



**AGENDA
PLANNING COMMISSION**

Regular Meeting

January 14, 2020

6:00 p.m.

City Hall

1000 City Parkway

Osage Beach, Missouri

REGULAR MEETING AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES FROM THE December 10, 2019 MEETING**
- 4. NEW BUSINESS**
 - A) Rezoning Case 403, Arapaho, LLC.**
- 5. REPORTS**
- 6. ADJOURN**

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

December 10, 2019

Call to Order

Chairman Susan Ebling called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on December 10, 2019 at 6:00 pm at City Hall.

Roll Call

The following Commissioners were present Alderman Richard Ross, Alan Blair, Nancy Viselli, Chairman Susan Ebling, Mayor John Olivarri, Michelle Myler, and Don Sturn. The Commissioners absent were Don Chisholm, Kellie Schuman and Tony Kirn. Also, present City Planner Cary Patterson and Planning Commission Secretary Pam Campbell.

Minutes – 11-12-2019

Chairman Ebling asked if there were any corrections or comments regarding the November 12, 2019 minutes. There were none. *Mayor Olivarri made a motion to approve the November 12, 2019 minutes and Commissioner Viselli seconded the motion which passes unanimously.*

New Business

Stone Crest Commons Preliminary Plat

Planner Patterson delivered the following report:

<u>Subdivision Name:</u>	Stone Crest Commons Preliminary Plat
<u>Location:</u>	Approximately .55 miles from Osage beach Parkway on the North side of Bluff Drive
<u>Section/Township/Range:</u>	6/39/15
<u>Applicant:</u>	Bob Van Stavern.
<u>Surveyor:</u>	Midwest Engineering/ Allen Surveying
<u>Tract Size:</u>	4.65 acres
<u>Number of Lots:</u>	Nineteen (19) residential lots.
<u>Zoning:</u>	R-2 Two Family Residential w/ PUD-1 Overlay
<u>Surrounding Uses:</u>	
<u>North:</u>	Vacant
<u>South:</u>	Vacant

East: Large Lot Residential

West: Vacant/ Residential

Department Comments:

This is the Preliminary Plat for Stone Crest Commons. It is a PUD that allows R-2 uses which includes both single and two-family dwellings.

The Planning Department reviewed the Preliminary Plat for code compliance and found that the plat itself was consistent with the regulations pertaining Preliminary Plats in the subdivision code.

The City Engineers are in the process of reviewing the public improvement plans for the development and is working with the developer's A/E for any necessary amendments. An Engineer's Estimate and a Letter of Credit for 125% of the estimated cost of the improvements will need to be submitted prior to final approval by the Board of Aldermen.

Commissioner Ross recused himself from this item and stepped off the dais prior to any discussion or vote, as he works part-time for Midwest Engineering.

City Planner Patterson mentioned during the discussion that this development would be either single family or two-family units, and he estimated it to contain approximately 19 lots. Cary mentioned there would be limited access onto Bluff Drive as part of the PUD.

Chairman Ebling asked if anyone in the audience would like to speak, and there were no comments.

Mayor Olivarri made a motion to approve the Stone Crest Commons Preliminary Plat and Commissioner Myler seconded the motion which passes unanimously.

Stonegate Estates Final Plat

Planner Patterson delivered the following report:

Subdivision Name: Stonegate Estates Final Plat

Location: Parkwood Circle

Section/Township/Range: 7/39/15

Applicant: Parkwood, LLC

Surveyor: Shoreline Surveying and Engineering

Tract Size: 12,140.6 sq. ft. (1 single-family lot)

Zoning: R-3 (Multi-Family Residential)

Surrounding Land Use:

North: Two Family

South: Vacant
East: Vacant
West: Two Family

Department Comments

Final:

- 1) The plat was reviewed for code compliance and was found to be consistent with the final plat requirements. The developer is adding lots to the initial Parkwood Development and the existing services system. The site development plans will not change from the original plat and the individual unit services will be handled during the Building Permit Application process.

