

# **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**

**Special Meeting**

**January 5, 2023**

**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**

**Jeff LaMontia**

**Burnis Coleman**

**Derrick Estell**

**Scott Hayes, City Planner**

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

# CITY OF WILLARD, MISSOURI

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



Agenda Item #3

## Agenda Amendments/Agenda Approval

CITY OF WILLARD  
PLANNING AND ZONING  
SPECIAL SESSION  
January 5, 2023  
7:00 P.M.

Notice posted on December 30, 2022

Notice is hereby given that the City of Willard, Planning and Zoning Commission will conduct a special meeting at 7:00 p.m., January 5, 2023 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 December 15, 2022.
5. Citizen Input.
6. Public Hearing on Rezone of 805 and 801 Rocky Lane.
7. Discussion on a Regular Meeting for the month of January 2023.
8. Discussion on the Economic Development Task Force status.
9. New Business.
10. Unfinished Business.
11. Adjourn.

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

Dona Slater  
224 W. Jackson  
Willard, Missouri 65781  
(417)742-5302

# CITY OF WILLARD, MISSOURI

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Agenda Item #4

## Approve Minutes from the December 15, 2022 Meeting

CITY OF WILLARD, MISSOURI  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
December 15, 2022  
7:00 P.M.

Staff present: Interim City Administrator, Steve Bodenhamer; City Planner, Scott Hayes; and Acting City Clerk, Dona Slater.

City Attorney Ken Reynolds was not present.

Citizens present: Leonard and Jennifer Smith, and James D. Tucker.

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

**Roll Call**

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

**Approval of Agenda**

Motion was made by Valorie Simpson with a second by Burnis Coleman to approve the agenda. Motion carried with a vote of 5-0. Voting aye: Jeff LaMontia, Valorie Simpson, Terry Kathcart, Burnis Coleman, and Derrick Estell.

**Revisit Minutes from Meeting June 28, 2022.**

Ms. Simpson stated that the Minutes from the June 28, 2022 meeting were not correct.

Motion was made by Valerie Simpson and seconded by Burnis Coleman to reconsider the Minutes from the Meeting June 28, 2022 after amendments were made. Motion carried with a vote of 5-0. Voting aye: Jeff LaMontia, Valorie Simpson, Terry Kathcart, Burnis Coleman, and Derrick Estell.

**Approval of the Minutes from the Meeting June 28, 2022.**

Motion was made by Terry Kathcart and seconded by Derrick Estell to approve the Minutes from the Meeting June 28, 2022 after revisions have been made to correct the Minutes. Voting aye: Burnis Coleman, Alderman Baird, Terry Kathcart, Valorie Simpson, Jeff LaMontia, and Derrick Estell.

**Approval of the Minutes from the Meeting October 25, 2022.**

Motion was made by Valerie Simpson and seconded by Jeff LaMontia to approve the Minutes from the Meeting October 25, 2022. Motion carried with a vote of 6-0. Voting aye: Derrick Estell, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, and Burnis Coleman.

**Citizen Input.**

None.

**Discussion/Vote on Minor Subdivision for the Jesse Abney Trust.**

Discussion was made by Mr. Hayes. He stated the plan is to divide the property into 3 lots total. The existing sewer system prohibits any additions. The intent of zoning codes has been met. The piece of property with the house will be sold and the rest will be retained and sold for future development. Mr. James D. Tucker was in attendance as a representative of the applicant. He stated the owner lives out of town and doesn't want to be a landlord or have the property deteriorate.

Motion was made by Burnis Coleman and seconded by Jeff LaMontia to approve the Minor Subdivision for the Jesse Abney Trust. Motion carried with a vote of 6-0. Voting aye: Derrick Estell, Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, and Burnis Coleman.

**Discussion on Rezone of 805 and 801 Rocky Lane.**

Discussion was made by Mr. Hayes. He said he incorrectly listed the zoning as M-3 in the published Public Notice and it will need to be published again with the correct information. Mr. Leonard Smith wants to rezone to C-2 as a general business district. His goal is to add parking and rental space. The property is located just north of Tanner's and Dollar General.

