

**CITY OF PACIFIC  
RECORD OF PROCEEDINGS**

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION  
AT PACIFIC CITY HALL, 300 Hoven Drive Pacific, MO 63069  
June 28<sup>th</sup>, 2022 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 June 28<sup>th</sup>, 2022 @ City Hall

Before Roll Call was taken, Commissioner Bates requested a moment to speak on the behalf of Walter Arnette, who had recently passed away. Mr. Arnette was once an Alderman and a Planning & Zoning Board Member. Commissioner Bates described Mr. Arnette as a true gentleman who loved his community. Even when he didn't agree with you, once the debate was over, he still smiled and welcomed you as a friend. Chairman Bruns also wanted to send out regards to Commissioner Koelling, his father passed away earlier this morning.

**Roll Call:** Roll call was taken with the following results: Commissioner Flannery, Commissioner Miles, Commissioner Bates, Chairman Bruns, Commissioner Brocato, Commissioner Madrigal, Alderman Eversmeyer, Commissioner Graham.

**Not Present:** Commissioner Koelling

Other city officials present: City Administrator Roth, Community Dev Director Myers, Community Dev Clerk Fodge

**Approval of Minutes:** Motion was made by Commissioner Brocato, seconded by Commissioner Miles, to approve the minutes from May 10th, 2022. A voice vote was taken with an affirmative result 8-0

- a) **Public Hearing: PZ-2022- 5: Lot 130 Third Street, Conditional Use Permit, Gullet Contracting, applicant. A public hearing to consider an application for a Conditional Use Permit (CUP) at Lot 130 South Third Street, Pacific, MO 63069. (Franklin County Parcel # 19-1-12.0-4-003-081.100) The applicant is proposing to construct a 30' x 40' building as a location to operate a snow removal business. Such use would include office space and equipment storage. The property is currently zoned "C-1" Downtown Commercial District. Under Section 400.120 of the City of Pacific's Municipal Code, such use would be provided for only with approval of a conditional use permit. Gullet Contracting, applicant**

Chairman Bruns asked if this public hearing had been posted. Director Myers replied yes. Chairman Bruns opened the public hearing and read it into the record. Director Myers read the staff report found in this packet. He informed the board this is a C-1 Zoning, it would require a CUP approval by the Board of Aldermen in order for the business to be established. This lot is very small, C-1 Lot requirements call for a lot size of 7,500 sqft. This lot is actually only 4,900 sqft. Width Requirement for the lot size is 100 ft. This lot is actually only 50ft. All other setback

requirements would be met. Parking lot size requirement is 1000 sqft of gross floor area. This lot is less and will need a waiver for this to pass. Director Myers stated that two calls came in about this development. One inquired what was being built and didn't seem concerned. The other call did stress concern and wanted it known that they did not approve of this build at all. Director Myer stated there are some other areas of concern, but staff recommends approval to the board. This is the best use for this property. Snow removal is seasonal and would not deter from other usage. He believes this offers job growth and wouldn't be a problem for the surrounding properties. Chairman Bruns then asked if the applicant was there, he was not present at this time. Chairman Bruns stated she had issues with this proposal. One issue she has with the snow removal business is the long hours, and it will disrupt the residence to the south. This lot is very small and believes it is too small for a snow removal and office. There isn't enough parking, and Mr. Gullet is already going to want some leeway with that. Chairman Bruns asked if any other board members had any other questions. Adm. Roth stated he believed that the Public Hearing should be conducted first before Board Members start discussing. Chairman Bruns agreed and stated she does have one speaker card.