Commissioner Blair asked about a previous sewer issue, and City Planner Patterson said a connection easement was being worked on with the previous engineer and would need to be signed before the property could be sold.

Alderman Ross made a motion to approve the Stonegate Estates Final Plat and Mayor Olivarri seconded the motion which passes unanimously.

Stonegate Estates Section 2 Final Plat

Planner Patterson delivered the following report:

Subdivision Name: Stonegate Estates Section 2 Final Plat
Location: Parkwood Circle
Section/Township/Range: 7/39/15
Applicant: Parkwood, LLC
Surveyor: Shoreline Surveying and Engineering
Tract Size: 10,009.4 sq. ft. (1 single –family lot)
Zoning: R-3 (Multi- Family Residential)

Surrounding Land Use:

North: Two Family
South: Vacant
East: Vacant
West: Two Family

Department Comments

Final:

The plat was reviewed for code compliance and was found to be consistent with the final plat requirements. The developer is adding lots to the initial Parkwood Development and the existing services system and wishes to have a separate plat for the two remainder parcels. This is the reason that this particular plat is being referred to as Stonegate Commons Section 2. The site development plans will not change from the original plat and the individual unit services will be handled during the Building Permit Application process.

Commissioner Sturn made a motion to approve the Stonegate Estates Section 2 Final Plat and Commissioner Myler seconded the motion which passes unanimously

Reports

Planner Patterson wished everyone Merry Christmas and Happy New Year and said there are quite a few things going on for development in the first six months of next year.

- ✓ Old Navy/Prewitt's Point TIF
- ✓ Bob Evans will have a future resident in the Spring of 2020.

Adjourn

Chairman Ebling adjourned the meeting at 6:12 p.m.

I, Pam Campbell, Planning Commission Secretary, for 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 December 10, 2019.

Pam Campbell/Planning Commission Secretary

Nancy Viselli/Secretary

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date:	January 14, 2020	Case Number:	403
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Applicant: Arapaho, LLC

Location: 2000' from Osage Beach Pkwy on Sunset Dr.
(Best way to view the property is from Backwater Jacks Parking Lot)

Petition: Rezoning from C-1b (Commercial Lodging) to C-1 (General Commercial) with an E-3 Overlay for an Amphitheatre and accessory uses.

Existing Use: Vacant

Existing Zoning: C-1 (General Commercial) and C-1b (Commercial Lodging)

Tract Size: Approximately 14 acres

Surrounding Zoning:

Surrounding Land Use:

North: A-1

Vacant

South: C-1 and R-3

Lake Front Restaurant and Entertainment Venue

East: A-1

Vacant

West: C-1 General Commercial

Commercial Restaurant Use

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Moderate Density Residential

Rezoning History

Date

399 A-1 to C-1b

9/17

Utilities

Water: City
Electricity: Ameren UE

Gas: Summit Gas
Sewer: City

Access: Property derives access via Sunset Drive or Beach Drive

Analysis:

1. The applicant is the owner of the 14-acre parcel in question. The applicant is requesting this rezoning in order to establish a two thousand (2000) seat amphitheater with customary accessory uses and parking on the property.
2. As you can see on the enclosed illustrations, the applicant is leaving a 185' buffer area around the property to protect both the existing corridor and their future investment. This buffer will remain zoned A-1 (Agriculture).

Department Comments and Recommendation:

The primary intent of E-zones is to regulate outdoor activities that could adversely affect adjacent properties, both commercial and residential. The character of this corridor is mixed, with the vast majority of the adjacent properties being undeveloped with a mixture of Commercial, Residential, and Agricultural zones. With the subject property's location on a large property surrounded by largely undeveloped property, it lends itself favorably to the type of use being requested, provided that the intensity of the uses such as live music and similar uses is mitigated as to not create a greater impact on the area. The applicant is requesting to rezone the property in order to establish an amphitheater and the additional parking facility that would be required to serve its patrons. The applicant and his family own the majority of the surrounding properties from the back of the cove up to Osage Beach Parkway, I have enclosed a map illustrating those properties.

