

NOTICE OF MEETING AND PLANNING COMMISSION AGENDA



CITY OF OSAGE BEACH PLANNING COMMISSION MEETING

1000 City Parkway
Osage Beach, MO 65065
573.302.2000
www.osagebeach.org

TENTATIVE AGENDA

REGULAR MEETING

April 8, 2025 - 5:30 PM
CITY HALL

**** Note:** All cell phones should be turned off or on a silent tone only. Complete meeting packets are available on the City's website at www.osagebeach.org.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

- A. Motion to approve minutes January 14, 2025

NEW BUSINESS

- A. Rezoning Case 426, JM Corners, LLC., requesting a Rezoning of the Subject Property from A-1 (Agriculture) and R-1b (Single Family) to C-1 (General Commercial)

REPORTS

ADJOURN

Remote viewing link:

Representatives of the news media may obtain copies of this notice by contacting the following:

Tara Berreth, City Clerk
1000 City Parkway
Osage Beach, MO 65065
573.302.2000 x 1020

If any member of the public requires a specific accommodation as addressed by the Americans with Disabilities Act, please contact the City Clerk's Office forty-eight (48) hours in advance of the meeting at the above telephone number.

THE CITY OF OSAGE BEACH, MISSOURI
PLANNING COMMISSION MINUTES OF THE REGULAR MEETING
January 14, 2025

CALL TO ORDER

Mayor Harmison called the Planning Commission of the City of Osage Beach, Missouri to order at the regular meeting on January 14, 2025 at 5:30 pm at City Hall.

ROLL CALL

The following Commissioners were present:

Mayor Michael Harmison

Chad Kautz

Bill Mackay

Chad Carlson

Tony Stuart

Alan Blair

Angie Schuster

Absent

Alderman Bob O'Steen

Chairman Susan Ebling,

APPROVAL OF MINUTES

Commissioner Stuart made a motion to approve the minutes from December 10, 2024. This motion was seconded by Commissioner Kautz. Motion passes unanimously with a voice vote.

NEW BUSINESS

Special Use Permit Case 416 Richard R. Ellerman Requesting a SUP to construct a residential development in a Commercial Zone

Applicant: Richard R. Ellerman
Location: 5825 Lions Road
Petition: Special Use Permit to allow residential development in a Commercial District.
Existing Use: Vacant commercial property.
Zoning: C-1 (General Commercial)

Tract Size: 2.3 acres

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use</u>
<u>North:</u>	C-1 (General Commercial)	Osage Beach Parkway Commercial Corridor
<u>South:</u>	I-1 (Light Industry)	Vacant Airport Property
<u>East:</u>	C-1 (General Commercial)	Vacant Commercial/ YMCA
<u>West:</u>	I-1 (Light Industry)N/A	Osage Beach Parkway Commercial Corridor

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

Rezoning History **Case #** **Date**

None

Utilities: Water: **City** Electricity: **Ameren UE** Sewer: **City** Gas: **Summit**

Access: Property is accessed via Lions Road

Analysis:

1. The applicant is the owner of the property in question.
2. The character of the area is mixed containing airport uses, recreational (YMCA), and the Osage Beach Parkway commercial corridor.
3. The request is for a Special Use Permit to develop a rental residential use on the property that would include separate, single family type facilities. To accomplish this, the development will be regulated with the use and construction requirements established for the R-3 (Multi-Family) Zoning District.
4. The development will contain a maximum of thirty total units constructed on one, 2.3-acre, parcel of land. The homes will be rental units that will not be able to be sold separately because they will not be on individual lots. They will have a common parking lot facility similar to an apartment complex. A concept drawing has been included for the purposes of showing the ideology of the request, but a complete, engineered site development plan will be required, prior to construction beginning, if the request is approved.
5. As part of this request, Lions Road will be required to be improved to a hard surface roadway as required for existing local streets. The applicant intends to work with the neighboring property owners and the Osage Beach Special Road District to accomplish this requirement. The roadway improvement will need to be completed and approved by the City prior to Certificates of Occupancy being issued for the individual dwellings.

