

# **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**

**March 28, 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  
REGULAR MEETING  
March 28, 2023  
7:00 P.M.

Notice posted on March 24, 2023

Notice is hereby given that the City of Willard, Planning and Zoning Commission will conduct a regular meeting at 7:00 p.m., March 28, 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 February 28, 2022.
5. Citizen Input.
6. Public Hearing on Rezone of North Charlotte Ave, Parcel #0726201092.
7. Discussion on Rezone of North Charlotte Ave, Parcel #0726201092.
8. Discussion and vote on Hoffman Hills Preliminary Plat & development plan re-approval.
9. Discussion and vote ATM Commercial Subdivision Phase 3 Preliminary Plat.
10. Discussion of Preliminary Plat Approval periods.
11. Discussion of Future Land Use Map.
12. New Business.
13. Unfinished Business.
14. 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

## Approval of the Minutes from the February 28, 2023 Regular Session

CITY OF WILLARD, MISSOURI  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
February 28, 2023  
7:00 P.M.

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

City Attorney Ken Reynolds was not present.

Citizens present: Kim Haase and Darrin Stribling.

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

**Roll Call**

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

**Approval of Agenda**

Motion was made by Valorie Simpson with a second by Jose Casanova to approve the Agenda with the addition of re-approval of the Preliminary Plat for Stone Creek Phase 2 and 3 added.

Motion carried with a vote of 5-0. Voting aye: Jose Casanova, Valorie Simpson, Terry Kathcart, Mayor Snider, and Derrick Estell.

**Approval of the Minutes from the Meeting December 15, 2022.**

Motion was made by Derrick Estell and seconded by Terry Kathcart to approve the Minutes from the Special Session held on January 5, 2023.

Motion carried with a vote of 5-0. Voting aye: Derrick Estell, Jose Casanova, Valorie Simpson, Terry Kathcart, and Mayor Snider.

**Citizen Input.**

None.

**Re-Approval of Preliminary Plat for Stone Creek Phase II & III, Discussion/Vote**

Mr. Hayes said that the preliminary plat for Stone Creek Phase II & III was approved in 2020. City Code section 400.1090 states "the approval of the preliminary plat shall be effective for a period of twelve (12) months".

Motion was made by Terry Kathcart and seconded by Valerie Simpson to re-approve the Preliminary Plat for Stone Creek Phase II & III.

Motion carried with a vote of 5-0. Voting aye: Jose Casanova, Derrick Estell, Valorie Simpson, Terry Kathcart, and Mayor Snider.

**Approval of Final Plat and Development Plan for Stone Creek Phase 2 Subdivision, Discussion/Vote**

Mr. Hayes gave a presentation and report explaining the changes to the final plat. Mr. Haase would like to rename the subdivision from Stone Creek Phase II & III to Stone Creek Phase 2.

Ms. Simpson asked if the sidewalk situation had been worked out. Mr. Haase said he can put in the sidewalks or the builder can, they are still negotiating. Mr. Hayes stated that there have been discussions that Mr. Haase could place a fee of \$16,500 in escrow in lieu of placing sidewalks that may lead to nowhere. These funds can then be used by the City for pedestrian improvements. Mayor Snider is concerned about what will hold the builders/purchasers of the lots to place the sidewalks. Mr. Haase said they will be put on time constraints to get the sidewalks placed in four (4) to six (6) weeks. Mr. Haase has a letter of credit that will end in June. It will be Mr. Haase's obligation to build sidewalks on any unsold lots.

Mayor Snider asked about streetlights. Mr. Hayes said they are already in.

Mr. Haase said he will mow until 60% of the homes are completed. The subdivision is disclosed as an HOA.

Motion was made by Derrick Estell and seconded by Valorie Simpson to approve the Final Plat and Development Plan for Stone Creek Phase 2 Subdivision.

Motion carried with a vote of 5-0. Voting aye: Derrick Estell, Mayor Snider, Terry Kathcart, Valorie Simpson, and Jose Casanova.

**New Business.**

Mr. Kathcart said he understands that Ordinances need updated and the staff are working on the wording for the updates. Section 400 of the Municipal Code needs to be updated as well. Mr. Bodenhamer said we should look at other 4<sup>th</sup> class cities and their wording on Codes before re-writing ours. We can ask General Code for models. Mr. Kathcart said we might entertain establishing a committee to help with the Codes. Mr. Bodenhamer suggested that as a person finds an issue with a section of Code they make notes.

