

Fair Grove Planning and Zoning **Public Hearing**

81 S. Orchard

April 7, 2025

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Roll call taken by Chairman John Hayes.

Travis Lee PRESENT Thomas Voorhis PRESENT, Paul Foreman PRESENT, Don Brite PRESENT, Shawn McCormick PRESENT, Dennis Roe PRESENT Darrin Moyers PRESENT

Opened Public Hearing at 6:31 PM

Public Hearing for – Rezone #RZ25-02-01, 425 W. Old Mill, owner Chastain Properties; **FROM** C-1 General Commercial **TO** R-4 Multi-Family Residential.

The Public Hearing will proceed as follows: The petitioner will step up to the podium, state name, and be recognized by the Chairman. The petitioner will be given 5 minutes to speak. Those in favor of and those opposed, will be given 3 minutes each. Maximum time limit for Public Hearing will be 30 minutes. Public Hearing will remain open at a minimum of 15 minutes.

Petitioner: Tim Schowe with Cochran engineering, here on behalf of the developer. Here to run through this proposed project and its 48 apartment units. We're proposing apartment units, because nationwide there's a growing demand that's roughly 10-15 million multi-family units short. Starter homes are becoming less and less affordable than ever before. Apartments would provide housing for fire fighters, police officers, health care workers and teachers. It should be noted that during the last meeting several P&Z members indicated there was a need for additional housing in Fair Grove. The proposed units would be two bedroom roughly 1,250 square feet. The exterior would have a stone veneer. A property management company would maintain the complex insuring development was well kept. The development would be phased over the next handful of years as demand requires. Per the comprehensive plan, housing availability is a concern, roughly 65% of the respondents during that comprehensive plan, indicated they supported growth throughout the city. This would be a large investment in the area that would help boost the local economy. Multi-family residential would be a decrease in the intensity from the current C-1. It would provide a transition from C-1 to the single family housing behind this development. For traffic concerns, looking at traffic requirements that would be during the peak hours roughly 24 cars per hour, which is less than one car every two minutes. It is very close to highway 65 for quick access to Springfield. For the proposed entrances, we're lining up with the two existing entrances that are already on the road. Any kind of improvements within the right of way would also have to meet MODOT review and guideline requirements. Storm water detention will be met for the site. The developer has already cleaned up the back fence and cleaned up brush in an act of good faith in working with the city. A couple of other things, we originally came here last year and were originally proposing 72 units. At the request of the city we've dropped it down to 48 units. That comes out to be 13.8 units per acre. That is an increase over the city allowed 11 units per acre. What we just handed out, shows what surrounding areas, what cities allow for multi-family and other than Fair Grove we would comply with all other multi-family requirements for the surrounding communities. I'm here to answer any questions or comments that the P & Z Commission may have.

Voorhis - That's my question, right? Because we know that the school is at a deficit and we know the school wants to build and the influx of kids, as you've already heard. Our school can't take that. The planning of a building going up there would be difficult right now if it wasn't prolonged and planned.

Schowe - And yes, we're not going to build all four buildings at once. This would be phased out. Building one or two buildings at first and then in a couple of years, building the third building and then a couple years after that, build the fourth building. So it's not 48 units, it's 12 or 24 units in a year and a half or two years and then a couple of years after that more will be built. Another thing, I can't say for certain how many families will be in this apartment complex with kids, but some of our other clients that had quite a few apartment complexes around the Springfield area, have noticed it is quite a few younger adults that maybe not necessarily have kids in the school system yet. Younger adults mid 20's early 30's. Might be just a man and a wife that haven't been fully established yet.

Voorhis - Thank you.

McCormick - Does anyone know what the 2, 3, 4 year plan for the school is?

Icenhower - In their plan, they are needing to buy some more property. They are looking to buy that property and build a new building on it. The way I understand Mr. Bell, not just, you're probably looking at. They've got their bond. They're in the same situation as the City is with the sewer. I think their bond pays out in three or four years. They are going to look, before their bond runs out, they'll go for a no tax increase bond. That's probably two to three years out, I'm guessing. They're looking at buying that property from the Methodist church. They haven't got the property bought, but they are doing it before their bond, so they can do the no tax increase bond. It's probably a minimum of two years out and construction on top of that.