Department Comments:

The Comprehensive Plan recommends this property be used for commercial development. It is however worth considering a high density residential rental development such as this on these types of second-tier properties from the Osage Beach Parkway commercial corridor. The accessibility of the property does not lend to high traffic commercial development while allowing the development of rental dwellings can provide a use that works well with the surrounding uses. This is not a location that I would recommend development of a typical single family residential subdivision where each home is owned by an individual, but as a modified residential use as is being proposed, I believe it can be a benefit to the community and the property owner.

In a situation such as this, where the subject property is zoned commercial, I typically recommend going the route of the Special Use Permit as opposed to a straight rezone of the property. In situations like this, once the developers and their team get into the diligence and design phase of the project, it is not uncommon to find that the costs of development become cumbersome causing the property owner to reverse course. With commercial property, if that were to happen, it is better for the property owner and the City to have maintained the commercial zoning so that other opportunities for development can be reviewed.

With that in mind, the Planning Department recommends approval of this request for a Special Use Permit with the following regulations and requirements:

Permitted Uses:

Residential Uses shall conform to use, and construction requirements established for the R-3 (Multi-Family) Zoning District.

A maximum of thirty separate units will be allowed to be constructed per the required “Final Development Plan”.

There will be a thirty-day minimum requirement for all rental units.

The units cannot be sold to separate individuals establishing separate ownership of the units. All of the units will be constructed on the common parcel with no dwellings on individual lots.

Commercial uses can be developed on the subject property until construction begins on the residential uses allowed by this Special Use Permit. If a commercial use is established on any portion of the property regulated by this Special Use Permit, the Special Use Permit will be deemed discontinued, and the residential uses allowed by this Special Use Permit will not be allowed to be developed without an amendment to the approved Special Use Permit being approved by the Osage Beach Board of Aldermen.

Construction:

Construction shall be in accordance with the International Building Code and all other pertaining construction codes as adopted by the City of Osage Beach at the time a building permit is issued for each individual facility.

Bulk, Area, and Height Requirements:

Shall be in conformance with the International Building Code, the use and construction requirements established for the R-3 (Multi-Family) Zoning District, and the approved Final Development Plan.

Dimensional Requirements:

Shall be in conformance with the International Building Code and the use and construction requirements established for the R-3 (Multi-Family) Zoning District

Public Facilities:

Complete engineering and development plans, for any required public improvements, will be submitted as part of the permitting process. Those plans will be reviewed, by the City Engineer, for conformance with the Osage Beach Design Guidelines and shall be constructed as per the City Engineer’s approval.

Access:

Access shall be derived from approved entrances from Lions Road.

Lions Road is required to be improved to a hard surface roadway as required for existing local streets. The roadway improvement will need to be completed and approved by the City prior to Certificates of Occupancy being issued for the individual dwellings.

Parking:

All development shall adhere to Osage Beach off-street parking requirements at the time that it is constructed.

Buffering and Screening:

Shall conform to use, and construction requirements established for the R-3 (Multi-Family) Zoning District.

Exterior Lighting:

Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential area(s). Additionally, all exterior lighting shall be arranged and shielded to confine all direct light rays within the boundaries of the subject property.

Signage:

The applicant will be required to get a sign permit from the city. At such time that an application is filed, a site plan and engineering will be submitted to assure the signs compliance with the city's sign code for on premise residential signage.

Maintenance of Open Space and Common Areas:

The maintenance of common area and facilities within the district shall be the responsibility of the property owner(s) and/or the property management administrators.

Platting:

All platting of property will be required to be in conformance with the Osage Beach Subdivision Code.

Final Development Plan:

A complete, engineered Final Development Plan shall be prepared by a professional engineer and submitted for the City's review. This plan will meet all requirements needed for permitting the site development and construction of the complete project.

REPORTS

None

ADJOURN

Commissioner Stuart made a motion to adjourn the meeting at 5:42pm. The motion was seconded by Commissioner Schuster. Motion passed unanimously with a voice vote.

I, Tara Berreth City Clerk 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 January 14, 2025.

Tara Berreth/City Clerk

Angie Schuster/Planning Commission Secretary

****All meetings may be viewed on Facebook and YouTube for more details.**

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date:	April 8, 2025	Case Number:	426
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Applicant: JM Corners, LLC.