**Melissa Lawton- 214 S Third St. Pacific MO-** lived at her house for 9 years and has issues with this proposal. She isn't against progress, but feels the staff report is wrong. There is already another business that just went in across the street that greatly increased the traffic. She feels that this proposal violates City Code pertaining to lot and building size. If you followed the code, this proposal fails. There are 10-12 children between the two or three houses around this property. With the other business being added it's really increased the traffic. She feels that this property has fallen in disarray for the last 7 years. She has had to file complaints for the grass being 4ft tall, boulders being thrown there, there is also a cargo container on property. This property is back by the commuter lot. Feels this will fall into another dump spot. There are no sidewalks for kids already and this would make it even more unsafe.

**Ray Gullet, 103 Metrocom Dr, Pacific MO applicant:** He agrees that the grass has gotten out of hand a few times. He's taken care of it when they call him. He wants to build a 30' x 40' building. The lot is only 50' x 70'. The building is going to take up most of the lot. Nothing will be housed outside everything will be inside. Snowplows and salt spreaders will all be stored inside. He's building this for a snow removal business. There won't be any room outside. A discussion between board members and applicant took place about why the facility is being needed and if an office would be in the building. Director Myers stated that an office and bathroom must be included in the building plans, or this would be considered an accessory building which is against code. Applicant stated that he would do whatever he needs to do for it to get built. Alderman Everseyer informed the board that a fence would need to be installed per code to separate the business property and the residential property line. Commissioner Flannery then asked the applicant if the only ingress and egress is on the Third St. side. The applicant replied yes it will only be on the Third St facing side. No windows, or anything. Commissioner Flannery then asked if this would also require a green barrier between the residential and business. The board members discussed that a fence would need installed. Without anymore questions for the applicant, the Chairman then allowed Melissa Lawton to speak again. She stated that she hadn't seen any building drawings or any plans at this time. Chairman Bruns informed her that this is just the preliminary meeting to approve the use. With no other comments or questions, Chairman Bruns closed the public hearing.

- b) **PZ-2022-6: Alt Place, Rezoning Application, Dan Conway, applicant.** A public hearing to consider an application for a rezoning the 8.002 acres owned by Barbara A. Alt, Sec: 14 Twn: 43 Rng:2E. Known as Lot:1 Alt Place PT SE SE, N of Industrial Drive, Pacific, Missouri (Franklin County Parcel # 19-6-14.0-0-034-036.200) and the 40 acres owned by Barbara Alt and John Timothy Alt, Diana Kathleen and Phillip Bradley Alt, Knows as Log NW SE Sec:14 Twn: 43 Rng 2E, Pacific, MO (Franklin County Parcel ID: 19-6-14.0-0-099-035.100). The applicant is requesting rezoning of both parcels to M-1 Light Industrial. The property is currently zoned “N-U” Non-Urban District.

Chairman Bruns asked if this public hearing was posted. Director Myers confirmed it was. Chairman Bruns read into record and opened the public hearing and asked Director Myers for the staff report. Director Myers read directly from staff report (found in this packet.) Pointed out two typographical errors in the staff report in that the 40-acre lot owned by Barbara Alt and her three children, and not the 8-acre lot. The other error shows that the five lots to the west of this property are zoned R1-B zoning but actually Gary Meadows property was actually re-zoned by this Board to NU last year. The applicant is proposing a general office light industrial, which is what the M-1 Light industrial is classified as. The applicant is most interested in office and warehouse building that fit the M-1 Light industrial usage. He feels that it will have little effect on the surrounding properties and will leave a 30-40ft buffer on the property line between the residential properties and the proposed industrial plot. There is a proposed easement road that connects the 40acre lot and the 8acre lot. Director Myers informed the board that in 2017 the board voted with the comprehensive plan that this property would be developed as Light Industrial at some point. The applicant feels that they would be bring jobs to the Pacific area. Director Myers stated that the city received only two calls from citizens about the proposal and that they were both positive for the proposal. Staff feels that this would not diminish property value and not cause issues with the surrounding property. Staff recommends approval with there being careful planning and restriction on storm draining, as well as a buffer being required between the residential line and the industrial line.