**Discussion on a Special Session of the Planning and Zoning Commission for the month of January 2023.**

Discussion was made by Mr. Hayes to hold a special session of the Planning and Zoning Commission on January 5, 2023 and discuss the rezone of 805 and 801 Rocky Lane and allow the item to be presented at the next Board of Aldermen meeting in January 2023.

Motion was made by Terry Kathcart and seconded by Jeff LaMontia to hold a Special Session of the Planning and Zoning Commission on January 5, 2023. Motion carried with a vote of 6-0. Voting aye: Burnis Coleman, Derrick Estell, Jeff LaMontia, Valorie Simpson, Terry Kathcart, and Alderman Baird.

**Discussion on the Future Land Use map located in Appendix B of the 2019 Comprehensive Plan.**

Mr. Hayes gave a history of planning and zoning and noted the difference between them. Land use is a broader picture, not restrictive, more flexible, and not legally binding. Zoning is more specific and detailed but they work hand in hand together. The Comprehensive Plan is a guide and a key piece. It is the sole responsibility of the Planning and Zoning Commission. Updating the Future Land Use map signals ideas for growth and helps defend decisions. He is enthusiastic to move forward and will begin the legal steps to revise the Comprehensive Plan and have public meetings for citizen input. The decision to adopt a new Comprehensive Plan rests with the Commission. Ms. Simpson asked Mr. Hayes to let the Commission know when he will bring the first step. He stated he can add an agenda item at every meeting. A Comprehensive Plan should be revised every five (5) years. Ms. Simpson stated the previous Comprehensive Plan was made in 1999 and revised in 2019. Mr. Bodenhamer said Mr. Hayes did a great job with his presentation. He also stated it is the job of the Planning and Zoning Commission to look to the future and not squander opportunities. Commercial retail sales fund the General Fund of the City. He said Farmer and Miller, and AB and EE should be studied for potential commercial use and to maximize the opportunity.

**New Business.**

Mr. Kathcart inquired if there is any prospectus on a new City Administrator. Mr. Bodenhamer stated the position may be advertised in January 2023 and interviews of candidates may begin in the first quarter of 2023.

**Unfinished Business.**

None.

**Adjourn.**

Motion was made by Valorie Simpson and seconded by Burnis Coleman to Adjourn. Motion carried with a vote of 6-0. Voting aye: Jeff LaMontia, Valorie Simpson, Terry Kathcart, Alderman Baird, Burnis Coleman, and Derrick Estell.

Meeting Adjourned at 8:00 p.m.

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Valorie Simpson, Secretary

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Terry Kathcart, Chairman

# CITY OF WILLARD, MISSOURI

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Agenda Item #6

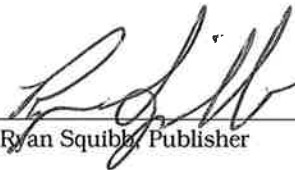
## Public Hearing and Vote on Rezone of 805 and 801 Rocky Lane

**AFFIDAVIT OF PUBLICATION** Date: 12-21-2022

STATE OF MISSOURI )  
COUNTY OF GREENE ) ss.

I, Ryan Squibb, being duly sworn according to law, state that I am the Publisher of the *Greene County Commonwealth*, a weekly newspaper of general circulation in the County of Greene, State of Missouri, where located; which newspaper has been admitted to the Post Office as periodical class matter in the City of Ash Grove, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of more than three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following issues:

- 1st Insertion: Vol. 145 No. 25, 21st day of December, 2022
- 2nd Insertion: Vol.      No.     ,      day of     , 2022
- 3rd Insertion: Vol.      No.     ,      day of     , 2022
- 4th Insertion: Vol.      No.     ,      day of     , 2022
- 5th Insertion: Vol.      No.     ,      day of     , 2022