Location: Approximately 600 feet off of Osage Beach Parkway on Rowan Road

Petition: Rezoning from A-1 (Agriculture) and R-1b (Single-Family) to C-1 (General Commercial)

Existing Use: Vacant Property

Existing Zoning: A-1 (Agriculture) and R-1b (Single-Family)

Tract Size: Approximately 2.92 acres

Surrounding Zoning:

Surrounding Land Use:

North: C-1 General Commercial

54 Corridor

South: C-1 General Commercial

Parkway frontage businesses

East: C-1 General Commercial

Parkway frontage businesses

West: C-1 General Commercial

Parkway frontage businesses

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Heavy Traffic Commercial

Rezoning History

Date

Original City zoning adoption

Utilities

Water: City
Electricity: Ameren

Gas: Summit
Sewer: City

Access: Property derives access via Rowan Road

Analysis:

1. The applicant is the owner of the parcels in question. The subject property includes a single parcel that the applicant acquired in the last few months. The subject property is zoned R-1b (Single Family) and A-1 (Agriculture) as it was zoned with the initial zoning of the community in the 1980's.
2. The property fronts Rowan Road and is adjacent to the 54 Expressway Right of Way near the Case Road interchange. The Osage Beach Parkway corridor contains a mixture of commercial uses.
3. Currently the subject property is vacant with the applicant having received a Site Development Permit to clear and level it. The parcel was initially part of a larger tract of land but was cut off from the larger tract when the 54 Expressway was constructed.

Department Comments and Recommendations:

The subject property is located between the 54 Expressway and Osage Beach Parkway. It is certainly a property that has no business being zoned for residential and agriculture uses. As you can see, it is surrounded by properties zoned C-1 (General Commercial) with current land uses that match that zoning designation. This is legitimately a property that needs to be rezoned to C-1 (General Commercial) as is being requested. **With this in mind, the Planning Department recommends approval of this request.**



Date Received:
Case #:

426 TB

RECEIVED

FEB 25 2025

CITY CLERK

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: JM Corners, LLC Phone: (314) 267-2665

Address: 1480 Woodstone Dr, Ste 215 City: St. Charles State MO Zip: 63304

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

Jeremy Malensky (314) 267-2665 1480 Woodstone Drive, Suite 215, St. Charles, MO 63304

jeremy@ckeproperties.com

2. Name of landowner's representative, if different from above: Phone:

Address: City: State: Zip:

3. All correspondence relative to this application should be directed to whom? Jeremy Malensky

Address: City: State Zip:

4. General location of property to be rezoned or for which special use permit is sought (include street numbers for existing structures):

Address: TBD Rowan Road City: Osage Beach State MO Zip: 65065

5. Do you have a specific use proposed for this property? ☐ Yes ☒ No

Explain all uses: Some type of commercial dev in the near future

6. Area of property in square feet or acres: ~~2.92~~ acres ~~2.92~~ Acres 2.92 Acres

7. Current zoning classification: R-1b & A-1

8. Sources of utilities: Water: City of Osage Beach Gas: Summit Natural Gas

Sewer: City of Osage Beach Electric: Ameren Missouri

9. Proposed zoning classification: ~~C-1~~ C-1 (General Commercial)

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

11. Current use of property (describe all improvements): Vacant. Grading to create buildable area.

12. Current use of all property adjacent to subject property: North: US HWY 54

South: Commercial

East: Commercial

West: Commercial

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:

Completely surrounded by commercial properties and US HWY 54

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?

Lots 6-11 of Lake Shore Village Estates which are already zoned C-2.

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.

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

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.

No affect to public facilities foreseen.

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

No problems are foreseen.

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): Due to the realignment of US HWY 54, this property is no longer contiguous with any residential areas. C-2 zoning matches the existing use around the property and the future use map.

Notary Information

State of _____ }
County of _____ } SS

I, Jeremy Malensky, 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: JM corner LLC mmm2 Date: 2-13-25

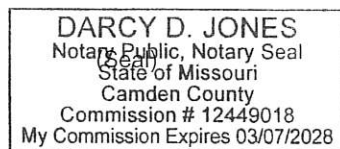
Subscribed and sworn to before me on this 13 day of February, 2025.

Notary Public:

3-7-28

My Commission Expires:

Received Feb 25, 2025
Person Accepting this Application: [Signature]



****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



Rezoning Case 426 Location Map

[illegible]