As part of the request, the applicant has situated the proposed amphitheater in such a way that the stage and the sound system will be directed away from the Lake of the Ozarks and the sound will be directed into the wooded area and undeveloped valley that is owned by the applicant and his family. Operation of the facility will be required to conform with the city's regulations on noise and hours of operation. These conditions should ensure that there will be limited noise pollution to the area and should improve the noise impact on the properties fronting the lake in that cove with the stage and sound system pointing away from the lake itself. Uses customary to an amphitheater are what will be permitted.

My biggest concern as it pertains to the request, is the impact on the transportation system in the area. The City needs to make sure that the existing road infrastructure has the capacity to handle the additional trips that will be created by a capacity event at the proposed facility. The applicant's contract engineer provided a "Traffic Impact Statement" that provides a professional opinion that the proposed will not negatively affect the existing road infrastructure. That document is part of the packet so that you can read their

findings. Also, the City's contract engineers are reviewing the statement and will provide their opinion as to whether they agree that there will be no negative impact or if they have concerns that need to be addressed. My hope is that I will be able to provide that opinion at the meeting or before.

It is also worth noting that approval of this request would not increase the number of docking facilities or boat slips that will be allowed for the property.

Any additional customer base will come from the city via the roadways, as opposed to the lake, meaning additional impact to the cove in which the subject property is located should be minimal.

The property is recommended for Moderate Density Residential, which is defined by the Comprehensive Plan as 5-13 units per acre. This would allow more than 200 residential units to be built on the property if it were doable. The issue with this property and it ultimately being used for residential, is twofold. The first issue is developmental constraints from both topography and accessibility. Second is its relative location to Backwater Jacks. These issues make this property excessively difficult to establish single- or two-family homes because of relative cost and saleability.

This is a somewhat different request than we have been faced with in the past. It will undoubtedly provide the City with some positive economic impact by bringing more people into the community for the events. Fundamentally it should provide an expanded customer base for not only Backwater Jacks, but the City's other commercial facilities as well. But we must make sure that the benefit outweighs the impact, specifically by way of the road system. If the City's engineers come back with an opinion that our road system has plenty of capacity to handle the additional activity, I am confident that the proposed location for the facility is likely the best location in the community for it as the properties that will receive the majority of the impact are owned by the applicant and his family or are part of the Osage Beach parkway commercial corridor.

With the subject property being zoned Commercial and located on a large lot surrounded largely by undeveloped agriculture or multifamily zoned property, the Planning Department would recommend that this request be approved subject to the following provisions and conditions:

Permitted Uses: The amphitheater and accessory uses requested as part of rezoning case 403 and illustrated on the submitted site plan. The subject property will now be governed by the regulations pertaining to E-3 overlays as specified in the Land Use Chapter of the City of Osage Beach Municipal Code and the submitted site development plan.

Construction Requirements: All construction will be in conformance with the codes that are adopted by the City at the time that a Building Permit is requested for any portion of the development that a permit is required.

Parking: A total of 300 additional parking spaces will be required for the proposed, if approved, along with both land and water spaces to be shared from existing Backwater Jacks parking facility. This is an attempt to limit the amount of land disturbed initially assuming a number of patrons will use existing parking facilities. If it is found that more spaces are needed, they will be required to be built to city design standards and paved with either concrete or asphalt. There will be absolutely no unimproved parking area.

Signage: The applicant will be required to get a sign permit for any additional signage.

Exterior Lighting: Any additional lighting, proposed as part of this activity, must be shielded to direct light inward and limit light intensity within adjoining properties or the Lake of the Ozarks.

Buffering and Landscaping: A wooded area is required to be maintained around the facility to mitigate the noise pollution to surrounding properties. A minimum of 5 percent of the areas devoted to parking must be left in open lawn or landscaped areas.

