

# **CITY OF WILLARD, MISSOURI**

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



## **MEETING AGENDA AND PACKET**

### **PLANNING AND ZONING COMMISSION**

**Regular Meeting**

**January 22, 2019**

**7:00 p.m.**

**Willard City Hall**

**224 W. Jackson Street**

### **PLANNING AND ZONING MEMBERS**

**Alderman Whitman**

**Terry Kathcart, Chairman**

**Valorie Simpson, Secretary**

**Mayor Corey Hendrickson, Vice-Chairman**

**Dave Helton**

**Jose Casanova**

**Bob Horn**

**Randy Brown, Director of Development**

**[www.cityofwillard.org](http://www.cityofwillard.org)**

CITY OF WILLARD  
PLANNING AND ZONING  
REGULAR MEETING  
January 22, 2019  
7:00 P.M.

Notice posted on January 17, 2019

Notice is hereby given that the City of Willard, Planning and Zoning will conduct a special meeting at 7:00 p.m., January 22, 2019 at Willard City Hall, 224 W. Jackson, Willard, Missouri.

The tentative agenda of this meeting includes:

PLEDGE OF ALLEGIANCE

1. Call the meeting to order.
2. Roll Call.
3. Agenda Amendments/Agenda Approval.
4. Approval of the Minutes from the meeting on December 18, 2018.
5. Citizen Input.
6. Public Hearing on the Preliminary Planned Development of ATM Square.
7. Discussion/Vote on the Preliminary Planned Development of ATM Square.
8. Public Hearing on the rezoning of S. Miller Road parcel 880726402052 from R-3 to C-2.
9. Discussion/Vote on the rezoning of S. Miller Road parcel 880726402052 from R-3 to C-2.
10. Discussion of proposed corridor requirements outlined by Bob Horn.
11. New Business.
12. Unfinished Business.
13. Adjourn.

REPRESENTATIVES OF THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING:

Jennifer Rowe  
224 W. Jackson  
Willard, Missouri 65781  
(417)742-5302

CITY OF WILLARD, MISSOURI  
PLANNING AND ZONING  
REGULAR MEETING  
DECEMBER 18, 2018  
7:00 P.M.

Staff present: City Administrator, Brad Gray; Director of Development, Randy Brown; and, City Clerk, Jennifer Rowe.

City Attorney Ken Reynolds was present.

Citizens present: Mindy Latham, Roscoe Killingsworth, Barbara Killingsworth, Kevin Samsel (Willard Fire), Matt Kelley and Donald Hancock.

Meeting opened by Chairman Terry Kathcart at 7:00 P.M.

Mayor Hendrickson led the pledge of allegiance.

**Roll Call**

Present: David Helton, Bob Horn, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson. Jose Casanova was absent.

**Approval of Agenda**

City Administrator Brad Gray requested that item 8 be moved up to item 6. The date of the Minutes being approved should also read November 27, 2018 instead of November 6, 2018. Motion was made by Valorie Simpson with a second by Bob Horn to approve the Agenda with changes. Motion carried with a vote of 6-0. Voting aye: David Helton, Bob Horn, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

**Approval of minutes from November 27, 2018 Meeting.**

Motion was made by Valorie Simpson with a second by Alderman Whitman to approve the Minutes from the November 27, 2018 Planning and Zoning Meeting. Motion carried with a vote of 6-0. Voting aye: David Helton, Bob Horn, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

**Citizens Input**

None.

**Presentation by Matt Kelley on Lot 4 of ATM Commercial Subdivision.**

City Administrator Brad Gray introduced Matt Kelley and his partner Donald Hancock. Mr. Kelley and Mr. Hancock presented their design idea for Lot 4 of the ATM Commercial Subdivision. Discussion was made on similar housing on Ottawa Street in Springfield. Discussion was also made on lot size, home size, and the need for a 55+ Community in Willard in the future.

**Public Hearing to approve text amendments to the Land Development Regulations.**

City Attorney Ken Reynolds opened the public hearing at 7:21 p.m.