Hayes - Any other comments from the board, questions, discussion?

Brite - In my opinion and this is just my opinion. The City of Fair Grove, the school system, which I was apart of for 20 years and the water district, the sewer system. We are all having growing pains, because we don't have the tax revenue to support any kind of growth. We can't get the tax revenue because we don't have the beds to support any commercial development. Commercial development won't come out here because we don't have the beds for it. So where do we start? Do we start with the chicken or do we start with the egg? Do we build beds, do we build housing for people to come, which is going to tax our sewer systems, our roads, our schools? Yes, it's going to put extra strain on everything, but in the long run is that going to bring commercial development out here, which is going to raise the tax base which is going to help us grow. MODOT is not going to do anything about the traffic on that bridge, until it gets bad and stays bad long enough for them to see a need to do something about it. How long was traffic bad going through Springfield before they added a third lane on 65 highway. How long has it been bad on interstate 44, before they have finally decided to add a third lane on I-44. It's going to have to get worse out here, before they ever decide to do something across that bridge, be it put stop lights in or whatever it is. And adding four to five units of traffic across that bridge is very minimal in my eyes to the traffic. Is it a mess, yes. I had bus drivers that were coming off that in the mornings that would sit there for ten minutes to make a left turn to get to school. I understand that traffic dilemma on that bridge completely. I get it, but until it gets worse, MODOT is not going to do anything about it. As far as the

crowding in the schools, the school has moved in mobile classrooms before. They're not going to build buildings for kids that aren't here yet. We've had mobile classrooms before. They aren't going to building for kids that aren't here yet. They're not going to do it. I mean we've had mobile classrooms moved in there before. Before the middle school was built. They're not going to build buildings for kids that aren't here yet. If we are going to progress, we are going to have to build bedrooms for those kids, for people to be out here. If we expect to get any kind of commercial business out here. We are going to have to get more people out here to get those businesses to come out here to even support the business that we've got out here. How many people down there on the square are flourishing right now? How many of them are just barely getting by, with the people that we've got here? Do I want an apartment complex in my front door? Not really, but whose front door are we going to put it in. And the roads in Fair Grove out of all the road in the city of Fair Grove, what roads can handle additional traffic, better than 125 and CC highway? Can Orchard handle them, can Main Street handle them? We've got some R-4 property out here on Shelby road, coming in to Fair Grove. Nobody can touch it. No developer can touch that property, because the person that owns it, wants too much money for it. We've got a developer that's willing to invest in our town to bring us some beds and I think we need to get behind them and get some beds built in this town, to try and move us forward a little bit. And that's my opinion and I live in Northview Circle, just like most people sitting out here opposed to this.

Roe - Don, I'm going to add one comment to Commercial growth. I was apart of the Comprehensive Study update this past year. I agree, we need more beds. There's another big component that we do not have and that's natural gas. Commercial will not come out here until we get natural gas. I was told twelve years ago or maybe longer than that, that there was an attempt to get natural gas and it failed. Not to down play what you just said, but there is another component, that we need to get commercial growth and that is natural gas.

Hayes - Any other comments or questions. I'm going to close the public portion and look for a motion, regarding the rezoning request from C-1 to R-4.

Motion made by Voorhis to rezone property from C-1 to R-4. Here's my reason, right. I understand that the problem with the sewer department, that is something that the city is going to have to handle. I understand the traffic and I was on the fence, I've talked to many people, aldermen, constituents. I was torn between this, of allowing apartments to be what people see when they drive into the City of Fair Grove, right. The City of Fair Grove is a small community and in my opinion we like it that way. But talking to businesses, they are hurting. We need people here to spend money, right. I feel for the people who live in Northview circle, I do. I don't want an apartment complex going up out by my house, I don't want to have to look at it, but to keep our city thriving and moving forward, there are challenges that we are going to have to face. We've got to start somewhere.

Hayes – So to clarify the motion, you're making a motion to approve the zoning change from C-1 General Commercial to R-4 Multi-Family Residential?

Voorhis - Yes

Second by Foreman. Lee AYE, Voorhis AYE, Foreman AYE, Brite AYE, McCormick AYE, Roe NO, Moyers NO, Hayes NO

Hayes – The motion carries and pass on to Aldermen for final approval.

