



**CITY OF OSAGE BEACH  
PLANNING COMMISSION**

1000 City Parkway  
Osage Beach, MO 65065  
573-302-2000  
[www.osagebeach.org](http://www.osagebeach.org)

**AGENDA**

**Regular Meeting**

**December 8, 2020 - 6:00 p.m.  
CITY HALL**

1. CALL TO ORDER
  2. ROLL CALL
  3. APPROVAL OF MINUTES FROM THE November 10, 2020 REGULAR MEETING
  4. NEW BUSINESS
    - A) Rezoning Case 411:  
Precision Paint Worx, LLC  
Rezoning to remove the unsuccessful PUD from existing C-1 (General Commercial) zoning
    - B) Northview Subdivision Preliminary Plat
  5. REPORTS
  6. ADJOURN
- 

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 ex 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 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

November 10, 2020

Call to Order

Chairman Susan Ebling called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on November 10, 2020 at 6:00 pm at City Hall.

Roll Call

The following Commissioners were present: Mayor John Olivarri, Alderman Tyler Becker, Chairman Susan Ebling, Nancy Viselli, Michelle Myler, Tony Kirn, Alan Blair and Jeff Dorhauer. Absent was Kellie Schuman. Also present: City Planner Cary Patterson, Planning Department Secretary Pam Campbell, and City Attorney, Ed Rucker.

Minutes - 10/13/2020

Chairman Ebling asked if there were any corrections or comments regarding the October 13, 2020 regular meeting minutes. There were none. *Mayor Olivarri made a motion to approve the October 13, 2020 minutes and Michelle Myler seconded the motion, which passes unanimously.*

Chairman Ebling read the following:

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

New Business

Chairman Ebling stated that the first order of business is the hearing of Rezoning Case No. 410 John and Michell Pfahl, Special Use Permit to allow for a Residential Addition in a C-1 Zone and asked for comments from the staff on this request. Planner Patterson delivered the following report.

**PLANNING COMMISSION  
REPORT TO THE  
BOARD OF ALDERMEN**

<b>Hearing Date:</b>	November 10, 2020	<b>Case Number:</b> 410
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**Applicant:** John and Michell Pfahl

**Location:** 2000 ft from Passover Road on the south side of Wilson Dr. (See location map)

**Petition:** Special Use Permit to build a single-family residence in a C-1 District

**Existing Use:** Vacant

**Zoning:** C-1 General Commercial

**Lot Size:** 2.24 acres

	<b><u>Surrounding Zoning:</u></b>	<b><u>Surrounding Land Use:</u></b>
<b><u>North:</u></b>	C-1 (General Commercial)	Condominiums
<b><u>South:</u></b>	LU (Lake Use)	Lake of the Ozarks
<b><u>East:</u></b>	C-1 (General Commercial)	Single Family Home
<b><u>West:</u></b>	C-1 (General Commercial)	Condominiums
<b>The Osage Beach Comprehensive Plan Designates this area as appropriate for:</b>		Moderate Density Residential

<b><u>Rezoning History</u></b>	<b><u>Case #</u></b>	<b><u>Date</u></b>
	Citywide	May 1984

**Utilities**

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

**Analysis:**

1. The subject parcel has been a vacant commercial property for a number of years. The applicant is requesting a Special Use Permit to build a single-family dwelling on the property.
2. Although the property is commercially zoned, the area has developed into a multi-faceted residential area containing single-family, condominium, townhome, and a mobile home property nearby. The applicants wish to build a home to establish their primary residence on the property and later build a shop/storage structure that is a permitted structure in the current zoning district.
3. In accordance with Section 405.420 of the Osage Beach Zoning Code, residences are permitted in C-1 zones with a Special Use Permit.

**Planning Commission Recommendations:**

Like many of areas around the commercially zoned Glaize Channel, a mixture of use intensities has developed near the subject property, with this particular area developing primarily with various intensities of residential uses. It is certainly not uncommon to find existing residential neighborhoods located in commercial zones. This particular property, along with the majority of the Wilson Drive corridor, was zoned C-1 with the original zoning of the City in 1984 because of the number of small lake front resorts that existed at the time. In this case, the surrounding development and the recommendations of the Comprehensive Plan lend to a use of less intensity than a typical heavy traffic commercial use. With a fundamental function of zoning being separation of incompatible land uses, it makes sense to allow a request of this type on the subject property. However, with increases in demand for lakefront commercial property in the city, land use intensities could increase with such happenings as resort or condo development. It is important for property owners to be cognizant of this prior to developing such properties residentially or replacing nonconforming uses.