  
\_\_\_\_\_  
Ryan Squibb, Publisher

Subscribed and sworn to before me on this 21st day of December, 2022

  
\_\_\_\_\_  
Teresa R. McBride, Notary Public

My commission expires March 10, 2026

Publication fee \$ 43.32 # 957



**PUBLIC NOTICE**

Notice is hereby given that the Willard Planning and Zoning Commission shall meet on January 5, 2023 at 7:00 p.m. and the Willard Board of Alderman shall meet on January 9, 2023 at 7:00 p.m. to conduct public hearings to consider the rezoning request for Leonard Smith of two (2) parcels of property from R-3 Multifamily Residential to C-2 General Business District. These parcels are located at 801 and 805 Rocky Lane, further identified by Greene County Assessor as Parcel #0831200008 and Parcel #0831200007. The Planning Commission and Board of Alderman will take public comments at these meetings. If you are unable to attend please send any comments in support of, in opposition to, or general inquiries regarding this request for the proposed zone change to Scott Hayes, City Planner at:

City of Willard  
P.O. Box 187  
Willard, MO 65781  
(417) 732-5310  
planning@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.

**#C-957-12-21-1tc**



## **Re-Zoning Request Background Report**

**Applicant:** Leonard Smith

**Address:** 801 Rocky Lane / 805 Rocky Lane

**Parcel ID:** 0831200007 / 0831200008

**Current Zoning:** "R-3" Multi-Family Residence District

**Current Use:** Single Family Residential

**Requested Zoning:** "C-2" General Business District

### **Background:**

The applicant has requested to rezone the two adjacent parcels of 805 and 801 Rocky Lane from an "R-3" Multi-family Residence District to a "C-2" General Business District. The property is mostly vacant with one single family residential structure. The applicant intends to initially use the lot for business storage and outdoor storage and continue to rent the existing residential structure as is. Future development has been considered, but no further details are available at this time. A C-2 zoning for this property is consistent with our comprehensive plan and our future land use map and would be recommended by staff.



City of Willard

Zoning Case No. \_\_\_\_\_  
Application Date 10/28/2022  
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 R3 Requested Zoning Classifier C-2

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

Street Address or Other Common Property Description 801 Rocky Lane, Willard MO. 65781

Property Owner's Name(s) Hogwild Enterprises L.L.C.

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

Mailing Address 7195 N. State Highway Z, Willard Mo. 65781

Telephone Number 417-848-2307 Fax Number \_\_\_\_\_

**PROPERTY OWNER'S SIGNATURE:**

Leonard Smith  
(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 \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

**BILL ADVERTISING AND NOTIFICATION COSTS TO:**

Name Hogwild Enterprises L.L.C. Telephone 417-848-2307

Address 7195 N. State Highway Z, Willard Mo. 65781

## QUESTIONS ON REZONING APPLICATION

(Attach additional sheets if necessary)

1. What is the current use of the property? Single Family Rental  

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2. Why are you requesting a change in zoning? Wanting to fence off a area for equipment storage for buisness, also for outdoor storage for others to rent, will be a fenced in area with a coded gate and gravel lot.  

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3. Are there any deed restrictions or restrictive covenants that would affect the use of this property? If so, what are they?  
No.  

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4. Has a rezoning ever been requested for this property in the past by the current owner? What zoning classification was requested and when?  
Not to our knowledge.  