Final Development Plan: The site plan submitted with the application is sufficient for the final development plan, unless changes or additions are requested by the Board of Aldermen, as part of the approval of the request. In that case an amended site development plan will be submitted illustrating all of the required changes.

Camden County, MO



1 in. = 200ft.



400.0 200.00 0 400.0 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

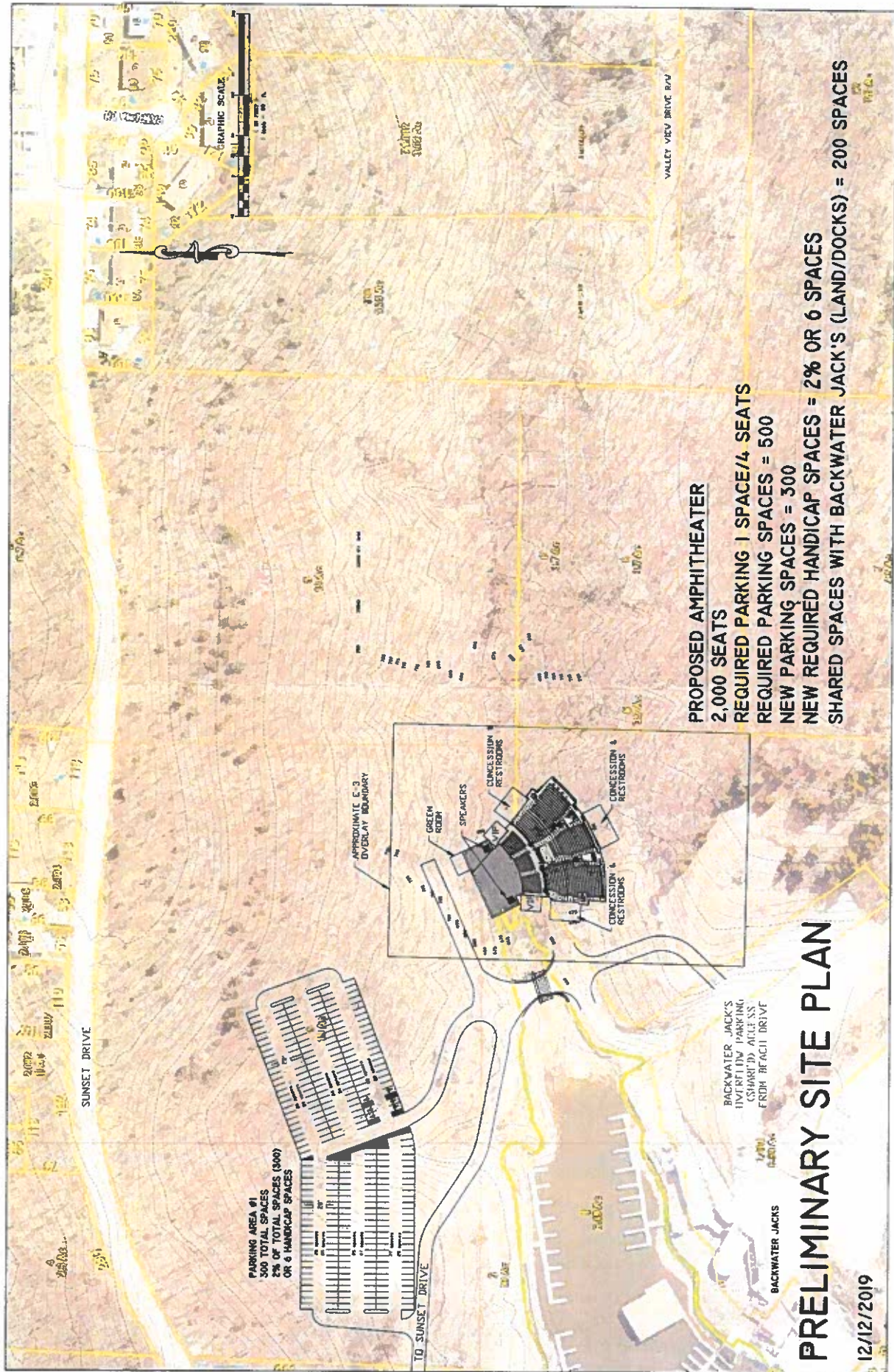
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Highway
 - Interstate Highway
 - US Highway
 - Numbered State Highway
 - Lettered State Highway
- Road
 - Section
 - County Boundary