**Dan Conway, 3001 Spruce St. Saint Louis, MO 63103-** Feels Pacific has a unique opportunity to have a combination of a place to live and a place to work and play. We have an opportunity to add to the already light industrial area that’s surrounding the area. He wants to work with the City of Pacific to remain a good steward, and has been doing this stuff a long time. The water runoff and drainage they are going to make sure it is taken care of.

A discussion between board members and Dan Conway applicant ensued about the buffer and what all the plan is going to be. Applicant wants to leave a 30ft or 40ft buffer. The goal is to leave the buffer on the North and West side. Chairman Bruns asked about an emergency egress from this 40-acre property. The applicant stated that they are kicking around some ideas but they are looking to see how certain acquisitions play out before they make a decision. Commissioner Bates then stated with 80% maximum coverage that’s a lot of water runoff and what the plans are. The applicant stated that he will be working with the City of Pacific to meet it’s standard. Commissioner Bates stated that the code reads that it can’t take on anymore water retention that it already does in its natural current state. The applicant responded that he assures the board that

it will be addressed. A discussion between board members and applicant ensued about what potentially would be built the applicant wasn't exactly sure what the final lots will be. Commissioner Flannery asked about the buffer and recommends that it must be put in if this gets approved.

**Gary Meadows 2010 Highway N, Pacific, MO-** Mr. Meadows stated he was the property which came before the board to pass his property to be rezoned to NU. He picked Pacific to build his home because he feels it's going to be a destination location. He believes this proposal will deter that from happening. He feels it should be used to bring people to Pacific to build nice homes. Others have come to Pacific recently and built their homes around this property. Looked at this proposal online and there is no site plan or building plans. There's nothing in writing, it's all hypothetical. His daughter brought to his attention and if you look at the barrier it's actually 200ft at its largest. They will be taken a large part of that barrier away. In the winter they all will be able to look right through and see this development. The barrier doesn't mean much if it's only 20-30ft. Mr. Meadows stated many cars and large trucks get stuck on Highway N when they come down and can't turn around. This proposal will increase the traffic and the truck drivers getting stuck. Mr. Meadows spent a lot of money on the storm water issue that affects his property, but this extra use from the development will only add to that problem. Mr. Meadows and his family is very opposed to this. Feels this will make it a dead zone. He asked the board to deny this proposal.

**Paul Alt 1829 Denton, Pacific, MO-** His property borders the proposed property being discussed. The land has been in the Alt family since the 1900's. He personally understands that this farm isn't in his family any longer. He requests a few items before they pass this. He would like a fence on the east border. When Berra developed West Lake they did this with no problem. Tom White also installed a fence when developing his building addition as well. The property will destruct the terrace which will affect the water runoff and sediment. He is asking that no new water flow be added to the current amount. He feels a huge area will have building coverage and that will take a lot of the absorption for the water away. He's not opposed, but wants this to be addressed. He wants the board to make sure this plan is well thought out, and the property being left around Pacific is used in the best way.

**Anna Meadows 2010 Highway N, Pacific, MO-** Is concerned with the water issue. Every time it rains, she has standing water on her property. There is a creek that runs on two sides of her property. The creek does overflow and is an issue. Believes this will hurt the water issue that is already there. She looked around and saw other properties in Pacific that could be a better option for this contractor. A discussion followed.

**Robert Van Allen – 1 Midwest Dr, Pacific, MO-** speaker handed out photos of the standing water to the board members. He stated that if one more ounce of water hits Midwest Drive his building will be under water. He wants to purchase one of these proposed lots.

**Joyce Reinholm 1698 Westlake Court, Pacific, MO-** Built her home 16 years ago. It's their retirement home. It's peaceful and they back up to this property proposal. She wants to know what will be done for a buffer, fence, sound, lights and other property issues. She is worried her property will lose value.