With this property's location in an area that has developed residentially, the Planning Department recommends approval of this request with the following conditions:

1. The proposed home will be constructed in accordance with the regulations for development established for the R-1b zoning district. Any future requested additions or changes to the home can be done without an amendment to the SUP provided a building permit is acquired and the proposed changes meet the regulations established by the Building Code (current version at the time of newly proposed addition) and the R-1b zoning district.
2. A building permit must be obtained, and all other building and zoning codes must be adhered to.
3. Annual renewal of this SUP will not be required.

Chairman Ebling asked if there were any questions for the City Planner.

A male person from the audience stood up and said there are no businesses on Wilson.

Planner Patterson requested that he come up to the podium to speak to the Commission but he

stayed at his seat and declined.

Planner Patterson explained that there are a lot of commercial zones just not retail in nature. He further stated there are mobile homes on Wilson, but no retail store front locations and the applicant could build a house with a shop

Commissioner Dorhauer said he was concerned if five years down the road the owners aren't happy with development?

Planner Patterson replied that the Commission has complete decision making and the owner of the property is aware of what could happen. Also condos are defined as commercial but they are residential in nature. He further explained that Tirebiters Restaurant/Bar has a living unit and that the manager or employees have stayed there. Also, rezoning cases wouldn't be brought to the Planning Commission if he didn't feel they would have the merit to be approved.

Chairman Ebling asked if anyone else had questions or comments.

Commissioner Kirn commented that the size of the property and location of the proposed home is in an attractive lake location.

Planner Patterson stated if the City was rezoned now, it would look different today as there are a lot of residential structures in commercial zones. He further stated he lives on Malibu and there is a mix of condos and houses and he makes sure owners know what they are asking for and what could happen.

Chairman Ebling asked for comments from the City Attorney.

Ed Rucker, the City Attorney said the file is complete and ready for the Commission's decision.

*Commissioner Tony Kirn made a motion to approve Rezoning Case No. 410 John and Michell Pfahl, Special Use Permit to allow for a Residential Addition in a C-1 Zone and Alderman Tyler Becker seconded the motion, which passes unanimously.*

#### Reports

Chairman Ebling asked Planner Patterson if he had any other reports separate from this Special Use Case. Planner Patterson stated there were none at this time.

#### Adjourn

Chairman Ebling adjourned the meeting at 6:17 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 November 10, 2020.

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Pam Campbell  
Planning Department Secretary

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Nancy Viselli  
Planning Commission Secretary

**PLANNING DEPARTMENT  
REPORT TO  
PLANNING COMMISSION**

<b>Date:</b>	December 8, 2020	<b>Case Number:</b>	411
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**Applicant:** Precision Paint Worx, LLC

**Location:** Approximately 250 ft. off Osage Beach Parkway on Ozark Care Drive.

**Petition:** Rezoning to remove the unsuccessful PUD from existing C-1 (General Commercial) zoning

**Existing Use:** Vacant property

**Zoning:** C-1 General Commercial with a PUD 1 Overlay for a Medical Office complex.

**Tract Size:** 5.6 acres

	<b><u>Surrounding Zoning:</u></b>	<b><u>Surrounding Land Use:</u></b>
<b><u>North:</u></b>	C-1 General Commercial	Vacant Commercial
<b><u>South:</u></b>	C-1 General Commercial	Frontage businesses
<b><u>East:</u></b>	C-1 General Commercial	Commercial Office
<b><u>West:</u></b>	C-1 General Commercial	Vacant Commercial/ Expressway

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

<b><u>Rezoning History</u></b>	<b><u>Case #</u></b>	<b><u>Date</u></b>
Johnson-Meyer-Fredrick LLC	217	August 1999

**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 derives access via a private drive from Ozark Care Drive.

**Analysis:**

1. The applicants have a contract to purchase the 5.6-acre parcel in question. The subject parcel is zoned C-1 and is part of a PUD that was approved for the original 10-acre tract back in 1999. The adjacent properties are also zoned C-1 (General Commercial) and the uses and activities that take place on those properties are permitted under the regulations established by the subject zoning district.
2. The request is technically a rezoning request, but, the function of the request is to remove the PUD that overlays the existing zone, thereby, removing the incumbrance of the property restoring the ability to develop the property with all of the uses permitted within the C-1 (General Commercial) zoning district.
3. Access for the property will continue to be via Ozark Care Drive. Ozark Care Drive is platted as a private roadway as part of JMF Subdivision.
4. The character of surrounding development is heavy traffic commercial. The intensity of development can be expected to increase in this area with the property being located between two interchanges for the expressway and accessed from the Osage Beach Parkway commercial corridor.

