

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

March 8, 2022

Call to Order

Chairman Susan Ebling called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on March 8, 2022 at 6:00 p.m. at City Hall. Everyone stood for the Pledge of Allegiance.

Roll Call

The following Commissioners were present: Alan Blair, Chairman Susan Ebling, Tony Kirn, Mayor John Olivarri, Alderman Bob O'Steen, Nancy Viselli, and Jeff Dorhauer. Also present: City Planner Cary Patterson, City Attorney Ed Rucker (via Zoom) and Planning Department Secretary Pam Campbell.

Minutes - 2/8/2022

Chairman Susan Ebling asked if there were any corrections or comments regarding the February 8, 2022, regular meeting minutes. There were none. *Nancy Viselli made a motion to approve the February 8, 2022 minutes and Tony Kirn seconded the motion. Upon a voice vote, all voted yes, no nays were heard. The motion was passed unanimously.*

New Business

Chairman Susan Ebling read the following:

The Planning Commission is a board of volunteers that is appointed by the Mayor and the 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.

Chairman Susan Ebling said the first order of business is Rezoning Case 417 - Jim Nugent Harpers Cove Investment Company - Rezoning from A-1 (Agriculture) and C-1 (General Commercial) to R-1b (Single Family) and R-3 (Multi Family) and asked for comments from the staff. *(note: clarification, this is actually Case 418 as noted by Mayor John Olivarri later in the minutes)*

Planner Patterson delivered the following report.

**PLANNING DEPARTMENT
REPORT TO THE
PLANNING COMMISSION**

Date:	March 8, 2022	Case Number:	418
<u>Applicant:</u>	Jim Nugent Harpers Cove Investment Company		
<u>Location:</u>	1,100 feet west of Case Road on the north side of Sycamore Valley Drive.		
<u>Petition:</u>	Rezone from A-1 (Agriculture) and C-1 (General Commercial) to R-1b (Single Family) and R-3 (Multi Family).		
<u>Existing Use:</u>	Vacant		
<u>Zoning:</u>	A-1 (Agriculture) and C-1 (General Commercial)		
<u>Tract Size:</u>	Approximately 34.1 acres		
	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>	
<u>North:</u>	LU (Lake Use)	Lake of the Ozarks	
<u>South:</u>	N/A	54 expressway corridor	
<u>East:</u>	R-1a (Single Family)	Single-Family Subdivision	
<u>West:</u>	PUD	Vacant Golf Course Scattered Single-Family	

The Osage Beach Comprehensive Plan
Designates this area as appropriate for: Moderate and High Density Residential

<u>Rezoning History</u>	<u>Case #</u>	<u>Date</u>
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City Wide Zoning

Utilities

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

Access: Property will derive primary access via Sycamore Valley Drive

Analysis:

1. The applicants are the owners and perspective developers of the 34.1 acres in question. They attained the property approximately 50 years ago. The proposed developer has a contract to purchase and develop the land if the property is rezoned.

2. The applicants have submitted a request to rezone the subject property from A-1 (Agriculture) and C-1 (General Commercial) to R-1b (Single Family) and R-3 (Multi Family). The subject property was zoned as it is currently as part of the original zoning project for the City in the mid 1980's.
3. The owners of the property have a prospective buyer that wishes to place single family houses and multifamily units on the subject property.
4. The character of surrounding development is primarily residential and vacant land previously used for a golf course.
5. The R-1b district permits lots of 6500 square feet with single family dwelling units per lot. The R-3 zone allows multifamily facilities with one unit per 2500 square feet of property.

Department Comments and Recommendations:

As you know, the main issue facing the lake area currently is the need for housing. With this being the case, requests of this type are likely to become common in the upcoming period of time, as developers try to answer the call for more housing in the area. The perspective developer plans to subdivide the property into 39 single family lots on the lake frontage and zone the remaining land R-3 so that they can determine what type of housing best addresses what the market is identifying as the greatest need when they are ready to develop that area. The R-3 zone will allow a developer the flexibility to build multifamily structures as well as smaller lot single family if that is what they determine to be the best market. With the City and the lake area looking for ways to address the housing shortage we face, providing property owners flexibility on the type of units they are allowed to build, is one way that the City can promote the type of development that can help address that need. **Keeping that in mind as well as the request being consistent with the recommendations of the Comprehensive Plan, the Planning Department recommends approval of this request.**

Planner Patterson said currently it is zoned, the majority of it is zoned A-1 Agriculture with a piece of property that is about 100' wide by about 1000' long that is zoned Commercial, right in the middle of it, looks like a candy bar and makes no sense and was told that's where a ferry docked in 1984-1985 that's why it was zoned Commercial. Cary stated he has had a multitude of conversations regarding this property ranging from lakefront bars to condominiums and the projects didn't gain steam since no approval would be granted for that or they found the lakefront on the water not meeting their needs.

