

**PLANNING AND ZONING COMMISSION  
AGENDA  
TUESDAY, MARCH 10, 2020  
7:00 P.M.**

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. APPROVAL OF MINUTES**
  - 1. Planning & Zoning Meeting – January 25, 2020**
- 4. PUBLIC HEARINGS:**
  - 1. PZ2020-1: A Public Hearing to consider an application for a Conditional Use Permit for 2165 W. Osage Street, Parcel #19-1-11.0-2-003-011.000. The applicant is proposing to operate a climate controlled indoor storage operation at a portion of the property which is currently zoned C-2. Terrence Bahr, applicant**
- 5. PUBLIC PARTICIPATION-SPEAKER CARDS**
- 6. NEW BUSINESS:**
  - 1. PZ2020-1: Consideration of the Conditional Use permit for 2165 W. Osage for climate controlled storage. Terrence Bahr, applicant.**
- 7. OLD BUSINESS:**
- 8. COMMITTEE REPORTS:**
  - 1. BOARD OF ALDERMEN**
  - 2. 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**

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**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION  
AT THE PACIFIC CITY HALL, 300 HOVEN DRIVE  
FEBRUARY 25, 2020**

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The Planning and Zoning Commission Meeting was called to order by Chairman Bruns at 7:00 P.M. on February 25, 2020, at Pacific City Hall, 300 Hoven Drive, Pacific, Missouri.

The roll call was taken with the following results:

**PRESENT**

Chairman Bruns  
Commissioner Miles  
Commissioner Koelling  
Commissioner Graham  
Commissioner Bates  
Commissioner Eversmeyer  
Commissioner Brocato

**ABSENT**

Alderman Rahn

City Administrator Roth, Mr. Bryan Kopp and Rae Cowsert were also in attendance.

**APPROVAL OF MINUTES**

**A. Planning & Zoning Meeting – January 14, 2020**

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 7-0.

**PUBLIC HEARINGS:**

None

**SPEAKER CARDS**

None

## **NEW BUSINESS:**

Administrator Roth introduced Mr. Bryan Kopp to the Commission and explained he would eventually be taking over the Planning and Zoning. At this time Administrator Roth and Mr. Kopp would be working together on projects.

### **1. Discussion, Proposed Text Amendments, Land Subdivision and Zoning Code**

Administrator Roth presented the Text Amendments. The current code does not require a public hearing for a Final Plat. Once approval is given on the Preliminary Plat and once improvement plans and other required documents are met, the final plat is approved administratively. Minor subdivisions are to be four lots or less. Commissioner Bates stated he is not on board with there being no public hearings on Preliminary plats. Chairman Bruns and Commissioner Brocato both agreed. Commissioner Koelling asked about the Indian Hills project. Administrator Roth stated he was not sure because he was not here when it was approved. Chairman Bruns stated the public will be up in arms if there are no public hearings for projects like this. Commissioner Bates stated he would hate to think a nuisance would be created due to a new subdivision. Administrator Roth stated Minor Subdivisions are exempt from public hearings. Commissioner Bates feels it has to be the responsibility of the builder to not direct water on other properties. Chairman Bruns agreed and wants something done about water being dumped on other properties. She stated she knows to some homes in Hawthorne with this problem. Mr. Kopp stated typically the developer would have a drainage area in the plans. He stated there will still be site development review and plan review to look for any issues. Administrator Roth stated the City has contracted HR Green to look at Storm Water issues. They previously worked on Flood Mitigation for the City. The staff will review the Final Plat policies and clean them up and draft a public hearing. The recommendations for a Minor Subdivision are to be 5 acres and 4 lots or less. The parking areas should be hard surface, with no gravel in front. Chairman Bruns stated there should be no parking in the front yard in front of building line. They can re-rock but not expand. Commissioner Bates stated there are several existing non-conforming properties currently in town. Mr. Kopp stated new construction requires hard surface for driveway.