***LEFT** Public Hearing for Open Meeting 6:50 pm*

A handwritten signature in cursive script, reading "Chandra Scott", is written over a horizontal line.

Chandra Scott, Clerk

DRAFT

Fair Grove Planning and Zoning Open Meeting

81 S. Orchard
Fair Grove, MO
April 7, 2025

Meeting called to order at 6:51 pm

PUBLIC PORTION – Public may speak on any item on this agenda.

1. Approve Planning and Zoning minutes from March 3, 2025:

Roe – on page 4 a little more than half way down. The word highway should be driveways. I would approve with that correction.

Motion by **Roe** to approve March 3, 2025 minutes. Second Lee Discussion: none

Lee AYE, Roe AYE, Moyers AYE, McCormick ABSTAIN, Brite AYE, Voorhis ABSTAIN, Foreman AYE, Hayes AYE

2. Discuss rezone for Evan Fullerton, 10 W Cherry from R-1 Single Family Residential TO R-2 Two Family Residential:

Hayes – Mr. Fullerton is requesting a zoning change. I understand you own the property now?

Fullerton – Yes, step one is complete.

Hayes – He's requesting a zoning change from R-1 to R-2 so he can tear down his Grandfather's house that basically needs to be condemned. They've got some beautiful plans laid out for a duplex, right across from the school. It's in the alley with the R-2's already, looking for approval or discussion for the change. Any questions, comments for Evan?

Moyers – The issue with the sizing of the property versus the house.

Fullerton – Yes.

Hayes - The discussion, the way we left it was that Mr. Fullerton was going to do some modifications to the plans as they were drawn, to make sure that all the easements were met so there won't be any variances requested after the fact.

Fullerton - The lot is still too small from my understanding. So it would require that variance.

Hayes - Which variance? On the fencing or setbacks?

Fullerton – With the R-2, I believe it's like a minimum of .33 acres. I could be wrong about that.

Hayes – I don't have the notes for that meeting. That was a while ago. You're at .31 or something?

Fullerton - .27

Hayes – Thank you for reminding me.

Roe - It's .27 acres.

Hayes - Needs to be .33 acres. Dennis, correct me if I'm wrong, but that doesn't have anything to do with setbacks?

Roe - No, that's the size of the land. And this is at the corner of West Cherry and North orchard. It's on the South side of West Cherry. That house needs to be torn down and beside that is a commercial business, Les Mallard Insurance. Because it's not surrounded by all residential, you've got commercial right there, the general feeling, correct me if I'm

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wrong, we were in favor of a duplex being there. It's not in the middle of a housing subdivision. As Don has pointed out in the past, we don't spot rezone.

Brite - It's against the law for us to spot zone.

Hayes – And these are all of the other R-2's right here. So it sort of falls in line with this.

Roe – I'm repeating this for those in the audience to know the previous discussion.

Fullerton: And I know it would require a variance. It is in a unique location.

Hayes: If the variance was granted, all the other easements and everything else would be met? No other variances would be given?

Fullerton - I did the math and I could still fit 2,500 square feet of duplex.

Hayes – That's both sides?

Roe – Not to be silly, but maybe you need a wall that's not 90 angels, that's kind of parallel to the property line.

Fullerton – I know. It was just a preliminary deal to see if this was possible and then I would move forward with finding plans that would match the area. So I don't know what we can do today, if we can do anything.

Hayes – Don, I'll ask you, since you were past Chairman, the procedure for that. Make a motion to the change to R-2 and then come back and do the variance once we start getting final plans?

Brite – Yes

Hayes: Do we need a variance to go under the .33 acres?

Roe: To get the variance approve, it's all got to go through the aldermen board. By our current ordinance we can't pass it because of the lot size. So I think it has to be conditional that the variance get accepted by the aldermen board .27 is so close to the .33.

Roe – We're almost splitting hairs.

Hayes: So is the conditional approval, based on the Aldermen approving that and the variance?

Brite – Yes.

Hayes – Any other discussion? Looking for a motion.

Brite - For zoning change we'll have to do a public hearing, just like we did today.

Hayes – Ok

Brite – It would have to be posted for 30 days, no 5 days.

Hayes – For conditional approval?

