



**AGENDA
PLANNING COMMISSION**

**Regular Meeting
November 12, 2019**

**6:00 p.m.
City Hall
1000 City Parkway
Osage Beach, Missouri**

REGULAR MEETING AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES FROM THE SEPTEMBER 10, 2019 MEETING**
- 4. NEW BUSINESS**
 - A) KK Crossing No. 2 First Addition, Duenke Enterprises.**
 - B) Rowan Road requested acceptance into Public Road Inventory.**
- 5. REPORTS**
- 6. ADJOURN**

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

September 10, 2019

Call to Order

Mayor Olivarri called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on September 10, 2019 at 6:00 pm at City Hall.

Roll Call

The following Commissioners were present Mayor John Olivarri, Nancy Viselli, Michelle Myler, Kellie Schuman, Don Sturn, Alan Blair, Don Chisholm, Tony Kirn and Alderman Richard Ross. The Commissioner absent was Susan Ebling. Also, present City Administrator Jeana Woods, City Planner Cary Patterson, and Planning Commission Secretary Pam Campbell.

Minutes – May 14, 2019

Mayor Olivarri asked if there were any corrections or comments regarding the May 14, 2019 minutes. There were none. *Commissioner Kirn made a motion to approve the May 14, 2019 minutes and Commissioner Blair seconded the motion which passes unanimously.*

New Business

Rezoning Case NO. 402, Pearl Capital Management, LLC.

Planner Patterson explained:

- ✓ Nichols Road is currently zoned C-1 / A-1 and will be zoned to R-3 multi-family
- ✓ The developers have explained their zoning request in full
- ✓ The property fits perfect with good ingress and egress
- ✓ Possible soccer field – will work with Arrowhead Development
- ✓ This will bring in class A apartments for the community
- ✓ This is an opportunity to develop 22.09 plus acres at once
- ✓ This property is less than 400' from the interchange – this is a perfect location

Planner Patterson recommends approval for this rezoning project.

Commissioner Chisholm expressed concern for this project – local street very winding and this would create more traffic – possibly need to have the street widened and straightened.

Planner Patterson explained this has been discussed with the City Engineer and he believes Nichols should easily handle the increased traffic. Also, Arrowhead had a newly designed road that might be built as the property develops and Cary showed it on the map.

More discussion followed regarding the road conditions, traffic flow, sidewalk issue and school busses.

The representative from Pearl Capital Management addressed the committee stating new quality housing in the lake area is in dire need and this project is close to a school which makes it more marketable.

Commissioner Myler asked if the developer owned the property, and he said no, but he will close on it within the year. Commissioner Chisholm said there was nothing in the file that showed the Kahrs' family requested this change, and Cary said he has a request in writing and consent page, but didn't put it in the packet.

Commissioner Sturn made a motion to approve the Rezoning Case NO. 402, Pearl Capital Management, LLC and Commissioner Chisholm seconded the motion which passes unanimously.

Reports - Planner Patterson

- ✓ Things are starting to be busier with September through December the busiest and will let everyone know of upcoming meetings.
- ✓ Truly appreciates all being here and available and can't thank the Mayor enough.
- ✓ If anyone has any questions, you know where I am.

Commissioner Sturn inquired about the development across from Dierbergs.

Mayor Olivarri replied that he's not sure where they are regarding this project but will stay in close contact but cannot push them.

Commissioner Sturn asked if there was anything in their contract for a time frame regarding the TIF money.

Mayor Olivarri said no funds are being expended until full development – no paying of interest. This was the best negotiated contract with the required State regulations.

Discussion followed.

Commissioner Sturn inquired about applications/licenses for medical marijuana.

Mayor Olivarri stated that the number of licenses granted for a dispensary hasn't been determined yet by the State, if we get one, we'll be lucky. There are no guarantees for individuals who applied and the licenses will be fully issued by the end of December.

Adjourn

Mayor Olivarri adjourned the meeting at 6:54 p.m.

I, Pam Campbell, Planning Commission 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 September 10, 2019.

