

**PLANNING AND ZONING COMMISSION AGENDA
300 Hoven Drive Pacific, MO 63069**

**TUESDAY, July 27, 2021
7:00 P.M.**

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVAL OF MINUTES: From April 13, 2021

4. PUBLIC HEARINGS

- a. **PZ 2021-13: 301 W. St. Louis, Multi-purpose events center, Conditional Use Permit, The Royal LLC, Shauna Jackson, applicant.** A public hearing to consider an application for a Conditional Use Permit (CUP) at 301 W. St Louis St., Pacific, MO 63069 (Franklin County Parcel #19-1-12.0-4-003-030.000). The applicant is proposing to operate a multi-purpose event center at this location, which is currently zoned C-1 Downtown Commercial. Such a use is not specifically permitted in this zoning district.

5. NEW BUSINESS:

- a. **PZ 2021-13: 301 W. St. Louis, Multi-purpose events center, Conditional Use Permit, The Royal LLC, Shauna Jackson, applicant.**
- b. Minimum square footage requirements, single family residential

6. OLD BUSINESS:

- a. Accessory building amendments

7. COMMITTEE REPORTS

- a. Board of Aldermen
- b. Board of Adjustment
- c. City Administrator

8. 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
JUNE 22, 2021**

The Planning and Zoning Commission Meeting was called to order by Chairman Bruns at 7:00 P.M. on June 22, 2021.

The roll call was taken with the following results:

PRESENT

Chairman Bruns
Commissioner Miles
Commissioner Koelling
Commissioner Graham
Commissioner Madrigal
Alderman Eversmeyer
Commissioner Brocato
Commissioner Presley

ABSENT

Commissioner Bates

Shaw Seymour, Planner, Development Clerk Fodge, City Clerk Barfield were also in attendance. McBride representatives were present.

APPROVAL OF MINUTES

A. Planning & Zoning Meeting – May 11, 2021

A motion was made by Commissioner Eversmeyer and seconded by Commissioner Miles to approve the minutes. A voice vote was taken and the motion was approved 8-0.

PUBLIC HEARINGS:

A. PZ2021-10: 301 W. St. Louis, Multi-purpose events center, Conditional Use Permit, The Royal LLC, Shauna Jackson, applicant.

Chairman Bruns stated the applicant has withdrew their application so this will not be heard.

B. PZ2021-11 Map Amendment, Old Gray Summit Road and Lamar Parkway, McBride Berra Land Company LLC, applicant.

The applicant is seeking a map amendment (rezoning) for an approximate 11.45-acre tract of land generally located at Old Gray Summit Road and Lamar Parkway (Franklin County Parcel ID: 19-1-11.0-3-099-005.000). The applicant is seeking a rezoning from the current R-1C single family residential to R-1B PUD-PDR residential. The property includes a strip of land on the west side of Lamar Parkway, north of Old Gray Summit Road, and property on the east side of Lamar Parkway, north of Old Gray Summit Road. The property is generally bounded by residentially used properties to the east, west and south, and Union Pacific Railroad tracks to the north.

C. PZ2021-012 Preliminary Development Plan, Old Gray Summit Road and Lamar Parkway, McBride Berra Land Company, LLC, applicant.

The applicant is seeking preliminary development plan approval for a 45-lot residential subdivision on an approximate 11.45-acre tract of land. The property is generally located at Old Gray Summit Road and Lamar Parkway (Franklin County Parcel ID: 19-1-11.0-3-099-005.000). The applicant is proposing various public improvements to serve the development, including construction of new streets, sidewalks, water and sewer utilities, storm water and related improvements. The property includes a strip of land on the west side of Lamar Parkway, north of Old Gray Summit Road, and property on the east side of Lamar Parkway, north of Old Gray Summit Road. The property is generally bounded by residentially used properties to the east, west, and south and Union Pacific Railroad tracks to the north.