Mindy Latham requested that the Commission consider FoxFire Mini Storage's previous approval and not hold the new conditions against them. She stated that Willard has been viewed as being non-business friendly in the past, and this feels as though they are targeting certain types of business. She requested that they consider focusing on an advanced Corridor encompassing the core of Willard and not all of Willard.

No other citizens wished to speak so Attorney Reynolds closed the public hearing at 7:22 p.m.

**Discussion/Vote to approve text amendments to the Land Development Regulations.**

Motion was made by Bob Horn with a second by Terry Kathcart to approve the text amendments to the Land Development Regulations, specifically C-2 Zoning and M-1 Zoning. Motion carried with a vote of 6-0. Voting aye: David Helton, Bob Horn, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

**Discussion on Comprehensive Planning Timeline.**

Mr. Gray discussed the timeline and the calendar for the meetings.

**Old Business**

Bob Horn discussed the ideas for the 160 Corridor. Discussion was made on bringing this back as an agenda item at the January Planning and Zoning Meeting.

Mr. Gray discussed the agreement being drafted to handle the maintenance in the roundabouts on Highway 160.

**New Business**

Mr. Gray discussed the 2019 priorities. Discussion was made on code changes for Land Use and Comprehensive Planning.

Terry Kathcart discussed the City HOA's. Discussion was made on finding points of contact for each HOA in the City.

Bob Horn discussed code enforcement.

**Adjourn Meeting**

Motion was made by Bob Horn and a second by Valorie Simpson to adjourn. Motion carried with a vote of 6-0. Voting aye: David Helton, Bob Horn, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Meeting adjourned at 7:41 P.M.

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Valorie Simpson, Secretary

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Terry Kathcart, Chairman

## Background Report for ATM Commercial Subdivision Planned Development Lot #3 & #4

**Date:** January 17, 2019

**Applicant:** ATM Square L.L.C.

**Tract Size:** Lot #4- Approximately 5.6 acres

**Current Zoning:** C-2

**Proposed Zoning:** R-1PD

**Surrounding Land Uses:** North - C-2 Undeveloped

South - C-2 Undeveloped

West- C-2 Undeveloped

East - R-2 Church R-1 Single Family

**History:** The owner of the property submitted a Preliminary Plat for the ATM Commercial Subdivision in May of 2017. The six (6) lot subdivision proposal was approved by P/Z and the BOA in June of 2017. Since then the owner has split a lot to the north-lot2 into (Lot 2A &2B) and has constructed a 5000sq.ft. office building on lot 2B. The City then approved the final plat of lot 6 to provide space for an automotive repair facility (6000 sq. ft.) that is now completed.

Over the past several months the owner has presented different options to staff for the development of the east side of the property (LOT 3-4) and after several discussions and meetings, staff encouraged the owner to provide a sketch plan and present it to the Planning and Zoning Commission. The plan was presented on December 18 at the monthly meeting.

Staff received an application for re-zoning from C-2 to R-1PD and a Preliminary Development Plan application in late December and started the review process according to the requirements of the Willard Municipal Code Land Development Regulations. Staff provided the owner's consultant with a copy of the requirements and communicated that any questions be addressed thru staff or the City's consultant. Staff received the Preliminary Development Plan and supporting documentation on January 16, 2019 and determined that the owner has met the general criteria for the purpose and effect of the Preliminary Development Plan.

The Public Works Director and Director of Development have begun reviewing the submittals based on the requirements in the Willard Municipal Code Section 400.510. It was also sent to the City's consulting engineer for review. **After discussion with the City's consultant, and due to the complexity of this development related to the Flood Plain and other issues that have been identified, staff recommends that the Commission table this request and refer it back to the developer for additional information.**

If you have any questions, feel free to contact me at City Hall prior to the meeting.