**Unfinished Business.**

Mr. Kathcart asked about the status on Generations Village. Mr. Hayes said they are still working on resubmittals and will get it to Cochran for a final look over.

Mr. Hayes has spoken with Matt Kelly regarding ATM Square and has been brought copies of the preliminary plat. He said the preliminary plat has never been formally approved. Ms. Simpson said the plat was brought before the P&Z Commission but was tabled and never brought back. Mr. Hayes said it needs a flood plain revision and then brought back before the Commission. Mr. Bodenhamer said we need a preliminary plat with a caveat for approval. We must be provided with a document from FEMA that the flood plain has been redefined.

Mr. Hayes said Gauge Crossing is ready to be issued building permits.

**Adjourn.**

Motion was made by Terry Kathcart and seconded by Jose Casanova to Adjourn.

Motion carried with a vote of 5-0. Voting aye: Jose Casanova, Valorie Simpson, Terry Kathcart, Mayor Snider, and Derrick Estell.

Meeting Adjourned at 8:15 p.m.

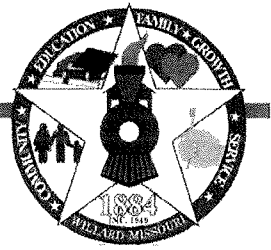
\_\_\_\_\_  
Valorie Simpson, Secretary

\_\_\_\_\_  
Terry Kathcart, Chairman

\_\_\_\_\_  
Attest: Dona Slater, City Clerk

# CITY OF WILLARD, MISSOURI

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



Agenda Item #6

## Public Hearing on Rezone of North Charlotte Avenue, Parcel #0726201092

THE  
DAILY  
EVENTS

News You Won't Read Elsewhere

(417) 866-1401  
(Fax) 866-1491

P.O. Box 1  
Springfield, MO  
65801-0001

Established 1881

Date of First  
Publication  
03/14/23

Invoice  
Number  
230378

City of Willard  
Attn: Scott Hayes  
P.O. Box 187  
Willard, MO 65781

# Invoice for the Publication Costs & Affidavit of Publication

Please include Invoice Number with payment.  
Please pay from this invoice.

Case Number/Reference Name:  
0726201092

**Description of Legal Notice & Date(s) Published:**

**Total Cost:**

Zoning Notice - North Charlotte Ave., Willard  
Date(s): 3/14, 2023 Vol/No(s): 142/348

75.00

**PUBLIC NOTICE**

Notice is hereby given that the Willard Planning and Zoning Commission shall meet on **March 28, 2023, at 7:00 p.m.** and the Willard Board of Aldermen shall meet on **April 10, 2023**, to conduct a public hearing to consider the rezoning request for The City of Willard parcel of property from R-1 Single-Family Residential District to C-1 Neighborhood Business District. This parcel is located at North Charlotte Ave, further identified by Greene County Assessor as Parcel #0726201092. The Commission will take public comments at these meetings. 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 the proposed zone change to Scott Hayes, City Planner at:

City of Willard  
P.O. Box 187  
Willard, MO 65781  
(417) 742-5310

[planning@cityofwillard.org](mailto: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.

Published in The Daily Events  
3/14, 2023 (Tu)

**Affidavit of Publication**

I, Susan D. Barnes, do upon oath state that I am editor of The Daily Events, a newspaper of general circulation published daily, and qualified to publish notices directed by any court or required by law in the County of Greene, in the County of Christian, and in the City of Springfield, all being in the State of Missouri; and that the accompanying legal notice was published in The Daily Events on the date(s) and volume(s)/number(s) indicated.

I further state that said newspaper is published in accordance with, and meets all provisions of, Section 493.050 RSMo 2000, Section 493.070 RSMo 2000, and St. of Missouri ex rel Reorganized School District R-6 of Daviess County, Missouri vs Haskell Holman, 275 S. W. 2d 280, 282 (Mo. banc 1955) regarding legal notices.

Unless otherwise noted hereto, this affidavit shall serve as sufficient evidence for the publication of this legal notice as stated in Section 493.060 RSMo 2000.

*Susan D. Barnes* 3/14/23  
Susan D. Barnes, Editor Date

*Jillian Marie Lambeth* 3/14/23  
Notary Public Date

Subscribed & Affirmed by the above who is known to me.