Notes





Properties owned by the
Applicant and Family



Date Received: 12/18/19
Case #: 403

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Asapaho LLC Phone: 573-365-9440
Address: 12 Allen Road City: Eldon State: MO Zip: 65026

List all owners of the property. If corporation or partnership, list names, addresses and phone numbers of principal officers or partners:

Gary Prewitt Irrevocable Trust

2. Name of landowner's representative, if different from above: Andrew Prewitt Phone: 573-365-9440
Address: 12 Allen Road City: Eldon State: MO Zip: 65026

3. All correspondence relative to this application should be directed to whom? Andrew Prewitt
Address: 12 Allen Road City: Eldon State: MO Zip: 65026

4. General location of property to be rezoned or for which special use permit is sought (include street numbers for existing structures):
Address: TBD Sunset Drive City: Osage Beach State: MO Zip: 65026

5. Do you have a specific use proposed for this property? Amphitheater ☒ Yes ☐ No
Explain all uses: Live music entertainment venue

6. Area of property in square feet or acres: 11 acres +/-

7. Current zoning classification: Commercial C1-B

8. Sources of utilities: Water: City of O.B. Gas: Gasco
Sewer: City of O.B. Electric: Ameren UE

9. Proposed zoning classification: Commercial C-1 with a E3 overlay

10. How long have you owned this property? 2 years

11. Current use of property (describe all improvements): Additional boat parking and access for BuJ.

12. Current use of all property adjacent to subject property:
North: Residential/Vacant
South: Restaurant/Bar East: Vacant West: Commercial/Vacant

13. If zoning district or comparable use to that proposed adjoins or lies within the vicinity of subject property, please describe the use and its location:

Property adjoins Backwater Jacks property and is compatible with the proposed use

14. Do you own property abutting or in the vicinity of the subject property? ☒ Yes ☐ No

If yes, where is the property located and why was it not included with this application?

We own property all the way around this property and are happy with its ^{Current} zoning.

15. Do any private covenants or restrictions encumber the subject property which could be in conflict with the proposed zoning classification? ☐ Yes ☒ No

If yes, please remit copy of restrictions with Recorder of Deeds Book and Page number. NA

16. To your knowledge, has any previous application for the reclassification of the subject property been submitted? ☒ Yes ☐ No 2017 rezoning

17. How, in your opinion, will the rezoning affect public facilities (sewer, water, schools, roads, etc.), and what mitigating measures are proposed to address these problems, if any? Please include a letter from or regarding, City Engineering Department reviews of proposed zoning.

The public facilities should not be adversely affected by this project.

18. How, in your opinion, will rezoning affect adjacent properties and what mitigating measures are proposed to address these problems, if any?

we propose to leave a 185' buffer around the property to help mitigate any problems

19. List the reasons why, in your opinion, this application for rezoning/special use permit should be granted (may be left blank if adequately described in letter to Planning Commission):

The amount of property we own surrounding this property makes this a good fit and an ideal location for this use.

Notary Information

State of Missouri)
County of Camden) ss

I, Gary Prewitt, owner/applicant, having read the procedures and instructions, make application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri and explained in this application.

Signature Owner/Applicant:

Date:

Subscribed and sworn to before me on this 17th day of December, 2019.