Randy Brown  
Director of Development



City of Willard

Subdivision Case No. \_\_\_\_\_

Application Date 12-24-2018

Application Fee \$250.00 + \$2.50 per lot Residential

\$335.00 + \$3.35 per lot Commercial

\$300.00 + \$6.00 per lot PDD

*\$438 Pd  
12/24/2018*

**APPLICATION  
MAJOR SUBDIVISION – PRELIMINARY PLAT**

We, the undersigned, request the City of Willard, Missouri Planning and Zoning Commission and Board of Aldermen to approve the preliminary plat attached to this application, and attest to the truth and correctness of all facts and information for the proposed plat presented in this application.

Name of Preliminary Plat: Guage Crossing

Is a subdivision variance being submitted with this application? Yes \_\_\_\_\_ No X

If yes, applicant is to submit a subdivision variance application with this preliminary plat application.

Property Owner's Name ATM Square LLC

If corporation, Corporate Official: Matt W. Kelley, Member

Mailing Address P.O. Box 712 Willard, MO 65781

Telephone Number (417) 846-5360 Fax Number \_\_\_\_\_

**PROPERTY OWNER'S SIGNATURE(S):**

Matt W. Kelley, Member  
(If corporation, signature of corporation official)

Developer's Name: (If different from property owner)

\_\_\_\_\_  
Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_



City of Willard

Zoning Case No. \_\_\_\_\_  
Application Date 12-24-2018  
Application Fee \$300.00

*\$300.00  
Pd 12/26/2018*

**APPLICATION  
ZONING CHANGE (REZONING)**

We, the undersigned, ask the City of Willard, Missouri Board of Aldermen to approve a zoning change as requested in this application on the tract of land described below. We attest to the truth and correctness of all facts and information presented with this application and agree to pay all advertising and mail notification costs for the public hearings as required by the *Willard Land Development Regulations*. The City of Willard is authorized to prepare and publish all required legal advertising and mail notifications, the cost of which is to be billed to the name listed below for payment.

Present Zoning Classification ca/R1 Requested Zoning Classification PD/R-1

Legal Description of Property Requested to be Rezoned (attach additional sheet if needed):

**SEE ATTACHED**

Street Address or Other Common Property Description ATM Square Subdivision

Property Owner's Name(s) ATM Square, LLC

If corporation, Corporate Official Name and Seal: Matt W. Kelley, Member

Mailing Address P.O. Box 712 Willard, MO 65781

Telephone Number (417) 846-5360 Fax Number \_\_\_\_\_

**PROPERTY OWNER'S SIGNATURE:**

(Not necessary if there is an authorized representative. Authorized representative must sign below).

**AUTHORIZED REPRESENTATIVE:**

I hereby certify that I am authorized to represent all of the property owners of the above described tract in this application. A power of attorney is attached.

Name Matt W. Kelley Signature Matt W. Kelley, Member

Address P.O. Box 712 Willard, MO 65781 Telephone (417) 846-5360

**BILL ADVERTISING AND NOTIFICATION COSTS TO:**

Name Matt W. Kelley Telephone (417) 846-5360

Address P.O. Box 712 Willard, MO 65781

## QUESTIONS ON REZONING APPLICATION

(Attach additional sheets if necessary)

1. What is the current use of the property? C2 and R1
  
2. Why are you requesting a change in zoning? Requesting a change to a PD<sup>R-1</sup> to allow for multiple zonings within the same development and flexibility with lot designs.
  
3. Are there any deed restrictions or restrictive covenants that would affect the use of this property? If so, what are they?  
NO
  
4. Has a rezoning ever been requested for this property in the past by the current owner? What zoning classification was requested and when?  
Yes, we changed the zoning from R-1 to C-2
  
5. If the rezoning is approved, does the applicant intend to develop the property?  
Yes



**Project Name:** Planned Development District and Accompanying *Gauge Crossing* Development Plan for approximately 5.2-acre tract identified as Lots 1-23 with proposed detention area on the attached preliminary plat in the City of Willard, Missouri.