JILLIAN MARIE LAMBETH  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Greene County  
My Commission Expires July 13, 2025  
Commission #21083507



# **CITY OF WILLARD, MISSOURI**

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Agenda Item #7

## **Discussion on Rezone of North Charlotte Avenue, Parcel #0726201092**

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

**Applicant:** City of Willard

**Address:** Un-addressed, N Charlotte Ave

**Parcel ID:** 0726201092

**Current Zoning:** R-1 "Single Family Residential District"

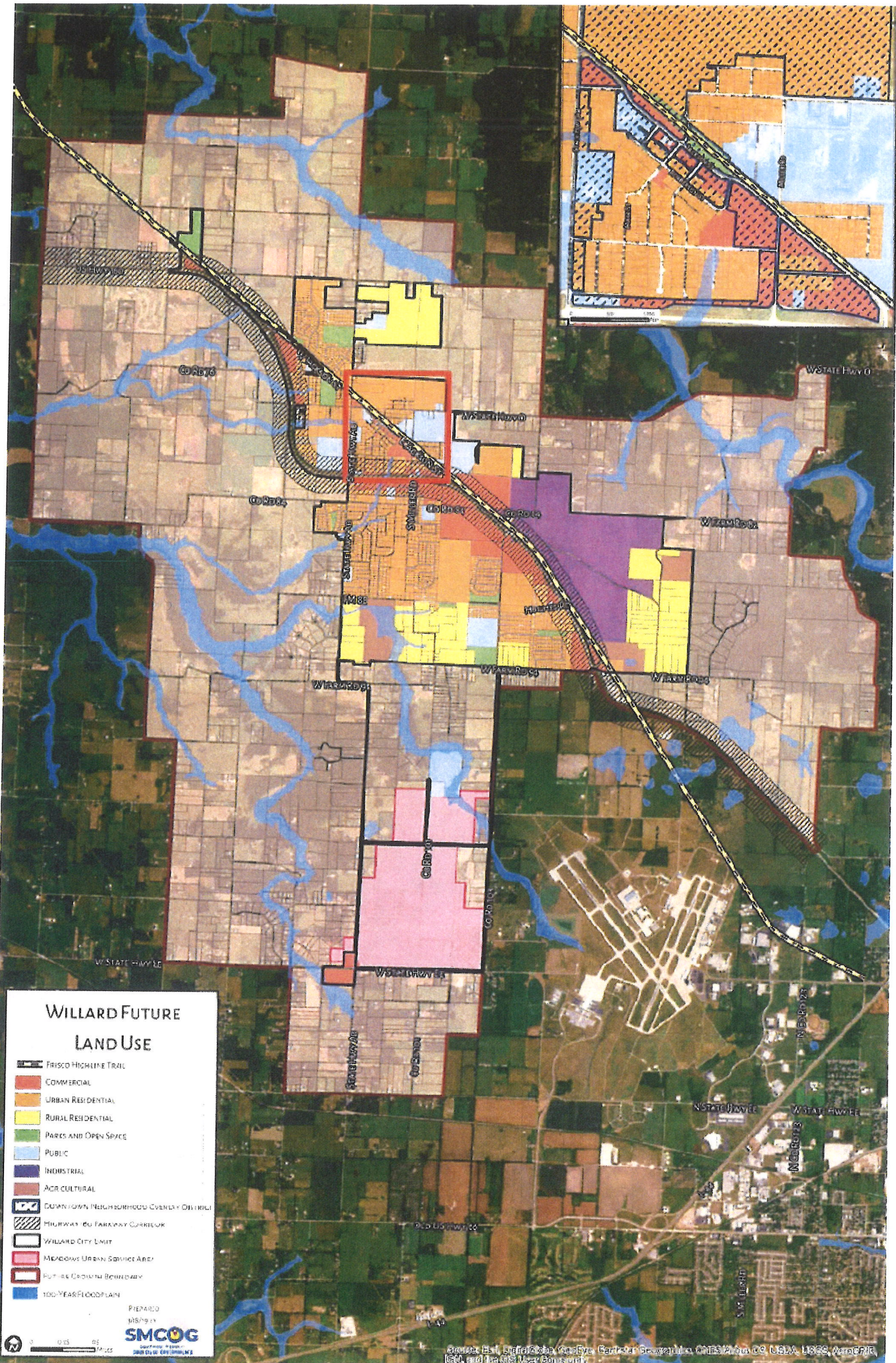
**Current Use:** B Overflow Basin and vacant grass land

