

# 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](http://www.osagebeach.org)

### TENTATIVE AGENDA

### REGULAR MEETING

May 10, 2022 - 6:00 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](http://www.osagebeach.org).

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### APPROVAL OF MINUTES

- A. Motion to approve March 8, 2022

#### NEW BUSINESS

- A. Rezoning Case 419 - Phoenix Property Development, LLC - Rezoning from C-1 (General Commercial) to I-1 (Light Industry)
- B. Additions and Amendments to Chapter 405 "Zoning Regulations" Article V "Signs"

#### REPORTS

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## ADJOURN

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Remote viewing is available on Facebook at *City of Osage Beach, Missouri* and on YouTube at *City of Osage Beach*

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

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**

<b>Date:</b>	March 8, 2022	<b>Case Number:</b>	418
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**Applicant:** Jim Nugent Harpers Cove Investment Company

**Location:** 1,100 feet west of Case Road on the north side of Sycamore Valley Drive.

**Petition:** Rezone from A-1 (Agriculture) and C-1 (General Commercial) to R-1b (Single Family) and R-3 (Multi Family).

**Existing Use:** Vacant

**Zoning:** A-1 (Agriculture) and C-1 (General Commercial)

**Tract Size:** Approximately 34.1 acres

	<b><u>Surrounding Zoning:</u></b>	<b><u>Surrounding Land Use:</u></b>
<b><u>North:</u></b>	LU (Lake Use)	Lake of the Ozarks
<b><u>South:</u></b>	N/A	54 expressway corridor
<b><u>East:</u></b>	R-1a (Single Family)	Single-Family Subdivision
<b><u>West:</u></b>	PUD	Vacant Golf Course Scattered Single-Family

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

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

**Utilities**

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

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Pam Campbell  
Planning Department Secretary

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Nancy Viselli  
Planning Commission Secretary

**PLANNING DEPARTMENT REPORT  
TO THE  
PLANNING COMMISSION**

<b>Date:</b>	May 10, 2022	<b>Case Number:</b>	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

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

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

**Rezoning History** **Date**

Original City zoning adoption

**Utilities**

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

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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.**



Date Received: 4/13 VH CLK/A  
Case #: 210

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Phoenix Property Development LLC Phone: 573-302-4222  
Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State: MO Zip: 65065

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

Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

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? Phoenix Property Development LLC  
Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State: MO Zip: 65065

4. General location of property to be rezoned or for which special use permit is sought (include street numbers for existing structures):  
Address: 6215 OSAGE BEACH PARKWAY City: OSAGE BEACH State: MO Zip: 65065

5. Do you have a specific use proposed for this property?  Yes  No  
Explain all uses: \_\_\_\_\_

6. Area of property in square feet or acres: 1.4 acres

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A  
Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 6 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: \_\_\_\_\_  
South: RETAIL AND WAREHOUSE East: N/A West: \_\_\_\_\_

RECEIVED  
N/A APR 13 2022  
CITY CLERK

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:

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?

See separate application for 6241 Osage Beach Parkway

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 impact

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

no impact

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):

**Notary Information**

State of Missouri }  
County of Camden } ss

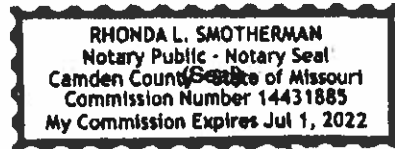
I, Randy Ray, owner/applicant, having read the procedures and instructions, make application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri and explained in this application.

Signature Owner/Applicant: [Signature] Date: 4/5/2022

Subscribed and sworn to before me on this 5 day of April, 2022

[Signature]  
Notary Public:

My Commission Expires:



Person Accepting this Application:

\*\*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



Date Received: \_\_\_\_\_  
Case #: \_\_\_\_\_

### REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Phoenix Property Development LLC Phone: 573-302-4222

Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

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? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Explain all uses:

6. Area of property in square feet or acres: 1.6 ACRES

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A

Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 14 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: RESIDENTIAL

South: WAREHOUSE East: N/A West: N/A

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:

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?