Pam Campbell/Planning Commission Secretary

Nancy Viselli/Secretary

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Date: November 12, 2019

Subdivision Name: KK Crossing No. 2 First Addition Preliminary and Final Plats

Location: NE corner of 54 Expressway and KK Highway.

Section/Township/Range: 16/39/16

Applicant: Duenke Enterprises

Surveyor: Miller Companies

Tract Size: 10.32 acres (4 commercial lots)

Zoning: C-1 (General Commercial)

Surrounding Land Use:

North: Commercial Corridor

South: Commercial Corridor

East: Commercial Corridor

West: Commercial Corridor

Department Comments

Preliminary:

- 1) The plat was reviewed for code compliance and was found to be consistent with the preliminary plat requirements.
- 2) The public improvements, (i.e., roadways, parking areas, streetlights, etc.) were approved by the City Engineers and have been constructed. The Public works Department inspected the construction on the in ground services and the contract engineer has submitted a letter stating that the road has been constructed as approved by the City Engineers.

Final:

- 1) The plat was reviewed for code compliance and was found to be consistent with the final plat requirements.
- 2) No Letter of Credit or Performance Bond are required as the improvements have been constructed.

The Planning Department recommends approval of both the Preliminary and Final Plats.



MILLER COMPANIES

Engineering • Land Surveying • Environmental Services

October 30, 2019

Project: KK Crossing
Hwy KK
Osage Beach, Mo

Engineer's Report

The roadway system is in place substantially per the plans. The roadway was inspected during the grading, subgrade and paving stage and found to be satisfactory constructed as per the plans submitted and approved by the City of Osage Beach.


Rockne Miller PE
R. Miller Companies LLC





KK CROSSING NO. II FIRST ADDITION

Sec.16-T39N-R16W Camden County, MO

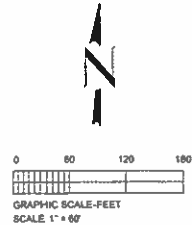
LOCATION MAP



LEGEND

- Centerline of Road
- R.O.W. Line
- Property Line
- Setback
- Old Lot Line
- 2' Contours
- 10' Contours
- Water Line
- Easement Line
- Sewer Line
- Telephone Line
- Utility Pole
- Telephone Pole
- Sign
- Electric Pole
- Found Monument
- Set Monument
- No Found or Set Monument
- Government Corner
- Right-of-way Marker

Class of Survey Urban Zoned C-1



Note:

1. Bearings and Distances in parentheses are from recorded plat(s) located on sheet 2.
2. All monuments set and found on 1/2" iron pins, unless otherwise noted.
3. For Utility Easements see the plan of "KK CROSSING NO. II FIRST ADDITION UTILITY EASEMENTS" dated 10/20/19.
4. For Right-of-Way Easements see the plan of "KK CROSSING NO. II FIRST ADDITION RIGHT-OF-WAY EASEMENTS" dated 10/20/19.

OWNER'S CERTIFICATE

I hereby certify that **DUENKE REAL ESTATE HOLDINGS, L.L.C.** a Missouri limited liability company, is the owner of part of the South half of Section 16, Township 39 North, Range 16 West, Camden County, Missouri, and have caused the same to be surveyed in the manner shown on the accompanying map and that hereunto set my hand and seal of said Office on this 23rd day of October 2019.

An easement or license for the transportation and distribution of sanitary sewer facilities existing, or to be installed by the underground or over the surface, is hereby offered for dedication to the City of Orange Beach, Missouri, and easement or license shall be located on the lot and parcel to be surveyed, or on convenient sewer lines and with a radius of five (5) feet from the center of any sewer or pre-constructed sewer or line.

I further certify that I have caused the said land to be surveyed and that the same are shown on the accompanying plat and shall hereunto set my hand and seal of said Office on this 23rd day of October 2019.