Notary Public:

My Commission Expires:



(Seal)

Person Accepting this Application:

****Applications not properly signed and notarized may be removed from the Agenda and returned to the applicant via regular mail ****

CITY OF OSAGE BEACH
PLANNING DEPARTMENT
1000 CITY PARKWAY
OSAGE BEACH, MO 65065
573-302-2000 Phone – 573-302-0528 FAX

Commercial C1 Property Description:

That part of the West ½ of Lot 3 of the Northwest Quarter of Section 6, Township 30 North, Range 15 West, Camden County, Missouri being part of land described in Warranty Deed recorded at Book 725, Page 124 in the Recorder of Deeds, Camden County, Missouri described as follows:

From the Southeast corner of the West ½ of Lot 3 of the Northwest Quarter of Section 6 run North along the East line of the West ½ Lot 3 of the Northwest Quarter 347.1 feet; thence South 87 degrees 15 minutes West 185.21 feet to the point of beginning; thence South 87 degrees 15 minutes West 568.69 feet to an iron pin set at the head of a cove near the shoreline of the Lake of the Ozarks; thence along the shoreline in a Southwesterly direction to a point on the West line of the West ½ of Lot 3 of the Northwest Quarter of Section 6 which is North 235.1 feet from the Southwest corner of the West ½ of Lot 3 of the Northwest Quarter; thence leaving the shoreline North along the West line of the West ½ of Lot 3 of the Northwest Quarter 295.07 feet; thence leaving said West line North 57 degrees 33 minutes East 265.72 feet; thence North 74 degrees 00 minutes East 88.63 feet; thence North 83 degrees 20 minutes East 215.78 feet; thence South 87 degrees 25 minutes East 549.47 feet; thence North 80 degrees 05 minutes East 181.81 feet; thence South 390.76 feet to the place of beginning. Parcel contains 11 acres ±.

E3 Overlay Property Description:

That part of the West ½ of Lot 3 of the Northwest Quarter of Section 6, Township 30 North, Range 15 West, Camden County, Missouri being part of land described in Warranty Deed recorded at Book 725, Page 124 and in Book 665, Page 772 in the Office of the Recorder of Deeds, Camden County, Missouri described as follows:

From the Southeast corner of the West ½ of Lot 3 of the Northwest Quarter of Section 6 run North 1 degree 11 minutes 46 seconds East along the East line of the West ½ Lot 3 of the Northwest Quarter 347.1 feet; thence South 88 degrees 24 minutes 59 seconds West 500.0 feet to the point of beginning; thence North 1 degree 32 minutes 39 seconds West 200.0 feet; thence South 88 degrees 27 minutes 21 seconds West 350.0 feet; thence South 1 degree 32 minutes 39 seconds East 531.77 feet; thence North 88 degrees 27 minutes 21 seconds East 350.0 feet; thence North 1 degree 32 minutes 39 seconds West 331.77 feet to the point of beginning. Parcel contains 4.3 acres ±.

TRAFFIC IMPACT STATEMENT

For

**Proposed Amphitheater
Backwater Jack's Cove
Osage Beach, MO 65065**

PREPARED FOR:

**ARAPAHO LLC
12 Allen Rd
Eldon, MO 65026**

PREPARED BY:

**Shelly Hall, PE
LO Environmental, LLC
1071 Industrial Drive
Osage Beach, MO 65065**

December 10, 2019

Conclusions

Based upon the findings of this report, it was determined that the Proposed Amphitheater will not have negative impact upon the surrounding road network. It was verified that all roadways, within the project's area of influence, currently have a surplus of capacity and can accommodate the traffic associated with the proposed 2,000 seat amphitheater. As determined, the road network will continue to operate at acceptable levels of service for the foreseeable future and the project will not create any off-site transportation deficiencies that need to be mitigated.

Purpose of Report

This report examines the potential transportation related impacts that may occur as a result of building a 2,000 seat amphitheater, which will be located in the back of Backwater Jack's Cove between Sunset Drive and Beach Drive in Osage Beach.

Methodology

The report's methodology reviews the findings of The City of Osage Beach's Transportation Master Plan (TMP) prepared by Howard R. Green Company and estimated traffic counts for a 2,000 seat amphitheater.