**Submitted By:** ATM Square, LLC (Owner / Developer)

**Meeting Date:** January 22, 2019

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#### ISSUE IDENTIFICATION

A development plan called *Gauge Crossing* has been submitted for approval as a Planned Development District. The property consists of approximately 5.2 acres of ground located on the East side of the 23-acre parent tract known as the *ATM Square Subdivision*. The property is bordered on the North by Hwy 160 and on the South by New Melville Road. The *Gauge Crossing* PD would allow for the creation of 23 single-family residential lots.

#### DISCUSSION AND ANALYSIS

The *Gauge Crossing* development plan includes a higher density single-family residential land use that is arranged in such a fashion that is uniquely conducive to the contemporary demand for housing amongst a vast group of homeowners in today's market. The overall density of housing is approximately 4.4 homes per acre. In order to accomplish the unique development scheme and arrangement, the development plan allows for building setbacks and lot dimensions that differ from the minimum standards under traditional R-1 zoning requirements. Additionally, there are other components of the plan that vary slightly from the City's conventional development regulations that will be outlined in the development plan. The purpose of this development is to design a distinct neighborhood with the intent of enhancing a sense of community and pride of ownership. The primary target market for this development will be young professional families and retired couples seeking a low maintenance home in a quiet pocket neighborhood. We feel as though these particular demographics are seeking communities like Willard that have excellent school systems and community resources nearby, such as the Frisco Trail and Stockton Lake.

The City's adopted Planned Development District regulations provide for these variations in minimum standards based on a determination and finding by the Planning and Zoning Commission and City Council that the development satisfies the criteria outlined in City Code Section 400.510 "Planned Development District."

## PURPOSE AND INTENT

The diversity of densities and arrangement of housing within the development site would be impossible to accomplish without the opportunity to plan the development in accordance with the Planned Development District provisions. We feel as though the proposed variations are warranted in order to facilitate the goals of this development, which themselves are viewed as providing a clear public benefit in ways that are not typical of traditional conventional single-family developments. This development has been designed to be congruent with the spirit and intent of the Willard Comprehensive Plan.

### I. DESIGN

The design utilizes all of the available space in the most efficient manner possible and will maintain all of the natural features of the ground including the large trees, which are one of the most attractive features of the property. In addition to the existing foliage, we will be planting trees on the Southern and Eastern portions of the property in order to create an elegant natural buffer from the existing residential developments. A landscape plan, showing conformance to existing code, will be submitted with the final development plan.

The design of the homes will be controlled through the use of Codes, Covenants, and Restrictions (CCR's) and must be approved by the developer prior to construction. We are currently working diligently to finalize the CCR's and will provide a copy to the City prior to the approval of the final development plan. All homes will have a main floor with a minimum livable square footage of 1,000 square feet. All homes will have a hard surface exterior including one or more of the following materials: wood, brick, stone, stucco, or cement products. The development will have a variety of architectural floorplans and designs with the intent that no two homes will look alike.

### II. TRANSPORTATION / UTILITIES

The development is centrally located in the main residential and commercial district of the City and has easy access off of proposed Proctor Road, which intersects with Miller Road. The development is located approximately ¼ mile from Hwy 160, a major highway linking Willard to Springfield and Interstate I-44. The location of the property will be easily accessible for emergency vehicles and has all of the utilities available on site for further development. This development will be located off of proposed Gauge Street, which is shown as a cul-de-sac. The inclusion of a cul-de-sac within this development was reasoned and designed to give the subdivision a "pocket neighborhood" feel. The traffic on Gauge Street should be primarily linked to the neighborhood, since it is not connected to any other road and will most likely be cautious neighbors driving at appropriate speeds. The traffic counts produced by this development are minimal and have essentially no impact on the surrounding areas. At an average of two cars per day per house, *Gauge Crossing* would be adding 46 cars per day to the collector and arterial road systems.

