

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

May 16, 2023

6:00 p.m.

Willard City Hall

224 W. Jackson, Willard, MO

PLANNING AND ZONING MEMBERS

Alderman Keene

Terry Kathcart, Chairman

Valorie Simpson, Secretary

Mayor Samuel Snider

Jose Casanova

Jeff LaMontia

Burnis Coleman

Derrick Estell

Scott Hayes, City Planner

www.cityofwillard.org

CITY OF WILLARD
PLANNING AND ZONING
SPECIAL MEETING
MAY 16, 2023 6:00 P.M.

Notice posted on May 15, 2023

Notice is hereby given that the City of Willard, Planning and Zoning Commission will conduct a Special Meeting at 6:00 p.m., May 16, 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. Public Hearing regarding amendment to Section 400.460 of the City of Willard Municipal Code (“C-1” Neighborhood Business District).
4. Discussion/Vote to recommend amendment to Section 400.460 of the City of Willard Municipal Code (“C-1” Neighborhood Business District). Public Hearing regarding re-zoning of North Charlotte Ave., Greene County Parcel #0726201092 from “R-1” Single Family Residential to (“C-1” Neighborhood Business District).
5. Discussion/Vote on the re-zoning of North Charlotte Ave., Greene County Parcel #0726201092 from “R-1” Single Family Residential to (“C-1” Neighborhood Business District)
6. 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

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



Planning Staff Report C-1 “Neighborhood Business District”

During the April 25th 2023 Planning and Zoning Commission Meeting it was brought to Staff’s attention that the current C-1 zoning excludes particular governmental uses that the City was seeking for Public Works storage and future facilities. The language in line 4 includes “Government Uses and Buildings” but the language in line 11 then goes on to restrict government uses by calling out “Public Utilities and Governmental Buildings... excluding office building, garages, and shops, loading yards, and warehouses.” The code then goes on to define a C-2, M-1, and M-2 zoning which all contain a “fall back” clause to the previous allowed land uses. At no point does the code address line 11 in the C-1 zoning district to properly allow for those uses, however does call out line 4 again. Given the fall back clauses and wording it is Staff recommendation the C-1 zoning district be altered to allow for government uses and building and remove line 11 in its entirety. This change would allow for “Government Uses and Buildings” and remove the restrictions against warehousing, storage, office building, etc.

Section 400.460 "C-1" Neighborhood Business District.

A. Permitted Uses. The "C-1" Neighborhood Business District is designed to permit small areas of convenience shopping facilities in and near residential neighborhoods. The following uses are permitted in the "C-1" District:

- 1.** Bakeries, delicatessens and meat markets with on-premises sales.
- 2.** Convenience store, which shall include gasoline sales, but shall not permit repair facilities for motor vehicles.
- 3.** Day care center.
- 4.** Governmental buildings and uses.
- 5.** Laundry and dry cleaning self-service.
- 6.** Residential, intermediate or skilled nursing care facilities.
- 7.** Personal services such as barber or beauty shop, dressmaking, tailoring, shoe repair, household appliance repair and other similar uses.
- 8.** Police and fire stations.
- 9.** Public or private parks, playgrounds and golf courses, excluding miniature golf and driving ranges
- 10.** Type I and II wireless telecommunications facilities in accordance with Article VI, Section **400.600**.
- ~~**11.** Public utilities and governmental buildings, including transformer stations, pumping stations, lift stations, public water reservoirs, standpipes and elevated and ground level water storage tanks, but excluding office buildings, garages and shops, loading yards and warehouses.~~
- 12.** Accessory uses in accordance with Article VI, Section **400.520**.
- 13.** Temporary uses in accordance with Article VI, Section **400.530**.
- 14.** Residential uses existing at the time the district is mapped.

B. Conditional Uses. Certain non-conforming uses may be located within the district by written permission by the Board of Aldermen after written notice to all landowners within one hundred eighty-five (185) feet of the proposed use, followed by a public hearing; provided, that in the Board of Aldermen's judgment, such use will not seriously injure the appropriate use of neighboring property and will conform to the general intent and purpose of this Chapter, and, further provided that such use shall comply with the height, area and other regulations of the district in which they may be located, as well as any additional restrictions as may be ordered.