Chairman Bruns read the Public Hearings into the record. She stated these all go hand in hand. She opened the floor for comments from the Commission. She asked to hear from the commission members first. Angie Carter, McBride gave a power point presentation. They have renamed the plans to "The Manors at Brush Creek". They believe there is a demand for new housing in Pacific. They are also building in Washington and City of Eureka. McBride is the largest homebuilder in Missouri and the largest Union homebuilder in the country. They have been in business for 75 years. Elite Development Services, the developer of the project, was formed through a partnership of McBride and J.H. Berra, combining 105 years of experience. Currently building in about 29 neighborhoods. The site is 11.5 acres total between two tracks, bi-sected by Lamar Parkway. They have had a lot of preliminary discussion with staff, went through different products etc. There were challenges they had to overcome with the site, and have worked very hard to come up with a good plan. This project meets the Comprehensive Plan's goals and objectives for new housing. They have settled on a single family detached home, with full basements and 2 cars in the driveway with 2 cars in the garage. They are seeking a Planned Development Residential to provide for single family development, the intent is to promote different variations with different lot sizes. We spent several months talking with staff with the City regarding different products and lot sizes. There are turn arounds in the driveways so no one has to back out on Lamar. More of the plan was reviewed.

Commission members asked different questions. The depth of the garages was discussed, and McBride offers an extension on the garages. Setbacks were discussed, where people will park if their driveway is full etc. Angie Carter, McBride stated the lots that front Lamar Parkway are T driveways, to

accommodate turn arounds and accommodate more cars. There was “no parking” discussed on Lamar Parkway. The width of the streets was also discussed, and 30’ is the standard. McBride is building 26’ in the other towns, but this one is proposed at 28’. This also includes sidewalks. Alderman Eversmeyer stated these types of subdivisions are being built around us. We are going to get passed over if we are not careful. He reviewed the census and we grew 3.2% while others communities grew more. If we don’t look into the future and what developers are going to put in, this site has been planned for 10 years. This layout was already approved. He thought the biggest problem was Lamar Parkway, but there will be more traffic on Old Gray Summit Road also. There are only a few ways for us to grow, and any direction will be a traffic issue. If we don’t let developers come in, we are going to keep getting passed over. We need to look into the future. The census shows that we are getting jumped over. Commissioner Koelling thought that McBride builds a good quality home, but we are getting increased traffic all the time. Commissioner Presley agreed we need to look into the future.

SPEAKER CARDS

Chairman Bruns read a letter into the record from Ted Halker, 1911 Old Gray Summit Road. They did not think this development was the answer, and suggested a traffic study.

Susan Thomas, 811 Sierra Ridge Av, our area is beautiful, she knows young families want to move forward. We know we need more rooftops. Parking has been addressed, but there is a drainage issue down by the ice area and bridge, and she has slid on it. Were going to take away the green space and the black ice is going to be worse. Where is McBride going to stage their equipment? We have a great school district that people don’t know about, but until we are on the map people are going to move in Rockwood School District.

Henry Hahn, 56 Cedar Brook, his concern is stormwater and sanitary sewer control. He questioned if the west side of Lamar could be left alone, and just build on the east side. He also questioned a retaining wall. Otherwise, he is all for the subdivision.

Joe Downy, Summit Hills Farm Subdivision, lived here his entire life. He feels the west side should be kept as green space. A lot of houses in this area have big lots, it would be nice to see bigger lots. He encouraged the developed but we need to be strategic about it.

Josh Grodie, 1657 Meade Court, Lamar Parkway was built with the intent as an emergency route to the City because of a railroad crossing. It is not perfect, but it works. Additional housing will slow this down for emergencies, and puts more pressure on Lamar Parkway. He thought they did a good job with the presentation. He doesn’t disagree we need rooftops. Safety on Lamar is important, and people are going to be on the road. He doesn’t believe this will make Pacific a destination City, but they are starter homes. He thought we should keep Lamar Parkways use what it was intended for.