### **2. Discussion, Nightly Vacation Rentals (“AirBnBs”)**

Administrator Roth stated most BnB rentals are not owner occupied. If the City does not have any regulations in place for these rentals, the State Law would be the regulations. Administrator Roth stated the City needs to have some regulations in place for tax purposes. Administrator Roth stated most places allow them in Commercial zoning districts and in some residential zones. He recommends they be allowed in the Downtown area. Commissioner Eversmeyer stated there should be a Special Use Permit required in the Residential zoning areas. Commissioner Bates stated what we don't want to created is parking issues and also the number to people should be regulated. Commissioner Koelling

also feels there should be a Special Use permit required. Chairman Bruns stated they would be allowed in Commercial zoning areas but would require a Special Use permit in Residential zones. The person applying for the Special Use permit should own the building. These would also be prohibited in new developments.

### **3. Discussion, Rezoning Newly Annexed Parcels**

Administrator Roth stated the new buildings for NB West were annexed into the City and are zoned M-2. The two parcels to the west of this project have also been annexed into the City. He recommended the former Hemp Farm be zoned M-2 and the church maybe M-1 or same as the prison. He also stated there is another possible property but is not ready to discuss that at this time.

### **OLD BUSINESS**

None

### **COMMITTEE REPORTS**

#### **A. Board of Aldermen**

Alderman Rahn was not in attendance.

#### **B. Board of Adjustment**

Nothing to report at this time.

### **OTHER BUSINESS**

Mr. Bryan Kopp was again welcomed to the City.

## **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 Graham. A voice vote was taken and the meeting was adjourned at 8:10 p.m.

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**Secretary**

NOTICE OF PUBLIC HEARING  
CITY OF PACIFIC  
PLANNING & ZONING COMMISSION

February 19, 2020

The City of Pacific Planning & Zoning Commission will conduct a public hearing on Tuesday, March 10, 2020 at 7:00 PM, at the Pacific Government Center, 300 Hoven Drive, Pacific, MO 63069, to consider the following:

**PZ 2020-01: Conditional Use Permit, 2165 W. Osage Street, Terrence Bahr, applicant.** A

public hearing to consider an application for a Conditional Use Permit (CUP) at 2165 W. Osage Street, Pacific, MO 63069 (Franklin County Parcel ID #19-1-11.0-2-003-011.000).

The applicant is proposing to operate a climate controlled indoor storage operation at a portion of the property at this location, which is currently zoned C-2, arterial commercial.

Terrence Bahr, applicant.

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](http://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](mailto:sroth@pacificmissouri.com)



Receipt #: PZ2020-1

Tax I.D. #: \_\_\_\_\_

CITY OF PACIFIC  
APPLICATION FOR CONDITIONAL USE PERMIT

ADDRESS FOR WHICH CONDITIONAL USE PERMIT IS BEING SOUGHT: 2165 West Osage St Pacific MD

APPLICATION FEE OF ~~\$5000~~ PAID. \_\_\_\_\_ yes \_\_\_\_\_ no

NAME OF APPLICANT: Terrence Bahr

ADDRESS: 6576 Hwy 100 Washington, MD 20790

ADDRESS: \_\_\_\_\_

PHONE - HOME: 314-323-1290 PHONE - WORK: \_\_\_\_\_

APPLICANT'S INTEREST IN THE PROPERTY: \_\_\_\_\_

Lease to Purchase

NAME OF LEGAL OWNER: Gary Meyer, Edward Juettemeyer

ADDRESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE - HOME: 314-440 1946 PHONE - WORK: \_\_\_\_\_

PRESENT ZONING DISTRICT: C-2

PRESENT USE: Retail + Warehousing PROPOSED USE: Retail + Climate Controlled Storage

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

FEB 19 2020  
Building Safety/Planning  
Code Enforcement  
Animal Control

THE FOLLOWING FACTORS JUSTIFY THIS REQUEST: \_\_\_\_\_

Climate Controlled Storage does well in Commercial areas. The basement of the building is perfect for storage/warehousing + cannot easily be used for a retail space. We will not be doing any outdoor storage of any kind.