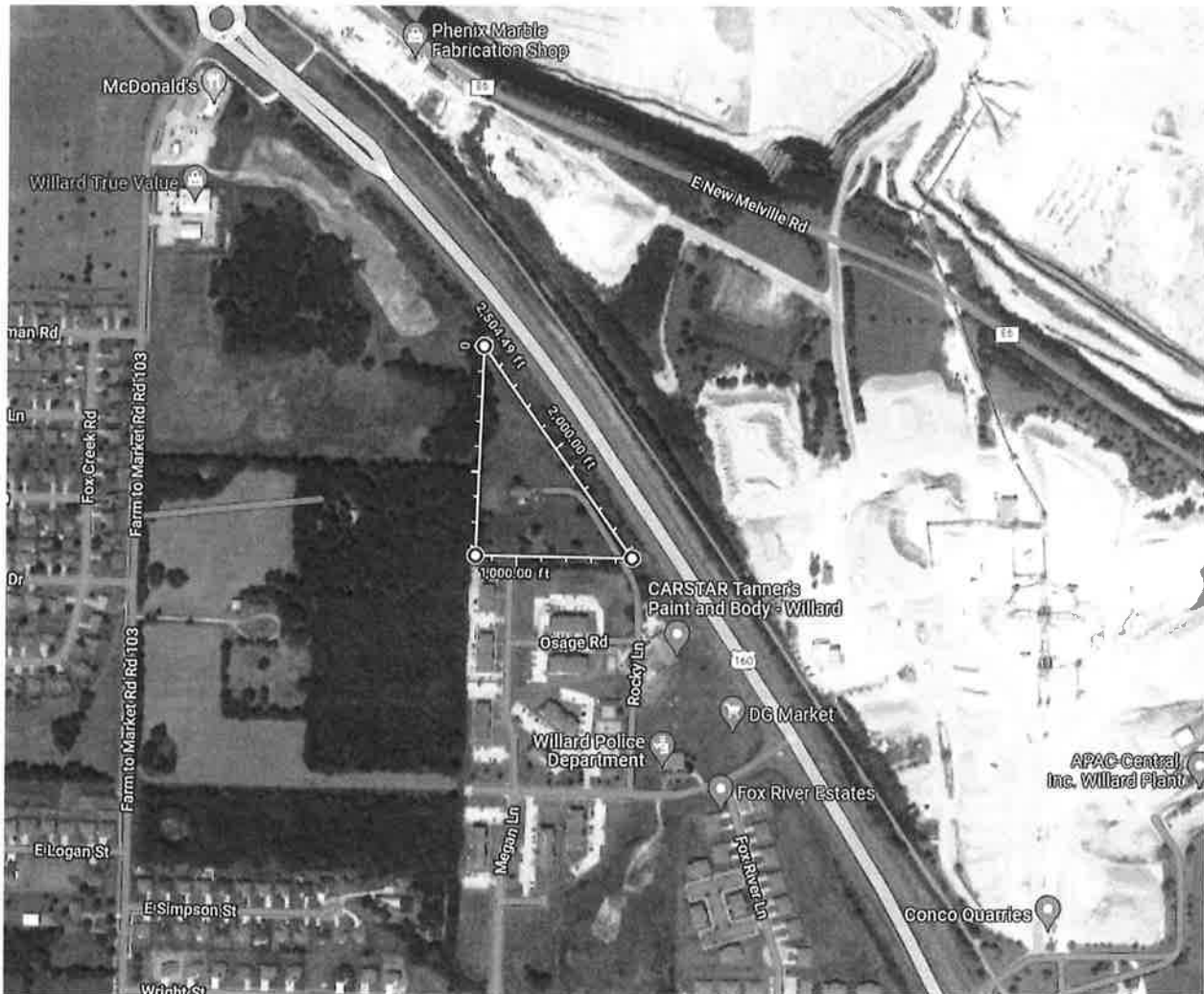
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5. If the rezoning is approved, does the applicant intend to develop the property?  
Yes.  