Planner Patterson further stated the request comes as approximately 19 acres to R-3 leaving the other 15 acres to be Single Family Residential and this matches the comprehensive plan for this property. This is a situation for rezoning that will match how it should be developed and also provide the community and the City of Osage Beach the very needed housing, and Planner Patterson recommended approval of this request.

Chairman Ebling asked if any of the commissions had any questions for Cary. There were none.

She further stated the applicants are here and representatives as well and asked if they would like to clarify any aspects of the development.

Jeff Krantz stepped up to the podium and signed in. He stated that Cary already touched on this and wanted to add that this proposed development fits the biggest housing need that is seen daily and has an added interest for buyers requiring full-time housing. He stated that this development will have a "subdivision feel" that is needed here. He ended by saying that the developer was present as well as the seller, if anyone had any questions for either of them.

Chairman Ebling asked if anyone had questions for Mr. Krantz, there were none.

Chairman Ebling asked if there was anyone who would like to speak in opposition to this development.

Steve Kahrs stepped up to the podium, signed in and stated he was not opposed to the development but had concerns regarding the notification process and is representing his family and did not receive a notification for this and also he questioned the timeframe for mailing the notices, stating he and his wife have adjoining property. Planner Patterson said we do 15 days for the Board of Aldermen's Public Hearing, but not for the Planning Commission. For the Planning Commission, it is posted on the Public Board, posted on the property seven days before and letters sent to the adjacent property owners. Per the State and City Code requirements, those are for the Public Hearing with the Board of Aldermen.

Steve Kahrs then stated as an adjacent property owner, he wasn't notified of a zoning change and asked about final approval.

Planner Patterson said the Board of Alderman make final approval.

Steve Kahrs asked where the sign was put and Planner Patterson stated it blew down and was put back up 1000' from Oak, right on the corner of the property.

Steve Kahrs expressed concern regarding controlled run-off and wondered how the developer would handle the storm water retention and added that his last concern was sewer access, mentioning there is a gravity line on his property.

Planner Patterson stated that particular station would require numerous easements and a station that will be taking the brunt of future development of Sycamore Creek property. The owners of this would have the capacity to create their own sewer system. All of those plans will be reviewed by Cochran, the City Engineers and be part of the preliminary plat process through the Board of Aldermen. The plat is a public document and Mr. Kahrs has asked to be notified of when it comes in and Cary stated he will be happy to do that.

Mr. Kahrs stated that what Cary said is appreciated and it's a major concern regarding the flow of water on his property. He said another concern is the paved road and that it is important that it stays in good condition during construction and also that any drainage issues are addressed.

Planner Patterson stated if the road is torn up they will have to replace and make better.

Mayor Olivarri stated the developer would stay in touch with Mr. Kahrs regarding these issues.

Chairman Susan asked if there was anyone else who would like to speak.

Jack Uxa stepped up to the podium and signed in said he has a concern regarding too many duplexes or quad plexes and would like to see more full time homes.

Planner Patterson stated he believed curb and gutter development taking place would increase

the property values approximately 7-9%.

Jack Uxa asked how many duplexes or quadplexes there would be.

Mr. Uxa asked if there would be apartments and Cary said no.

Planner Patterson stated the R-3 portion will be more market driven and allows for small lot single family if that is what's selling.

Adam Seraphine stepped up to the podium and signed in and stated he is the primary developer for the property and thanked staff for their work on this. He stated the homes would be 2,800 to 3,600 sq feet in size and others will be market driven.

Chairman Susan Ebling asked if there were any questions for Adam.

Mayor Olivarri asked Jack if this answered his questions.

Chairman Susan Ebling asked if anyone else would like to speak and if not, she would entertain a motion.

Mayor Olivarri asked for a clarification in the Minutes to reflect that this is case 418 and not 417 as stated earlier by Chairman Susan Ebling.

Chairman Susan Ebling said for case 418 she would entertain a motion.

Mayor Olivarri made a motion to approve Rezoning Case 418 - Jim Nugent Harpers Cove Investment Company - Rezoning from A-1 (Agriculture) and C-1 (General Commercial) to R-1b (Single Family) and R-3 (Multi Family) and Jeff Dorhauer seconded the motion. A roll call vote was held and everyone voted yes. The motion was passed.

