

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

December 8, 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 December 8, 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, Kellie Schuman and Tony Kirn. Absent were Alan Blair and Jeff Dorhauer. Also present: City Planner Cary Patterson (via Zoom) and Planning Department Secretary Pam Campbell.

Minutes - 11/10/2020

Chairman Ebling asked if there were any corrections or comments regarding the November 10, 2020 regular meeting minutes. There were none. *Nancy Viselli made a motion to approve the November 10, 2020 minutes and Kellie Schuman seconded the motion, which passes unanimously.*

New Business

Chairman Ebling stated that the first order of business is the hearing of Rezoning Case No. 411 Precision Paint Worx, LLC, Rezoning to remove the unsuccessful PUD from existing C-1 (General Commercial) Zoning and asked for comments from the staff on this request. Planner Patterson delivered the following report.

**PLANNING DEPARTMENT
REPORT TO
PLANNING COMMISSION**

Date:	December 8, 2020	Case Number:	411
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<u>Applicant:</u>	Precision Paint Worx, LLC
<u>Location:</u>	Approximately 250 ft. off Osage Beach Parkway on Ozark Care Drive.
<u>Petition:</u>	Rezoning to remove the unsuccessful PUD from existing C-1 (General Commercial) zoning
<u>Existing Use:</u>	Vacant property
<u>Zoning:</u>	C-1 General Commercial with a PUD 1 Overlay for a Medical Office complex.
<u>Tract Size:</u>	5.6 acres

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 General Commercial	Vacant Commercial
<u>South:</u>	C-1 General Commercial	Frontage businesses
<u>East:</u>	C-1 General Commercial	Commercial Office
<u>West:</u>	C-1 General Commercial	Vacant Commercial/ Expressway

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Heavy Traffic Commercial

<u>Rezoning History</u>	<u>Case #</u>	<u>Date</u>
Johnson-Meyer-Fredrick LLC 217		August 1999

Utilities

<u>Water:</u>	City	<u>Gas:</u>	Private
<u>Electricity:</u>	Ameren UE	<u>Sewer:</u>	City

Access: Property derives access via a private drive from Ozark Care Drive.

Analysis:

1. The applicants have a contract to purchase the 5.6-acre parcel in question. The subject parcel is zoned C-1 and is part of a PUD that was approved for the original 10-acre tract back in 1999. The adjacent properties are also zoned C-1 (General Commercial) and the uses and activities that take place on those properties are permitted under the regulations established by the subject zoning district.
2. The request is technically a rezoning request, but the function of the request is to remove the PUD that overlays the existing zone, thereby, removing the incumbrance of the property restoring the ability to develop the property with all of the uses permitted within the C-1 (General Commercial) zoning district.
3. Access for the property will continue to be via Ozark Care Drive. Ozark Care Drive is platted as a private roadway as part of JMF Subdivision.
4. The character of surrounding development is heavy traffic commercial. The intensity of development can be expected to increase in this area with the property being located between two interchanges for the expressway and accessed from the Osage Beach Parkway commercial corridor.

Department Comments and Recommendations:

The PUD is a zoning tool used to offer flexibility within the rigid zoning districts by allowing mixed-use or cluster developments that adhere to the goals and objectives of the Comprehensive Plan but may not necessarily conform to the rigid requirements of the zoning district itself. Of issue in this particular situation is that I can find no reason why a Planned Unit Development was used for this development. All the uses that were part of

the approved PUD are permitted uses within the C-1 zoning district and I cannot find a purpose for the PUD by way of services requirements either.

As helpful as a PUD can be when a property owner is in need of flexibility to develop their property, they can also be unnecessarily cumbersome to a developer, a piece of property, and ultimately the City if not used effectively. In this situation, the subject property has remained undeveloped for over twenty years and the approved PUD is in no small part a reason for that. From a planning perspective, removing the approved PUD from the property provides the flexibility needed for a piece such as this to be appropriately developed. This of course will be a positive for the landowner who can now sell the property, the buyer who can develop the property, and the city who will experience new development on a piece of property that has remained vacant for some time.

With this in mind, the Planning Department would recommend approval of this rezoning request that would remove the PUD requirements for the subject property.

Chairman Ebling asked if there were any questions for the City Planner or if anyone here is for or against this issue and wants to speak.

Jason Sherrow signed in and stepped up and wanted to voice his opinion for it. He stated he owns the property next door and it would be great to have it rezoned as it will make the City look better.

Chairman Ebling asked if there was anyone else to wished to speak - no one stepped forward.

Commissioner Tyler Becker made a motion to approve Rezoning Case No. 411 Precision Paint Worx, LLC, Rezoning to remove the unsuccessful PUD from existing C-1 (General Commercial) Zoning and Commissioner Tony Kirn seconded the motion, which passes unanimously.

Chairman Susan Ebling called the second case Northview Subdivision Preliminary Plat and asked for comments from the staff for this request. Planner Patterson delivered the following report.

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date: December 8, 2020

Subdivision Name: Northview Subdivision Preliminary Plat

Location: Approximately 900 ft off Sycamore Valley Drive on Oak Road

Section/Township/Range: 10/39/16

Applicant: Mitchell Northway

Surveyor: Central Missouri Professional Services, Inc.

Tract Size: 63,418 sq. ft. (5 single –family lots)

Zoning: R-1a (Single Family Residential)

Surrounding Land Use:

North: Lake of the Ozarks

South: Residential Development

East: Residential Development

West: Residential Development

Department Comments

Preliminary:

- 1) The plat was reviewed for code compliance and was found to be consistent with the preliminary plat requirements.
- 2) All public improvements, (i.e., roadways, parking areas, streetlights, etc.) must be designed and built to city design standards. The City Engineer is currently in the review process with the applicant's engineer. That process should be completed soon.

Planner Patterson stated this was a request to re-subdivide the oldest subdivision in town into five lots instead of four which is lake front. He further said he worked with the current City engineers to bring this old subdivision back to the forefront and this request was approved by the City engineers.

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

Commissioner Tony Kirn wanted to clarify that this was a request to reestablish five lots instead of four and Planner Patterson replied yes that was correct.

Chairman Ebling asked if there were any further questions. There were none, however the applicant stated that all five lots have been sold.

Mayor John Olivarri made a motion to approve Northview Subdivision Preliminary Plat and Commissioner Nancy Viselli seconded the motion, which passes unanimously.

Reports

Chairman Ebling asked Planner Patterson if he had any other reports and Planner Patterson stated there were none at this time.

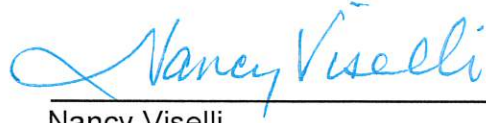
Adjourn

Chairman Ebling adjourned the meeting at 6:10 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 December 8, 2020.



Pam Campbell
Planning Department Secretary



Nancy Viselli
Planning Commission Secretary

Sign-In SHEET Dec. 8, 2020

Jason Sherrow

Planning Commission Mtg.