

**CITY OF PACIFIC  
PLANNING & ZONING MINUTES  
April 25, 2023 at 7:00 p.m.**

**Call to order:** The meeting of the Planning & Zoning Commission was called to order by Chairman Bruns at 7:00 PM on Tuesday, April 25, 2023. The Public was able to attend in person and the meeting was streamed live on the City of Pacific You-Tube channel.

**Roll Call:** Chairman Bruns, Commissioner Bates, Commissioner Koelling, Commissioner Miles, Commissioner Graham, Commissioner Flannery, Commissioner Brocato.

**Absent:**

**City Staff:** City Administrator Roth, Community Development Director Myers, Community Development Clerk Wilson.

**Approval of Minutes:** Regular meeting on April 11, 2023.

**Motion made by Commissioner Bates, seconded by Commissioner Koelling to approve. A voice vote was taken with an affirmative result. Opposed: none.**

**Public Comment and Participation:**

Jan Jones, 201 Candlewick. Ms. Jones brought a plastic grocery bag with some trash in it that she picked up off of Candlewick Dr. It contained springs, wire, washers and more. She stated that they get a lot of trash on the road from the industrial park that the residents have to pick up. She also pointed out that because of the high traffic people couldn't ride their bikes on Candlewick.

Collin Kennedy, 1716 Westlake Ct. Mr. Kennedy was there representing the Homeowners Association of West Lake. He said that West Lake was opposed to the connecting trail from West Lake subdivision to the new industrial park. The residents of West Lake do not want people walking or accessing their subdivision from the industrial park.

Gary Meadows, 2010 Highway N. Mr. Meadows says that Candlewick should not be discussed outside of this development. He stated that the Candlewick problem consistently got bumped or pushed down the road when now is the perfect time to find a long-term solution. Mr. Meadows said he understand the developer is opposed to using his property to build a new road into the industrial park, but says that Pacific should not bow down. He recommended that water study be done now instead of waiting until the final plat. He asked the commission to table this request until the traffic and water studies are completed. He also would want a covenant stating that whomever owns the property has to maintain it.

Dan Conway, 3001 Spruce Street, St. Louis, MO 63001. Mr. Conway stated that he believes this development can coexist in this community and get along with everyone. He reminds the commission that this is for the preliminary plat not the final plat. Mr. Conway does not agree with providing an easement for a possible future trail to West Lake subdivision. He agrees with the residents of West Lake. He has also had talks with Mr. Alt who owns the farm to the east of the property about the fence that will be going up and with Mr. Van Allen about the water issues that exist at his current business.

Mr. Conway wants everyone to know that he's trying to work with everyone involved. Mr. Conway stated that he will not be building a road on his 10-acre property for a fifteen hundred feet of new road into the industrial park. He stated that this was an infrastructure improvement that is the responsibility of the City of Pacific. He wanted everyone to know that he was there to answer any questions and is willing to put in the time to figure things out.

**Old Business-**

- A. PZ 2023-07: The "Preliminary Plat" for Pacific Logistics Park. The applicant is seeking preliminary plat approval for a 10-lot industrial subdivision on an approximate 48-acre tract of land located along the north side of Industrial Drive with the proposed entrance being .41 mile west of Denton, Road. (Franklin County Parcel ID: 19-6-14.0-0-034-036.200 and 19-6-14.0-0-099-035.100).

Chairman Bruns reads the old business into the record.

**Motion made by Commissioner Flannery, seconded by Commissioner Bates to take from the table PZ 2023-07. A voice vote was taken with an affirmative result. Opposed: none.**