Scope of Project

The planned 2,000 seat amphitheater will bring live music entertainment to the Backwater Jack Cove in Osage Beach. The site is situated between Sunset and Beach Drives. A new parking area is planned off of Sunset along with shared parking with Backwater Jack's (both by car and by boat) accessed off of Beach Drive.

Project Generated Traffic

Traffic that can be expected to be generated by the project is estimated based on the number of seats in the amphitheater. Parking spaces are calculated using The City of Osage Beach Ordinance Section 405.630, Article IX, Off-Street Parking and Loading Requirements. The number of parking spaces is calculated at one parking space for every four seats or five hundred spaces. Parking spaces provided will consist of three hundred new parking spaces along with required handicap spaces and two hundred spaces shared with the existing spaces provided by Backwater Jack's. The shared spaces consist of both land and dock parking. The expected increase in traffic is estimated at 300 vehicles.

Existing and Committed Road Network

The TMP does not show any significant five-year committed roadway improvements within the project's area of impact.

The principal arterial that will provide access to the site is US Highway 54. The road functions as a primary east/west corridor that extends from the most easterly and westerly ends of the City. Access will be from the west bound lane. Within proximity of the site, the posted speed limit is forty-five MPH.

Immediate access to the project will be from Sunset Drive and Beach Drive. Access from US Highway 54 to Sunset Drive is via Bluff Drive. Bluff Drive and Beach Drive are both right in/right out off of US Highway 54.

Project Generated Traffic Distribution

The project's net new traffic was distributed to the surrounding road network based upon logical means of ingress/egress, current and future traffic patterns in the area and growth trends for the surrounding areas. The estimated distribution of the 300 increased traffic counts is as follows:

100% to Sunset Drive or 300 vehicles

The shared parking at Backwater Jack's is not expected to create an increase in traffic counts.

Area of Significant Impact

Below is a table of findings of the TMP produced by HR Green Company. A copy was provided by the City of Osage Beach Planning & Zoning Department:

HR Green Company								
Transportation Master Plan Traffic Counts								
May-09								
	Peak Daily Traffic (PDT)	Peak Day	Peak Hour Traffic (PHT)	Peak Hour	Peak Hour Volume/ Lane	Approx. Capacity	Peak Hour V/C Ratio	Peak Hour Level of Service
Sunset Drive								
2008	897	Friday	74	2:00 PM	48	600	0.08	A
2012	951		78		51	600	0.09	A
2025	1227		101		66	600	0.11	A
Bluff Drive								
2008	3141	Friday	270	4:00 PM	152	600	0.25	A
2012	3329		286		161	600	0.27	A
2025	4294		369		208	600	0.35	B

Beach Drive was not evaluated as part of the TMP.

There are no areas of significant impact. From the report and for the purpose of their analysis HR Green Company assumed that the peak hour directional capacity of a single lane of urban arterial roadway is about 600 vehicles per hour. The addition of 300 vehicles per hour to Bluff Drive would reduce the Level of Service to D, Marginal Congestion in the year 2025. The addition of 300 vehicles per hour to Sunset Drive would provide a level of service C, Not Congested. All vehicle counts would remain well below the 600 vehicle capacity per hour.