**Department Comments and Recommendations:**

The PUD is a zoning tool used to offer flexibility within the rigid zoning districts by allowing mixed-use or cluster developments that adhere to the goals and objectives of the Comprehensive Plan but may not necessarily conform to the rigid requirements of the zoning district itself. Of issue in this particular situation is that I can find no reason why a Planned Unit Development was used for this development. All the uses that were part of the approved PUD are permitted uses within the C-1 zoning district and I cannot find a purpose for the PUD by way of services requirements either.

As helpful as a PUD can be when a property owner is in need of flexibility to develop their property, they can also be unnecessarily cumbersome to a developer, a piece of property, and ultimately the City if not used effectively. In this situation, the subject property has remained undeveloped for over twenty years and the approved PUD is in no small part a reason for that. From a planning perspective, removing the approved PUD from the property provides the flexibility needed for a piece such as this to be appropriately developed. This of course will be a positive for the landowner who can now sell the property, the buyer who can develop the property, and the city who will experience new development on a piece of property that has remained vacant for some time.

**With this in mind, the Planning Department would recommend approval of this rezoning request that would remove the PUD requirements for the subject property.**





Date Received: 11/19/2020  
Case #: 411  
RV# 3044 - 200  
3100 - 124.20

**REZONING/SPECIAL USE PERMIT APPLICATION**

1. Name of property owner: Precision Paint Worx, LLC Phone: 618-972-3513

Address: 1074 Armory Drive 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:

Kayla Voudrie (100%), 1074 Armory Drive, Osage Beach, MO 65065

2. Name of landowner's representative, if different from above: TNT Solutions LLC Phone: 573-693-2871

Address: 5315 Melody Lane City: Osage Beach State: MO Zip: 65065

3. All correspondence relative to this application should be directed to whom? TNT Solutions LLC

Address: 5315 Melody Lane 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): Parcel Number 08-5.0-16.0-000.0-001-033.000

Address: TBD Ozark Care Drive City: Osage Beach State MO Zip: 65065

Legal Description: Unlotted Area, Township 39N, Range 16W, Deedholder Johnson Meyer Fredrick LLC

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

Explain all uses: Boat repair and refurbishment (Relocation of existing business currently located at 1074 Armory Drive Lessor of other facilities to at least three ancillary boat repair and refurbishment businesses such as, flooring, upholstery, sound systems, etc.)

6. Area of property in square feet or acres: 5.6 acres - 243936 sq. ft.

7. Current zoning classification: PUD = Planned Unit Development

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

Sewer: City of Osage Beach Electric: Ameren

9. Proposed zoning classification: C1-Commercial

10. How long have you owned this property? Under an agreement of sale with several contingencies, including rezoning

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

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

South: Motels, Roofing Company and vacant automobile lot East: Motel, Health Care Facility and various retail West: Vacant

13. If zoning district or comparable to that proposed adjoins or lies within vicinity of subject property, please describe the use and its location:

N/A

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?

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? Note: Property was originally zoned C1-Commercial.  Yes  No

In 1999 it was rezoned PUD-Planned Unit Development

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.

Pending

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

The intended use of the property is very similar to that of surrounding properties and will have minimal 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):

The property was originally zoned C1-Commercial, until 1999 when it was rezoned PUD-Planned Unit Development. The reason for the rezoning was to develop residential/assisted living/nursing home facilities. That plan never materialized and the property has remained vacant and on the market for two decades. All the surrounding properties are zoned C1-Commercial and this would place the property back inline

Notary Information with its highest and best use.

State of Missouri }  
County of Camden } ss

I, Kayla Voudrie, 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.

Kayla Voudrie Signature Owner/Applicant: 11/20/2020 Date:

Subscribed and sworn to before me on this 20 day of November, 2020.