DUENKE REAL ESTATE HOLDINGS, L.L.C.
 Matthew W. Duenke MEMBER
 STATE OF MISSOURI
 COUNTY OF _____

On this _____ day of _____ 2019 before me appeared Matthew W. Duenke, to be sworn and did say that he is the owner of said parcel of land in the above described plat and that the foregoing instrument was signed on behalf of said limited liability company and that the said Matthew W. Duenke acknowledged said instrument to be the free act and deed of said **DUENKE REAL ESTATE HOLDINGS, L.L.C.**

IN WITNESS WHEREOF, I have hereunto set my hand and office seal of said Office on this _____ day and year first above written.

Notary Public
 My commission expires _____

ACCEPTANCE BY THE CITY OF ORANGE BEACH

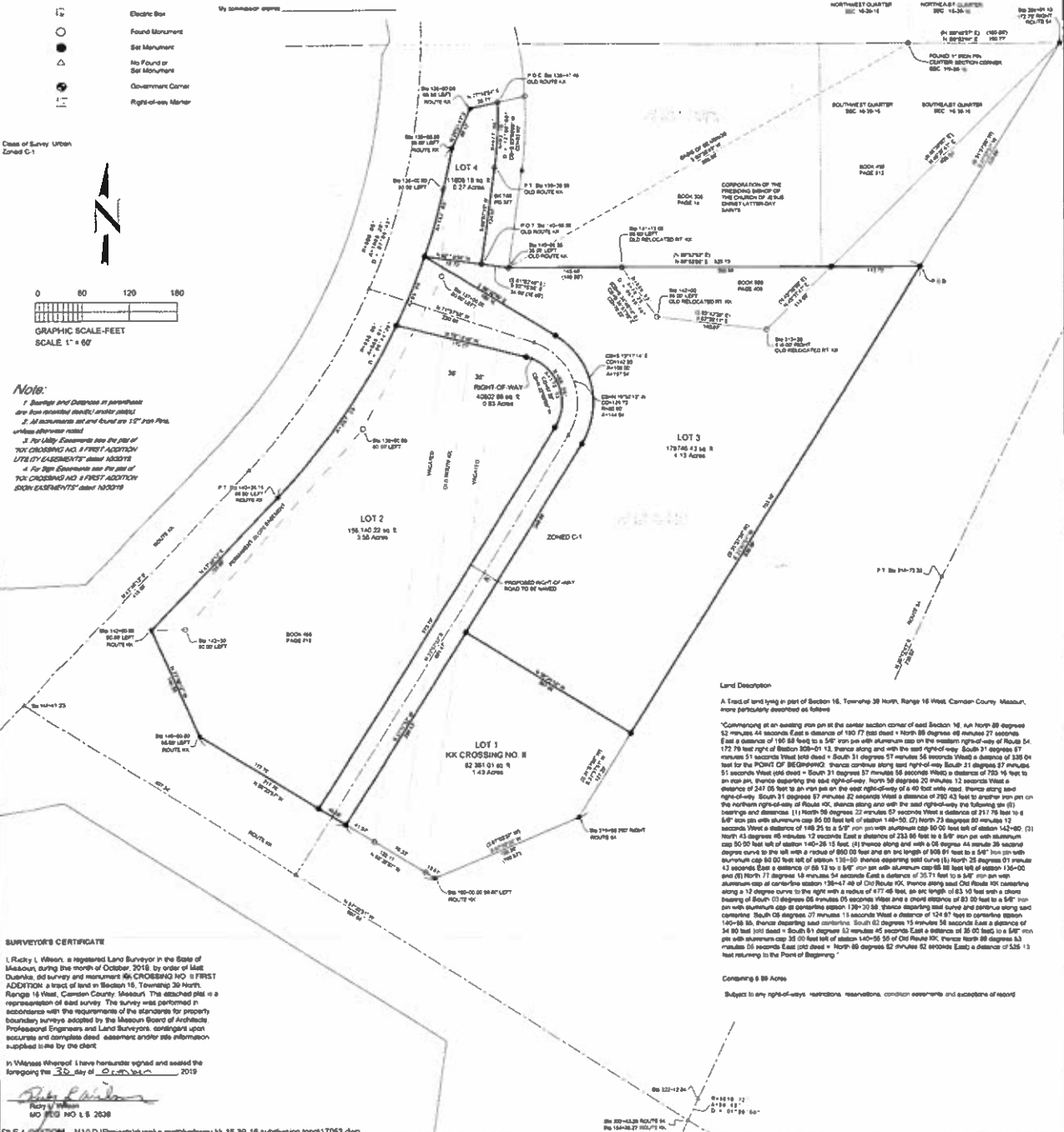
The foregoing plat was approved and accepted by the City of Orange Beach pursuant to the Order of Ordinance of the City of Orange Beach, Missouri on this _____ day of _____ 2019.