**Requested Zoning:** C-1 "Neighborhood Business District"

### **Background:**

The City of Willard has requested to rezone the parcel of land at N Charlotte Ave from an R-1 Single Family to a C-1 Neighborhood Business District. The property is currently used as the site for the B basin overflow and otherwise is empty. The City has proposed using the lot for salt and pipe storage and intends to build a small storage facilities for the proposed materials to be housed in. The City is requesting a rezone because R-1 zoning does not include storage facilities as an allowed government use, and C-1 is the lowest intensity zoning that does. The City has discussed building a new public works facility which would house most if not all of public works operations on that site. The property has a small section of floodplain on the northern edge that the City is aware of.





### WILLARD FUTURE LAND USE

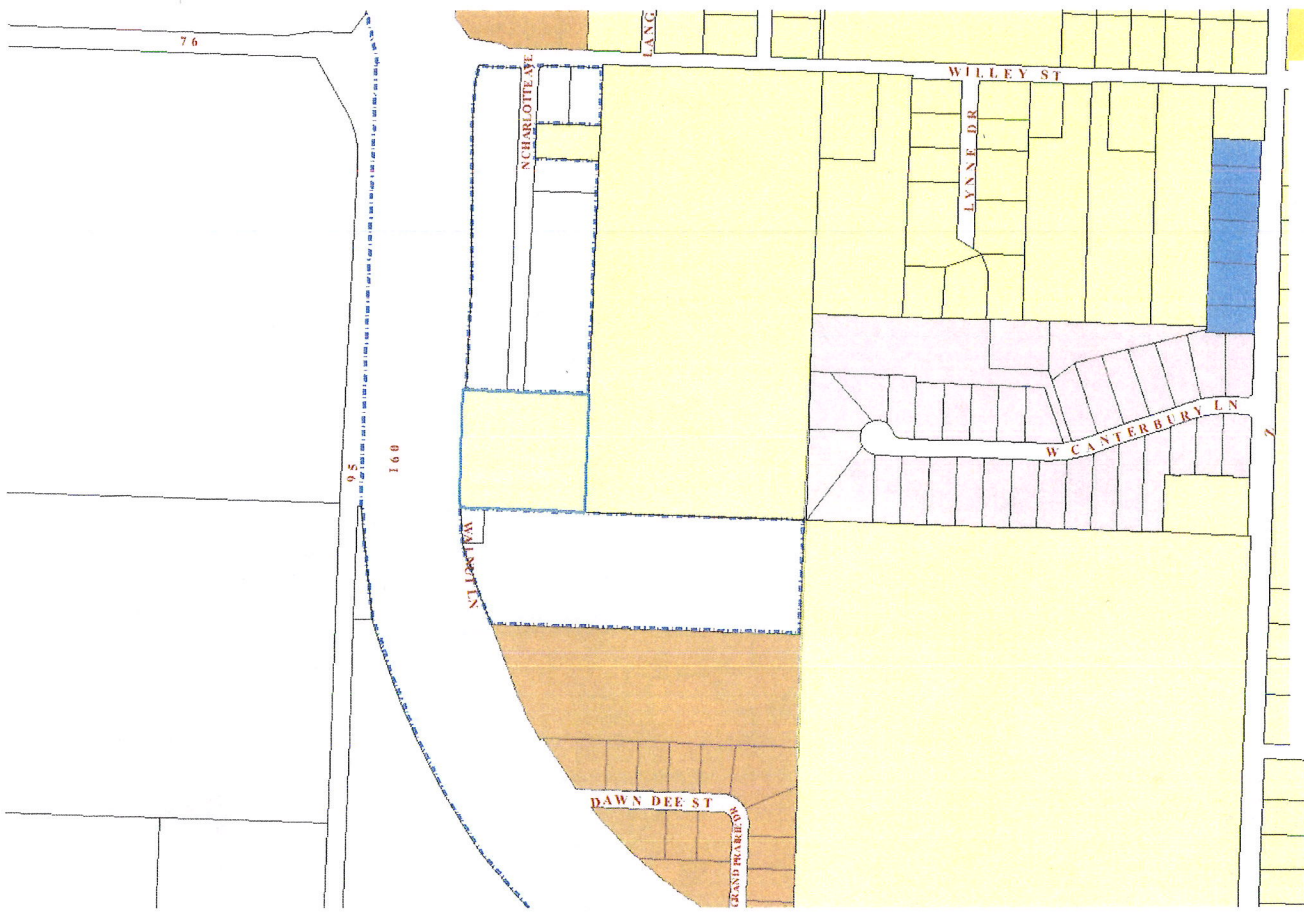
-  FRISCO HIGHLINE TRAIL
-  COMMERCIAL
-  URBAN RESIDENTIAL
-  RURAL RESIDENTIAL
-  PASTURE AND OPEN SPACE
-  PUBLIC
-  INDUSTRIAL
-  AGRICULTURAL
-  DOWNTOWN NEIGHBORHOOD CENTER DISTRICT
-  HIGHWAY 66 PARKWAY CORRIDOR
-  WILLARD CITY LIMIT
-  MEADOWS URBAN SERVICE AREA
-  FUTURE GROWTH BOUNDARY
-  100-YEAR FLOODPLAIN