[Signature]  
Notary Public:  
11/24/2023  
My Commission Expires:



DENNIS E PATTERSON  
My Commission Expires  
June 24, 2023  
Camden County  
Commission #19075687

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

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?

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.

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

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 )

ss

County of Camden

I, Wm. H. Johnson, 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.

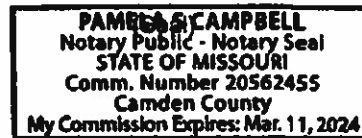
Wm. H. Johnson, mgr. JMF LIC  
Signature Owner/Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn to before me on this 30<sup>th</sup> day of NOVEMBER, 2020.

Pamela A. Campbell  
Notary Public: \_\_\_\_\_

My Commission Expires: 3-11-2024

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

November 20, 2020



City of Osage Beach  
Planning Department  
1000 City Parkway  
Osage Beach, MO 65065  
RE: Rezoning Request for Precision Paint Worx, LLC

We are requesting the rezoning of the subject property (Parcel ID 08-5.0-16.0-000.0-001-033.000) located on Ozark Care Drive between Elite Roofing and Ozark Rehabilitation and Health Care Center (address TBD). The 5.6-acre property is currently vacant. We have the property under agreement of sale with various contingencies including this rezoning request.

We own and operate Precision Paint Worx currently located at 1074 Armory Drive in Osage Beach. We started the boat repair and refurbishment business in 2014 at this leased facility (6000 sq. ft.). As our business has been successful, by 2019 we outgrew the original facility and leased a second (2400 sq ft.) adjacent facility. Our business continues to expand, and we have once again reached the point of full capacity. Therefore, we have made the decision to purchase the subject property and construct a larger facility (at least 10,000 sq. ft.) that should meet our needs for the foreseeable future.

In addition to the relocation of our business, we intend to construct at least four additional facilities to be rented to ancillary boat repair businesses such as upholstery, flooring, acoustic systems, detailing, etc. There are inherent economies of scale to the co-location of boat repair and refurbishment facilities. These ancillary businesses are currently located in Lake Ozark, Camdenton, Sunrise Beach, and elsewhere. Therefore, in addition to allowing us to expand our own business, our proposal will bring at least four new businesses to the Osage Beach West Side. In the future, we plan to also construct and operate additional storage facilities.

The subject property was previously zoned C1 - Commercial and in 1999 was subsequently rezoned as a PUD - Planned Unit Development with the intention to construct a medical facility complex. The medical facility complex never materialized, and the property has remained vacant and for sale for nearly two decades. Our rezoning request simply reverts the zoning back to the original intent and status. This is logical given that each of the surrounding properties are currently zoned C1 - Commercial.

Given the properties unique nature and location, we believe that our intended purpose represents the property's highest and best use. We hope the Planning Commission agrees and grants our request.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Kayla Voudrie".

Kayla Voudrie

Owner - Precision Paint Worx, LLC

A handwritten signature in black ink, appearing to read "Les Voudrie".

Les Voudrie

Operator - Precision Paint Worx, LLC

Enclosures:

- Rezoning/Special Use Permit Application
- List of Adjacent Property Owners
- Site Plan Sketch
- Survey/Legal Description



**Rezoning Case  
4111 Location Map**



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

**Date:** December 8, 2020

**Subdivision Name:** Northview Subdivision Preliminary Plat

**Location:** Approximately 900 ft off Sycamore Valley Drive on Oak Road

**Section/Township/Range:** 10/39/16

**Applicant:** Mitchell Northway

**Surveyor:** Central Missouri Professional Services, Inc.

**Tract Size:** 63,418 sq. ft. (5 single –family lots)

**Zoning:** R-1a (Single Family Residential)

**Surrounding Land Use:**

**North:** Lake of the Ozarks

**South:** Residential Development

**East:** Residential Development

**West:** Residential Development

**Department Comments**

**Preliminary:**

- 1) The plat was reviewed for code compliance and was found to be consistent with the preliminary plat requirements.

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- 2) All public improvements, (i.e., roadways, parking areas, streetlights, etc.) must be designed and built to city design standards. The City Engineer is currently in the review process with the applicant's engineer. That process should be completed soon.



**Northview Subdivision  
Preliminary Plat**



