

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

November 10, 2020

Call to Order

Chairman Susan Ebling called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on November 10, 2020 at 6:00 pm at City Hall.

Roll Call

The following Commissioners were present: Mayor John Olivarri, Alderman Tyler Becker, Chairman Susan Ebling, Nancy Viselli, Michelle Myler, Tony Kirn, Alan Blair and Jeff Dorhauer. Absent was Kellie Schuman. Also present: City Planner Cary Patterson, Planning Department Secretary Pam Campbell, and City Attorney, Ed Rucker.

Minutes - 10/13/2020

Chairman Ebling asked if there were any corrections or comments regarding the October 13, 2020 regular meeting minutes. There were none. *Mayor Olivarri made a motion to approve the October 13, 2020 minutes and Michelle Myler seconded the motion, which passes unanimously.*

Chairman Ebling read the following:

The Planning Commission is a board of volunteers that is appointed by the Mayor and Board of Aldermen. Its function is to review and make recommendations to the Board of Aldermen on matters concerning development, the Land Use Code, and Zoning Map of the City of Osage Beach, including amendments and changes thereto. Recommendations will be made with consideration of conformance to the Osage Beach Municipal Code along with the following:

- Relatedness of the proposed amendment to goals and outlines of the long-range physical plan of the City.
- Existing uses of property within the general area of the property in question.
- The zoning classification of property within the general area of the property in question.
- The suitability of the property in question to the uses permitted under the existing zoning classification.
- 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.

Our goal in regulating is to provide adequate provision for transportation, water, sewer, schools, parks, and other public needs including safety, health and general welfare, light and air, while conserving the value of buildings and property through encouraging the most appropriate use of land within the municipality.

New Business

Chairman Ebling stated that the first order of business is the hearing of Rezoning Case No. 410 John and Michell Pfahl, Special Use Permit to allow for a Residential Addition in a C-1 Zone and asked for comments from the staff on this request. Planner Patterson delivered the following report.

**PLANNING COMMISSION
REPORT TO THE
BOARD OF ALDERMEN**

Hearing Date:	November 10, 2020	Case Number: 410
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Applicant: John and Michell Pfahl

Location: 2000 ft from Passover Road on the south side of Wilson Dr. (See location map)

Petition: Special Use Permit to build a single-family residence in a C-1 District

Existing Use: Vacant

Zoning: C-1 General Commercial

Lot Size: 2.24 acres

Surrounding Zoning:

Surrounding Land Use:

North: C-1 (General Commercial)

Condominiums

South: LU (Lake Use)

Lake of the Ozarks

East: C-1 (General Commercial)

Single Family Home

West: C-1 (General Commercial)

Condominiums

**The Osage Beach Comprehensive Plan
Designates this area as appropriate for:**

Moderate Density Residential

Rezoning History

Case #

Date

Citywide

May 1984

Utilities

Water: City
Electricity: Ameren

Gas: Summit
Sewer: City

Analysis:

1. The subject parcel has been a vacant commercial property for a number of years. The applicant is requesting a Special Use Permit to build a single-family dwelling on the property.
2. Although the property is commercially zoned, the area has developed into a multi-faceted residential area containing single-family, condominium, townhome, and a mobile home property nearby. The applicants wish to build a home to establish their primary residence on the property and later build a shop/storage structure that is a permitted structure in the current zoning district.
3. In accordance with Section 405.420 of the Osage Beach Zoning Code, residences are permitted in C-1 zones with a Special Use Permit.

Planning Commission Recommendations:

Like many of areas around the commercially zoned Glaize Channel, a mixture of use intensities has developed near the subject property, with this particular area developing primarily with various intensities of residential uses. It is certainly not uncommon to find existing residential neighborhoods located in commercial zones. This particular property, along with the majority of the Wilson Drive corridor, was zoned C-1 with the original zoning of the City in 1984 because of the number of small lake front resorts that existed at the time. In this case, the surrounding development and the recommendations of the Comprehensive Plan lend to a use of less intensity than a typical heavy traffic commercial use. With a fundamental function of zoning being separation of incompatible land uses, it makes sense to allow a request of this type on the subject property. However, with increases in demand for lakefront commercial property in the city, land use intensities could increase with such happenings as resort or condo development. It is important for property owners to be cognizant of this prior to developing such properties residentially or replacing nonconforming uses.

With this property's location in an area that has developed residentially, the Planning Department recommends approval of this request with the following conditions:

1. The proposed home will be constructed in accordance with the regulations for development established for the R-1b zoning district. Any future requested additions or changes to the home can be done without an amendment to the SUP provided a building permit is acquired and the proposed changes meet the regulations established by the Building Code (current version at the time of newly proposed addition) and the R-1b zoning district.
2. A building permit must be obtained, and all other building and zoning codes must be adhered to.
3. Annual renewal of this SUP will not be required.

Chairman Ebling asked if there were any questions for the City Planner.

A male person from the audience stood up and said there are no businesses on Wilson.

Planner Patterson requested that he come up to the podium to speak to the Commission but he

stayed at his seat and declined.

Planner Patterson explained that there are a lot of commercial zones just not retail in nature. He further stated there are mobile homes on Wilson, but no retail store front locations and the applicant could build a house with a shop

Commissioner Dorhauer said he was concerned if five years down the road the owners aren't happy with development?

Planner Patterson replied that the Commission has complete decision making and the owner of the property is aware of what could happen. Also condos are defined as commercial but they are residential in nature. He further explained that Tirebiters Restaurant/Bar has a living unit and that the manager or employees have stayed there. Also, rezoning cases wouldn't be brought to the Planning Commission if he didn't feel they would have the merit to be approved.

Chairman Ebling asked if anyone else had questions or comments.

Commissioner Kirn commented that the size of the property and location of the proposed home is in an attractive lake location.

Planner Patterson stated if the City was rezoned now, it would look different today as there are a lot of residential structures in commercial zones. He further stated he lives on Malibu and there is a mix of condos and houses and he makes sure owners know what they are asking for and what could happen.

Chairman Ebling asked for comments from the City Attorney.

Ed Rucker, the City Attorney said the file is complete and ready for the Commission's decision.

Commissioner Tony Kirn made a motion to approve Rezoning Case No. 410 John and Michell Pfahl, Special Use Permit to allow for a Residential Addition in a C-1 Zone and Alderman Tyler Becker seconded the motion, which passes unanimously.

Reports

Chairman Ebling asked Planner Patterson if he had any other reports separate from this Special Use Case. Planner Patterson stated there were none at this time.

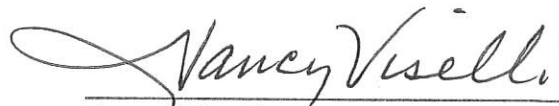
Adjourn

Chairman Ebling adjourned the meeting at 6:17 p.m.

I, Pam Campbell, Planning Department 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 November 10, 2020.



Pam Campbell
Planning Department Secretary



Nancy Viselli
Planning Commission Secretary