### III. IMPACT OF DEVELOPMENT

Given the similar density and nature of housing that is surrounding this site, we believe that this development is compatible with the surrounding areas. Single-family residential housing is

located directly South of this project across and along New Melville. Multi-family housing is located directly East of the development off of Excalibur, and a variety of commercial development is located to the East as well along Proctor Road and Miller Road. To the West of the development, there is an apartment complex and other commercial development including a care facility, a commercial bank, and an office complex.

#### IV. MAINTENANCE OF COMMON AREAS

The maintenance of common areas within the District shall remain the responsibility of the developer unless turned over to a Homeowner's Association at a later date.

#### V. PHASING

This development will NOT be phased and will include the full public improvements to allow for the final platting of 23 single-family residential lots.

#### VI. VARIANCE FROM STANDARD CODE

- Street Width – The proposed width of Gauge Street is 29' which is 2' feet narrower than the standard width of 31'. This is in order to create a narrower feel that will cause people to drive slower and take more caution when navigating through the neighborhood.
- Cul-de-sac Width – The radius of the cul-de-sac also varies slightly from code and must be approved by the Fire Department prior to construction.
- Lot Dimensions – The width of the lots varies from standard code and will be set at 50'. This is intended to create a "pocket neighborhood" feel that allows for the construction of smaller footprint homes that are in closer proximity to one another.
- Setbacks – The setbacks for the lots vary from standard code and will be as follows:
  - Front Yard Setback – 15 Feet
  - Side Yard Setback – 10 Feet
  - Rear Yard Setback – 25 Feet



# Gauge Crossing



willard, missouri

**Background Report for Rezoning Proctor Parcel #880726402052**

**Date:** January 17,2019

**Location:** 303 Proctor Rd.

**Applicant:** Jerry Proctor

**Current Zoning:** R-3

**Proposed Zoning:** C-2

**Current Land Use:** Vacant

**Proposed Use:** General Business District

**Surrounding Land Zoning and Use:**

**North:** Property bounds U.S. HWY 160

**South:** R-2 Christian Community Church

**West:** C-2 General Business – Vacant Land

**East:** C-2 Vacant lot abutting automotive repair

**History:** The property has been setting idle for several years. With the ongoing development to the west the property owner has requested the rezoning for the 2.46 acre tract for future development. The owner has no immediate plans to develop the parcel but feels it is a more appropriate zoning of the land and fits the surrounding land uses.

**Staff Recommendation:** Staff would recommend a zoning change from R-3 to C-2 based on the surrounding land uses and the Commercial Land Uses / Goals and Objectives Section listed in 3.23 of the Willard Comprehensive Plan which states: **GOAL-** *Provide for sufficient and convenient locations for commercial uses that are compatible with surrounding development, well designed, and accessible to all segments of the population.* **Objective-** *Through Zoning reserve adequate land area for commercial and office development at appropriate locations on major streets.*

If you have any questions feel free to contact my office at 742-5308 or by e-mail at [develop@cityofwillard.org](mailto:develop@cityofwillard.org)

Randy Brown  
Director of Development



City of Willard

Zoning Case No. \_\_\_\_\_  
Application Date 12-24-18  
Application Fee \$300.00

**APPLICATION  
ZONING CHANGE (REZONING)**

We, the undersigned, ask the City of Willard, Missouri Board of Aldermen to approve a zoning change as requested in this application on the tract of land described below. We attest to the truth and correctness of all facts and information presented with this application and agree to pay all advertising and mail notification costs for the public hearings as required by the *Willard Land Development Regulations*. The City of Willard is authorized to prepare and publish all required legal advertising and mail notifications, the cost of which is to be billed to the name listed below for payment.

Present Zoning Classification R-3 Requested Zoning Classification C-2

Legal Description of Property Requested to be Rezoned (attach additional sheet if needed):

~~area of Lot 4 of Proctor Commercial Addition~~  
Parcel I.A. # 880726402052

Street Address or Other Common Property Description Property is West of Willard Lake on the west end of Proctor Road on the North side

Property Owner's Name(s) Jerry A. Proctor

If corporation, Corporate Official Name and Seal: \_\_\_\_\_

Mailing Address 2411 W Kearney Springfield Mo. 65803

Telephone Number 417-840-9342 Fax Number \_\_\_\_\_

**PROPERTY OWNER'S SIGNATURE:**

Jerry A. Proctor  
(Not necessary if there is an authorized representative. Authorized representative must sign below).