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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Planning & Zoning Commission Department of Planning Staff Report

Meeting Date: March 10<sup>th</sup>, 2020

Project Type: Conditional Use Permit

From: Bryan Kopp  
Director of Community Development

Applicant: Terrence Bahr

Description: **PZ 2020-01: 2165 W. Osage, Conditional Use Permit**. A public hearing to consider an application for a Conditional Use Permit (CUP) at 2165 W. Osage St., Pacific, MO 63069 (Franklin County Parcel #19-1-11.0-2-003-011.000). The applicant is proposing to operate a climate controlled indoor storage operation at a portion of the property at this location, which is currently zoned C-2, arterial commercial. Terrence Bahr, applicant.

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## **Summary**

The applicant has submitted a request for a Conditional Use Permit (CUP), for obtaining the zoning entitlement to conduct an interior climate-controlled storage unit operation at the subject property. The property is zoned "C-2", arterial commercial. Section 400.130 of the zoning ordinance governs the "C-2" district. A commercial interior storage business is not specifically identified in this zoning district. Section 400.130(C)(8) states, "Any other use deemed appropriate by both the Zoning Officer and City Administrator/Clerk and approved by the Planning and Zoning Commission and Board of Aldermen."

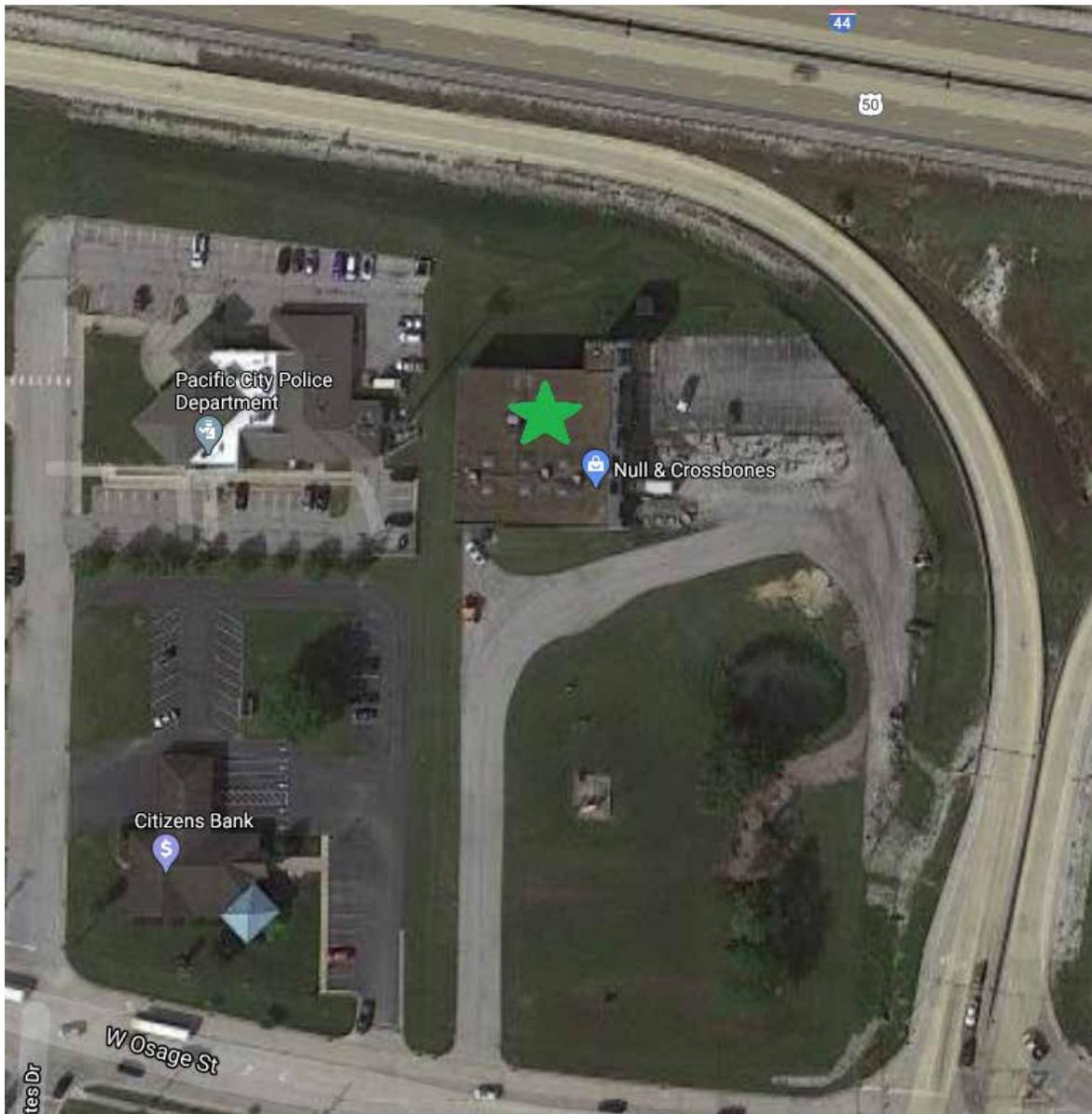
The applicant expressly indicates no intention to facility exterior storage of any kind. The applicant plans to operate a furniture sales business on the main floor of the building, a use that is permitted in the "C-2" zoning district. And, the applicant has indicated he has signed a lease-to-purchase agreement for this property. The applicant has also indicated his plans to remove items currently stored on the premises to include bulk landscape material and downed tree limbs.