[Ord. No. 201214A, 12-28-2020]

C. Use Limitations.

- 1.** No new residential structures shall be constructed in the "C-1" Neighborhood Business District. Existing residential structures may be altered, remodeled or improved subject to the restrictions and regulations applicable to residences in the "R-3" Multi-Family Residence District.

2. All business, servicing, storage and display of materials and goods, except for off-street parking and loading, shall be conducted within completely enclosed structures.

3. No manufacturing, processing or treating of products other than that which is clearly incidental and essential to retail business shall be conducted and all such products shall be sold at retail on the premises.

4. No separate business establishment shall occupy more than five thousand (5,000) square feet of floor space.

5. No business establishment shall offer goods or services to customers waiting in parked motor vehicles (drive-through).

D. Lot Size, Bulk And Open Space Requirements.

Minimum lot area	None
Minimum lot width	None
Minimum lot depth	None

Maximum Structure Height

Principal structure	30 feet
Accessory structure	16 feet
Maximum floor area ratio	0.40

Minimum Yard Requirements

Front yard	25 feet, except that on corner lots, 1 of the 2 front yards may be reduced to not less than 15 feet.
Rear yard	20% of the lot depth or 10 feet, whichever is greater, provided that no more than 25 feet shall be required.
Side yard	None
Maximum building coverage, including accessory structures	40%

E. Open Space Requirements. Not less than twenty percent (20%) of the total lot area shall be devoted to open space including required yards and buffer yards. Open space shall not include areas covered by buildings or structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover.

F. Design Requirements.

1. A site plan meeting the requirements of Article **XIV** shall be submitted and approved for all uses.

2. All development shall meet the buffer yard and landscaping requirements in accordance with Article **VIII**.

3. All off-street parking, vehicular use and loading areas shall be screened from residential uses in accordance with Article **VIII**.

4. Refuse storage areas, storage for maintenance, mechanical and electrical equipment or other equipment incidental to uses shall be screened from view.

5. All buildings in the "C-1" District shall be constructed using materials, textures and colors that are compatible with and similar in nature to surrounding residential development.

6. Lighting shall be designed so as to reflect away from adjacent residential districts. All development shall meet the buffer yard and landscaping requirements in accordance with Article **VIII.**

7. Off-street parking, vehicular use areas and loading areas shall be provided in accordance with Article **IX.**

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.

Issues as presented from the March 28th meeting:

Flooding to the west

The area is a FEMA designated Floodplain

Culverts rotting and water not flowing correctly, gravel road maintenance, and road washout in flood events, mowing ditches

