LEGEND

ESS—ESS	= EXISTING SANITARY SEWER LINE
EW—EW	= EXISTING WATER LINE
—	= STORM SEWER
⊕	= FIRE HYDRANT
⊞	= GRATED INLET/YARD DRAIN
⊙	= STORMWATER JUNCTION BOX(JB)
⊙	= EXISTING SANITARY MANHOLE(MH)
⊞	= ROCK SWALE
⊞	= EXISTING ASPHALT PAVEMENT
⊞	= PROPOSED CONCRETE PAVEMENT
⊞	= PROPOSED ASPHALT PAVEMENT
W	= PROPOSED WATER SERVICE
SS	= PROPOSED SANITARY SERVICE
⊙	= PROPOSED SANITARY MANHOLE
ST	= PROPOSED STORM SEWER
⊞	= PROPOSED LANDSCAPING
♿	= PROPOSED HANDICAPPED PARKING SPACE



WUNDERLICH SURVEYING & ENGINEERING INC.

512 EAST MAIN STREET
UNION, MO 63084 (636) 583-8400
WSETEAM.COM

HOTDOG STAND DEVELOPMENT PLAN

A TRACT OF LAND BEING IN SEC. 11, T43N, R2E OF THE 5TH P.M. IN THE CITY OF PACIFIC, ST. LOUIS COUNTY, MISSOURI



Kristopher H. Wolfe,
P.E. - 2008019619
P.E. for Wunderlich Surveying & Engineering Inc.

THIS SEAL IS FOR DESIGN ONLY AND NOT CONSTRUCTION INSPECTION OR STAKING OUT OF IMPROVEMENTS

SCALE: 1"=20'
JOB: 32183
DATE: 05/2018
DWN. BY: RKS
SC: R.C., R.R.
REV: REVISION
REV: REVISION1



Planning & Zoning Commission Department of Planning Staff Report

Meeting Date: May, 22, 2018

Project Type: Planned Unit Development
(Preliminary Site Development Plan)

From: Shawn Seymour, AICP
Director of Planning

Applicant: Mr. Marcus Daily

Description: **P.Z. 2018 – 08 2165 West Osage Street (Marcus Daily):** A request for a Planned Unit Development in a “C-2” Arterial Commercial District, located on the northwest corner of the Osage Street and I-44 exit/Lamar Parkway intersection.

Summary

The applicant has submitted a request for a Planned Unit Development (PUD) overlay, for the purpose of locating a 144 sf. hotdog cart, bathroom, and associated horizontal improvements. Pursuant to section 400.160.C., all new construction proposed in a non-residential zoning district is required to obtain PUD overlay zoning. As part of the PUD process, the applicant has submitted a preliminary site development plan identifying a preliminary design of the site. The Commission is required to act on this request by providing a recommendation of approval, approval with conditions, or denial to the Mayor and Board of Aldermen.

Subject Site

As noted above, the subject site is located on the northwest corner of the intersection of Osage Street and I-44 exit/Lamar Parkway. This intersection is fully signalized. The property is unimproved, rectangular in shape, and is approximately 32,000 sf. (0.73 ac.). The property has access to Osage Street via a shared driveway on the western boundary of the site. Slope of the site ranges from its highest point at the northwest corner to its lowest at the south and southeast. Water, sewer, electric, and gas are available to the site. Additionally, a storm water ditch is located on the eastern boundary of the property.

Land Use and Zoning of Surrounding Properties

Direction	Zoning	Land Use
North	"C-2" Arterial Commercial	Specialized Retail
South	"C-2" Arterial Commercial	Pharmacy
East	"C-2" Arterial Commercial	Undeveloped Land
West	"C-2" Arterial Commercial	Bank

Analysis

Section 405.045.C. provide the standards for which this application is to be reviewed.

1. The relationship of proposed uses, functions, sites and buildings within the development tract to each other.

The preliminary site development plan is designed in a standard fast food layout. The structures used for preparing and serving food are serviced by a loop drive. The loop drive serves as an orderly way to cue vehicles on the site. Parking is provided in the middle of the loop. Seating is provided outdoors on a paved surface adjacent to the serving structure. **The standard has been met.**

2. The relationship of proposed uses, functions, sites and buildings within the tract to existing land uses and the permitted uses of adjoining tracts in accordance with sound planning and zoning practices and the Comprehensive Plan.

The zoning of the site as well as the comp plan designation call for arterial or highway commercial. High volume traffic is observed on Osage Street. The site is designed to move customers in and out at a rapid pace. Similar land uses are identified on the surrounding parcels. **The standard has been met.**

3. The provision for and distribution of adequate parking facilities

The proposed use of the site will be fast food restaurant. The proposed plan is to provide eight (8) parking stalls and one (1) ADA parking stall. The loop drive further provides for stacking in excess of ten (10) vehicles. Staff does not foresee an issue with this design. **The standard has been met.**

4. The provision of proper means of access to and from public roads, particularly with respect to automotive and pedestrian safety.