Commissioner Bates opened the discussion by asking some questions. He wanted to know if we had any idea how many jobs this project would bring to the community. Community Development Director Myers said that there has been discussion, but that until they knew what types of businesses would be going in it was hard to calculate at this time. Commissioner Bates said he would really like to see those jobs here in Pacific. With gas prices going up it would great to have the jobs here locally for people. He continued to say that the discussion about putting another road in to Highway N and that the only reason not to do this is profit based. He points out that this is private property, so that is not the only reason. He wanted it know that if a road to Highway N was approved that he would not support this project. He says not only does he not want that traffic on Candlewick, but he doesn't want it on Highway N either. He cannot speak for the other commissioners, but he doesn't want any industrial traffic on Highway N or Candlewick. He said he would like to remove that from the conversation about this plan because it was a moot point in his opinion. He believes there is a solution to get most traffic off of Candlewick. He doesn't believe that they will ever keep it all off of there. He says that most municipalities make this a police issue. He states that if you want to keep traffic off of their post an officer there and write tickets there every day until people do not want to go that way. He says it's not pretty or nice and there will be some residents who get caught speeding as well, but that seems to be the way most municipalities handle these types of situations. Commissioner Bates says that he agrees with Mr. Meadows and that the covenants should be added to the motion. He feels this is the best way to make sure the water basins are maintained. He would like to thank Mr. Conway for agreeing to do the traffic and water studies.

Commissioner Koelling states that he doesn't want to see more traffic on Highway N. He also does not want another road put in from the industrial park to Highway N. He says to do so helps the Candlewick residents, but it doesn't help the rest of the residents on Highway N. Commissioner Koelling went on to say that the city is spending money on fixing Denton and other roads for industrial traffic. He thinks it would benefit the businesses in downtown if the industrial traffic was pushed to that end of town. He has heard that it will be so much longer a drive to go that way, but he drove it and it only added a little over two minutes onto his time. He states that if a train is blocking the tracks, then the police need to

get down there and redirect traffic to the Payne St crossing or LaMar Parkway. He said it's very rare to get a train broke down right in the middle of town. He says the city will need to decide who is allowed to access Candlewick to Industrial Park Dr. Police, Fire, and farmers he believes should have access. He says that farmers should be able to use Candlewick to move their farm equipment so they don't have to go through downtown to get all the way back across town to get across the bridge. He doesn't believe the people in the city would want them to have to do that.

Commissioner Flannery states the purpose of the 50-foot barrier was to maintain the existing growth not necessarily taking it out and adding additional growth or conifer trees or other vegetation. The intent was just to keep it there as a barrier for the homeowners. Additionally, his understanding is that with past developments we've requested certain improvements per lot, such as; vegetation. As long as it doesn't go against the ordinance that could solve some of the barrier issue. Commissioner Flannery says that reading the minutes from the past meeting he read that there would be a board of trustees for the park. He asked if this is similar to a residential development where the residential developer is the HOA and then as the project continues the residents begin to fill the seats until the development is complete then the property owners make sure that all of those things are done. Dan Conway confirms this. Commissioner Flannery states that the covenants are already into place there then. The end users of the properties will be the responsible parties. To him he feels this has been addressed. He states that he is no expert and doesn't know if one thousand cars of traffic are high per the traffic study that was provided. He questions whether those numbers would change once Denton Road is completed and opens back up. He was told by Community Development Director Myers that it should open back up in July. Commissioner Flannery says that the traffic study is not getting the whole picture right now. He says there is a lot less traffic going through Fourth St. right now due to the closure. He asks if lining the the Alt property to the East with shot rock would help with erosion. Dan Conway says that the slope is small and will seed up. Commissioner Flannery thanks him for the clarification. He goes on to say that trains can create issues. He says that if a train blocks the crossing at Industrial Park Dr, then Candlewick would be needed for traffic to be able to leave the Industrial Park. Commissioner Koelling says that Police would need to be down there to redirect traffic. Commissioner Flannery states that the roads have been blocked by trains Olive to Fourth St before. Commissioner Koelling says that traffic can always go around to Payne and LaMar crossings if needed, but police need to step up and redirect. Commissioner Flannery ask if the developer is requesting a CUP or PUD. Community Development Director Myers says no they are not. He goes on to say that one of the future prospective businesses wouldn't need to request one, but at this time, no. Commissioner Flannery says that looking at the technical aspect of this request which is the job of the commission, they approved the rezoning and this preliminary plat is not asking for any other variances. He says the commission will have a hard time saying no to this without opening the City up to potential legal action. You cannot tell someone that they cannot use or develop their property. We technically have approved this and they are technically adhering to all of the zoning ordinances and requirements. He said he's not trying to take away from the traffic issue or the citizens on Candlewick's concern or any of the residence who border this property. That is why he wanted to make sure there was at least a fifty-foot green barrier. He says the City invested a lot of money into the Comprehensive Plan several years back and looking at the Future Land Use Map it says this property and potentially the entire Alt farm could be used for light industrial. Looking at the information in front of us that is how he's interpreting this. He says it's hard to make a decision with so many impassioned people on both sides of the dais, but in his humble opinion it's their responsibility to take the information that they have before them, try to do a little forecasting into the