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**

The subject site is located in the northwest quadrant of the West Osage and Lamar Parkway / Hwy 44 East-bound intersection and the property immediately east of City Hall. The building is accessed by an approximately five-hundred foot (500') drive, the entrance of which is located approximately two-hundred-fifty feet (250') from the Hwy 44 intersection. There are no sidewalks located along the front of the property. The property is improved and includes one commercial structure. Off-street parking is provided by a paved parking lot directly adjacent to the building. Slope of the site is gently falling towards Osage and the property is serviced with all necessary utilities. Please find an aerial snapshot of the property below.



### Land Use and Zoning of Surrounding Properties

Direction	Zoning	Land Use
North	Highway 44	MODOT
South	"C-2"	Retail: CVS
East	Highway 44 exit ramp	MODOT
West	"C-2"	City Hall / Police Department

### 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 use in our staff's judgment is well-suited to the property and serves an emerging market. **This standard has been met.**

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

The proposed use is interior storage with no exterior storage of any kind.  
**The standard has been met.**

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

The proposed land use is not listed as a permitted or a conditionally permitted land use in the "C-2" district. However, the application for CUP is being review based on section 400.120.C.17., which permits any use, by CUP, deemed appropriate by the Zoning Officer and City Administrator and approved by the Planning & Zoning Commission and Board of Aldermen. **Standard to be verified.**

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

Off-street parking is provided by the parking lot at the structure. **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 major improvements are proposed by the owner at this time. **Standard has been met.**

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

This is an existing commercial property with free-flow ingress for westbound traffic. **The standard has been met.**

**Recommendation**

The proposed interior storage use appears to make marketable use of the lower level of the existing commercial building. Given the parking lot configuration and access to the proposed location of the storage units, vehicles accessing the storage units should not pose any impediment upon patrons of the proposed furniture sales business on the main floor of the building.

Staff researched the Code to determine if the proposed interior storage use could be permitted administratively. However, given the specific code provisions relating to uses in the "C-2" zoning district, and further lack of any provision authorizing staff to authorize a CUP without Commission or Board of Aldermen oversight, the proposed use here is subject to CUP review and approval.

The proposed interior storage use in staff's judgment will coincide with the proposed use of the remaining commercial structure and adjacent uses. **Staff recommends APPROVAL.**

**Further discussion**

Staff notes that the applicant ultimately intends to purchase the building and he views the proposed use as long-term endeavor. He has also indicated that he will quickly remove items stored on the exterior grounds and paint certain exterior designs currently displayed on the buildings exterior walls.