**AUTHORIZED REPRESENTATIVE:**

I hereby certify that I am authorized to represent all of the property owners of the above described tract in this application. A power of attorney is attached.

Name Jerry A. Proctor Signature \_\_\_\_\_

Address 2411 W Kearney St. Springfield Mo. 65803 Telephone 417-840-9342

**BILL ADVERTISING AND NOTIFICATION COSTS TO:**

Name Matt Kelley Telephone 417-743-1776

Address Freedom BANK

**QUESTIONS ON REZONING APPLICATION**

(Attach additional sheets if necessary)

1. What is the current use of the property? vacant  
\_\_\_\_\_  
\_\_\_\_\_
  
2. Why are you requesting a change in zoning? for future development  
\_\_\_\_\_  
\_\_\_\_\_
  
3. Are there any deed restrictions or restrictive covenants that would affect the use of this property?  
If so, what are they?  
NO  
\_\_\_\_\_  
\_\_\_\_\_
  
4. Has a rezoning ever been requested for this property in the past by the current owner? What  
zoning classification was requested and when?  
NO  
\_\_\_\_\_  
\_\_\_\_\_
  
5. If the rezoning is approved, does the applicant intend to develop the property?  
Possibly or resale for development  
\_\_\_\_\_

## APPLICATION CHECKLIST

### ZONING CHANGE (REZONING) City of Willard, Missouri

This checklist is provided to help you make sure that you submit everything that is required for a complete rezoning application. The application must be complete and all items listed on the checklist must accompany the application or this case will not be processed. The application must be submitted no later than 4:00 p.m. to the Willard City Hall, 30 working days prior to the Planning and Zoning Commission public hearing at which the request for rezoning will be heard. Contact the City Clerk at the telephone number below for filing deadlines and meeting dates.

<b>APPLICATION FORM:</b>	
	List the current zoning classification of the property.
	List the zoning classification you are requesting. See the <i>Land Development Regulations</i> , Article V, for specific zoning district classifications.
	Provide the legal description of the property to be rezoned. You may attach the legal description on a separate sheet.
	List the current property owner's name, address, and telephone number. If a corporation, list the corporate official and include the corporate seal.
	Current property owner must sign the application unless there is an authorized representative. If authorized representative, include power of attorney.
	List the name and address for billing the legal advertising and mail notices for the public hearings before the Planning Commission and Board of Aldermen.
	Provide an answer to questions 1-5 on the application.
<b>APPLICATION FEE:</b>	
	Include \$300.00 application fee for zoning application. Applicant also responsible for advertising and notification costs for public hearings.
<b>PROPERTY OWNERS NOTIFICATION:</b>	
	Provide a list of property owners' names and addresses within 185 feet of the area to be rezoned that has been compiled from the records of the Greene County Assessor's Office or prepared by a title company authorized to issue title policies in the State of Missouri.
	Provide an addressed, stamped (not metered) business envelope for every property owner listed on the property owners' list.
<p><b>Note: The Planning and Zoning Commission <u>shall not</u> forward its recommendation to the Board of Aldermen when the applicant or the applicant's agent does not appear at the public hearing to provide evidence regarding the request for a change in zoning classification. Also, final action by the Board of Aldermen shall not be taken until the applicant has reimbursed the City for the costs of advertising and mail notifications to adjacent property owners.</b></p>	

**Submit Applications To:**  
Willard City Hall  
224 W. Jackson, PO Box 187  
Willard, MO 65781  
(417) 742-3033

For mail delivery, use the post office box address  
For hand delivery or parcel delivery, use the street address