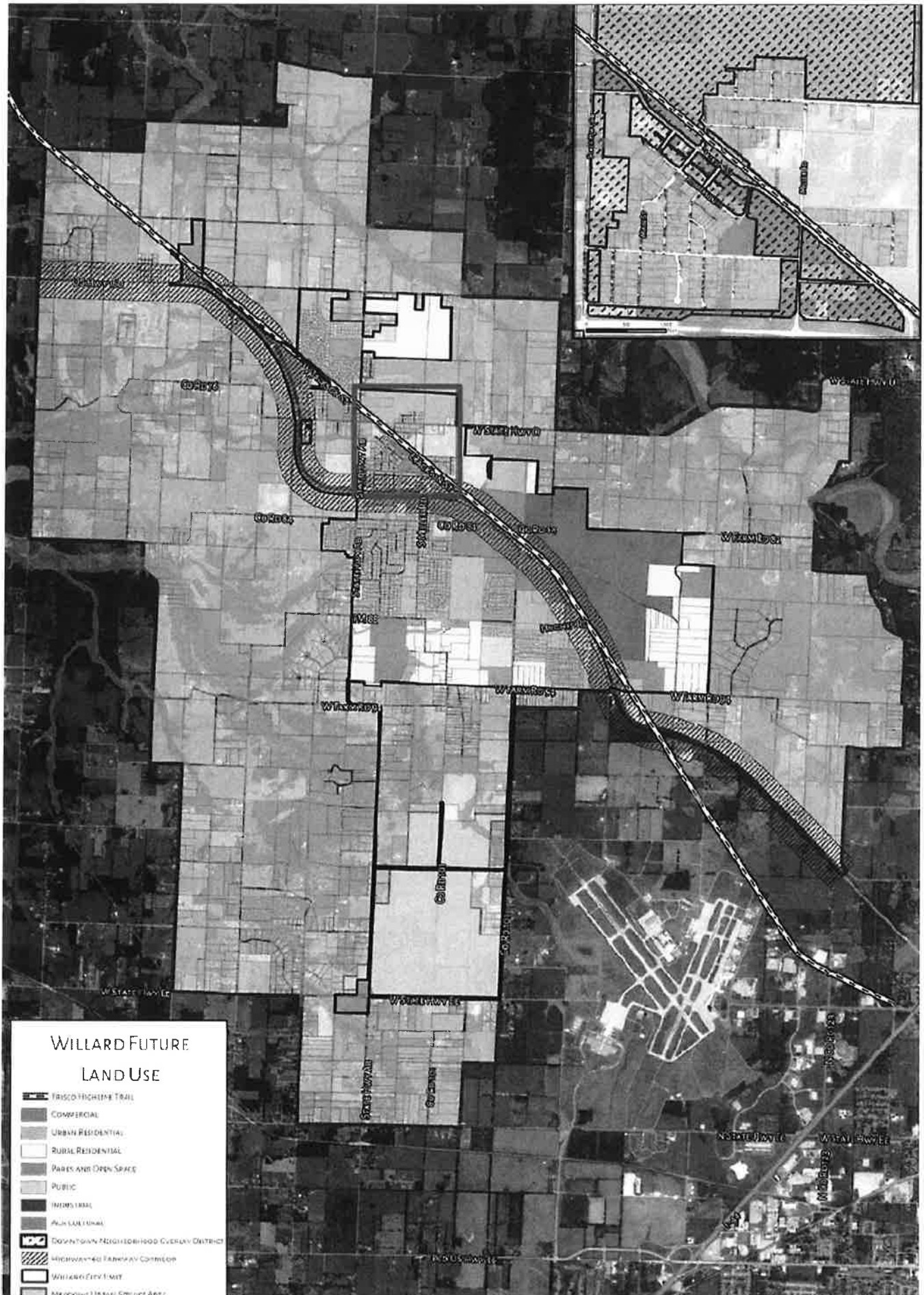
Can only be addressed if the city annexes the road. We plan to pursue moving forward.

City vehicles moving too quickly down road and public works generating trash / creating a nuisance

Administrative issue and has been discussed with public works employees and will be monitored.

Discussion at the April 25th Meeting:

P&Z decided to table the item after Valorie Simpson discussed with Staff the restrictions of City allowed land use in the C-1 zoning districts. It is Staff's interpretation that since the existing line 11 of the C-1 code is not called out in subsequent sections and each higher intensity zoning has a "fall back" clause that includes the uses previous; the city does not have a suitable zoning to seek that would allow public works the ability to warehouse, garage, etc. The decision to table the item and bring a code revision and rezone at the same time was made by P&Z members and will be discussed at a special meeting on May 16th at 6pm at City Hall.



WILLARD FUTURE LAND USE

-  TRISCO HIGHWAY TRAIL
-  COMMERCIAL
-  URBAN RESIDENTIAL
-  RURAL RESIDENTIAL
-  PARKS AND OPEN SPACE
-  PUBLIC
-  INDUSTRIAL
-  POLY UTILITIES
-  DOWNTOWN NEIGHBORHOOD OVERLAY DISTRICT
-  HIGHWAY 40 RAILWAY CORRIDOR
-  WILLARD ZONING
-  AIRPORT LIBRARY GROUND AREA

