

NOTICE OF MEETING AND PLANNING COMMISSION AGENDA



CITY OF OSAGE BEACH PLANNING COMMISSION MEETING

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

TENTATIVE AGENDA

REGULAR MEETING

March 12, 2024 - 5:30 PM
CITY HALL

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

- A. Rezoning Case 423 WFO Watersports, LLC.

ADJOURN

Remote viewing link:

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

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

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

**PLANNING DEPARTMENT
REPORT TO THE
PLANNING COMMISSION**

Date:	March 12, 2024	Case Number:	323
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Applicant: WFO Watersports, LLC.

Location: 4415 Sky Harbor Drive

Petition: Entertainment Overlay E-3 for the ability to rent personal watercraft on the property.

Existing Use: Vacant Commercial Property

Zoning: C-1

Tract Size: 1.09 acres

Surrounding Zoning:

Surrounding Land Use:

North: LU Lake Use

Lake of the Ozarks

South: R-1b Residential

Vacant Residential

East: C-1 Commercial

Vacant Commercial

West: C-1 Commercial Lake Use
R-1 Residential

Mixed Uses

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Heavy Traffic Commercial.

Rezoning History **Case #**

Date

Citywide

May 1984

Utilities

Water: City
Electricity: Ameren

Gas: none
Sewer: City

Access: Property has access off Sky Harbor Drive.

Analysis:

1. The applicants are the owners of the 1.09-acre parcel in question. The request is to allow the rental of personal watercraft from a new dock structure that will be attached to the property once approved by Ameren UE.
2. Recognizing past incompatibility problems with similar uses and less intense uses, the City adopted Ordinance 96.21, which regulates all uses with outdoor entertainment overlay zoning requirements.
3. Currently, the applicants use the property for boat rentals, which, by ordinance, does not require an entertainment overlay. The requested addition of personal watercraft rentals does, however, require the addition of an E Overlay.

Department Comments:

The primary intent of E-zones is to regulate outdoor activities that could adversely affect adjacent properties, both commercial and residential. My understanding of the reason that the City chose to require an E Overlay, for PWC rental back in 1996, was that the patrons who rented the PWC were more likely to stay close to the location where the rental took place. The ideology was that, because of this fact, PWC rentals could have a more adverse effect on that specific cove and the properties that fronted the lake within that specific area. The difference that we see now, as compared to 1996, is that this cove, like many others, is now a “No Wake” cove. This, of course, requires all watercraft to proceed through the cove at idle speeds. The “No Wake” requirement completely changes the impact that a PWC can have on the surrounding properties. Customers renting from the subject location will now take the PWC out to the main channel to take advantage of their time.

With this property’s location in a cove that contains commercial uses and the properties current use as a watercraft rental facility, **staff would recommend that this request be approved subject to the following provisions and conditions:**

Permitted Uses: The ability to rent a maximum of six (6) personal watercraft from the subject property.

Parking: Any new parking facility required to accommodate the proposed use, will need to be built in conformance with City Code.

Signage: The applicant will be required to get a sign permit for any additional signage that will be needed.

Exterior Lighting: Any additional lighting proposed as part of this activity, must be shielded to direct light inward and not increase light intensity within adjoining properties.

Landscaping: A minimum of 5 percent of the areas devoted to parking must be left in open lawn or landscaped areas.

Final Development Plan: The site plan submitted with the application is sufficient for the final development plan.



**Rezoning Case
423 Location Map**

Date Received: 2.16.24Case #: 423

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Dan Zimmerly Phone: 573 6938303Address: 4415 Sky Harbor Dr 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:

WFO Watersports LLCcaller DAN ZIMMERLY 5268 Wren Lane Osage Beach MO 65065 573 6938303

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?

Address: 5268 Wren 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):

Address: 4415 Sky Harbor Dr City: Osage Beach State: MO Zip: 650655. Do you have a specific use proposed for this property? ☒ Yes ☐ No

Explain all uses:

Currently using for boat rental, in line repair proposing to add pwc's6. Area of property in square feet or acres: 2 acres7. Current zoning classification: B8. Sources of utilities: Water: city Gas: PropaneSewer: city Electric: American9. Proposed zoning classification: Recreational PWC's10. How long have you owned this property? 3 years11. Current use of property (describe all improvements): Boat rental, 40x90 service shop12. Current use of all property adjacent to subject property: North: across cove residentialSouth: commercial East: commercial property West: residential

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: the Getaway, Boat and PWC rental

Quickly's Boat & Jet Ski Rental

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. no adverse affects to adding ones to fleet in fact, its an opportunity to enhance attractiveness for the city while ensuring responsible & sustainable operations

18. How, in your opinion, will rezoning affect adjacent properties and what mitigating measures are proposed to address these problems, if any? shouldn't be any issues, already rent Boats out of location for 3 years with no problems

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): no competitors in core operating pwc's. offers fair competition benefiting customers & local economy, increased revenue = city sales tax enhanced customer service & economic boost to area - increasing visitor spending with other businesses.

Notary Information

State of Missouri }
County of Camden } ss

I, Dan Zimmerman, 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:

Date:

Subscribed and sworn to before me on this 13th day of February, 2024.

Notary Public:

My Commission Expires:

Person Accepting this Application:

BRITTANY CARNEAL
Notary Public, Notary Seal
State of Missouri
Camden County
Commission # 14025727
My Commission Expires 10-06-2026

****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

I am requesting a zoning change
to rent PWC's at 4415 Sky Harbor
drive in Osage Beach "w/o water sports"
I have over 20 years experience in
PWC rental and have had no issues
in the past, I have plenty of Lake Front
to accommodate this extension of my
current Boat rental operation. IF approved
I plan on starting with 2 PWCs growing
to 6 PWCs in the future.

Don Zump