Bill Devine, 317 N. First, his family has property two doors west of Lamar Parkway. He grew up here. He has witnessed a lot of good change. He has the same safety concerns as others. He is not anti-development, but we need to be careful on the rooftops we put up. This development doesn’t fit the area.

Gary Watson, 1941 Old Gray Summit Road, and he is concerned about the safety on Old Gray Summit Road. Also, he doesn't want to look at that every day.

Mark Sutterer, 1951 Old Gray Summit Road, safety on Lamar is a huge concern. He doesn't think turn around driveways are going to solve anything. This is to many houses in a small area, and feels like is below the standard of our area.

Denis Ziegert, 1736 Westlake Circle, I moved here a year ago from California. This is one of the areas we love is this area. The separation of the houses is pretty narrow. It's a beautiful area and that is what sold us.

Jeff Myers, 1733 Kristi Lane, thanked McBride for their presentation. He is thrilled this is a union builder in town. It's a nice area, but we fought this fight several times. This is a nice community. This development does not fit here, and I am all for development.

Emily Devine, 317 N. First St. when the sidewalk was put in from Lamar to the Baptist Church the foot traffic increased. She thinks this is a neat thing to be able to do in this community. A development of this density could impact people's ability to do this. We live on First St. and we don't see that kind of activity on that end of town.

Scott Lesh off of Old Gray Summit Road, we know development is coming. Just hope we think about the rest of the area as well.

Terry Bertholomey, 1946 Kelley Court, there is no turn around for these houses. Where are people going to put their equipment to mow the lawn.

Becky Toney, 947 Silver Lake View, the prior plan was approved for R1-C. This exited out on Old Gray Summit Road. It was also bigger lots on Lamar Parkway, but it was a totally different plan.

Commissioner Koelling, has farm animals on the other side of the property. He believes the houses coming out on Lamar Parkway is a total safety issue. They will have trash service, deliveries, and people use their garages for mancaves etc. Both of their cars are not going to go to the garage.

Planning Commissioner, Shawn Seymour, recommended Commissioner Koelling abstain from this vote, due to a conflict. Commissioner Koelling stated he was not gaining anything monetarily out of this but he has been asked to represent people. He lives right next to it. Chairman Bruns agreed that he should abstain. Commissioner Koelling stated he wanted everyone to know this.

There being no more speakers, the public hearing was closed.

NEW BUSINESS:

- a. PZ2021-11: Map Amendment, Old Gray Summit Road and Lamar Parkway, McBride Berra Land Company LLC, applicant.**

b. PZ2021-12: Preliminary Development Plan, Old Gray Summit Road and Lamar Parkway, McBride Berra Land Company LLC, applicant.

c. PZ2021-013: Planned District application, Old Gray Summit Road and Lamar Parkway, McBride Berra Land Company LLC, applicant.

Planner Shawn Seymour stated there is three items in front of you, you would need a motion for all three, because they go together. Chairman Bruns stated it's either all three or it is none. A voice vote was taken with an affirmative result.

City Clerk Barfield asked that Planner Seymour be allowed to present the staff report.

Planner Seymour stated he wanted to review the steps of approval, as there are multiple. We have the first request for change of zoning, which increases the density of the development. This could be 49 units, but the applicant is requesting 45, currently allowed 41. For discussion, the applicant is in compliance with the Comprehensive Plan, which dictates land and zoning use decisions, by this Board. If you potentially tonight recommend denial, as this application moves forward to the Mayor and Board, the question is going to be why is Planning & Zoning Commission recommending denial on application that conforms to the Comprehensive Plan. The plan is not that old, he believes it is from 2017. This would blow a large hole in the Plan. Right now, the Comprehensive Plan allows 6,000 square foot and does not indicate a certain zoning. This is a minimum lot size. When a developer comes to the City, they have to do their due diligence and one of those things is looking at the Comprehensive Plan. Chairman Bruns thought this should be re-visited in the Comprehensive Plan. Planner Seymour stated this is a critical element of the Plan. The second is the PUD. This is the request of the minimum lot size, side yard setback, lot width, and street width. The PUD request tonight is asking for those four modifications. He asked they identify all three in the motion.

