

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

May 10, 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 May 10, 2022 at 6:00 p.m. at City Hall. Everyone stood for the Pledge of Allegiance.

Roll Call

The following Commissioners were present: Mayor Michael Harmison, Alderman Bob O'Steen, Chairman Susan Ebling, Nancy Viselli, Bill Mackay, Alan Blair, Gary Jones, Angie Schuster, Tony Kirn, Jessica Rozier, and Bill Morgan. Also present: City Planner Cary Patterson, City Attorney Ed Rucker and Planning Department Secretary Pam Campbell.

Chairman Susan Ebling welcomed the new members.

Minutes - 3/8/2022

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

New Business

Chairman Susan Ebling explained the purpose of the Planning Commission statement and 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 419 - Phoenix Property Development, LLC, Rezoning from C-1 General Commercial to I-1 Light Industry and asked for comments from the staff.

Planner Patterson delivered the following report.

**PLANNING DEPARTMENT
REPORT TO THE
PLANNING COMMISSION**

Date:	May 10, 2022	Case Number:	419
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Applicant: Phoenix Property Development, LLC.

Location: 6215, 6241, 6257, 6265 Osage Beach Parkway

Petition: Rezoning from C-1 (General Commercial) to I-1 (Light Industry)

Existing Use: Retail Commercial and Warehousing Property

Existing Zoning: C-1 (General Commercial)

Tract Size: Approximately 5 acres

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 General Commercial	Parkway frontage businesses
<u>South:</u>	C-1 General Commercial	Parkway frontage businesses
<u>East:</u>	C-1 General Commercial	Parkway frontage businesses
<u>West:</u>		Highway 54 Right of Way Corridor

The Osage Beach Comprehensive Plan
Designates this area as appropriate for: Heavy Traffic Commercial

<u>Rezoning History</u>	<u>Date</u>
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Original City zoning adoption

Utilities

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

Access: Property derives access via Osage Beach Parkway

Analysis:

1. The applicant is the owner of the parcels in question. The subject property includes four separate parcels that the applicant has acquired over the past several years. The subject property is zoned C-1 as it was zoned with the initial zoning of the community in the 1980's.
2. The property fronts Osage Beach Parkway within the area between Highway KK and Lazy Days Road. The corridor contains a mixture of commercial uses ranging from retail to landscape and building material sales.
3. Currently the subject property is home to several structures with uses that include retail furniture sales, shipping, freight, and warehousing. The applicant intends to continue these uses with the opportunity to expand both the operation and the facility. The shipping, freight, and warehousing uses are more commonly found in an industrial zone as the intensity of the activities that take place on site are typically of a more intense nature involving more trucking and machinery.
4. One of the things that provides some relief in the I-1 zone as compared to the C-1 zone, is the opportunity for the shipping, freight, and loading areas to have an approved aggregate cover for the areas requiring surfacing. Semi-trucks or loading equipment traffic by nature is not as conducive to requiring hard surface parking because of the stress and damage that they will cause. In these cases, it is more practical to allow gravel surfacing for the trucking, storage, and loading areas while still requiring hard surfacing for parking areas dedicated for the public, customers, and employees' private vehicles, especially those with accessibility needs. The gravel surfaces will still require review and approval by the City Engineers to assure a proper and appropriate drainage system is installed for the lot to protect from negative stormwater runoff impact taking place to the surrounding and effected properties.

Department Comments and Recommendations:

The City of Osage Beach is a community where finding locations for industrial uses is difficult to say the least. The Parkway Corridor in this general area, however, has a number of uses currently that are compatible with the uses within the I-1 zone, such as, the storage facilities and landscape and building material companies. Allowing some flexibility as it pertains to use in this portion of the corridor may also provide some answer to the property use and infill needs to promote business growth and increased traffic in the area. The subject property along with several of the adjacent properties would greatly benefit from the added use flexibility provided by the I-1 zone which permits all the uses within the C-1 zone along with some light manufacturing and assembly, storage, freight, laundromats etc. Although the comprehensive plan does recommend heavy traffic commercial for the surrounding properties, that designation includes the majority of the uses within the I-1 zone and by allowing C-1 uses to be located within the I-1 zone; the zoning code itself establishes that C-1 and I-1 uses are compatible and complementary. **With this in mind the Planning Department would recommend approval of this request and would also recommend that the City react positively to any similar requests for adjacent properties that could be made in the future.**

Planner Patterson explained the furniture sales is on a piece of property and an adjacent piece of property that they recently purchased. Also, this is one of the top Slumberlands in the country.

Chairman Susan Ebling asked if anyone had questions for Cary.

Tony Kirm inquired about a commercial area where people are coming in to buy, that hard surface parking is still a requirement

Cary stated the parking areas, whether it's for employees or customers are still required to be hard surface. The gravel or aggregate areas are designed for trucking, loading, unloading and freight.

Chairman Susan Ebling asked if there were any other questions, there were none and then asked to entertain a motion.

Tony Kirm made a motion to approve Rezoning Case 419 - Phoenix Property Development, LLC Rezoning from C-1 (General Commercial) to I-1 (Light Industry) and Alderman Bob O'Steen seconded the motion. A roll call vote was held and everyone voted yes. The motion was passed.