The proposed site design does not have direct access to a public right-of-way. Rather, the site uses a shared access driveway. Additionally, sidewalks are not located on the north side of Osage. Due to the nature of arterial commercial development and vast open spaces and parcel separation that is present, pedestrian traffic is generally very low and sidewalks are not warranted. **The standard has been met.**

5. The provision of site amenities including landscaping and fences.

The site is designed to incorporate some landscaping in the parking area within the medians at each end of the loop drive. This is a typical design. The site provides for outdoor seating

for those wishing to eat on site. Additional planting could be provided around the seating area to provide a boundary around the improved portion of the site. Please note, this additional planting is not required by ordinance. **The standard has been met.**

6. Compliance with all requirements of this Title and consistency with the Comprehensive.

The preliminary site development plan as submitted complies with both the zoning ordinance and comp plan. **The standard has been met.**

7. Any other factors relevant to the public health, safety, convenience and general welfare of the people of Pacific.

Staff does not foresee any detrimental design flaws or critical safety concerns regarding the design and functionality of the site. **The standard has been met.**

Recommendation

The preliminary site development plan as submitted complies with all zoning ordinance requirements. Although there may be some additional design features that may create a better overall development; these are not required by ordinance. Staff recommends **APPROVAL** of the PUD designation and the preliminary development plan.

Attachments: Application
Preliminary Development Plan
Staff Review Letter 05/14/2018



Planning & Zoning Commission Department of Planning Staff Report

Meeting Date: May, 22, 2018

Project Type: Conditional Use Permit

From: Shawn Seymour, AICP
Director of Planning

Applicant: Mr. Marcus Daily

Description: **P.Z. 2018 – 09 2165 West Osage Street (Marcus Daily)**: A request for a Conditional Use Permit in a “C-2” Arterial Commercial District, located on the northwest corner of the Osage Street and I-44 exit/Lamar Parkway intersection.

Summary

The applicant has submitted a request for a Conditional Use Permit, for the purpose of obtaining the zoning entitlement to operate a restaurant/food service facility on the site; specifically, a fast food restaurant. The property is zoned “C-2” Arterial Commercial District. Section 400.130 of the zoning ordinance governs the “C-2” district. Although the land use of restaurant/food services facility is not identified in this zoning district, the last item under conditional land uses in section 400.130.C states, *Any other use deemed appropriate by both the Zoning Officer and City Administrator and approved by the Planning and Zoning Commission and Board of Aldermen*, is permitted as a conditional land use.

Section 405.040.B. of the Pacific Code of Ordinances provides for the review and approval method for Conditional Use Permits. The Commission is required to act on this request by providing a recommendation of approval, approval with conditions, or denial to the Mayor and Board of Aldermen.

Subject Site

As noted above, the subject site is located on the northwest corner of the intersection of Osage Street and I-44 exit/Lamar Parkway. This intersection is fully signalized. The property is unimproved, rectangular in shape, and is approximately 32,000 sf. (0.73 ac.). The property has access to Osage Street via a shared driveway on the western boundary of the site. Slope of the site ranges from its highest point at the northwest corner to its lowest at the south and southeast. Water, sewer,

electric, and gas are available to the site. Additionally, a storm water ditch is located on the eastern boundary of the property.

Land Use and Zoning of Surrounding Properties

Direction	Zoning	Land Use
North	"C-2" Arterial Commercial	Specialized Retail
South	"C-2" Arterial Commercial	Pharmacy
East	"C-2" Arterial Commercial	Undeveloped Land
West	"C-2" Arterial Commercial	Bank

Analysis

Section 405.040.B. provide the standards for which this application is to be reviewed.

- a. Complies with all applicable provisions of this Title.

The proposed land use of restaurant/food services complies with all provisions of the Pacific Code of Ordinances. **The standard has been met.**

- b. At the specific location will contribute to and promote the community welfare or convenience.

The specific activity on the site as proposed, is a fast food restaurant. The site is located on an arterial public right-of-way and in close proximity to I-44. Staff believes this area of the City is prime location for the proposed and similar land uses. **The standard has been met.**

- c. Will not cause injury to the value of neighboring property and will not create a nuisance.

The fast food activity is commonly found on arterial public right-of-ways and adjacent to interstate highways. Additionally, several similar land uses, either fast food or sit down restaurants are located in close proximity to the proposed site. **The standard has been met.**

- d. Is consistent with the Comprehensive Plan and existing zoning district provisions.

The proposed land use of restaurant/food service facility is consistent with both the comp plan and the "C-2" zoning district. **The standard has been met.**

Additionally, the Planning & Zoning Commission may wish to request staff draft an ordinance text amendment to permit restaurant land uses in the "C-2" district.

- e. Will provide, if applicable, off-street parking and loading areas in accordance with the standards contained in this Title.

The parking requirements for fast food are 1 space per employee, plus 1 additional space. The proposed food preparation structure is only 144 sf. It would be difficult to have more than three (3) employees plus cooking equipment in a space of this size. The applicant is proposing eight (8) parking stalls and one (1) ADA compliance stall. **The standard has been met.**

- f. Will provide, if applicable, erosion control and on-site storm water detention in accordance with the standards contained in this Title.

The proposed lot coverage percentage is 36% (0.25 ac. of the 0.73 ac. site). A substantial amount of green space is provided on the site to slow and retain much of the storm water that will be generated during the typical rain event. However, the applicant is proposing one (1) inlet to pipe storm water from the parking area to MoDOT's drainage ditch at the eastern boundary of the site. The applicant has not provided a letter from MoDOT stating that approval has been granted for this design. **Standard to be verified.**

- g. Will not substantially increase traffic congestion and noise.

As noted above, the location of a fast food restaurant on this site in this area of the City is an appropriate land use. The proposed land use and the existing adjacent land uses should function in harmony with each other. Additionally, Osage Street is large enough and functions well enough that any additional vehicular trips generated from this site will not cause an impact to the traffic patterns in this area of the City. **The standard has been met.**

Recommendation

The application for conditional use permit to allow a restaurant/food service facility at the noted location meets all ordinance requirements. Staff recommends **APPROVAL** of the Conditional Use Permit.

Attachments: Application
Preliminary Development Plan
Staff Review Letter 05/14/2018