Chairman Susan Ebling then stated she will be recusing herself from the next item on the agenda and the Mayor would take over.

Mayor Olivarri stated the record needs to show that Chairman Ebling left the Dais and the next item is requesting Topsider preliminary and final plats and asked for the City Planner's report.

Planner Patterson delivered the following report.

**PLANNING DEPARTMENT
REPORT TO THE
PLANNING COMMISSION**

Date: March 8, 2022

Subdivision Name: Topsider Subdivision Preliminary and Final Plats

Location: 4877 Osage Beach Parkway

Section/Township/Range: 1/39/15

Applicant: Topsider Condominiums, LLC.

Surveyor: Miller Surveying and Engineering

Tract Size: 10.5 acres

Zoning: PUD

Surrounding Land Use:

North: Mcfield Subdivision

South: Osage Beach Pkwy Corridor

East: Osage Beach Pkwy Corridor

West: Lake of the Ozarks

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, water, and sewer services, etc.) must be designed and built to city design standards. The City Engineer will review the plans to serve the buildings as permits are applied for and plans are submitted for review.

Final:

- 1) The plat was reviewed for code compliance and was found to be consistent with the final plat requirements.
- 2) An Engineers Estimate and a Letter of Credit for 125% of the estimated cost of construction will be required prior to Board of Aldermen approval of the Final Plat.

With the approval of the public improvement plans and the submittal of the engineer's estimate and letter of credit, staff recommends approval of both the Preliminary and Final Plats.

The preliminary plat is usually seen prior to the project beginning. Initially the property was going to be a three lot subdivision and units being unit 111 of lot 1 of Topsider Subdivision. With only being 3 lots, it wouldn't be a subdivision. The owner hired an attorney and a new engineer it was required the subdivision be broken into 8 lots instead of 3 initially. The preliminary and final plat will allow them to begin moving units into building 1 going across the bridge. The preliminary plat shows the entire development with parking, sewer, water and which was seen during the rezoning a couple years ago and meets the site development requirements and he recommends approval of the preliminary. Building one has been approved by Cochran, the City Engineers. The final plat shows all five lots and the sixth being the common area between the building and the lake, and seven and eight being the home to the restaurant and hotel in the future. Cary stated he spoke to Mr. Ellsworth, the attorney, and he assured he had his reasons for doing that. The new buildings will need to be in the location platted. They will need to provide an engineer's estimate for the services remaining for the entire development and a letter of credit for 125% of that amount before the Board of Aldermen can approve the first and second reading of the final plat ordinance.

It does meet all the requirements and Planner Patterson recommends approval.

Mayor Olivarri asked if there were any questions of the Commissioners. There were none. He stated the developers are here if there are any questions or had anything to share with the Commission.

One of the developers in the audience stated they were here to answer any questions if there was opposition to the request.

Mayor Olivarri asked if there were questions from the Commissioners. There were none and then asked if there was a motion to approve the Topsider Preliminary and Final Plats.

Alderman Bob O'Steen made a motion to approve the Topsider Subdivision Preliminary and Final Plats and Tony Kirm seconded the motion. Everyone was in favor stating aye and no one opposed. The motion was passed.

Mayor Olivarri then stated Chairman Ebling can take control of the meeting and the record show the Chairman returned to the Dais at 6:33 p.m.

Chairman Ebling asked if there were any reports.

Reports

Planner Patterson stated on the Dias there are little speakers to hear each other better and if someone on one side is speaking it will go to the opposite side increasing in volume. At the next meeting in April, if we have a meeting then, there will be five new members who were approved at the last Board of Aldermen meeting at the last meeting so there will be 12 members of the Planning Commission. They have various backgrounds and will bring a lot to the Planning Commission. Also, the Appreciation Dinner is at the end of the month and Cary asked everyone to make sure they got their RSVP to the City Clerk's Office.

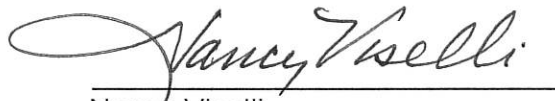
Mayor Olivarri stated he is excited about the new Commissioners.

Adjourn

Chairman Susan Ebling adjourned the meeting at 6:36 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 March 8, 2022.


Pam Campbell
Planning Department Secretary


Nancy Viselli
Planning Commission Secretary

CITY OF OSAGE BEACH
PLANNING COMMISSION MEETING

March 8, 2022 - 6:00 PM

(Please print)

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