He continued that Planning & Zoning is appointed by elected officials. Its your job to be technical in this committee as it relates to the zoning as it relates to the Comp Plan. There were concerns from the public, some don't have an element in the comprehensive plan. Those comments need to be looked at and considered by the Mayor and Board. He reminded them to be mindful of this when they craft their motion to base it on the Comprehensive Plan and development.

Commissioner Koelling asked, are they not supposed to listen to the citizens that live in this area. Planner Seymour stated that was correct. Planner Seymour stated it is critical we all understand. When cities determine zoning ordinances, commissions are built that are not elected, they are technical advisors. It's not that the things the citizens brought up are not important, Planning & Zoning is just given a specific job. Their job is to take applications and review them based on the Comprehensive Plan and ordinances. The concerns you all have that aren't addressed by ordinances and plans that is the Mayor and Board of Aldermen's job to hear. You will have this same opportunity at the Board of Aldermen level to speak. You spoke tonight because the zoning ordinance identifies a public hearing at this level also.

Motion made by Alderman Eversmeyer, seconded by Commissioner Presley to approve all three as presented with a recommendation that Chief review the speed limit on Lamar Parkway for safety.

A roll call vote was taken with the following results: Ayes: Commissioner Presley, Commissioner Madrigal, Commissioner Graham, Alderman Eversmeyer, Commissioner Brocato. Abstain: Commissioner Koelling. Nays: Chairman Bruns, Commissioner Miles. Motion approved 5-2.

OTHER NEW BUSINESS

COMMITTEE REPORTS

A. Board of Aldermen

No Report.

ADJOURNMENT

There being no further discussions, Chairman Bruns asked for a motion to adjourn. A motion was made by Commissioner Miles and seconded by Commissioner Presley. A voice vote was taken and the meeting was adjourned at 8:46 p.m.

July 7, 2021

NOTICE OF PUBLIC HEARING
CITY OF PACIFIC
PLANNING & ZONING COMMISSION

The City of Pacific Planning & Zoning Commission will conduct a public hearing on Tuesday, July 27, 2021, at 7:00 PM, at the Pacific Government Center, 300 Hoven Drive, Pacific, MO 63069, to consider the following:

PZ 2021-13: 301 W. St. Louis, Multi-purpose events center, Conditional Use Permit, The Royal LLC, Shauna Jackson, applicant. A public hearing to consider an application for a Conditional Use Permit (CUP) at 301 W. St Louis St., Pacific, MO 63069 (Franklin County Parcel #19-1-12.0-4-003-030.000). The applicant is proposing to operate a multi-purpose event center at this location, which is currently zoned C-1 Downtown Commercial. Such a use is not specifically permitted in this zoning district.

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the request are available for review at Pacific City Hall, 300 Hoven Drive during regular business hours. A copy of the application is also available online at www.pacificmissouri.com. For more information, please contact Steve Roth, City Administrator, at 636-271-0500 ext. 213 or by email at sroth@pacificmissouri.com

Receipt #:

Tax ID#

**City of Pacific
Application for Conditional Use Permit**

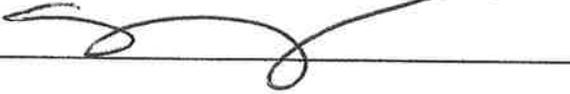
Date of Application July 6, 2021
Address for Which Conditional Use Permit is Being Sought: 301 W. Saint Louis Street, Pacific, MO 63069
Applicant Name The Royal, LLC (tentatively) Contact Name: Shauna Jackson
Mailing Address
Contact Phone 314-808-4742
Email address
Website (if applicable)
Applicant interest in the property The Royal, LLC (tentatively)
Name of Legal Owner: LAC Holdings, LLC Leslie A and Cathy L Conover
Mailing Address 18521 Bridlegate Lane, Wildwood, MO 63069
Contact Phone 636-458-1950
Email address Cathy.Conover@maritz.com
Website (if applicable) N/A
Current Property Use VACANT
Proposed Property Use Event Space, Community Venue, Office Spaces, Studio Space
The following factors justify this Conditional Use Permit request: (Attach additional information if necessary) The Royal, LLC consists of four partners, including three Pacific High School Alumni who want to open The Royal back up to the community and bring back its original charm. The space would be turned into an event venue for anyone to rent out along with regular community events held in the space. There would also be a photography studio and additional office spaces, Due to the current C-1 Downtown Commercial zoning, this project would require a conditional use permit.

The application will not be complete unless it is accompanied by the following items:

1. Required filing fee of \$350. Paid? Yes No
2. All required applicant signatures, including signature of current property owner
3. Sketch Plan of the proposed building, site development and layout, and other items as requested by the City
4. Certified mail notice to all property owners within 185 feet of the subject property. City will prepare the mailing for applicant; applicant to mail letters at applicant expense.

Applicant signature(s)

The undersigned hereby attests that all information in this application is complete and accurate, and further that this application becomes an open public record upon filing with the City of Pacific.



Property Owner signature(s)

The undersigned hereby attests that all information in this application is complete and accurate, and further that this application becomes an open public record upon filing with the City of Pacific.

 dotloop verified
07/10/21 11:13 AM CDT
56VS-IGTH-6QDR-KRKU

Leslie A Conover

 dotloop verified
07/10/21 6:10 PM CDT
5QHJ-RBKL-SMSV-HCW9

Cathy L Conover

Zoning officer certification

Current zoning district: C-1

Applicable Municipal Code Provision(s): 405.040.B

Notes:

The undersigned Zoning Officer hereby certifies that the application is substantially complete and a Public Hearing has been set for 7.27.2021 (date) before the City of Pacific Planning and Zoning Commission.





Planning & Zoning Commission Department of Planning Staff Report

Meeting Date: July 27, 2021

Project Type: Conditional Use Permit

From: Steve Roth
City Administrator / Zoning Officer

Applicant: The Royal, LLC; Shauna Jackson, applicant

Description: PZ 2021-13: 301 W. St. Louis, Multi-purpose events center, Conditional Use Permit, The Royal LLC, Shauna Jackson, applicant. A public hearing to consider an application for a Conditional Use Permit (CUP) at 301 W. St Louis St., Pacific, MO 63069 (Franklin County Parcel #19-1-12.0-4-003-030.000). The applicant is proposing to operate a multi-purpose event center at this location, which is currently zoned C-1 Downtown Commercial. Such a use is not specifically permitted in this zoning district.

Summary

The applicant originally submitted this request in May, 2021, and a hearing was scheduled for the June 22 meeting. Prior to the hearing the applicant withdrew the application, as I understand for lack of sufficient financing. It is my understanding the applicant now has the necessary financing in place, and intends to proceed with the application.

The staff review of this issue has not changed since the original application. We had one comment from a Commission member since the last meeting regarding potential property maintenance code violations, and my suggestions is that any approval granted for this CUP be conditioned upon the applicant being in compliance with the Property Maintenance Code as a condition of occupancy. This has been the general practice in the past, though it has not referenced specifically in the CUP approval. Staff has no objection to this and so would suggest it be placed as a condition upon the use, assuming again that the Commission would recommend approval.

As noted in the June 22 report, the applicant has submitted a new request for a Conditional Use Permit (CUP), for obtaining the zoning entitlement to conduct a multi-purpose event center use at the subject property, former home to the Royal Theater. The petition has required a new set of fees, hearing notices and notices sent to nearby property owners. Shauna Jackson, the lead applicant, has

indicated the property is proposed to be developed by an ownership group including several partners. The basic plan is to redevelop the interior of the building primarily as a large meeting space, to potentially be used for small events, community meetings, classes or similar uses. In addition, the partners envision a photography studio and office space to be integrated into the plan.