PREPARED  
10/19/11  
**SMCOG**  
SOUTHERN MISSOURI  
COUNTY GOVERNMENT

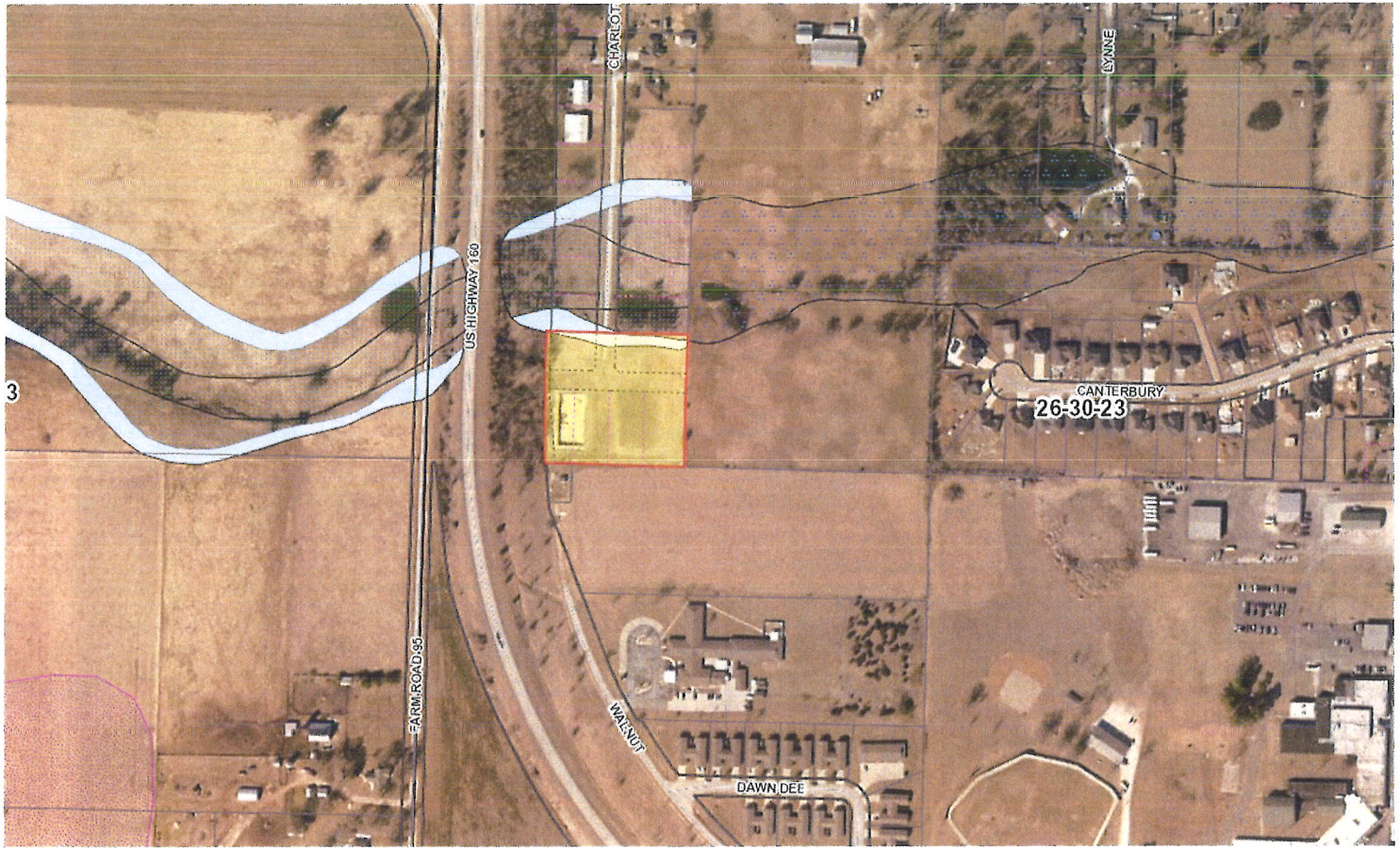


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



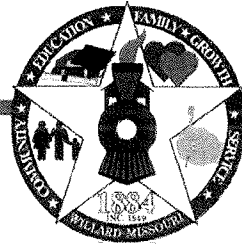


- ### Zoning
- AG
  - C1
  - C2
  - M1
  - M2
  - PDD-R1
  - PDD-R3
  - R1
  - R2
  - R3
  - R4



# **CITY OF WILLARD, MISSOURI**

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Agenda Item #8

## **Discussion / Vote on Hoffman Hills Preliminary Plat & Development Plan re-approval**







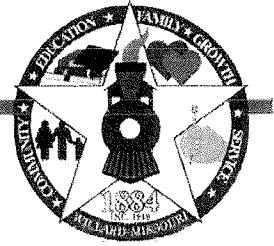






# CITY OF WILLARD, MISSOURI

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



Agenda Item #9

## Discussion / Vote on ATM Commercial Subdivision Phase 3 Preliminary Plat





Agenda Item #10

## Discussion of Preliminary Plat Approval Periods

## OZARK

The approval of a preliminary plat shall remain effective for a period of twelve (12) consecutive months from the date of approval or the last inspection of the public improvements. If the applicant fails to submit a final plat within the said twelve (12) month period or within the sole discretion of the Planning and Development Director, or his/her designee, the applicant is actively in the process of completing the public improvements, the authority granted by the approval of the preliminary plat shall automatically expire. In the event that the applicant desires to continue development, a new application for preliminary plat shall be required.

## NIXA / STRAFFORD

(a) Approved use, special-use, preliminary plat, and sign permits shall expire automatically if, within one year after the issuance of such permits the use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use.

(b) If, after some physical alteration to land or structure begins to take place, such work is discontinued for a period of one year, then the permit authorizing such work shall immediately expire. However, expiration of the permit shall not affect the provisions of section 101-147.