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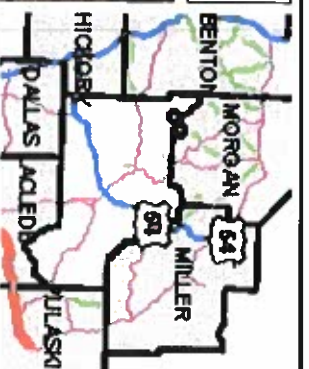
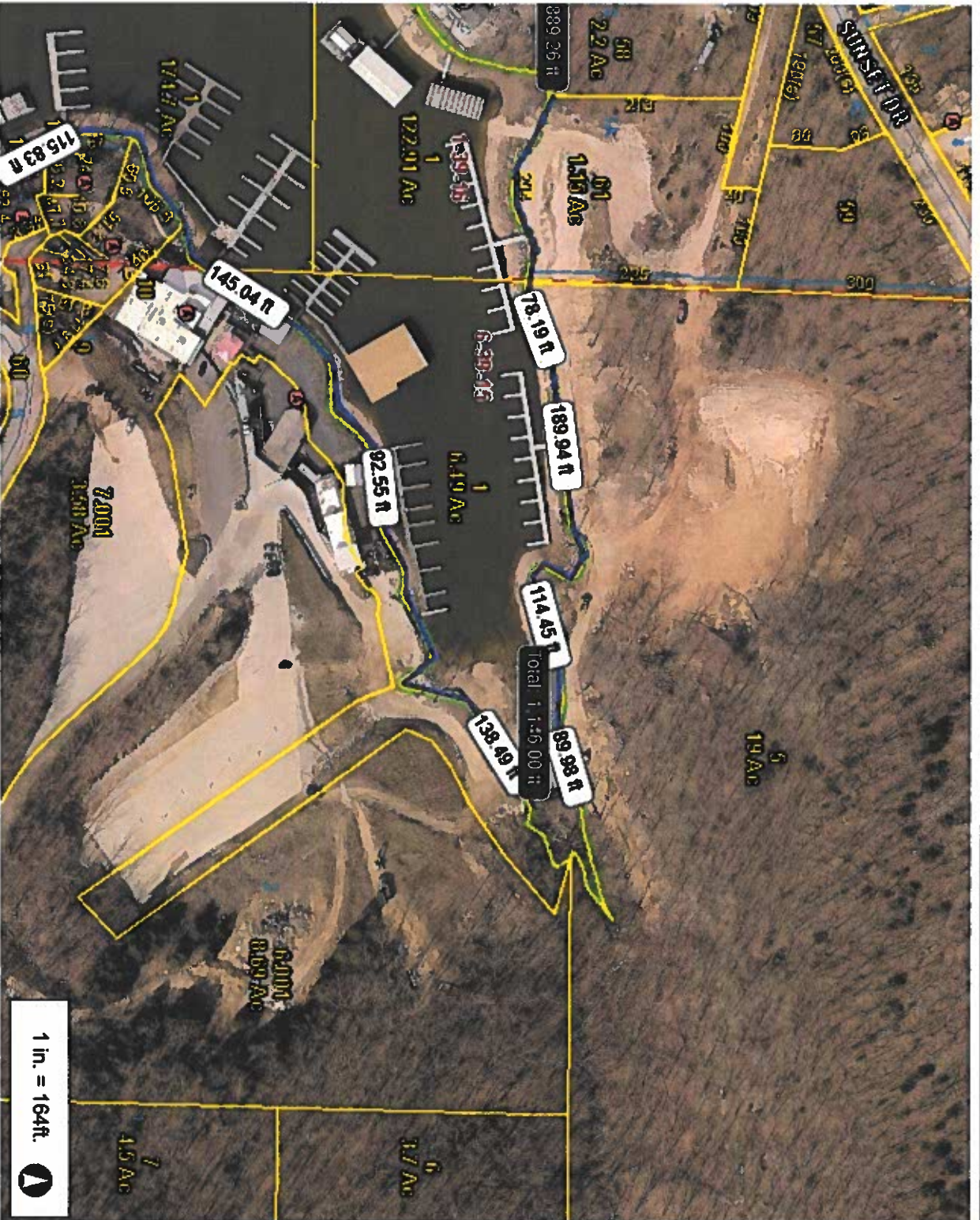
Camden County, MO

Navigation Search Tools Analysis

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- Rectangle
- Arrow
- Erase
- Clear
- Export Data



Camden County, MO



Legend

- Highway
 - Interstate Highway
 - US Highway
 - Numbered State Highway
 - Lettered State Highway
- Road
- Address Point
- Condo Point
- Parcel
- Corporate Limit Line
- Land Hook
- DASHED LAND HOOK
- SOLID LAND HOOK
- Original Lot
- Section
- County Boundary

Notes

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327.0 0 163.52 327.0 Feet