Commissioner Bates then stated that several members were on this exact board when they put in Westlake. One of the current board members currently resides in Westlake. He tries to listen to everyone's concerns. The demand of the public is to grow. The potential to have good industrial jobs for growth is a must. He wants everyone to know the board takes everyone's opinion seriously, but there are going to be changes in the area in the future. Alderman Eversmeyer stated that this property was always planned to be developed into light and industrial.

With no more speakers or comments Commissioner Brunns closed the public hearing.

## **New Business**

- a) **Public Hearing: PZ-2022- 5: Lot 130 Third Street, Conditional Use Permit, Gullet Contracting, applicant.** A public hearing to consider an application for a Conditional Use Permit (CUP) at Lot 130 South Third Street, Pacific, MO 63069. (Franklin County Parcel # 19-1-12.0-4-003-081.100) The applicant is proposing to construct a 30' x 40' building as a location to operate a snow removal business from. Such use would include office space and equipment storage. The property is currently zoned "C-1" Downtown Commercial District. Under Section 400.120 of the City of Pacific's Municipal Code, such use would be provided for only with approval of a conditional use permit. Gullet Contracting, applicant

A motion was made by Commissioner Bates to approve with discussed fencing separating property, bathroom in office and waiver on paving. Commissioner Brocato seconded going on record that the bathroom be built with office. A roll call vote was taken with the following results.

Ayes: Commissioner Flannery, Commissioner Miles, Commissioner Bates, Commissioner Brocato, Commissioner Madrigal, Alderman Eversmeyer, Commissioner Graham. Nays: Chairman Brunns. That motion was approved 7-1.

- b) **PZ-2022-6: Alt Place, Rezoning Application, Dan Conway, applicant.** A public hearing to consider an application for a rezoning the 8.002 acres owned by Barbara A. Alt, Sec: 14 Twn: 43 Rng:2E. Known as Lot:1 Alt Place PT SE SE, N of Industrial Drive, Pacific, Missouri (Franklin County Parcel # 19-6-14.0-0-034-036.200) and the 40 acres owned by Barbara Alt and John Timothy Alt, Diana Kathleen and Phillip Bradley Alt, Knows as Log NW SE Sec:14 Twn: 43 Rng 2E, Pacific, MO (Franklin County Parcel ID: 19-6-14.0-0-099-035.100). The applicant is requesting rezoning of both parcels to M-1 Light Industrial. The property is currently zoned "N-U" Non-Urban District

A motion was made by Commissioner Brocato to accept both properties zoning proposals with recommendation of fence on the East property line, with a minimum of 50ft of barrier being left between residential line, all water issues must be also addressed, seconded by Commissioner Madrigal a roll call vote was taken and approved with the following results. Ayes: Commissioner Flannery, Commissioner Miles, Commissioner Bates, Chairman Brunns, Commissioner Brocato, Commissioner Madrigal, Alderman Eversmeyer, Commissioner Graham. Nays: None.

A discussion was made about the way roll call and voting call was taken.

c) **PZ2022-7: Ken Knipe request for waiver of sidewalk requirement, 1403 W. St Louis St. Pacific, MO 63069**

Motion to approve request by Commissioner Flannery, Seconded by Alderman Eversmeyer. A vote was taken and approved with the following results Ayes: Commissioner Miles, Commissioner Bates, Chairman Bruns, Commissioner Brocato, Commissioner Madrigal, Alderman Eversmeyer, Commissioner Graham. Nays: None

A discussion was made about changing the ordinance about sidewalks and having to come before the board. The board decided to leave the ordinance as is for the time being.

**Old Business: None**

**Committee Reports**

**Board of Alderman: None**

**Board of Adjustment: None**

**City Administrator: No planning & zoning meeting for next time.**

**Adjournment:** There being no further discussions, Chairman Bruns asked for a motion to adjourn. A motion was made by Commissioner Madrigal and seconded by Commissioner Flannery. A voice vote was taken and approved 8-0 the meeting was adjourned at 8:25 p.m.