Chairman Susan Ebling said the second order of business is a discussion to the proposed amendment of Chapter 405 Zoning Regulations regarding Signs.

Planner Patterson stated he was getting multiple inquiries regarding this and wanted to bring it to the Planning Commission to discuss. The Sign Ordinance was approved in 1999 and since 1999 there were a few other things within the code that have been deregulated. In 1999, the digital message center was not overly seen or overly popular, and was expensive. A 32 foot message center was part of the code for any of the signage, which is an 8' x 4'. The message center in front of City Hall is a 6' x 5', a 30 square foot sign. In the meantime, larger groups such as Dierbergs and Prewitt's Point have come in and requested larger signs since their identification signs for square feet are larger. He further stated that Dierbergs being a metro shopping center and Prewitt's Point being a regional shopping and by definitions for the two are separated by the size and number of acreage they have and the square footage of their retail area. All other businesses, regardless of size, are allowed a thirty-two square feet maximum sign. This works fine with typical sized commercial facilities, but for the larger developments that can have much larger primary signs, a thirty-two square foot digital message center is often out of scale with the rest of the signage. Planner Patterson said the addition I am bringing for your review and discussion will allow those larger developments that meet specific requirements to have a maximum sixty-four square foot sign as opposed to the thirty-two square foot sign that is currently permitted so a Variance wouldn't be required each time.

Chairman Susan Ebling asked about someone wanting something bigger than the proposed larger sign, that it's still not big enough.

Planner Patterson replied if they meet the regional or metro, they could do the 120.

Tony Kirm asked about it not being digital.

Planner Patterson stated the 120 is digital and bringing it for discussion.

Bill Morgan asked about clarification on square footage and acreage for digital and any sign.

Planner Patterson stated the signs are based on the size of the property, road frontage, and size of the building using an equation to come up with the square footage allowed.

Bill Morgan asked what is the biggest digital sign someone could have.

Planner Patterson stated for example WalMart could put up a 120 square foot digital sign since they would be metro but WalMart doesn't use digital signs.

Bill Morgan wanted to clarify the size.

Planner Patterson stated he has been working with the larger developments to increase the size to a 64' sign, currently it's 32' sign.

Tony Kirn asked about business would benefit from this change.

Planner Patterson stated one example would be the Inn at Grand Glaize. They want to put up a new sign.

There was discussion with digital signs facing each side of the property such as Prewitt's Point.

Planner Patterson stated when the Outlet Mall redevelops, they will meet the requirements of a metro shopping center and possibly regional if they have two 50,000 square foot anchor stores. A metro would allow 120' square foot sign on any of their roads. Same with Osage Commons.

Alderman Bob O'Steen asked about the proximity of the business for an example, Backwater Jacks, since they own the property along the entrance to the road.

Planner Patterson stated they can't put up a sign on the old Grand Rally property and it's considered an off premise sign and according to our code you can't put another off premise sign near another off premise sign within 2,000 feet. Also, on Osage Beach Parkway, MODOT still has control of off premise signs.

Alderman Bob O'Steen asked about waterfront digital signs such as Backwater Jacks.

Planner Patterson stated they have never brought it up to him but a digital sign would be casting out to a lot of homes with possible brightness complaints. Also, if this is brought up, it would be something for the Citizen's Advisory Committee to look at and for a time limit at night to control the lumens.

Chairman Ebling asked Planner Patterson if he wants the Commission to vote on this.

Planner Patterson said in an attempt to help the businesses, he would like to have something to pass onto the Board, either this or something else.

Tony Kirn asked if this was focused on signs for the Expressway.

Planner Patterson replied no, stating those would be up to MoDOT, but this would be for signs for the Parkway, such as The Commons, the Outlet Mall and Blairs Landing

Tony Kirn asked about the digital signs replacing the static signs.

Planner Patterson said these wouldn't replace the static signs. He further explained he doubled the current square footage of the signs for discussion. If passed, Cary said it would help three businesses ASAP.

Chairman Susan Ebling said she would entertain a motion to approve.

Tony Kirn made a motion to approve the Additions and Amendments to Chapter 405 "Zoning Regulations" Article V "Signs" and Jessica Rozier seconded the motion. Everyone was in favor stating aye and no one opposed. The motion was passed.

Chairman Ebling asked if there were any reports.

Reports

Planner Patterson stated there are new members on the Commission and we are fortunate to have each and every one of you and he welcomed everyone and added he is always available to help with questions. Also regarding the Rezoning tonight, there might be two more requests for I-1 in the future for locations in that area.

Alderman Bob O'Steen stated it's usually a rotation from the Board of Aldermen to have someone on the Planning Commission but he was appointed for a second year.

Mayor Michael Harmison stated he had a nice meeting with Cary and one of his priorities was the sign code. He stated he is looking forward to being on this committee.

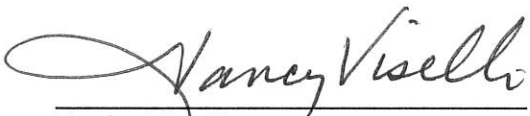
Adjourn

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 May 10, 2022.



Pam Campbell
Planning Department Secretary



Nancy Viselli
Planning Commission Secretary


Dana Bernick
City Clerk