John OLIVARRA Mayor
 Tracy BERENSHO City Clerk
 STATE OF MISSOURI
 COUNTY OF ORANGE

On this _____ day of _____ 2019 before me, a Notary Public, personally appeared John OLIVARRA and Tracy BERENSHO in his personal capacity, who being by me duly sworn did say that they are representing the City Mayor and the City Clerk of the City of Orange Beach, Missouri, a Missouri municipal corporation and that the foregoing instrument was signed on their behalf.

IN WITNESS WHEREOF, I have hereunto set my hand and office seal of said Office on this _____ day and year first above written.

Notary Public
 My commission expires _____



Land Description

A Tract of land lying in part of Section 16, Township 39 North, Range 16 West, Camden County, Missouri, more particularly described as follows:

“Commencing at an existing iron pin at the center section corner of east Section 16, run North 89 degrees 52 minutes 44 seconds East a distance of 190.77 feet to a North 88 degrees 02 minutes 27 seconds East a distance of 180.88 feet to a 5/8" iron pin with aluminum cap on the western right-of-way of Route 64, 172.78 feet left of station 320+01.13, thence along and with the said right-of-way, South 21 degrees 07 minutes 01 seconds West 160 feet to a 5/8" iron pin at the Point of Beginning, thence combine along said right-of-way South 21 degrees 07 minutes 01 seconds West 160 feet to station 100+00.00, thence along said right-of-way North 30 degrees 01 minutes 12 seconds West a distance of 247.05 feet to an iron pin at the east right-of-way of a 40-foot-wide road, thence along said right-of-way, South 21 degrees 07 minutes 01 seconds West a distance of 290.43 feet to another iron pin on the northern right-of-way of Route 64, thence along and with the said right-of-way the following: (a) bearings and distances: (1) North 98 degrees 27 minutes 57 seconds West a distance of 231.76 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 140+00.00, (2) North 73 degrees 55 minutes 12 seconds West a distance of 195.25 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 142+00.00, (3) North 43 degrees 45 minutes 12 seconds East a distance of 233.80 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 140+26.15 feet, (4) thence along and with a 26 degree 45 minute 25 second degree curve to the left with a radius of 800.00 feet and an arc length of 800.00 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 130+00.00, thence along said curve (a) North 25 degrees 07 minutes 13 seconds East a distance of 58.12 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 130+00.00, (b) North 77 degrees 18 minutes 54 seconds East a distance of 35.71 feet to a 5/8" iron pin with aluminum cap at center-line station 130+47.49 of Old Route KK, thence along said Old Route KK containing along a 15 degree curve to the right with a radius of 477.66 feet, an arc length of 63.10 feet and a chord bearing of South 07 degrees 08 minutes 05 seconds West and a chord distance of 82.00 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 120+75.38, thence along said curve and curve to a 5/8" iron pin with aluminum cap 50 feet left of station 140+55.55 of Old Route KK, thence North 89 degrees 52 minutes 44 seconds East 160 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 140+55.55 of Old Route KK, thence North 89 degrees 52 minutes 44 seconds East 160 feet to a 5/8" iron pin with aluminum cap 50 feet left of station 140+55.55 of Old Route KK, thence North 89 degrees 52 minutes 44 seconds East 160 feet to the Point of Beginning.”