The event center use is not specifically permitted in the C-1 Downtown Commercial zoning district. Office and photography studio uses would be permitted. Therefore, the CUP relates to the “event center” use only, and would not apply to other permitted uses.

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 in the downtown area, at the northwest corner of W. St. Louis Street and Third Street. The property initially was a movie theater but in recent years was converted into storage and retail uses. The building footprint is approximately 5,000 square feet, not including the outside front entrance area. The property is bordered by residential uses to the west and north, and commercial uses to the east and south.

Land Use and Zoning of Surrounding Properties

Direction	Zoning	Land Use
North	C-1 Downtown Commercial	Residential
South	C-1 Downtown Commercial	Commercial
East	C-1 Downtown Commercial	Commercial
West	C-1 Downtown Commercial	Residential

Analysis

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

- a. Complies with all applicable provisions of this Title. Per the items below taken directly from Section 405.040 B: Conditional Use Permit, there are several items that must be verified prior to meeting the standard.

The standard to be verified.

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

This standard has a degree of subjectivity involved. The intensity of the use in staff’s judgment is similar to that of a movie theater, and would potentially be a hub of activity in the downtown area. Staff would recommend certain conditions to assure that the use is limited and contained, but assuming such conditions are placed, we find the use to be in compliance. **This standard to be verified.**

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

Use of this property should be subject to limitations on hours of operation, occupancy limits, and noise limits. Assuming such limits are imposed the project would in staff judgment enhance the value of neighboring properties, and would not create a nuisance. **The standard to be verified.**

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

The proposed use would create activity in the downtown district, which is clearly supported in the Comprehensive Plan. The event center use is not dissimilar to other permitted uses in the downtown district, such as “Assembly Halls and private clubs, lodges or organizations of a fraternal or religious nature...” **The standard has been met.**

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

There is virtually no off-street parking at the subject site. However this is not unusual for the central downtown, and is accommodated in the Zoning Code. **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 site is improved with a commercial structure. No exterior or site improvements are proposed by the owner at this time. **The standard has been met.**

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

While reuse of this building will increase activity, traffic and parking at and near the site, the scale of the project would not be expected to cause traffic “congestion.” Limitations on noise should be placed as a condition of the use. **The standard to be verified.**

Recommendation

As with any CUP application, we would advise the Commission receive a thorough description of the proposed use from the applicant before proceeding with a final recommendation to the Board of Aldermen. Staff in its preliminary review welcomes the applicant’s plans to revive and renovate the property, and feel the center’s potential as a hub of activity in the downtown area would be beneficial to the district at large. We further believe the potential impacts can be mitigated via conditions placed upon the use. (Please note that some of the below conditions were taken from the proposed conditions for the previous Dew Bolt Inn bar and restaurant CUP application.)

The following conditions should thus be set to assure that the use is protective of the nearby properties:

1. Hours of operation to be limited to 10 p.m. Sunday through Thursday, and 11 p.m. Friday and Saturday.
2. Occupancy limit to be established based on gross floor area of the finished meeting / event center space.

3. No customer parking shall be allowed on Third Street or Union, north of the building at 301 West St. Louis Street.
4. No nuisance behavior shall be allowed, including but not limited to littering, drunk and disorderly behavior outside of the establishment and trespassing onto private property.
5. Noise levels measured at the property lines of 301 W. St. Louis Street shall not exceed those levels permitted for commercial properties in the St. Louis County Noise Control Code. Chapter 625 of the Revised Code of Ordinances of St. Louis County, Missouri is hereby incorporated by reference, to the extent that it is applicable to commercial properties.
6. Applicant to be in compliance with the Property Maintenance Code as a condition of occupancy.

Attachments (2): Application
 Public Hearing notice