future and do what's in the best interest of Pacific as a whole. He states he is in favor of approving this and letting the Aldermen worry about the politics of it. Chairman Bruns says that she doesn't think the commission is opposed to this, but that there are things that need to be studied like the water and traffic. She wants to make sure all options are looked at as far as water and traffic problems which they already have. Commissioner Flannery says he does not disagree, but he goes back to the technical request that is in front of them.

Commissioner Koelling asks Community Development Director Myers to explain to him why a gate cannot go at the end of Candlewick. Community Development Director Myers says there was a gate up, then the Board of Aldermen had it removed. Now that road has become known as access into the industrial park. The employees loved, but the residents not so much. East West Gateway money funded the road improvements. His understanding is that because we used federal funding that you could not shut that road off. However, since that time City Administrator Roth has done some investigation with the city attorney and they have determined that it is possible for that road to be gated once again. City Administrator Roth says that it's not clear. Their conclusion was we certainly could and if we were challenged and the federal government, via East West Gate or whomever, wanted to challenge us then there would be an easy remedy. We either refund the money or open up the gate. He doesn't think it would be a violation of the agreement that we (the city) entered into to do that. It's not a direct clear violation. Commissioner Koelling says that he thinks a gate with a code that police and fire have could be a solution to the problem. If a big truck goes down Candlewick, then an officer could go down and enter the code to let him through, but pop him with a ticket. Community Development Director Myers said he had talked to the city attorney about can a property owner be forced to put in a road like this and his response was that you can't force somebody to do this on their private property. He asks the commission where the funding would come from. This is an expensive proposition. Commissioner Koelling says he doesn't want to seem insensitive to the businesses and workers, but there is a lot more development over there now than there was in the 90's. The times have changed and now it's time to make this right. He believes the development over there is only going to get bigger. Commissioner Brocato questioned if this was a public street. Community Development Director Myers says Candlewick is city owned. Chairman Bruns allows Carol Johnson to come to the podium and state her address, 1515 W Pacific Apartment 203. Ms. Johnson gives a little bit of history about the issues with the existing industrial park, Candlewick and East West Gateway. Commissioner Miles believes we need a gate on Candlewick.

Community Development Director Myers explains how the easement for a possible future trail from West Lake to the new park came about. He says that connected communities are desirable now days. He stated that we are not as connected as many other communities. The easement was a suggestion based on that future thought of creating connectivity in our community. Commissioner Bates agrees this is a big thing in other communities. Community Development Director Myers says that if you don't plan ahead and carve out the easements then it will never happen in the future. He says the fact that the developer and the residents at West Lake don't want it is fine, but that is where the request came from. Thinking of the future planning of Pacific. City Administrator Roth says he would like to add to that. He explains the request was only for an easement. It was not their request for the path to be constructed. It was only for the easement. Commissioner Flannery states that he does not see a request for the easement in the plan that is up for a vote. If the residents and the developer do not see a need for it then it's a moot point. He continues to talk about traffic and how development is growing