Containing 8.98 Acres

Subject to any right-of-ways, restrictions, reservations, conditions, easements and exceptions of record

SURVEYOR'S CERTIFICATE

I, Rocky L. Wilson, a registered Land Surveyor in the State of Missouri, during the month of October, 2019, by order of Matt Duenske, did survey and monument **KK CROSSING NO. II FIRST ADDITION**, a tract of land in Section 16, Township 39 North, Range 16 West, Camden County, Missouri. The attached plat is a representation of said survey. The survey was performed in accordance with the requirements of the statutes for property boundary surveys adopted by the Missouri Board of Architecture, Professional Engineers and Land Surveyors, contingent upon accurate and complete deed, easements and/or information supplied to me by the client.

In Witness Whereof, I have hereunto signed and sealed the foregoing on this 23rd day of October, 2019.

Rocky L. Wilson
 Notary Public
 MO REG NO LS 2638

FILE LOCATION: M10.D\Projects\duenke\m10highway 16 16-30-16 subdivision\topd\17053.dwg

MILLER COMPANIES
 Engineering • Land Surveying • Environmental Services
 P.O. BOX 305, ORANGE BEACH, MO 64656
 636 473-4799 Fax 636-434-5622 Fax 636-434-2984
 www.millercompanies.com

KK CROSSING NO. II FIRST ADDITION
 Sec.16-T39N-R16W Camden County, MO

PROJECT NO.	DATE	REVISION
17053	10/23/19	1

PRELIMINARY KK CROSSING NO. II FIRST ADDITION

Sec 16-T39N-R16W Camden County, MO

LOCATION MAP

Notes:

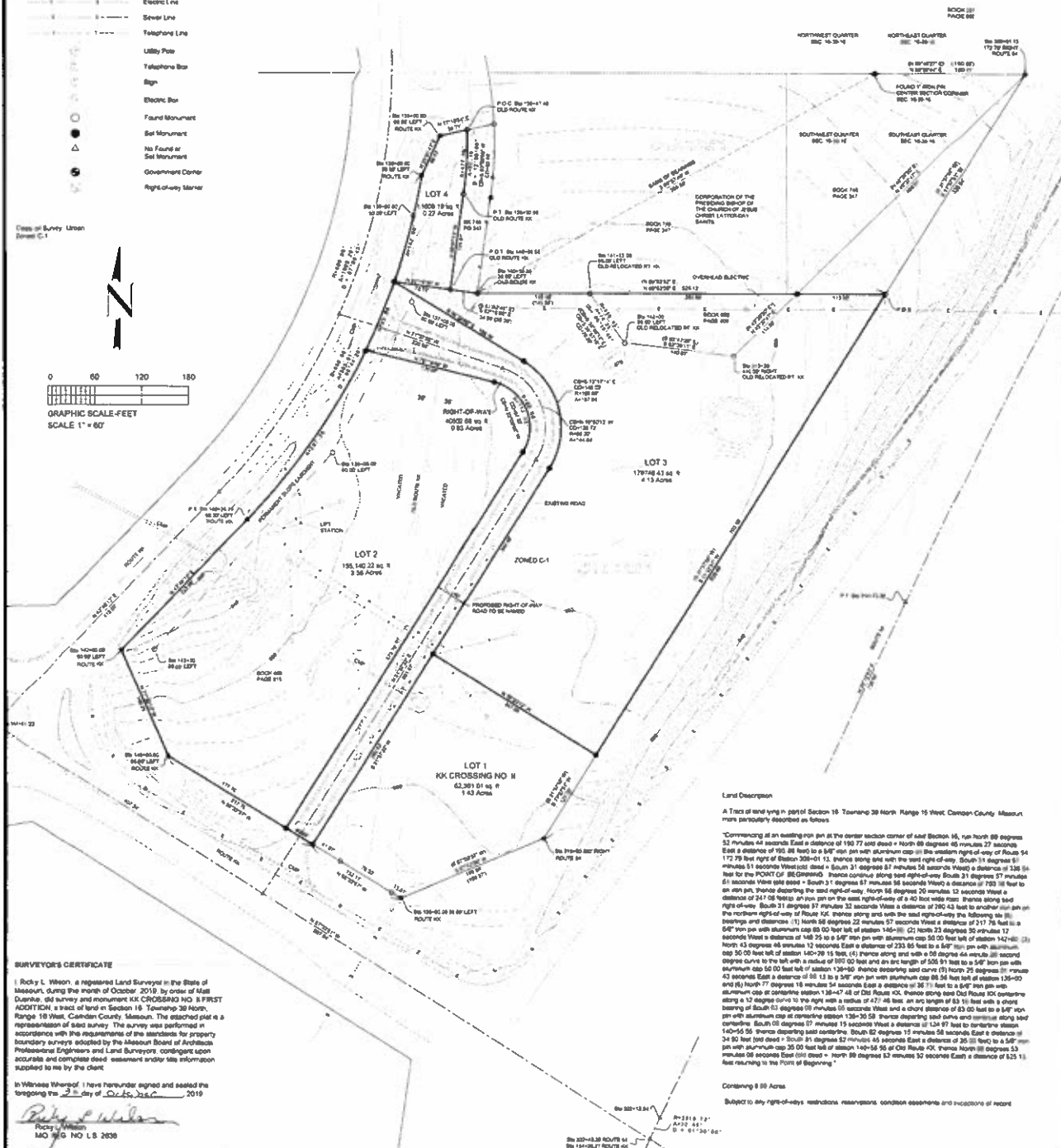
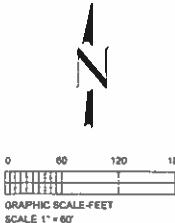
1. Bearings and Distances in parenthesis are not recorded directly on this plan.
2. All measurements are and should be 1/4" = 100'.
3. For Utility Encumbrances see the plan of "KK CROSSING NO. I FIRST ADDITION UTILITY EASEMENTS" dated 10/20/19.
4. For Sign Encumbrances see the plan of "KK CROSSING NO. I FIRST ADDITION SIGN EASEMENTS" dated 10/20/19.

