

PLANNING AND ZONING MINUTES
October 25, 2010

Item 1a Meeting called to order.

The meeting was called to order at 6:29 p.m. by Commissioner Mark Mais. Commissioners present were Shawn Battagler, Kevin Lambeth, Mark Mais, Mike Nichols, and Dick Snelson.

Item 1b Approval of previous Commission meeting minutes September 13 & October 1, 2010.

Mark Mais made a motion to approve the September 13, 2010 minutes. Motion seconded by Kevin Lambeth. Roll call vote with Shawn Battagler aye, Kevin Lambeth aye, Mark Mais aye, Mike Nichols aye, and Dick Snelson abstained. Motion carried. Mark Mais made a motion to approve the October 1, 2010 minutes. Shawn Battagler seconded the motion. Roll call vote with Shawn Battagler aye, Kevin Lambeth aye, Mark Mais aye, Mike Nichols aye, and Dick Snelson aye. Motion carried.

Item 1c Announcement that P&Z Commission will continue to meet on the second Monday of each month routinely and only meet on the fourth Monday of each month as agenda items are submitted that are time sensitive (sometimes referred to as the “Summer Schedule”). This Summer Schedule will continue indefinitely until decided otherwise by the members of the P&Z Commission.

Item 2a Public Hearing for the request to rezone the north 10 acres of the Kary property generally located at 4900 W Farm Road 182. Property is currently zoned as R-1 and requested to be rezoned to R-3.

The Public hearing was opened at 6:36 p.m.

Wes Kary, 5380 W. Farm Road 190, spoke in favor of the proposed rezoning.

Richard Heeke, 5568 S. Farm Road 115, spoke in opposition of the proposed rezoning.

Kent Weber, 5498 S. Farm Road 115, spoke in opposition of the proposed rezoning.

Theron Guiltner, 5033 S. FF Highway, spoke in opposition of the proposed rezoning.

Bill Kary, 5380 West Farm Road 190, spoke in favor of the proposed rezoning. Of particular import, he explained that he is requesting the rezoning of the north 10 acres of his overall tract of land to R-3 because of a potential buyer who is interested in building an assisted living facility and that on the south 20 acres he has a potential buyer to build a single family residential home.

Ralph Mc Daniel , 4860 W. Elm, spoke in favor of the proposed rezoning.

The Public Hearing was closed at 7:05 p.m. Kevin Lambeth made a motion to deny the requested rezoning of the north 10 acres. The motion died for lack of a second. Mark Mais made a motion to deny the requested rezoning of the north 10 acres. Dick Snelson seconded. Discussion by Commission followed the motion. Among the discussions, Commission raised concerns that the requested rezoning may not be proper due to the fact that the request only included a portion of the current legal tract of record and that the requested rezoning was not consistent with the City’s current Future Land Use Plan. Following discussion by Commission, roll call vote was taken with Shawn Battagler aye, Kevin Lambeth aye, Mark Mais aye, Mike Nichols aye and Dick Snelson aye. Motion carried.

Following the vote of Commission, the petitioner was informed that the a lot split or re-platting of the current tract of land would need to be completed in order to rezone and develop the property under the plan the petitioner reported during the public hearing.

Item 3 Public Input:

There was no public input.

Item 4a Old Business

Discuss status of possible esthetic regulations for commercial developments.

Kevin Lambeth remarked that the commission should look at other cities as to their commercial developments. Rick Hess, City Administrator, stated that he will go to Republic’s Esthetic Area observing what a person can do or can’t do in that area. There was discussion on the need to update Battlefield Sign Ordinance.

Item 4b Open

There was no open discussion.

New Business

Item 5a Review, discuss, and make recommendation to the proposed site plan for a commercial development inside Wilson Creek Marketplace generally located in the northwest quadrant of State Highway FF and State Hwy M.

There was no action taken for this item.

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Item 5b Review OTO's proposed Thoroughfare Plan.

The Ozark Transportation Organization's proposed thoroughfare plan updates are on their web site. Rick Hess, City Administrator, stated that he will check our map to their map and then he will send our map to them.

Item 5c Update on existing and/or proposed developments within the City of Battlefield.

Rick Hess, City Administrator, updated the commission on the progress of the Pocket Park; projects upcoming using STP-Urban fund; and the latest information on the Weaver Road upgrade.

Item 5d Open

There was no open discussion.

Item 6 Adjournment.

A motion was made by Mark Mais to adjourn the meeting. The motion was seconded by Shawn Battagler. Roll call vote with Shawn Battagler aye, Kevin Lambeth aye, Mark Mais aye, Mike Nichols aye, and Dick Snelson aye. Motion carried. Meeting was adjourned at 7:58 p.m.

_____ Commissioner Mark Mais

_____ Date

_____ City Collector

_____ Date