around Highway N. He says when West Lake went in it was a farm and traffic was an issue. When Riverbend went in it created more traffic. When the Cedars, Hawthorne and many other subdivisions went in traffic was talked about. Traffic is going to continue to be an issue as we grow. He says this reminds him of the old chicken and the egg saying. Development will help generate more taxes that can be used for improvements. Currently we are putting more burden upon the existing citizens which is slowing and impeding growth in our community. If we are not growing, we are dying. We have to look to the future and see the whole picture. Commissioner Bates says he agrees with Commissioner Flannery about everything, but thinks we need to be careful not to mix residential with industrial traffic where ever we can. Commissioner Flannery asks City Administrator Roth if the preliminary plat were approved at the next Board of Aldermen meeting, what is the timeline for the final plat to come back to planning and zoning? City Administrator Roth says that the improvement plans, water and sewer and construction plans, would all need to be submitted with a storm water plan. With a final plat we would need indentures, covenant/trustee details and other details. He says typically it's two to three months. He reminds the commission that final plat would come back to Planning and Zoning, but does not require a public hearing. It would then go to the Board of Aldermen for approval. Commissioner Flannery says let's go with the assumption that it gets final plat approval from the Aldermen around August. He asks Dan Conway if the project would start early or mid-2024. Mr. Conway says they would like to have phase one completed by the end of 2023. The motion and what should be included is discussed. Community Development Director Myers says he would like the Candlewick gate issue to be separated from the motion to approve the preliminary plat because they are two separate issues. Commissioner Brocato agrees it should be two separate motions. Mr. Van Allen came up to the podium and asked the commission to think about the businesses that have a lot of money invested in locations that use Candlewick every day.

**Motion made by Commissioner Flannery, seconded by Commissioner Brocato to recommend approval for PZ 2023-07 preliminary plat including that a water study, traffic study, privacy fence along eastern property line and subdivision trustees for continued maintenance of common areas, fence and storm retention areas are included in the final plat. A roll call vote was taken with the following results: Ayes: Chairman Bruns, Commissioner Flannery, Commissioner Miles, Commissioner Graham, Commissioner Bates, Commissioner Brocato, Commissioner Koelling. Nays: None. Where upon Chairman Bruns declared the motion carried.**

**Motion made by Commissioner Bates, seconded by Commissioner Koelling to recommend approval that in conjunction with the new industrial development that a gate would be put back in place on Candlewick Ln with the best methodology possible to make it (the roadway) accessible to emergency vehicles and to farm traffic with recommendations from the Department of Public Works on the best way to make it happen with an addendum that the gate would not be put into place before Denton Rd reopens. A roll call vote was taken with the following results: Ayes: Chairman Bruns, Commissioner Miles, Commissioner Graham, Commissioner Bates, Commissioner Brocato, Commissioner Koelling. Nays: Commissioner Flannery. Where upon Chairman Bruns declared the motion carried.**

**New Business:**

- A. PZ 2023-09: Waiver of Sidewalk, Curb and Gutter requirements for property located at 408 S. 2<sup>nd</sup> street. Benton Kelley applicant.

Chairman Bruns reads the new business into the record. Community Development Director Myers gives the staff report. He says it's common for sidewalks to run east to west but not north to south in this part of town. Benton Kelley is requesting something similar to what he asked for last time. This is a different address about a block away from the other property he requested a waiver for. The request is for the requirement for sidewalks, curb and gutter be waived for the property at 408 S Second St. If he were to meet the requirements it would be a sidewalk to nowhere and it's highly doubtful that any sidewalk would be extended from this point on. The staff recommends to support his request for a waiver of these requirements. Commissioner Koelling asked Benton Kelley if a side walk was put in and it rains where would the water run off too. Mr. Kelley says it would flood the neighboring property. Commissioner Koelling says that it makes no sense to him to put them there when there is nothing to connect them too. Commissioner Flannery says that he lives in that area and the only sidewalk he knows of is across the street from his house and it's crumbling and falling apart. He says it doesn't make sense to require these in the flood plain.

**Motion made by Commissioner Miles, seconded by Commissioner Flannery to recommend a waiver of sidewalk, curb, and gutter requirements for the property located at 408 S. Second Street.**

**A roll call vote was taken with the following results: Ayes: Chairman Bruns, Commissioner Miles, Commissioner Graham, Commissioner Bates, Commissioner Brocato, Commissioner Koelling, Commissioner Flannery. Nays: None. Where upon Chairman Bruns declared the motion carried.**

**Committee Reports-**

- a. Board of Aldermen- No report
- b. Board of Adjustments- No report-
- c. City Administrator- No report

**Adjournment**

**Motion made by Commissioner Flannery, seconded by Commissioner Brocato. A voice vote was taken with an affirmative result.**

**Meeting adjourned at 8:44 p.m.**