

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

August 23, 2022

7:00 p.m.

Willard City Hall

224 W. Jackson, Willard, MO

PLANNING AND ZONING MEMBERS

Alderman Baird, Vice-Chairman

Terry Kathcart, Chairman

Valorie Simpson, Secretary

Mayor Samuel Snider

Jose Casanova

Mike McCroskey

Jeff LaMontia

Burnis Coleman

Derrick Estell

Randy Brown, Director of Development

www.cityofwillard.org

CITY OF WILLARD
PLANNING AND ZONING
REGULAR MEETING
August 23, 2022
7:00 P.M.

Notice posted on August 18, 2022

Notice is hereby given that the City of Willard, Planning and Zoning will conduct a regular meeting at 7:00 p.m., August 23, 2022 at the Willard City Hall, 224 W. Jackson, Willard, MO.

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 June 28, 2022.
5. Citizen Input
6. Public Hearing on changes to Land Development Regulations Ch 400 Pertaining to Off-Premises signs.
7. Discussion/Vote to change the Land Development Regulations Ch 400 Pertaining to Off-Premises Signs.
8. New Business.
9. Unfinished Business.
10. Adjourn.

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

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Willard, Missouri 65781
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CITY OF WILLARD, MISSOURI
PLANNING AND ZONING
REGULAR MEETING
June 28, 2022
7:00 P.M.

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

City Attorney Ken Reynolds was present.

Citizens present: Kim Haase, Keith Logan, Calvin Livgren, Michael Sebben, Glenn Cunningham, Linda Cunningham, Steph Bradshaw, Paula, Laylah Doty, Angel, and Alix Roberts.

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

Roll Call

Present: Jose Casanova, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell. Absent: Mike McCroskey.

Approval of Agenda

Motion was made by Alderman Baird with a second by Burnis Coleman to approve the agenda. Motion carried with a vote of 8-0. Voting aye: Jose Casanova, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell.

Approval of the Minutes from the Meeting May 24, 2022.

Motion was made by Mayor Snider and seconded by Derrick Estell to approve the Minutes from the Meeting May 24, 2022. Motion carried with a vote of 8-0. Voting aye: Jose Casanova, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell.

Citizen Input.

Calvin Livgren – 421 E. Hughes – Stated he was at the meeting about a year ago on the development on Hughes Road. He had discussed the condition of Hughes Road and needing repaved. The area between Mark Street and Miller Road is the worst and really needs redone. Mr. Brown informed him that the city was currently in the process of getting Hughes Road listed as a Collector Street. Once this is accomplished, it will be eligible for funding.

Election of Chairman, Vice-Chairman and Secretary.

- a. Chairman – Motion made by Valorie Simpson and seconded by Jose Casanova to appoint Terry Kathcart as Chairman. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Jeff LaMontia, Valorie Simpson, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell. Terry Kathcart abstained.
- b. Vice-Chairman – Motion made by Mayor Snider and seconded by Jose Casanova to appoint Alderman Baird Vice-Chairman. Motion carried with a vote of 8-0. Voting aye: Jose Casanova, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell.
- c. Secretary – Motion made by Mayor Snider and seconded by Alderman Baird to appoint Valorie Simpson as Secretary. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Jeff LaMontia, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell. Valorie Simpson abstained.

Public Hearing on Rezoning Request for Danco Investments.

City Attorney Ken Reynolds opened the Public Hearing at 7:08 on the Rezoning Request for Danco Investments. Kim Haase, 466 W FR 80, Springfield, owner of Danco Investments, stated that they originally had wanted to develop this piece of land with Stone Creek. The rising costs have not made that possible. It is a bad area on a corner, and many do not want it developed. Ms. Bradshaw owns the adjacent 20 acres on warhorse lane and would like to buy it but needs it rezoned A-1. He stated that while it was not beneficial to him to sell at the amount she was offering, after seeing what she does to rehabilitate horses, he felt it would be a good thing. He has been told by the city that they

were not in support due to it being considered down zoning. However, it can be rezoned back to residential later if it is ever sold. He stated that he was also told it would be a tax revenue loss, but he currently only pays \$13.98 in property taxes for that 11-acres, so there would be no difference in tax revenue for the city. He feels the city will make more in taxes once she joins it with her current 20 acres.

Steph Bradshaw, 465 E Warhorse Lane – owner of Steph K Equestrian Rehab Center, stated that her focus on her property is to rehabilitate horses and she also works with youth. She has no desire to move anytime soon and feels that adding this 11-acres will allow for more opportunities to help horses in need. This 11-acres is not good for houses and the neighbors have indicated that they would like to see it stay undeveloped. Valorie Simpson stated that it is also in the Airport fly zone, which restricts a lot. It would have to remain 10 acres, and only one home could ever be built on it.