LEGEND

Standard symbols that may appear on the drawing

- Centerline of Road
- R-O-W Line
- Property Line
- Setback
- DM Lot Line
- 7 Contour
- 10 Contour
- Water Line
- Electric Line
- Sewer Line
- Telephone Line
- Utility Pole
- Telephone Box
- Sign
- Electric Box
- Found Monument
- Set Monument
- No Found or Set Monument
- Government Corner
- Right-of-Way Marker

Class of Survey Urban
Zone C-1



Land Description
A Tract of land lying in part of Section 16, Township 39 North, Range 16 West, Camden County, Missouri, more particularly described as follows:

"Commencing at an existing iron pin at the center section corner of said Section 16, run North 88 degrees 52 minutes 44 seconds East a distance of 180.77 feet to a 3/4" iron pin with aluminum cap in the western right-of-way of Route 14 East a distance of 195.88 feet to a 3/4" iron pin with aluminum cap in the western right-of-way of Route 14 172.79 feet to the right of station 200+01.11, thence along and with the west right-of-way, South 31 degrees 51 minutes 51 seconds West a distance of 1,338.54 feet to the POINT OF BEGINNING, thence continue along said right-of-way South 31 degrees 51 minutes 51 seconds West a distance of 1,703.78 feet to an iron pin, thence departing the said right-of-way, North 86 degrees 20 minutes 12 seconds West a distance of 241.58 feet to an iron pin, run on the west right-of-way of a 40 foot wide road, thence along said right-of-way, South 31 degrees 51 minutes 51 seconds West a distance of 292.43 feet to another iron pin on the northern right-of-way of Route 14, thence along and with the said right-of-way the following (a) bearings and distances: (1) North 86 degrees 22 minutes 57 seconds West a distance of 211.75 feet to a 3/4" iron pin with aluminum cap 80.00 feet left of station 142+00; (2) North 23 degrees 50 minutes 12 seconds West a distance of 148.75 to a 3/4" iron pin with aluminum cap 50.00 feet left of station 142+00; (3) North 63 degrees 48 minutes 12 seconds East a distance of 223.55 feet to a 3/4" iron pin with aluminum cap 50.00 feet left of station 142+00; (4) North 17 degrees 18 minutes 54 seconds East a distance of 28.71 feet to a 3/4" iron pin with aluminum cap at cornering station 138+47.48 of Old Route 14, thence along said Old Route 14, thence along a 17 degree curve to the right with a radius of 471.48 feet, an arc length of 84.16 feet with a chord bearing of South 53 degrees 03 minutes 03 seconds West and a chord distance of 83.00 feet to a 3/4" iron pin with aluminum cap at cornering station 138+30.58, thence departing said curve and continuing along said curve, South 53 degrees 07 minutes 15 seconds West a distance of 134.07 feet to cornering station 140+56.55, thence departing said curve, South 82 degrees 15 minutes 15 seconds East a distance of 24.50 feet to a 3/4" iron pin with aluminum cap 35.00 feet left of station 140+56.55 of Old Route 14, thence North 88 degrees 52 minutes 44 seconds East (old road) - North 88 degrees 52 minutes 44 seconds East a distance of 125.11 feet returning to the Point of Beginning."

