

# City of Ozark Missouri

## Department of Planning & Zoning



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**September 28, 2009**

The regular meeting of the Ozark Planning and Zoning Commission was called to order by Commissioner Gary Graham, at 7:00 p.m.

**Members Present:** Gary Graham, Darrell McGuire, Kenny Washam, and Charlie Powell

**Members Absent:** Lynn Vest, Matt Bedinghaus and Darby Bunch

**Staff Members Present:** Steve Childers, City Administrator  
Chris Snyder, Board of Alderman  
Valerie Carr, Planning & Zoning Technician

### **Unfinished Business:**

- I. **Approval of Minutes** for the July 27, 2009 Planning & Zoning meeting.

Motion to approve by Charlie Powell  
Second by Darrell McGuire

**The motion to approve passed unanimously by means of verbal vote.**

### **NEW BUSINESS:**

- A. **ZONING AMENDMENT #2009-385**  
**400-444 S. 3<sup>rd</sup> St. & Lot 1 So. Hills**  
**Leslie A. Johns & Melanie K. Johns and**  
**Gary W. Wiggins & Kristin K. Wiggins**  
**Current Zoning: C-4 Central Business**  
**Proposed Zoning: C-2 General Commercial**

Commissioner Gary Graham introduced the above item referenced and asked if there was anyone present to represent this request.

City Administrator Steve Childers stated that the Planning & Development staff supports this request. He went on to add that

the situation a few years back was that the Planning & Zoning commission looked at the C-4 (Central Business District) and made revisions to the ordinance. These revisions of course effected the properties that already existed as C-4 (Central Business District) and unfortunately the changes have negatively impacted some existing businesses that reside on the 3<sup>rd</sup> Street corridor. Steve also pointed out to the Planning & Zoning commission that there had been a map enclosed in their packets with changes that removed the tail (the 3<sup>rd</sup> Street hill) from the C-4 (Central Business District) map. Steve further explained that he wasn't sure if the original map that we used as our C-4 (Central Business District) had ever been adopted, but that staff agrees that the 3<sup>rd</sup> Street corridor in realty is a different area than the downtown.

Commissioner Darrell McGuire stated that he remembered years back that they had talked about making the 3<sup>rd</sup> Street corridor up to the stop light part of the C-4 (Central Business District).

City Administrator Steve Childers stated that he felt comfortable with the requested C-2 General Commercial zoning, in that it would allow the 3<sup>rd</sup> Street corridor to be updated as new uses come in to the existing businesses. Steve also expressed that with the C-2 General Commercial requirements for the outside of the structure, landscaping, and parking the businesses along that corridor would be brought into compliance over time. Steve added that staff has no objections in regards to this request.

Gary Wiggins the applicant approached the commission and explained that himself and the other owners were unaware that the C-4 (Central Business District) had changed until they had a potential tenant come into the City of Ozark to obtain there business license and was told that kind of business was no longer allowable in that district.

City Administrator Steve Childers added that the City realized the need to better communicate with landowners, when there are changes proposed to the land use ordinances that may effect them. Steve went on to explain that the City is in the process of holding classes for commercial business owners within the City to update them on the current requirements on infill businesses, especially those in older buildings. The City is working on doing a better job of communication.

Commissioner Gary Graham added that he knew that the C-4 (Central Business District) language wouldn't allow some of those existing businesses located on that 3<sup>rd</sup> Street corridor. Gary agreed we don't need to change C-4 (Central Business District), but allow that corridor to become C-2 (General Commercial).

City Administrator Steve Childers added that the map we had included in their packets reflected that change.

Gary Graham asked if there was any opposition present to this request?

No response.

Commissioner Darrell McGuire commented that he felt that the request was a good move.

**Darrel McGuire Powell made a motion to approve the request for the Rezoning #2009-385 located at 400-444 S 3<sup>rd</sup> Street & Lot 1 of Southern Hills, Ozark, Missouri.**

**Second by Kenny Washam**

**The motion to approve the request for the Rezoning #2009-385 was made by roll call vote.**

**Aye: Darrell McGuire, Gary Graham, Charlie Powell and Kenny Washam**

**Nay: None**

**Lynn Vest, Darby Bunch and Matt Bedinghaus were absent.**

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#### **Commission Comments:**

Commissioner Kenny Washam expressed that he felt that we needed to look into when we would be having somebody appointed for Planning & Zoning Chairman.

City Administrator Steve Childers stated that we would need to check with the Mayor as to what his intentions are, as far as that was concerned.

Commissioner Darrell McGuire asked if Chris Snyder being our Board of Alderman liaison could find out something for us?

Board of Alderman Chris Snyder replied that he definitely would check with the Mayor and report back to the commission what he found out.

#### **Staff Comments:**

Planning & Zoning Technician Valerie Carr addressed the commission in regards to the PUD (Planned Unit Development) and asked if they had any questions or comments about the information that had been given to them at the retreat or if they

would like her to just go ahead and rewrite the ordinance and a procedure and let them look at that then?

The response was for Valerie to go ahead and rewrite the ordinance for their review.

**Motion to adjourn meeting given by Darrell McGuire  
Second by Charlie Powell**

**Meeting Adjourned at 7:25**