Cal Livgren – 421 Hughes – lives at the end of warhorse lane on the curve. He feels it would be a good idea to keep it as is and rezone it to A-1. He feels the city is slowly losing its greenspace and there are already plenty of subdivisions in town. He fully supports the rezoning.

Keith Logan -420 Hughes Road – He feels it is a good idea to rezone. He stated it is not the first time Willard has rezoned something from R-1 to A-1. The city needs to focus on commercial growth for the tax revenue.

Valorie Simpson asked if there was a spring running through this 11-acres, and Mr. Haase said no. County had labeled a sinkhole on there, but after engineering, they discovered it was an old pond and not a sinkhole. Valorie then stated that all of the land annexed in the 70s came in as R-1 due to the city not having zoning. However, we now follow Greene County, and anything annexed in maintains County zoning until rezoned. She stated her property used to be residential but was rezoned to A-1 as well.

No other citizens wished to speak so the Public Hearing was closed at 7:16 p.m.

Discussion/Vote to approve rezoning request for Danco Investments.

Discussion was made on the restriction differences between R-1 and A-1. Mr. Brown stated that A-1 would allow more animals per acre for her business. Discussion was then made on leaving the property R-1 and having a conditional use permit for both pieces of property to allow Ms. Bradshaw to operate her rehabilitation center easier.

Ms. Bradshaw stated that R-1 only allows about 8 horses on her current 20-acre tract. She would follow stricter county rules with the new tract which allows up to 2 horses per acre. However, she stated that she doesn't feel she would ever have 20 more horses there, 5-10 was probably more accurate. She would follow the A-1 code and only have a shelter for the horses on that 11-acres.

Mr. Brown discussed the property and the dense trees on that lot and need for bulldozing and clearing to be used. Ms. Bradshaw stated she was big on low impact and planned to use goats to clear the underbrush and allow grass to grow, then remove just the locust trees allowing enough room for the horses to roam and graze. She would like to invest in the land for long term use and potentially pass it onto her children and grandchildren in the future.

Discussion was made on the 2019 Comprehensive Plan and land use. Alderman Baird stated that the Comprehensive Plan was a series of several meetings, involving the public, and the final product showed this entire area as R-1. It would benefit more to allow a Conditional Use permit for her property and this additional 11 acres, instead of rezoning to A-1 and going against the Comprehensive Plan. Derrick Estell reiterated what Alderman Baird stated and said the job of Planning and Zoning is not to plan for the future, but to address land use and ensure development being presented fits the goal of the city. This entire area was zoned single family and reviewed by community. If it is allowed to be rezoned A-1, this would be spot zoning which goes against the plan. He stated her Equestrian rehabilitation center would be allowed in R-1 with the Conditional Use permit. Mr. Estell feels it would be bad planning to rezone to A-1 just hoping it would be rezoned R-1 again in the future.

Mayor Snider asked Ms. Bradshaw what her thoughts were if the Commission only wants R-1.

Ms. Bradshaw stated that it was a huge investment. The sale of the property is contingent upon the rezoning taking place. She has donors that are helping to purchase the piece of property, however, the funding most likely would not go through if it has to remain R-1 as it does not show as a good investment for the horse rehabilitation needs. If it is A-1, more horses are permitted per the code, so the investment is better.

Mr. Brown stated that staff recommends not rezoning to A-1 to protect the neighborhood and follow the Comprehensive plan. Mr. Estell stated that we need to interpret the plan and apply as requests come in, not paint a picture of the future.

Valorie Simpson stated that it is in the Airport zone, which cannot be changed. She is for the rezoning due to the airport zone having a lot of restrictions, so zoning ultimately does not matter there. The A-1 zoning would provide what Ms. Bradshaw needs.

Motion was made by Valorie Simpson and seconded by Jose Casanova to approve the rezoning request for Danco Investments from R-1 to A-1. Motion carried with a vote of 6-2. Voting aye: Jose Casanova, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Burnis Coleman and Mayor Snider. Voting nay: Alderman Baird and Derrick Estell.

Discussion/Vote to approve the building façade for Dollar General.

Mr. Brown stated that the architect for the project, Michael Sebben, was in attendance to answer any questions the Commission may have. The request is to approve the building façade for the new Dollar General Market being proposed next to the Police Station on Hughes Road/Highway 160. This falls within the 160 corridor and it meets all requirements. Comments from Cochran Engineering are included in the supplied packets. This will be just over 12,000 square feet and provide more produce/grocery in the store. The developer is waiting on final approval from the city before closing on the property.

Motion was made by Valorie Simpson and seconded by Jeff LaMontia to approve the building façade for Dollar General. Motion carried with a vote of 8-0. Voting aye: Jose Casanova, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell.