See separate application for 6215 Osage Beach Parkway and 6257 Osage Beach Parkway

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 impact

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

no impact

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):

**Notary Information**

State of Missouri }  
County of Camden } ss

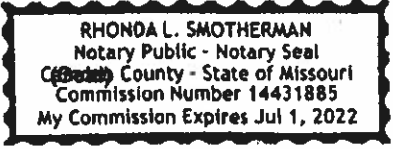
I, Randy Ray, owner/applicant, having read the procedures and instructions, make application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri and explained in this application.

Signature Owner/Applicant: [Signature] Date: 4/5/2022

Subscribed and sworn to before me on this 5<sup>th</sup> day of April, 2022

Notary Public: [Signature]

My Commission Expires: 07/01/2022



Person Accepting this Application:

**\*\*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





Date Received: \_\_\_\_\_  
Case #: \_\_\_\_\_

### REZONING/SPECIAL USE PERMIT APPLICATION

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Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

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

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3. All correspondence relative to this application should be directed to whom? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Address: 6257 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Explain all uses:

6. Area of property in square feet or acres: .66 acres

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A

Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 15 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: RETAIL AND WAREHOUSE

South: RESIDENTIAL East: N/A West: N/A

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:

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?

See separate application for 6241 Osage Beach Parkway and 6273 Osage Beach Parkway

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 impact

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

no impact

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):

**Notary Information**

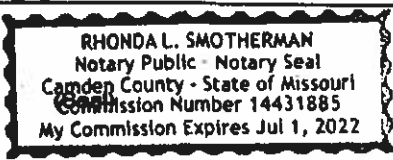
State of Missouri }  
County of Camden } ss

I, Randy Ray, 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: Randy Ray Date: 4/5/2022

Subscribed and sworn to before me on this 5 day of April, 2022

Notary Public: Rhonda L. Smotherman  
My Commission Expires: 07/01/2022



Person Accepting this Application:

\*\*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



Date Received: \_\_\_\_\_  
Case #: \_\_\_\_\_

### REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Phoenix Property Development LLC Phone: 573-302-4222

Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

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? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Address: 6273 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

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

Explain all uses:

6. Area of property in square feet or acres: 1.03 acres

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A

Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 25 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: WAREHOUSE

South: MINI STORAGE BUSINESS East: N/A West: N/A

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:

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?

See separate application for 6241 Osage Beach Parkway

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 impact

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

no impact

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):

**Notary Information**

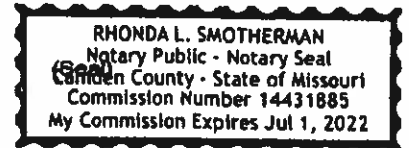
State of Missouri }  
County of Camden } ss

I, Randy Ray, 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: Randy Ray Date: 4/5/2022

Subscribed and sworn to before me on this 5<sup>th</sup> day of April, 2022

Notary Public: [Signature]  
My Commission Expires: 07/01/2022



Person Accepting this Application:

**\*\*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

**PHOENIX PROPERTY DEVELOPMENT LLC**

6241 OSAGE BEACH PKWY  
OSAGE BEACH, MO 65065  
573-302-4222 FAX 573-302-4223

March 31, 2022

City of Osage Beach  
Planning Commission  
1000 City Parkway  
Osage Beach, MO 65065

RE: REZONING REQUEST

Greetings;

We would like to submit applications to modify our current properties that are all adjacent to each other, and all accessed and fronted to Osage Beach Parkway.

We respectfully submit to modify them from:

C1 Genera Commercial to Industrial.

This request is to maintain our current gravel drive entrances at the non-retail properties.

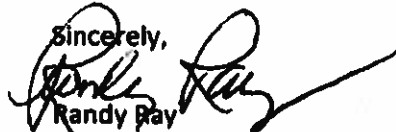
This does not affect any use of any property at this time and does not involve any modifications to the access or the use of these properties or their neighboring properties.

6215 Osage Beach Parkway  
6241 Osage Beach Parkway  
6257 Osage Beach Parkway  
6273 Osage Beach Parkway

Attached are the completed applications, county plat and legal descriptions along with a check for \$200.00.

Please contact me if you have any questions or need more information.