Containing 0.59 Acres
Subject to any right-of-way restrictions, reservations, conditions, easements and incumbrances of record

SURVEYOR'S CERTIFICATE
I, Rocky L. Wilson, a registered Land Surveyor in the State of Missouri, during the month of October 2019, by order of Miss Quinke, did survey and monument the CROSSING NO. II FIRST ADDITION, a tract of land in Section 16, Township 39 North, Range 16 West, Camden County, Missouri. The attached plan is a reproduction of said survey. The survey was performed in accordance with the requirements of the standards for property boundary surveys adopted by the Missouri Board of Architect, Professional Engineers and Land Surveyors, contingent upon accurate and complete deed assessment and/or title information supplied to me by the client.
In Witness Whereof, I have hereunto signed and sealed this foregoing the 2nd day of October, 2019.
Rocky L. Wilson
Rocky L. Wilson
MO REG NO. LS 2638

FILE LOCATION: M10 D \Projects\duinke_mst\highway kk 16-39-16 subdivision top17053.dwg

PRELIMINARY KK CROSSING NO. II FIRST ADDITION
Sec.16-T39N-R16W Camden County, MO

DATE	10/20/19
PROJECT	KK CROSSING NO. II FIRST ADDITION
CLIENT	SEC 16-T39N-R16W
FILE NO.	10/20/19
DATE	10/20/19

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: November 12, 2019

Case Number:

none

Applicant: Property owners adjacent to Rowan Road

Location: Osage Beach Parkway to Rowan Road

Petition: Acceptance of Rowan Road into the Public Road Inventory

Existing Uses: Rowan Road

Analysis:

- 1) The applicants own the land adjacent to the requested road.
- 2) The applicants are asking that the City of Osage Beach accept a portion of the existing right of way that the driving surface was reconstructed by the Osage beach Special Road District.
- 3) There is City of Osage Beach service infrastructure currently in the ROW.
- 4) An agency report was given to each of the following to get feedback on how this street vacation would affect each agency.
 - a) Osage Beach Public Works Project Manager
- 5) I have had discussions with Public Works Project Manager that handled the subject road resurfacing. According to Stacey, there are no apparent issues with the approval of this request. The city partners with the Road District in theses reconstruction projects and agrees to take over the maintenance of them once the projects are complete.

November 5, 2019

MEMORANDUM

To: City Planner
From: Project Manager
Reference: Rowan Road
Subject: Transfer of Private Streets to the City

The City of Osage Beach Public Works designed the improvements for Rowan Road. Higgins Asphalt Paving Co., Inc. was awarded the project. A final inspection was performed on September 5, 2019. All items were found to be complete and in accordance with the plans and specifications. The Osage Beach Special Road District paid for the improvements to upgrade the road with the understanding that Rowan Road would become a city street.



Stacy Bruns
Project Manager