New Business.

None.

Unfinished Business.

Mr. Brown updated on the Andrew Craighead property. He stated that due to inflation, the project is on hold.

TR Fitness is having a contracting problem but should have new contractors soon.

He then updated the Commission on West Ridge, Freedom Bank project, and CMH having their grand opening of the rehab center on July 8th, 2022.

Discussion was then made on Hoffman Hills and other subdivisions in process.

Adjourn.

Motion was made by Burnis Coleman and seconded by Alderman Baird to adjourn. Motion carried with a vote of 7-1 Voting aye: Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, Mayor Snider and Derrick Estell. Voting nay: Jose Casanova.

Meeting adjourned at 8:01 p.m.

Valorie Simpson, Secretary

Terry Kathcart, Chairman



Planning Staff Report

The change from 200sqft to 250sqft is to work with Mr. Musick and the new Dollar General construction. Dollar General requested the sign be removed from the lot and Mr. Musick wants to re-build the sign on the carstar lot directly to the north.

Under current code the sign would be considered legal, non-conforming since it was put in place before the square footage law was in place. Under the current code the sign would have to be reduced to 200sqft if it were to be re-constructed.

The proposed change would allow Mr. Musick to re-build the sign as it was on the carstar lot. It would also act to further standardize our code and bring it more in line with other sections.

The 200sqft law was originally put in place for the following reason under Section 400.500:
*"The purpose of the Highway 160 Parkway Corridor Overlay District is to **enhance and preserve the visual image and aesthetic quality along this major entryway corridor in the City of Willard; to foster a sense of place and community identity that enhances the desirable open space qualities of small community/rural life in the Ozarks; and to promote and protect the public's safety and general welfare.** The Highway 160 Corridor through the City of Willard provides a driving/ visual experience unique to major highway corridors in the Springfield metropolitan area. The topography and location of Highway 160 provides a wide variety of slopes, overlooks, rock outcrops and curves through an area development predominantly in agricultural uses with some residential subdivisions and limited commercial/industrial development. Protection and preservation of this corridor through restriction of certain signs and through regulation of architectural standards of appearance of buildings and structures constructed or erected within the corridor is deemed an appropriate action to promote the public's safety and general welfare."*

It is staff's opinion changing the sign size from a maximum of 200sqft to 250sqft will not significantly impact or otherwise take away from the intent of Section 400.500.

This would also bring our sign size more in line with our existing code under Section 400.950:
*"A premise located in a commercial district shall be allowed a detached sign with a sign surface area determined by adding fifty (50) square feet to a ratio of one (1) square foot of surface area per lineal foot of frontage along the street. **The maximum surface area for any detached sign shall be two hundred fifty (250) square feet.**"*

When compared to surrounding communities the City of Ozark allows signs up to 300sqft, the City of Nixa up to 600sqft, and MoDOT up to 800qft.

Section 400.960 Off-Premises Signs.

[Ord. No. 020227 §1(10.13), 2-27-2002; Ord. No. 060911 §1, 9-11-2006; Ord. No. 131209 §1, 12-9-2013]

Off-premises signs (billboards) shall be permitted only in the "C-1" and "C-2" Commercial Districts and in the "M-1" and "M-2" Industrial Districts. The surface area of a detached, off-premises sign shall be subject to the provisions of Section **400.880** if the sign is oriented towards a street classified as an arterial, collector or local street. Where the street towards which the sign is oriented is classified as a highway, a single side of a detached off-premises sign may not exceed three-fourths (0.75) square foot in surface area for every linear foot of street frontage. In no case may a single side of such sign exceed ~~two hundred (200)~~ **“two hundred and fifty (250)”** square feet in surface area.

PUBLIC NOTICE

Notice is hereby given that the Willard Planning and Zoning Commission shall meet on August 23, 2022 at 7:00 p.m. and the Willard Board of Aldermen shall meet on September 12, 2022 at 7:00 p.m. at Willard City Hall, 224 W. Jackson, to conduct a public hearing to consider a text amendment to the City of Willard Municipal Code Book Chapter 400: Land Development Regulations regarding Off-Premises Signs. The Board will take public comments at this meeting. If you are unable to attend this meeting, you are welcome to send any comments in support of, in opposition to, or general inquiries regarding this request for this text amendment to the City of Willard Municipal Code Book to Jennifer Rowe, City Clerk at:

City of Willard
P.O. Box 187
Willard, MO 65781
(417) 742-5302
clerk@cityofwillard.org

If you have special needs, which require accommodation, please notify City personnel at City Hall. Accommodations will be made for your needs. Representatives of the news media may obtain copies of this notice by contacting the City Clerk at the information above.