Sincerely,



Randy Ray  
573-489-0778

Rhonda Smotherman  
573-302-4222

**RECEIVED**  
APR 13 2022  
CITY CLERK



**Rezoning Case 419  
Location Map**



**PLANNING DEPARTMENT REPORT**  
**TO THE**  
**PLANNING COMMISSION**

**Hearing Date: May 10, 2022**

**Case Number: none**

**Action:** Additions and Amendments to Chapter 405 “Zoning Regulations”  
Article V. Signs.

**Analysis:**

With the increased availability and desire to use digital signage today, we have had a number of the large property commercial facilities approach us with the desire to use this type of signage. Currently, the Sign Ordinance allows Regional and Metro Shopping Centers to have larger electronic message center signs because they meet additional criteria for size of development. 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. 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.

Section 405.380 Sign Regulations — Non-Residential Uses.

[R.O. 2006 §405.370(G); CC 1985 §27-107; Ord. No. 87.28 Art. VII §G, 10-1-1987; Ord. No. 90.24 §1, 8-2-1990; Ord. No. 91.30 §2, 11-21-1991; Ord. No. 93.02 §1, 1-21-1993; Ord. No. 93.44 §1, 10-21-1993; Ord. No. 94.43 §§1 — 2, 10-20-1994; Ord. No. 96.05 §2, 3-7-1996; Ord. No. 98.28 §§1 — 3, 8-20-1998; Ord. No. 99.31 §1, 11-18-1999; Ord. No. 01.01 §§2 — 3, 1-18-2001; Ord. No. 05.44 §4, 9-15-2005; Ord. No. 10.68 §2, 11-19-2010; Ord. No. 13.24 §1, 5-2-2013; Ord. No. 16.81 §§1 — 2, 11-3-2016]

3. *Secondary signs.* Signs authorized by this Section are not to be included in calculating the allowable gross area for primary signs. Except for temporary promotional displays, the total gross sign area of all secondary signs shall not exceed sixty percent (60%) of the allowable gross sign area for primary signs.

a. *Bulletin boards, message centers and reader boards.* No more than one (1) bulletin board, message center or reader board not exceeding thirty-two (32) square feet in area, shall be permitted for each street frontage for properties that do not meet specific criteria defined by "Article V" of Chapter 405. A commercial or retail development, that has a minimum development area of five (5) acres and at least twenty thousand (20,000) square feet of commercial facility, will be allowed no more than one (1) Electronic message center sign, not exceeding sixty-four (64) square feet in area, for each free-standing primary sign permitted for the development. The Electronic message center sign shall display only commercial messages for the occupants of the commercial facility or public or community service announcements as determined by the owner or manager of the development. Electronic message center signs shall not scroll or display a running message of continuous vertical or horizontal movement. Individually illuminated words used to form complete thoughts or advertising messages shall not exceed a maximum of five (5) seconds to complete for each complete message.

b. *Incidental signs.* No more than four (4) incidental signs, not exceeding forty (40) square feet in total coverage area, shall be attached to any single building wall face and shall not be attached perpendicular to the wall. Individual incidental sign attached to a building wall shall not exceed twenty (20) square feet in total coverage area. No more than four (4) incidental signs shall be affixed to a freestanding pole structure and shall not exceed eight (8) square feet in total coverage area for each sign. Such signs shall be restricted to trading stamps, credit cards accepted,



notices of services or restrictions, or shall pertain to a major service, commodity or facility offered on the premises.

c. *Paper signs, banners and temporary window signs.* The total gross sign area of all paper signs, banners and temporary window signs shall not exceed fifty percent (50%) of the allowable gross sign area for primary signs for the street frontage on which the signs are displayed.

d. *Public service message signs.* Public service message signs shall be permitted when attached to a freestanding sign or to a building wall, provided the street frontage of the use involving the sign exceeds three hundred (300) feet along the street on which the sign is located. The illuminated message area shall not exceed sixteen (16) square feet in area.

e. *Temporary promotional displays.* Temporary promotional displays equal to seventy-five percent (75%) or more of the primary signage permitted for the business or use shall be permitted for a maximum of ten (10) consecutive calendar days on not more than four (4) separate occasions during a calendar year, provided the displays are securely mounted to minimize movement due to wind and air currents and a permit is obtained for such temporary promotional display prior to installation. Such permit shall not be issued unless a permit fee of ten dollars (\$10.00) and a cash bond of fifty dollars (\$50.00) are first paid to the Building Department. The bond is refundable only upon meeting all of the conditions of the permit, including the removal of the display in accordance with the removal date stated on the face of the permit.