Attachments (2):      Application  
                                 Public Hearing notice

NOTICE OF PUBLIC HEARING  
CITY OF PACIFIC  
PLANNING & ZONING COMMISSION

Map Amendment (Rezoning)  
18663 US Highway 66

The City of Pacific Planning and Zoning Commission will conduct a Public Hearing on **Tuesday, March 24, 2020** at 7:00 P.M., in the Board of Aldermen Chambers of the Pacific Government Center located at 300 Hoven Drive, Pacific MO, to hear comments on the following proposals:

The City of Pacific is seeking a map amendment (rezoning) for an approximate 2.98 acre tract of land generally located at 18663 US Highway 66 (St. Louis County Locator No. 30X410016). The City is proposing M-1 (Light Industrial District) zoning for this parcel. This property previously was in the City of Eureka but was annexed by the City of Pacific in a transfer of jurisdictions between the two municipalities. The property is generally bounded by the Missouri Eastern Correctional Center property to the north and west, a former indoor agricultural facility to the east, and vacant land to the south.

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. Copies are also available online at [www.pacificmissouri.com](http://www.pacificmissouri.com). If you should need additional information, please contact Steve Roth, City Administrator, by telephone at 636-271-0500 ext 213 or by email at [sroth@pacificmissouri.com](mailto:sroth@pacificmissouri.com)

NOTICE OF PUBLIC HEARING  
CITY OF PACIFIC  
PLANNING & ZONING COMMISSION

Map Amendment (Rezoning)  
18675 US Highway 66

The City of Pacific Planning and Zoning Commission will conduct a Public Hearing on **Tuesday, March 24, 2020** at 7:00 P.M., in the Board of Aldermen Chambers of the Pacific Government Center located at 300 Hoven Drive, Pacific MO, to hear comments on the following proposals:

The City of Pacific is seeking a map amendment (rezoning) for an approximate 3.18 acre tract of land generally located at 18675 US Highway 66 (St. Louis County Locator No. 30X410025). The City is proposing M-2 (Heavy Industrial District) zoning for this parcel. This property previously was in the City of Eureka but was annexed by the City of Pacific in a transfer of jurisdictions between the two municipalities. The property is generally bounded by the Missouri Eastern Correctional Center property to the north, First Baptist Church of Allenton property to the west, the NB West Contracting Company headquarters to the east, and vacant land to the south.

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. Copies are also available online at [www.pacificmissouri.com](http://www.pacificmissouri.com). If you should need additional information, please contact Steve Roth, City Administrator, by telephone at 636-271-0500 ext 213 or by email at [sroth@pacificmissouri.com](mailto:sroth@pacificmissouri.com)

NOTICE OF PUBLIC HEARING  
CITY OF PACIFIC  
PLANNING & ZONING COMMISSION

Notice is hereby given that Public Hearings at the following dates and times shall be held by the City of Pacific to hear comments on proposed text amendments to Pacific Municipal Code Title IV: Land Use.

- Planning and Zoning Commission, March 24, 2020, 7 p.m.
- Board of Aldermen, April 7, 2020, 7 p.m.

Both hearings shall be held at Pacific Government Center, 300 Hoven Drive, Pacific, MO 63069.

The proposed text amendments pertain to Zoning District regulations relating to Short-Term Vacation Rental uses, commonly referred to as “Bed and Breakfasts, AirBnB’s, VRBOs” and the like.

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. Copies are also available online at [www.pacificmissouri.com](http://www.pacificmissouri.com). If you should need additional information, please contact Steve Roth, City Administrator, by telephone at 636-271-0500 ext 213 or by email at [sroth@pacificmissouri.com](mailto:sroth@pacificmissouri.com)

NOTICE OF PUBLIC HEARING  
CITY OF PACIFIC  
PLANNING & ZONING COMMISSION

Notice is hereby given that Public Hearings at the following dates and times shall be held by the City of Pacific to hear comments on proposed text amendments to Pacific Municipal Code Title IV: Land Use.

- Planning and Zoning Commission, September 24, 2019, 7 p.m.
- Board of Aldermen, October 1, 2019, 7 p.m.

Both hearings shall be held at Pacific Government Center, 300 Hoven Drive, Pacific, MO 63069.

The proposed text amendments pertain to Zoning District regulations (Chapter 400, Section 220) governing Standards for Buildings on Major Roadways and Downtown.

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. A copy is also available online at [www.pacificmissouri.com](http://www.pacificmissouri.com). If you should need additional information, please contact Steve Roth, City Administrator, by telephone at 636-271-0500 ext 213 or by email at [sroth@pacificmissouri.com](mailto:sroth@pacificmissouri.com)