(c) The permit-issuing authority may extend for a period up to six months the date when a permit would otherwise expire pursuant to subsection (a) or (b) of this section if it concludes that:

- (1) The permit has not yet expired;
- (2) The permit recipient has proceeded with due diligence and in good faith; and
- (3) Conditions have not changed so substantially as to warrant a new application.

Successive extensions may be granted for periods up to six months upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit.

(d) Notwithstanding any of the provisions of article VII (nonconforming situations), this section shall be applicable to permits issued prior to the date this section becomes effective

## REPUBLIC

Preliminary Plat approval shall confer upon the developer, for a period of two (2) years from date of approval, the conditional right that the City Council will not change the general terms and conditions under which the approval was granted. After approval of the Preliminary Plat, the developer may proceed with the detailed construction plans for all required infrastructure of the area planned for inclusion on the final plat. The City Council, upon recommendation by the Planning and Zoning Commission, may extend this two (2) year period if the developer has applied in writing for such an extension and the Planning and Zoning Commission and City Council determine a longer period should be granted due to unusual circumstances. If an extension is not granted, the Preliminary Plat approval is null and void. If no Final Plat of a subdivision for which preliminary approval has been given is approved within said two (2) year period, or such longer period as the City Council may allow, a resubmission and review by the Planning and Zoning Commission and City Council shall be required. It shall not be the responsibility of the City to notify the applicant of an expired Preliminary Plat.

