

MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION FOR
THE CITY OF OSAGE BEACH, MISSOURI

May 10, 2016

The Planning Commission of the City of Osage Beach, Missouri, met to conduct a regular meeting on May 10, 2016 at 6:00 p.m., at City Hall in said City. The following Commissioners were present: Mayor John Olivarri, Chairman James Handel, Alderman Tom Walker, Jerry Fox, Nancy Viselli, Don Chisholm, and Michelle Myler. Roger Rand, Judith Cloyd, and Susan Ebling were absent. Also present were City Administrator Jeana Woods, City Attorney Ed Rucker, City Planner Cary Patterson, Public Works Director Nick Edelman, and Department Secretary Trina Lynxwiler who kept a journal of the proceedings.

MINUTES:

On a motion made by Nancy Viselli and seconded by Michelle Myler, the minutes of the April 12, 2016 meeting were unanimously approved as submitted.

NEW BUSINESS:

Rezoning Case #391

Planner Patterson gave the following report:

Applicant: Donald Jenkins

Location: Property is located at the end of Aqua Drive.

Petition: Special Use Permit to allow the removal of an existing Single Family Dwelling and the construction of a new single family home with a detached garage/shop and a RV garage on a lot in a Commercial District.

Existing Use: Single Family Dwelling.

Zoning: C-1 (General Commercial)

Tract Size: Approximately 19,600 sq. ft.

Surrounding Zoning:

Surrounding Land Use:

North: LU (Lake Use)

Lake of the Ozarks

South: C-1 (Commercial)

Subdivision Common Area

East: LU (Lake Use)

Lake of the Ozarks

West: C-1 (General Commercial)

Kapilana Estates Condos

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Moderate Density Residential

Rezoning History

Case #

Date

None

Utilities: Water: **City** Electricity: **Ameren UE**
Sewer: **City**

Access: Property has access on Aqua Drive.

Analysis:

1. The applicant is the owner of the property in question.
2. The character of the area is mixed containing moderate density residential in close proximity and the Kapilana Estates Condominium development immediately surrounding the subject property.
3. The request is to remove the existing ranch style home built a number of years ago prior to the City adopting building or Zoning codes, and replace it with a new home with a garage/shop facility and a RV Garage.
4. The property that is being requested for SUP is accessed via Aqua Drive. Directions are as follows: On the West side of the Grand Glaize Bridge, exit Osage Beach Parkway onto Winn Road and turn left from Winn Road onto Aqua Drive and proceed to the end of Aqua Drive. Please see the aerial photograph enclosed for assistance.

Department Comments:

The property is recommended for Moderate Density Residential, which is defined by the Comprehensive Plan as 5-13 units per acre. Obviously, in this situation, we are not looking at a large lot residential development. The density on this request is not of any concern as it is a single family dwelling. The use of the subject property has been single family for the entirety of its developed life and the Jenkins have owned it for 30 plus years and have enjoyed using it as their home but the home is now in need of upgrade.

Because of the situation and the applicant having owned and occupied the existing dwelling for an extended period of time, they are obviously well aware of the surrounding uses and activities and are very comfortable with the request to reestablish their home on a commercially zoned parcel.

Under the Section 405.610 of the City Code of Ordinances for Amendments and Changes, bullet point 6 gives five matters that the City should consider before making a change in the use of property.

1. Relatedness of the proposed amendment to the goals and outlines of the long range physical plan for the City:

As I have already stated, the request is in conformance with the density recommendations of the Comprehensive Plan.

2. Existing uses of property within the general area of the property in question:

As previously stated, the area surrounding the subject property contains mixed uses including moderate density residential and condominium development.

The request basically provides a use that works with the existing mix of low impact and intensity uses.

3. The zoning classification of property within the general area of the property in question:

The zoning of the surrounding properties is a mix that basically coincides with the uses. The requested use will mesh without issue with the surroundings.

4. The suitability of the property in question to the uses permitted under the existing zoning classification:

The property is really only suitable for two uses; either the requested use as exists there today, or a small expansion of some type to the surrounding condominium development.

5. The trend of development , if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification:

It has been some time since there was any development in this corridor as it is mostly developed with little or no remaining land for new development.