Brite – Yes

Hayes – So we will table this and post the notice and see you next month.

Hayes – Paperwork is still filed and we don't need any more paperwork right?

Scott – Yes.

3. Discuss and or approve sign permit for Maverick INC.:

Hayes – Final business is to change the signage from Kum & Go to Maverik. Is anybody here representing this? I'll just make a couple of statements. I checked on the lot lines today, the signage, took pictures of everything. I have a couple of questions to confirm from them, regarding the signage. I want to make sure it's on the engineering drawings they've submitted, it says replacement of frame and signs, but the smaller signs O4A-O4D, O3A-O3B and O5A-O5B appear to be the same exact frames, just with new graphics. The other 2 questions that I have, in the packet, there is a sign that's 16' x 1' that would appear to be on the inside the canopy, facing the front door. It says Adventure's First Stop. Currently there's no sign there, facing the door. We need to clarify if that is going up as new or part of their general plans. And then the fifth question, it's more of a statement. Per fire code that we updated with the international fire code, on May 9th of 2023, Section 500.080 which is ordinance 247, the fire code mandated that the numbers on the front of the building and the back of the building, anywhere where access was, was increase 2" for every 50' set back from the roadway. So where it says 249 on the front and the back of the building, they would have to make sure they have the proper sizing on those. The other comments I have, is that they have done a good job with this. Signage has changed, the overall dimensions. By my calculations, the small pole sign that is right off of Old Mill, is actually going to decrease in square footage from 188.5 to 182 square feet and the large highway sign is going to decrease from 968 square feet to 796 square feet. It's still a little bit less intrusive, it's still 100 feet in the air. The elevation is the same, but they've have taken the square footage down a little bit, which is good. That was my primary concern, but I talked to Tommy about it yesterday. As far as I'm concerned other than the 1' x 16', Adventure's First Stop, that's the only real question I have for them.

McCormick: That's right on the canopy, right?

Hayes: Right now there is nothing on the inside of that canopy.

Roe: It's on the face of the canopy.

Hayes: Facing the store. If you look at the diagram with all of the signs, it's page 4. It shows where all of them are, but that 1' x 16' is not on there. That would be the only thing that we need to clarify.

Voorhis: Are they planning on getting rid of the specialty sign, the "at" symbol that says Fair Grove?

Roe – The ampersand?

Voorhis – Are they going to keep that? I think it's unique.

Hayes – It says dispose of all signs.

Roe: It's a cool ampersand. I would like to see it in the park or something.

Hayes: Any questions or comments on the signage.

Roe – I appreciate all of the research, because I was trying to figure out all the square footage differences. I couldn't find my old stuff.

McCormick: They are all pretty similar

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Hayes: The frame work.

Roe - For the audience the Market Fresh is going to change to Bon Fire made fresh daily.

Hayes - That will be on the corner when you enter from Old Mill. So those two signs that are on the southeast corner.

Roe - I didn't realize there were that many signs on that facility, until I saw the map of it.

Hayes - As I understand does this approval, go to the Alderman afterwards.

Roe - Yes. You still have a one or two questions that need to be answered.

Hayes - Yes, it's not regarding the size or anything, it's just that one sign. So just to be clear, even if they were to put that 16' x 1' sign that says Adventure's First Stop, they would still be under the maximum allowable signage, based on two things. The frontage along Old Mill, they have to under 353 square feet, which they are. The stuff that faces the highway, would have to be roughly under another, depending on how you calculate it, our ordinances says one way and you read it a different way, according to some aldermen notes from 2018, but based on that, they are under it right now. So 16 square feet of sign won't matter, plus it won't be facing the road.

McCormick - It's not taking up any more space on the face of that canopy.

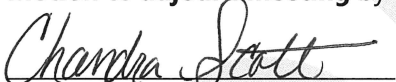
Hayes - Any other questions, concerns?

Motion by McCormick to approve the signage and forward to Aldermen for final approval.

Second Brite Discussion: None

Lee AYE, Roe AYE, Moyers AYE, McCormick AYE, Brite AYE, Voorhis AYE, Foreman AYE, Hayes AYE

Motion to adjourn meeting by Brite. Second Lee. All ayes. Adjourned at 7:17 pm



Chandra Scott, Clerk