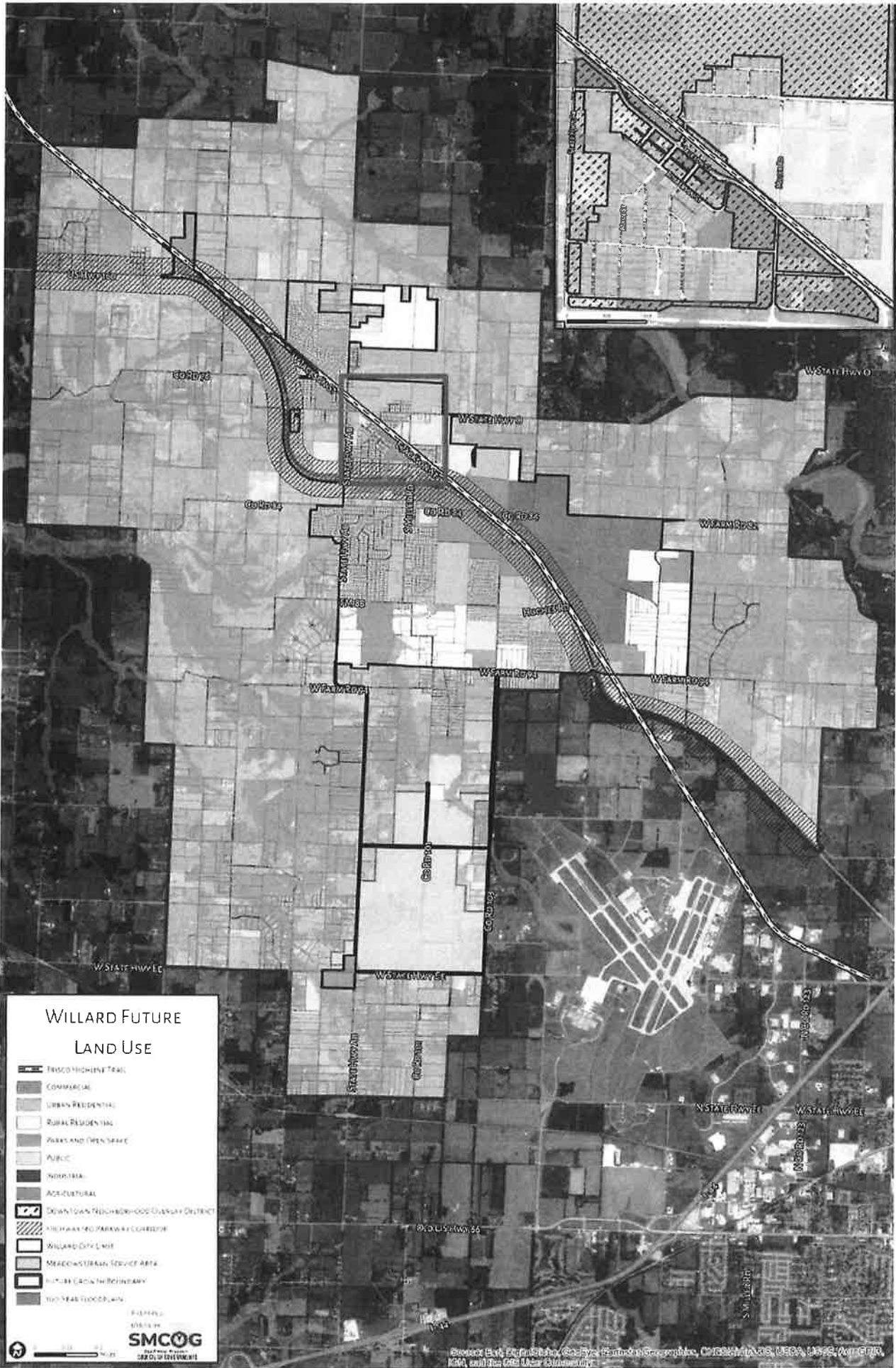
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### Zoning

|                         |        |
|-------------------------|--------|
| [Lightest Gray Box]     | AG     |
| [Light Gray Box]        | C1     |
| [Medium-Light Gray Box] | C2     |
| [Medium Gray Box]       | M1     |
| [Medium-Dark Gray Box]  | M2     |
| [Lightest Gray Box]     | PDD-R1 |
| [Light Gray Box]        | PDD-R3 |
| [White Box]             | R1     |
| [Dark Gray Box]         | R2     |
| [Medium-Dark Gray Box]  | R3     |
| [Darkest Gray Box]      | R4     |





## WILLARD FUTURE LAND USE

- TRISTO HIGHWAY TRAIL
- COMMERCIAL
- URBAN RESIDENTIAL
- RURAL RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC
- INDUSTRIAL
- AGRICULTURAL
- DOWN TOWN TECHNIHOOD QUARTER DISTRICT
- HIGHWAY 36 PARKWAY CORRIDOR
- WILLARD CITY LIMIT
- MERCER'S URBAN SERVICE AREA
- FUTURE LOCAL JURISDICTIONARY
- 100 YEAR FLOODPLAIN

**SMCOG**  
 SHERMAN COUNTY METROPOLITAN GOVERNMENT

DESIGNER: E.A. ENGINEERS, GEORGE, HARRIS AND ASSOCIATES, CINCINNATI, OH; URS, CHICAGO, IL; AND THE GEOLOGICAL SURVEY OF THE UNITED STATES.

# CITY OF WILLARD, MISSOURI

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Agenda Item #7

## Discussion on holding a Regular Meeting for the month of January 2023

# CITY OF WILLARD, MISSOURI

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Agenda Item #8

## Discussion on the Economic Development Task Force status