Based on the analysis of the conditions pertaining to the subject petition, the Planning Department recommends approval of the request subject to the following provisions regulating the property being granted a SUP to reestablish the existing single family home by removing it and replacing it with a new dwelling and accessory buildings:

Permitted Uses:

The following uses shall be permitted in those areas as illustrated on the SUP site plan:

1. Residential Use shall conform to the requested rebuilding of the existing single family facility and accessory uses.
2. Accessory Uses will be designed for and available for use to the owners and occupants of the primary use being the single family dwelling and will be built in accordance with the approved SUP Site Plan.

Construction:

Construction shall be in accordance with the International Building Code and all other pertaining construction codes as adopted by the City of Osage Beach at the time a building permit is issued for each individual facility.

Bulk, Area, and Height Requirements:

Construction for property will be in accordance with the approved site plan.

Dimensional Requirements:

Construction for property will be in accordance with the approved site plan.

Public Facilities:

1. Engineering plans for any required water or sewer improvements will be constructed in accordance with the Osage Beach Design Guidelines and shall be approved by the City Public Works Department.

Access:

1. Access shall be derived from the existing entrance to the property off of Aqua Drive.

Parking:

All development shall adhere to Osage Beach off-street parking requirements at the time that it is constructed.

Buffering and Screening:

No additional buffering or screening is required. Waste cans or dumpsters shall be placed in a location as to have minimal visual impact to the surrounding properties and conform to the general practice and placement of the same facilities within the corridor.

Exterior Lighting:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential area(s). Additionally, all exterior lighting shall be so arranged and shielded so as to confine all direct light rays within the boundaries of this property.
2. All street lighting proposed shall meet the City's standards for street lighting on local streets in residential areas. Applicants should coordinate with the City's Public Works Department on street lighting installations.

Maintenance of Open Space and Common Areas:

The maintenance of yard and facilities within the property shall be the responsibility of the property owner(s).

Final Development Plan:

1. The site plan for the existing facility is appropriate for the final development plan.

Chairman Handel asked if the Commission had any questions for staff.

Jerry Fox asked if there were any problems with the setbacks or the driveway.

Planner Patterson stated that the property is zoned commercial. Commercial zoning has a twenty-five foot setback from the front, with zero lot line setbacks on the side. As long as each facility meets building codes, it meets all qualifications. As for the driveway, the City has no problems with it.

Chairman Handel asked if the homeowners were aware that they wouldn't be allowed secondary financing with the commercial zoning.

Planner Patterson stated that they were aware of this.

Michelle Myler asked if they had water & sewer.

Planner Patterson answered in the affirmative.

Chairman Handel asked if the Commission had any further questions for staff. There were none.

Jerry Fox made a motion to approve the Rezoning Case #391 Donald Jenkins. Don Chisholm seconded the motion. Chairman Handel asked if there was any discussion. There was none. The motion was voted on and unanimously approved.

Election of Officers:

Chairman Handel opened the floor for nomination of officers.

Chairman Handel nominated Jerry Fox for Chairman of the Planning Commission. Nancy Viselli seconded the motion. The motion was voted on and unanimously approved.

Michelle Myler nominated Nancy Viselli for Secretary of the Planning Commission. Don Chisholm seconded the motion. The motion was voted on and unanimously approved.

REPORTS:

Chairman Handel asked if there were any reports.

Planner Patterson stated that the West Side Economic Impact Study will be moving forward on their research. The Planning Commission will be involved with this process. Planner Patterson also welcomed the new mayor, John Olivarri, to the Planning Commission.

Don Chisholm asked if there was any information about the Hammons' Project as he had seen the article in The Focus.

Discussion was held on project updates. Mayor John Olivarri added that he and City Administrator Jeana Woods plan to meet with the Hammons' representatives shortly to discuss future plans for the project.

There being no further business to come before the Planning Commission, with a motion from Mayor John Olivarri and seconded by Michelle Myler, the meeting adjourned at 6:20 p.m.

I, Trina Lynxwiler, Department Secretary of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Planning Commission of the City of Osage Beach, Missouri, held on May 10, 2016.

Trina Lynxwiler, Department Secretary

Nancy Viselli, Secretary