# CITY OF WILLARD, MISSOURI

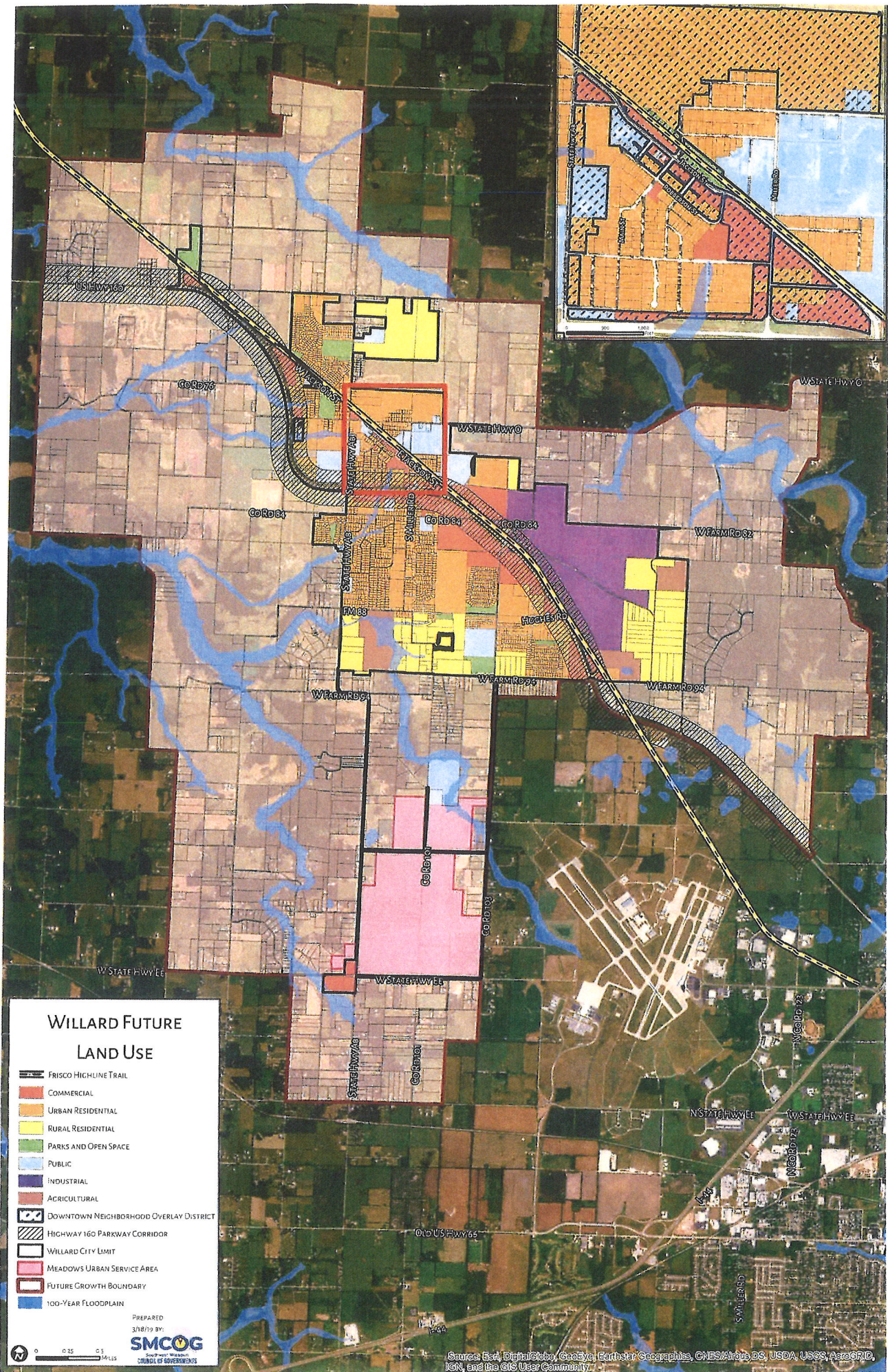
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Agenda Item #11

## Discussion of Future Land Use Map



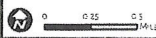


## WILLARD FUTURE LAND USE

- FRISCO HIGHLINE TRAIL
- COMMERCIAL
- URBAN RESIDENTIAL
- RURAL RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC
- INDUSTRIAL
- AGRICULTURAL
- DOWNTOWN NEIGHBORHOOD OVERLAY DISTRICT
- HIGHWAY 160 PARKWAY CORRIDOR
- WILLARD CITY LIMIT
- MEADOWS URBAN SERVICE AREA
- FUTURE GROWTH BOUNDARY
- 100-YEAR FLOODPLAIN

PREPARED  
3/8/19 BY:

**SMCOG**  
Southwest Willard  
COUNCIL OF GOVERNMENTS



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



LOWER RD

N BUCKSKIN LN

HORSE CREEK

